

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
APRIL 15, 2019 7:30 P.M.  
BOROUGH HALL, 100 GRASSMERE AVENUE**

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A meeting of the PLANNING BOARD of the Borough of Interlaken, Monmouth County, New Jersey was held on April 15, 2019 at 7:30 p.m. in the Borough Hall.

Chairman Papp opened the meeting, announced that the meeting was being held in accordance to the Open Public Meeting Act and that Notice of the meeting had been published in the Coaster. The announcement was followed by the Pledge of Allegiance.

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**ROLL CALL:**

Present: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Mr. Tilton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver

Also Present: Planning Board Attorney Representative Nicholas Falcone and Planning Board Secretary Gina Kneser

Absent: Ms. Dalton, Mr. Menditto, Ms. Gatsch, Ms. Kane and Mr. Wentz

UPON MOTION of Mr. Wasilishen, seconded by Vice Chairwoman Umfrid, carried, the Board approved the minutes of March 18, 2019 meeting.

**ROLL CALL:**

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Mr. Tilton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver

Opposed: None

Ineligible: None

Abstain: None

**MEMORIALIZATION:**

An application had been presented to the Board at the March 18, 2019 meeting to construct a two-story addition.

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION GRANTING VARIANCE APPROVAL TO  
CATHERINE AND MICHAEL DESARNO**

**WHEREAS**, Michael and Catherine DeSarno, hereinafter referred to as “Applicant”, are the owners of certain property known as Block 12, Lot 15 on the official tax map of the Borough of Interlaken, which property

is located at 729 Raymere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

**WHEREAS**, said Applicant has requested approval for a second story addition and a paver patio at the rear of the dwelling; and

**WHEREAS**, the property is in the R-A Single Family Residential Zone; and

**WHEREAS**, a denial from the Zoning Official was received by the Applicant indicating that the proposed addition requires a variance for side yard setback, impervious coverage, and usable floor area. The property has an existing non-conformity with lot area, lot width and lot depth and the garage has existing non-conformities with side and rear yard setbacks; however,

The Applicant received approval from the Planning Board on May 16, 2016 for the construction of an addition to the second floor and attic space, with renovation to the attic space. The approval from the Planning Board granted variances for front yard and side yard setbacks to the dwelling, number of stories, impervious coverage, and useable floor area. The proposed improvements were never constructed. That approval is deemed void; and

**WHEREAS**, said property 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; and

**WHEREAS**, the neighbor noted the addition will be aesthetically pleasing and the improvements, which necessitate the variance for the side yard, will not be seen from the front and will not bother the neighbors. The next-door neighbor recommended the approval; and

**WHEREAS**, after proper notice, a public hearing on the within application was held on March 18, 2019 at the Interlaken Borough Hall; and

**WHEREAS**, the Board has considered the report of Chris Rudman, Architect, dated December 18, 2018 with the latest revisions dated January 7, 2019 (the plan sheet PP.100 has been revised with a date of February 5, 2019, and a survey of property consisting of one (1) sheet prepared by Michael T. Cannon, P.L.S. of ABH Engineering & Surveying Design Group, dated June 1, 2011.

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

1. The Applicant is the owner of Block 12, Lot 15 in the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The property is rectangular in shape, measuring 50 feet in width and 144.43 in depth. The property contains an area totaling 7,254 square and is currently occupied by a single-family dwelling. Single-family dwellings are a permitted principal use in this district.
3. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 7,254 square feet, which represents an existing non-conformity.
4. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 50 feet, which represents an existing non-conformity.
5. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 144.43 feet, which represents an existing non-conformity.
6. 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 within 200 feet of each side of the lot and within the same block. The existing front yard setback is 34.4 feet, which represents an existing non-conformity.
7. The minimum side yard setback permitted per the zoned district is 15 feet. The existing east side

yard setback is 4.9 feet, which represents an existing non-conformity. The existing west side yard setback is 8.7 feet to the enclosed porch, which represents an existing non-conformity. The proposed second floor addition has an east side yard setback of 4.9 feet and a west side yard setback of approximately 31 feet. The Applicant is expanding the existing non-conformity on the east side. A variance is required and is granted.

