

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
DECEMBER 17, 2018 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 December 17, 2018 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.

ROLL CALL:

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

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

Late Arrival: None

Absent: Ms. Gatsch and Mr. Wentz

Chairman Papp tabled the approval of the minutes of the November 17, 2018 meeting.

Applications:

501 Bridlemere Avenue, Block 30 /Lots 1, 2 & 3, Kessler

One story addition with roof-top deck and circular stairway: raised terrace and pergola; hot tub and stone patio and related site improvements.

Jennifer Krimko, Attorney for applicant, joined the table.

The following items were marked into evidence and dated November 17, 2018:

- A-1 Boundary and topographic survey dated 7/28/2018
- A-2 Plot Plan prepared by French and Parrello Associates revised through 10/24/2018
- A-3 Architectural drawings prepared by Watt Architects dated 10/22/2018
- A-4 Color rendering of page 3 of 3 of plot plan (same as what was submitted as A-2)
- A-5 Aerial photo downloaded from Google Earth
- B-1 Letter of Borough Engineer Avakian dated 12/06/2018

Ms. Krimko stated that the applicant can comply with everything in Mr. Avakian's letter.

Ms. Krimko stated that the home is on an odd shaped lot that is kind of unique. The applicant is proposing some infill development to accommodate the new owner's elderly mother. The development is so that she can have a first floor bedroom and live there. The development is basically filling in the only spot that works within the footprint of the house and does not encroach on any of the State controlled environmental areas.

Mr. Kevin Smith, architect for the applicant, joined the table and was sworn in by Borough Attorney Representative Falcone.

Mr. Keith Smith stated that he is Senior Vice President of Parrello Associates and is a licensed Engineer in NJ since 1988. Mr. Smith stated that he has appeared in front of over 30 boards throughout the state, most recently including Borough of Deal, City of Long Branch, City of Hazlet and Wall Township.

The Board accepted Mr. Smith's credentials.

Mr. Smith referenced A-4 and spoke to the project scope. The property is a 31,685sqft irregular shaped lot on Deal Lake and it is almost a peninsula. The lot fronts on Bridlemere Avenue and is currently occupied by a two-story dwelling with a garage and a one-story indoor pool area. The area immediately to the east of the side lawn is currently a putting green and also some concrete patio.

Mr. Smith testified that the scope of the work was limited due to the need for approvals for the building within 25ft from the top of the bank. This is regulated by the State. The area is considered a riparian buffer. The project is also limited by a State Fresh Water Wetlands delineation. Approvals have been applied for and are waiting for supervisor signature. All of the State's concerns were addressed and approvals are expected to be forthcoming. The permit is expected to be issued Friday. The applicant will supply approved permits to the Board.

Mr. Smith testified that the one-story addition is partially behind the garage and also the breezeway. A variance is required, because the rear yard setback is 30ft. The existing house is already in a variance condition at the far corner of the garage. Anything done to that portion of the house forces applicant into variance condition. The setback is to provide a buffer from the neighbor to the rear yard, but showing the aerial view of the house shows there is no rear neighbor. It is the lake. There is no impact at all.

Chairman Papp opened the floor for questions to Mr. Smith.

Ms. Dalton asked for details regarding the addition.

Ms. Krimko stated that the architect would testify to these details.

Ms. Krimko submitted additional photos providing several views of the property.

Board Attorney Representative Falcone marked the packet of photographs as A-6.

Ms. Krimko distributed copies of the photos to the Board to explain where the addition is being tucked in on the property.

Chairman Papp opened the floor to public question. With no questions from the public, Chairman Papp closed the floor.

No additional questions for Mr. Smith. Mr. Smith left the table.

Mr. James D. Watt, Architect for the applicant, joined the table.

Board Attorney Representative Falcone swore in Mr. Watt.

The Board accepted Mr. Watt's credentials. Mr. Watt was the previous Planning Board Chairman for the Borough of Interlaken.

Mr. Watt stated that this is an architecturally significant structure house and property. The mission is to extend the integrity instead of compromise it. The goal is a seamless integration of the project. The intention is to create a bedroom suite on the first floor for the applicant's mother. Mr. Watt referenced A 1.01 when describing the scope of the project. The affected area will be in the knuckle at the house, which is between the garage area and swimming pool. The addition will be invisible from the street or any other neighbor. The addition will be aligned with the existing wall of the garage, which will be extended out with the corner clipped off so as not to interfere with the kitchen views of the water. Instead of doing a two-story addition or pitched roof addition, a flat roof was done with an architecturally appropriate railing and a roof deck. This is to minimize the massing of the house and to leave the roof lines alone. It is basically a modest addition. The addition is just big enough to get the job and create a bedroom, walk in closet and bathroom.

Mr. Watt referenced A1.02 when describing the existing garage flat roof deck with a spiral stair, which also accessible from the bedroom from above. Mr. Watt feels the plan has succeeded in filling the problem of needing a bedroom on the first floor and does not screw up the special features of the house and does not impact the neighbors at all. There will be a wrought iron railing to match the rest of the railings of the house.

Ms. Krimko noted that there is a currently a balcony off the master bedroom that will be converted to living space.

Mr. Watt stated that the footprint there will be the same. It will only be enclosed. The footprint has not been extended.

Ms. Krimko noted that a balcony will be added to the bedroom facing the lake.

Mr. Watt stated that French doors will be added to a little Juliet balcony that already exists.

Mr. Watt stated that a flat roof was used to downplay the impact but provide outdoor space.

Vice Chairwoman Umfrid asked what the height of the railing would be.

Mr. Watt stated that the railing would be 36 inches.

