

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
NOVEMBER 23, 2020 7:30 P.M.
BOROUGH HALL, 100 GRASSMERE AVENUE**

A meeting of the PLANNING BOARD of the Borough of Interlaken, Monmouth County, New Jersey was held on November 23, 2020 at 7:30 p.m.

The meeting was held via Zoom.

Chairman Papp opened the meeting and read the following Sunshine Statement: *“THE NOTICE REQUIREMENTS OF THE OPEN PUBLIC MEETINGS ACT HAVE BEEN SATISFIED BY FORWARDING NOTICE TO THE ASBURY PARK PRESS AND THE COASTER THAT THERE WOULD BE A VENUE CHANGE TO THE REGULARLY SCHEDULED MEETING HELD ON NOVEMBER 23, 2020 AT 7:30. THE MEETING WAS MOVED FROM THE BOROUGH HALL, 100 GRASSMERE AVENUE LOCATION TO BE HELD VIA ZOOM CONFERENCE UNDER THE GOVERNOR’S EXECUTIVE ORDER 107. A COPY OF THE NOTICE IS POSTED ON THE OFFICIAL BOROUGH WEBSITE WITH FULL DIRECTIONS ON HOW THE PUBLIC CAN ATTEND AND MAKE COMMENT AT THE MEETING. ALSO, A COPY WAS PLACED ON THE DOOR AT BOROUGH HALL AND IS ON FILE IN THE BOROUGH CLERK’S OFFICE.”*

IT IS DEEMED THAT THIS HEARING IS BEING HELD THROUGH ELECTRONIC COMMUNICATION. SHOULD THERE BE ANY DISCONNECT OR FAILURE OF TECHNOLOGY, THE MEETING WILL BE CONSIDERED ADJOURNED. ALL AGENDA ITEMS WILL AUTOMATICALLY BE CARRIED TO THE NEXT REGULARLY SCHEDULED INTERLAKEN PLANNING BOARD MEETING, WHICH IS SCHEDULED FOR DECEMBER 21, 2020 AT 7:30PM. ADDITIONAL NOTICE WILL NOT BE REQUIRED.

These announcements were followed by the Pledge of Allegiance.

ROLL CALL:

Present: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Mr. Tilton, Ms. Heinz, Mr. Wasilishen, Mr. Franks, Mr. Weaver, Ms. Kane, Mr. Wentz and Ms. Kapp

Also Present: Planning Board Attorney Representative Nicholas Falcone, Board Planner/Engineer Peter Avakian, Board Planner Representative Jennifer Beahm and Planning Board Secretary Gina Kneser

Absent: None

UPON MOTION of Councilman Butler seconded by Mr. Franks carried, the Board approved the minutes of October 19, 2020 meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Ms. Heinz, Mr. Wasilishen, Mr. Franks, Mr. Weaver, Ms. Kane, Mr. Wentz and Ms. Kapp
Opposed: None
Ineligible: Mr. Tilton, Mr. Weaver and Ms. Kane
Abstain: None
Absent: None

Board Planner/Engineer Avakian gave an introduction of the Master Plan Reexamination Report Review. The previous review occurred in 2015-2016. The law calls for a review every 10 years. After the Planning Board made their presentation to Council regarding Land Use Continuity and Ordinance Changes, Council requested that the Master Plan be evaluated as to the appropriateness of the Planning Board suggestions. This Re-examination was appropriately noticed.

Jennifer Beahm, Director of Planning/Land Use Law for Leon S. Avakian, proceeded with a section-by-section presentation of the Re-examination noting recommendations and answering Board member questions for each.

Chairman Papp opened the floor for public comment. With no comment the floor was closed.

UPON MOTION of Mr. Franks seconded by Mr. Tilton, carried, the Board approved the Master Plan Reexamination report.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Mr. Tilton, Ms. Heinz, Mr. Wasilishen, Mr. Franks, Mr. Weaver, Ms. Kane, Mr. Wentz and Ms. Kapp
Opposed: None
Ineligible: None
Abstain: None
Absent: None

MEMORIALIZATION

An application had been presented to the Board at the October 19, 2020 meeting for construction of shed.