8. The minimum rear yard setback permitted per the zoned district is 30 feet. The Applicant is proposing a rear yard setback of approximately 67 feet to the second-floor addition, which conforms.

9. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The plot plan indicates a building coverage of 16%, which conforms. The Board's Engineer calculates a building coverage of 20.4%, which conforms. The building coverage calculation should include the framed dwelling, enclosed porch, and garage. A revised calculation was provided from Applicant at the hearing.

10. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposing an impervious coverage of 51.5% with the addition for a new patio. A variance is required and is granted.

11. The maximum height permitted per the zoned district is 35 feet. *Building height* shall mean the vertical distance measured from the street level to the highest point of the roof. The plans indicate an existing building height of 30.83 feet, which conforms. The Applicant has indicated a proposed building height of 28.17 feet, which conforms. Applicant testified that the building height conforms to at less than 35 feet.

12. The minimum usable floor area of principal dwelling permitted per the zoned district is 2,000 square feet. The Applicant is proposing usable floor area of 1,894 square feet. A variance is required and is granted.

13. The minimum side and rear yard setback for the garage (accessory structure) is 5 feet. The existing garage has a side yard setback of 4.9 feet and a rear yard setback of 3.4 feet. The side and rear yard setbacks represent existing non-conformities.

14. Applicant agrees to comply with Board Engineer's general comments in his report of February 19, 2019 that all roof leaders shall drain to a stone recharge pad or structure which shall be subject to approval by the Board Engineer.

15. The Applicant should provide a soil log and a permeability test if any underground system or drywell structure is proposed. The subsurface soils must be capable to infiltration rates proposed.

16. The Applicant provided testimony satisfactory to the Board on the current site conditions.

17. The Applicant's next door neighbor testified in favor of recommending approval.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Interlaken that the application for the variances pursuant to N.J.S.A. 40:55D-70 c-2 for the construction of a second story addition in accordance with the application submitted, be and is hereby approved, in that based on Applicant's proofs as stated in this Resolution the statutory positive criteria are met since: (a) the purposes of the Municipal Land Use Act under N.J.S.A. 40:55D-2 are advanced by this deviation since the addition will provide a desirable visual environment through a creative development technique and good design and arrangement, and (b) the benefits of the deviation substantially outweigh any detriment because most of the variances relate to existing non-conformities and the addition cannot be seen from the street and will not impact the neighbors; and the statutory negative criteria has also been met since 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 since the addition will be aesthetically pleasing and will not adversely impact the neighbors, subject to the following conditions:

A. The Applicant shall provide to the Board Engineer satisfactory proof of an elevation of the crown of the roadway and proposed roof elevation to confirm the building height is 35 feet or less.

B. 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.

C. 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.

D. 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 at the hearing.

E. Compliance with all conditions set forth in this Resolution, and also satisfying the general comments section of the Board Engineer's report.

F. The prior Resolution dated June 20, 2016 is null and void in its entirety.

**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, the Board Attorney, and the Applicants 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 March 18, 2019.

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

**ROLL CALL:**

- In Favor: Chairman Papp, Councilman Butler, Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver
- Opposed: None
- Abstained: None
- Ineligible: None
- Absent: Ms. Dalton, Mr. Menditto, Ms. Gatsch and Mr. Wentz

UPON MOTION of Councilman Butler, seconded by Mr. Tilton, carried, the Board memorialized the application.

**ROLL CALL:**

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

**APPLICATION**

411 Buttermere Avenue, Block 32/Lots 13 & 14  
Addition, add roof to front porch

Jefferey Beekman, Beekman Law Firm, Attorney for the Applicant and Ms. Karen Watt, Applicant joined the table.

Mr. Beekman summarized the project stating the it is a simple square off of the rear of the house where an existing variance occurs.