**BOROUGH OF INTERLAKEN PLANNING BOARD
RESOLUTION GRANTING VARIANCE APPROVALS TO
KEITH FALL AND JONATHAN COPPOLA**

WHEREAS, KEITH FALL and JONATHAN COPPOLA, hereinafter referred to as “Applicant”, are the owners of certain property known as Block 9, Lots 8.02, 9.02, 10.03, 18.02, 19 and 20 on the official tax map of the Borough of Interlaken, which property is located at 615 Windermere Avenue in the Borough of Interlaken, County of Monmouth, State of New Jersey; and

WHEREAS, the Applicant has requested approval from the Planning Board for the construction of a shed; and

WHEREAS, said property is located in the R-A Single Family Residential Zone of the Borough of Interlaken; and

WHEREAS, in order to construct the shed, variances are required because the Ordinance states that no shed can exceed 120 square feet or exceed a height of 15 feet; and

WHEREAS, a denial from the Zoning Official has been received by the Applicant indicating as per Ordinance 26-33(b)(3), no shed can exceed 120 square feet or exceed a height of 15 feet; and

WHEREAS, in 2016 the Applicant received approval from the Board for a covered front porch, new front walkway, and removal of a portion of the driveway; and

WHEREAS, after proper notice, a public meeting on the within application was held on October 19, 2020 at the Interlaken Borough Hall; and

WHEREAS, the Board has considered the report of the Board Engineer, Peter R. Avakian P.E., P.P., dated October 2, 2020, and the testimony of the Applicant as well as testimony from the public; and

NOW THEREFORE, the Planning Board of the Borough of Interlaken makes the following findings of fact:

1. The Applicant is the owner of Block 9, Lots 8.02, 9.02, 10.03, 18.02, 19 and 20 in the Borough of Interlaken, County of Monmouth and State of New Jersey.

2. The property is irregular in shape and measures 140 feet in width and 198 in depth. The property contains an area totaling 24,851 square feet. The site is currently occupied by a single-family dwelling.

3. The property in question is located in the R-A Single Family Residential Zone of the Borough of Interlaken. A single-family dwelling is a permitted principal use in this district.

4. The Applicant is requesting approval from the Planning Board for the construction of a shed. In 2016, the Applicant received approval from the Board for a covered front porch, new front walkway, and removal of a portion of the driveway.

5. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 24,851 square feet, which conforms.

6. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 140 feet, which conforms.

7. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 198.22 feet, which conforms.

8. The minimum front yard setback permitted per the zoned district is 50 feet except that no building shall be nearer to the street than the average alignment of existing buildings with 200 feet of each side of the lot and within the same block. The existing front yard setback to the covered porch is 38.1 feet, for which a variance was granted.

9. The minimum side yard setback permitted per the zoned district is 15 feet. The existing side yard setbacks to the dwelling conform. The existing east side yard setback of 39.9 feet and a west side yard setback of 15.3 feet. Both of these setbacks conform.

10. The minimum rear yard setback permitted per the zoned district is 30 feet. The

irregular shape lot has an existing rear yard setback of 8.9 feet, which represents an existing non-conformity.

11. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The existing building coverage is 17.6%, which conforms. The Applicant is proposing a building coverage of 18.8%, which includes the shed.

12. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposing an impervious coverage of 37.1%, which conforms.

13. An accessory structure requires a minimum setback of 5 feet from the side and rear property lines. The proposed side yard setbacks to the shed are greater than 5 feet, which conforms. The Applicant is proposing a rear yard setback of 2.7 feet. A variance is required.

14. The maximum building height of an accessory structure is 15 feet. The Applicant is proposing a building height of 11.25 feet from the grade around the garage. The definition of building height is the vertical measured from the street level to the highest point of the roof. The Applicant provided a letter from Charles Surmonte, P.E., L.S., regarding the elevation of the roof ridge at the centerline of the property frontage, which letter was marked as Exhibit A-2 at the hearing, and which the Board accepts.

15. The maximum number of stories for an accessory structure is one (1) story. The Applicant is proposing a one-story shed, which conforms.

16. The maximum area of a tool shed is 120 square feet. The Applicant is proposing a shed area of 271 square feet. A variance is required.

17. The Applicant's neighbor, John Vrettos, who will be most impacted by the rebuilding of the shed, testified in support of the application advising that the previously existing shed was in terrible condition and that the closeness of the new shed does not concern him.

18. The Applicant testified at the hearing that the shed will be constructed no larger

than the existing concrete foundation, and in strict conformance with the plans filed by the Applicant (marked as Exhibit A-1).