Board Attorney Representative Falcone marked the following items into evidence:

- A-1 Application with 8 pages of photos
- A-2 Architectural plans prepared by Charles Monteforte Architectural Studio dated 09/24/2018 with Revision date to 10/30/2018 consisting of eight pages
- A-3 Plot Plan prepared by Charles Surmonte dated 10/01/2018
- A-4 Survey prepared by Charles Surmonte dated 7/9/2013
- A-5 Photos of existing sidewalk two pages

Ms. Watt stated that the reason for the renovation is that the kitchen is not functional, if the renovation stayed in the footprint of the original 1950's kitchen. The proposed addition will not go beyond the point of the existing home and will square it off. The existing back porch has stairs that are falling in and would need replacement. There is an odd bump out at the rear of the house and Ms. Watt hopes to square that off to create a small sitting room next to the kitchen and eventually a small patio. The porch is existing, but Ms. Watt would like to cover it.

Ms. Fiore, Architect Representative for the Applicant, was sworn in by Board Attorney Representative Falcone.

Ms. Fiore stated that she prepared the plans under the supervision of James Monteforte, licensed architect and noted that Ms. Maria Piccolo is a licensed architect and is present to assist in answering questions regarding architectural plans during this review.

Ms. Fiore referenced the architectural plans to review the project for the board. A1.01 shows the proposed site, which was submitted as the grading and site plan. The existing front porch presently existing on the property and is not covered. There is a very strange bump out at the rear that will be squared off. There will be some steps on to grade onto a paver patio. The rest of house is existing. Stepping stones will be used from front to the rear and add minimal coverage.

Ms. Fiore stated that page A1.2 of the plan shows the existing plan of basement and existing first floor. There is a galley kitchen and a strange bump out that barely fits table. Basement was finished prior to purchase. There is a legal bedroom there. There is a galley kitchen in the basement. There is water damage from a leak in the storage area.

Ms. Fiore stated that A1.3 shows the front elevation showing existing ranch front elevation with stone veneer at bay window and a front porch that is uncovered with a metal rail. There are some shutters, a garage door and an existing asphalt roof. There is existing vinyl siding.

Ms. Fiore presented A1.4 showing the rear of house. An area of the patio that is damaged. Will match setback from rear property line. The other side elevation shows other portions of

Ms. Fiore stated that the plan was revised per request of engineer's office to show the expansion was of the basement. There is a damaged area to be removed. Lines indicate the foundation for addition. This space is expected to be used for storage only. Not for living space.

Ms. Fiore stated that A1.6 shows the proposed floor plan of the kitchen that will bump out the house and be squared off. The dimension from house to property line will not change. There is still a little setback. it is an existing non-conforming condition. It is bumped in so the rear elevation is not flat. The kitchen will be 19ft x 16ft and the family room 16ft x 11.6ft. comes out from rear of house 12ft. A gas prefab fireplace unit will be added. Trim work is proposed. A shed roof off the front of the house to continue the roof and cover the front porch will be added as well as some columns to define space and leave it open. The existing brick and stone will remain. The existing siding will remain but bead board will be added to the gable as trim. Brackets will also be added. A gable will be added and over the existing front window to center it. A small trellis will be added at the garage. Front shutters will be replaced.

Ms. Fiore stated that railings will not be added for a more inviting feel and are not required by code as the porch is only a couple of feet in height. Windows will be added on either side of the fireplace to allow additional light to the interior.

Ms. Fiore indicated that the rear elevation shows kitchen windows and the gable on the rear. It is stepped back so that it is not flat across the rear. The existing lot size is required at 15,000sq ft. The lot is 10,000sqft lot. It is a non-conforming lot. If the front porch was not being covered, it would comply.

Ms. Watt enjoys her porch and would like to make it functional.

Ms. Fiore stated that the coverage calculations on the revised plans are 26.1% instead of 25.8% as previously stated.

Board Engineer/Planner Avakian noted that this is a minimal 300sqft discrepancy that can be noted and verified. A variance is being requested.