19. The Applicant further testified that there will be windows on the East and West sides, with the entrance door on the South, but no windows/door on the North side which faces the property line.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for variances pursuant to N.J.S.A. 40:55-D:70c- 2 to construct a shed, in accordance with the application submitted, be and is hereby approved, based on Applicant's proofs that special reasons exist for same and on the basis that the relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance, and further that the variances regarding the pre-existing non-conforming structure are granted because those conditions are not impacted by the proposed shed construction and have no detrimental effect to the property, and subject to the following conditions:

A. The shed to be reconstructed will be no larger than the existing concrete foundation and in strict conformance with the plans filed with the Application, marked as A-1 which described the intended use primarily for storage.

B. The shed may be used during the summer season when the contiguous pool is in use, for up to 50% for a sitting area which includes a table and chairs but no bed.

C. The shed may never be used for occupancy, for a living area, which prohibition includes but is not limited to a bedroom.

D. Electricity is permitted in the shed, but it shall not have plumbing, water, or HVAC.

E. The exterior will be constructed as testified to at the hearing and shall have windows on the East and West sides, the entrance door on the South, but there shall be no

windows/door on the North side which faces the property line.

F. Applicant shall apply for a valid building permit for the reconstruction which was partially done without a permit.

G. Publication of a notice of this decision in the official newspaper serving the Borough of Interlaken and return of proof of publication to the Board Secretary.

H. Payment by the Applicant of all taxes, escrows and assessments to date. No building permit or certificate of occupancy is to be issued until proof is furnished to the Board Secretary that there are no taxes, escrows or assessments due or delinquent on the property in question.

I. The obtaining of all property building permits for construction, and construction in accordance with the documents marked at the hearings, and in compliance with the testimony and stipulations of the Applicant and the Applicant's expert at the hearing;

J. Compliance with all conditions set forth in this Resolution, as well as the prior Resolution of the Board dated December 19, 2016, and also satisfying the general comments section of the Board Engineer's report dated October 2, 2020.

K. Subject to the Applicant applying to the Borough Tax Assessor and having the three lots for the subject property merged of record.

L. Compliance with the requirements of all governmental agencies having jurisdiction over the development of the property;

M. Pursuant to Ordinance Section 25-3, Applicant shall have one year from the date of this Resolution to start construction, otherwise this variance approval shall expire one year from the date hereof.

N. The Applicant must comply with all representations made on the record.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Secretary of the Planning Board of the Borough of Interlaken to be a true copy, be forwarded to the Borough Construction Official, the Borough Clerk, the Borough Tax Assessor and Collector and the Applicant herein; and

BE IT FURTHER RESOLVED that this Resolution shall serve as one of memorialization of the action taken by this Board at its meeting on October 19, 2020.

The foregoing Resolution was offered by Councilman Butler and seconded by Mr. Franks and adopted on Roll Call by the following vote:

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Vice Chairwoman Umfrid, Ms. Dalton,
Mr. Wasilishen, Ms. Heinz, Mr. Franks, Mr. Wentz and Ms. Kapp

Opposed: None

Abstained: None

Ineligible: Mr. Tilton, Mr. Weaver and Ms. Kane

Absent: None

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 23rd day of November, 2020.

UPON MOTION of Vice Chairwoman Umfrid, seconded by Ms. Kapp carried, the Board approved the memorialization.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Ms. Heinz,
Mr. Wasilishen, Mr. Franks, Mr. Weaver, Ms. Kane, Mr. Wentz and Ms. Kapp

Opposed: None

Ineligible: Mr. Tilton, and Mr. Weaver

Abstain: None

Absent: None

The Board had brief discussion about how the Land Use Continuity Review will proceed. Ms. Kapp and Mr. Wentz will continue to work on the review. The review of ordinances pertaining to schools and houses of worship will be added to their review. The full Board will begin to discuss the proposed changes in detail at the next meeting.

Vice Chairwoman Umfrid and the Board thanked Mr. Wentz and Ms. Kapp for their continued work.

Ms. Dalton expressed that the review work by the Board should proceed expeditiously.

UPON MOTION of Mr. Franks, seconded by Councilman Butler, carried, the Board adjourned the meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Mr. Tilton, Ms. Heinz, Mr. Wasilishen, Mr. Franks, Mr. Weaver, Ms. Kane, Mr. Wentz and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: None

Approved: _____
Mr. Papp, Chairman

Attest: _____
Gina Kneser, Secretary