Mr. Beekman stated that a revision was submitted that showed the measurement at 26.1%.

Board Engineer/Planner Avakian reviewed the plan with a revision to February 28, 2019. The revision will be noted.

Mr. Beekman stated that the applicant will work with the Engineer to make sure everything is taken care of regarding grading.

Ms. Watt stated that there is no plan to take out trees. A permit will be submitted, should the need arise.

Mr. Beekman noted that photos of the sidewalk were submitted (A-5) to show that the sidewalks are in good shape but will be replaced or repaired should they get damaged during the project construction.

that the curb and sidewalk will be replace

Board Engineer/Planner Avakian made comment that the architectural design really utilizes the utilizes the existing footprint of home and did not expand the encroachments. The reason why there are two variances is that the change of use of existing space. Now the front setback is calculated to covered porch not building behind it. The rear yard is 22.2ft from existing bump out to rear yard property line. That is not changing. By redefining the kitchen space, the plan is utilizing the same existing rear yard. The second reason is that it is a non-conforming lot. If the measurement was conforming at 150ft, the coverage and rear setback would be adequate. Additionally, the coverage number itself is not unreasonable when look you at percentage of coverage on lot. The deficiency of the lot is 50ft. which results in 5,000sqft. The applicant tried to utilize the existing non-conforming lot. The lot is being utilized as best as possible to improve the exiting living space and existing dwelling and making improvements. Board Engineer/Planner Avakian appreciates the comment regarding the sidewalk and grading, but does not see an issue with these things.

Mr. Beekman stated that what is driving this is design is the existing dwelling and the existing setbacks. The railing to the porch is not going to change it will just have a roof over it. The rear yard setback is deficient by 50ft as an existing condition. The applicant is looking to square off the house. This is a hardship under a C variance because of the existing lot size

Chairman Papp opened the floor to public comment. With no public comment, the floor was closed by roll call:

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Heinz, Mr. Weaver

Opposed: None

Ineligible: None

Abstain: None

Absent: Ms. Dalton, Mr. Menditto, Ms. Gatsch, Ms. Kane and Mr. Wentz

Vice Chairwoman Umfrid questioned the materials of the patio.

Ms. Fiori stated that patio would be concrete pavers with a stone dust base for a stable seating area. It would not be a cement slab.

Vice Chairwoman Umfrid asked if there was an intention to cover the patio.

Mr. Beekman stated that the patio would not be covered. A cover would require a return to the Planning Board for setback variance.

Vice Chairwoman Umfrid asked if there were any outside entrance to the basement.

Ms. Fiori stated that there was an escape well for a basement bedroom that was installed when the building permit was received to put the bedroom down there. It is 44 inches above the finished floor and has a hatch to get out in case of emergency.

Vice Chairwoman Umfrid noted there was a basement kitchen and asked Ms. Watt if she used it.

Ms. Watt stated that she does not use it. The previous owner used it for jarring items. Ms. Watt kept it because it was in good condition and it would be more expensive to remove.

UPON MOTION of Mr. Wasilishen, seconded by Councilman Butler, carried, the Board approved the application.

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Heinz, Mr. Weaver

Opposed: None

Ineligible: None

Abstain: None

Absent: Ms. Dalton, Mr. Menditto, Ms. Gatsch, Ms. Kane and Mr. Wentz

Ms. Watt thanked the Board and left the meeting.

Chairman Papp gave the Board an of the Township of Ocean Sewerage Authority (TOSA) pump station review.

Board Attorney Representative Falcone stated that that at the last meeting the Board voted to ask Borough Council to write a letter to TOSA to ask the authority to come before the Board as a site plan review. The Interlaken Council denied that request to take future action.

Chairman Papp advised the Board a letter dated March 22, 2019 was received from the Council Attorney, Richard Shaklee. The following project narrative was included:

The proposed work includes the provision of a new wet well with new submersible pumps, a new valve chamber, and the construction of a new pump station building to house the mechanical equipment,

electrical system and controls, bioxide system, and standby generator. The new pump station building will be constructed atop of the foundation of the existing building. New structures will not exceed the existing footprint of the wastewater facilities. Construction of the new wet valve chamber will be within the existing walls of the proposed in order to replace three existing pumps. The existing elevation of the pump station is approximately 9 feet. in order to address new FEMA elevation requirements, all existing structures of the new pump station will be raised approximately 4 feet higher than the current elevations to an elevation of 13 feet.. This is 3 feet above the flood elevation of 10 ft.

The bulkhead surrounding the pump station will be replaced to protect the new pump station. Permits have been applied for the reconstruction of the bulk head.

Board Attorney Representative Falcone stated reminded the Board that a vote was taken to make a request that Borough Council write a letter to Ocean Township Sewage Authority to come before the Planning Board for a site plan review. Borough Council denied that request and basically denied to take future action.

Chairman Papp stated that a letter dated March 22, 2019, was received from Borough Council Attorney, Richard Shaklee, which included the project narrative for the proposed work.

Board Engineer/Planner Avakian stated that the proposed work includes the provision of a new wet well with new submersible pumps, a new valve chamber and the construction of a new pump station building to house the mechanicals of the station.

Board Engineer/Planner Avakian asked the Board not to be misled by the fact that TOSA does not have a site plan. TOSA has requested to come before this Board for a Capital Project Review which is all part of the municipal land use law. Boards such as the Board of Education, a fire Commission, a Parking Authority or other authority including a Sewage Authority should be allowed to come before the Board as a project review, as they have done in the past. That would mean TOSA would come before the Board, show the site plan and elevations and ask for comments. The Board's comments could be incorporated in the design if TOSA so desires. If the Board was strong enough about something, TOSA would probably just agree because because they are a partner of our town and our town has a relationship with them.

Board Engineer/Planner Avakian noted that Board Attorney Brown read a case law and felt that TOSA required a complete site plan application and review, Not just a capital project review. is Council reviewed the matter and decided that a Capital Project Review would be satisfactory. TOSA has not submitted anything to this Board yet. That is why the Board has not seen this site plan or building elevations.

Chairman Papp noted that the Board is basically concerned with the aesthetics of the project. Councilman Butler stated that Council reviewed the letter sent from Board Attorney Brown in Executive Session during the meeting in March. Council felt it was in the best interest to interlaken to move the project along by recommending a Capital Review. The footprint is not changing, and the mechanics underneath is what is most important to alleviate the threat from another storm like Sandy. Council decided not to send a letter to Ocean Township.

Chairman Papp noted that Council is recommending that the Board go ahead and ask TOSA to come in and present a Capital Review and agreed that Council's recommendation was understandable in that the Board does not have control over the mechanics or internal workings.

Board Engineer/Planner Avakian stated that during a Capital Review the Board would hear testimony that the submersible pumps are needed, so they will not be inundated with water when the lake floods over. There would be testimony regarding the elevations and aesthetics. That is where it left off when TOSA was before the Board in 2018 requesting input on the exterior look of the building. The project was pulled back. Board Engineer/Planner Avakian understood that the project was delayed due to some funding matters and also to have time to get FEMA elevation approval for the work.

Chairman Papp noted that the Board is at the point where they would like TOSA to come before the Board for a Capital Review of the project with focus on the aesthetics of the project. Judging from what is being heard, it seems that Council is on the same page.

Board Secretary Kneser was tasked with writing a letter to TOSA to request attendance at the May Planning Board meeting for a Capital Review of the project.

UPON MOTION of Mr. Weaver, seconded by Mr. Wasilishen, carried, the Board adjourned the meeting.

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver

Opposed: None

Ineligible: None

Abstain: None

Absent: Ms. Dalton, Mr. Menditto, Ms. Gatsch and Mr. Wentz

Approved: \_\_\_\_\_  
Mr. Papp, Chairman

Attest: \_\_\_\_\_  
Gina Kneser, Secretary