Chairman Papp assuming all the construction will be in the existing footprint.

Mr. Watt correct, except for the first floor addition.

Mr. Watt stated that the proposed pergola will be similar to the current one. The least attractive part of the property is the pool. The idea is to create something back there, so that the pool and the outdoor space integrate with one another. There is an architectural feature on the back of that structure that is more in character and it is open air which allows light and air through.

Ms. Dalton questioned the type of decking.

Mr. Watt stated that the decking would most likely be a synthetic wood product. It does not have a covering and gets beat up by the sun. The decking cannot be seen from the ground and would not have a Zoning effect.

Vice Chairwoman Umfrid questioned the safety of the wrought iron railing.

Ms. Krimko state that the railing would comply with all building codes.

Mr. Wat noted that the gap would be less than 4 inches.

Ms. Krimko stated that the applicant's professionals have certainly offered testimony to support the variance and it has absolutely no impact to anyone and, as shown through testimony, the project will be a positive impact for everyone.

Chairman Papp opened the floor to public comment. With none, he closed the floor.

Ms. Kane questioned the location of the hot tub.

Ms. Krimko stated that the hot tub is going where the current fire pit was.

UPON MOTION of Mr. Weaver approved the application, seconded by Councilman Menditto, carried, the Board approved the application.

Chairman Papp stated that the approvals of the Board are contingent on approvals from DEP.

UPON MOTION of Ms. Heinz approved the application to include an Engineering review of the grading plan, seconded by Councilman Gunn, carried, the Board approved the application.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Menditto, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Mr. Weaver and Ms. Kane

Opposed: None

Ineligible: None

Abstain: Ms. Heinz

Absent: Ms. Gatsch and Mr. Wentz

Mr. Watt left the table.

501 Buttermere Avenue, Block 31/Lots 1, 2, 3 and 4.01, Bogardus/McLaughlin
Approval to allow playground equipment be maintained in front yard.

Ms. Krimko, Attorney for the applicants at 501 Buttermere Avenue, remained at the table.

Ms. Krimko stated that the applicants have four small children. After several back and forths, with the zoning officer, received a plan approved with regard to the installation of a fence. The approval was based on the ordinance that was in place at the time that they made the application. Unfortunately there was confusion with regard to the 15ft setback. The applicants understood the ordinance to mean 15 ft from the street. The

applicants did not realize that the right of way line was an imaginary line on a piece of paper that was something different than the street line. The fence was installed at the 15 ft from the street line, as opposed to the right of way line. When it was brought to their attention that the fence was in violation, the applicants contacted Ms. Krimko. Ms. Krimko knows the applicants and they live across the street from Ms. Krimko. Ms. Krimko stated that she then reached out to Planning Board Secretary Kneser and the Zoning Officer to understanding as to what the violation was. The applicants understood that there was landscaping that was required. Rather than put in the landscaping and have something that the Board did not approve of, Ms. Krimko suggested that the applicant get the plan approved, to make sure that the Board is on board with it.

Ms. Krimko stated that at the time the applicants asked about the swing set, they were told no permit was required for a swing set and did not get one. After the swing set was installed, they found out that, although there is no setbacks for a swing set, they are not allowed to be in the front yard. There are four front yards on this property. The property fronts on four of the streets.

Ms. Krimko stated that the applicant is proposing to relocate fence to 15ft from the right of way line and the plan shows that fence being moved 15ft from the right of way line also shows substantial landscaping to be in conformance to the ordinance, as reviewed by the Board engineer. The only thing the applicant is asking for is a variance to keep the swing set in its current location.

Board Attorney Representative Falcone marked the following items into evidence:

- A-1 Survey of property prepared by Charles surmount 12/15/14 revised 9/27/18.
- A-2 Variance plan also prepared by Charles surmount dated 10/25/18
- B-1 Board Engineer Avakian's review letter dated 12/06/2018.

Ms. Krimko referenced A-2 to describe illustrate that the property has four front yards. There is only one yard that is up against an interior lot line. That lot is only 14ft from the property line and clearly not anywhere that is useable to put playground equipment in. The playground is currently located in a location that is furthest from all the front yards that it possible could be. At its closest point it is 36.5ft from the Scarba Street right of way line. Scarba Street is one of the side streets, as opposed to one of the main avenues that we have in town. It is some 68ft from Buttermere Avenue and well in excess of that from Bridlemere Avenue and Woodmere Road. The plant list proposes hydrangeas, knock out roses, as well as a privet all the way around all sides of the fence to completely buffer the fence as well as the playground equipment. Ms. Krimko noted that this swing set is wood and green

Ms. Krimko stated that the applicants want to make the fence conform, have the landscaping conform and are just looking to have some playground equipment for the four young children within that fenced area. It and it will be buffered by the existing trees, as well as the proposed landscape. Chairman Papp questioned the small size of the plantings being proposed.

Ms. Krimko stated that they will grow quickly, especially the privets and hydrangeas. Ms. Krimko stated that her clients did everything right and met with the Zoning Officer. The applicants paid a lot of money and now rather than fight to claim the right to keep the fence based on the representations made by the Zoning Officer, they want to be good neighbors and do the right thing. The applicants would certainly ask that the Board take the cost of relocating this fence into consideration as maybe the reason why the landscaping is not bigger at planting.

Ms. Dalton stated that her house is on the corner of Grassmere Avenue and Scarba Street and has two front yards. No one cared that she had a swing set for years.

Ms. Krimko stated that there is nothing in the ordinance that says a swing set cannot be in the front yard. There are only setbacks, as it relates to the rear and side yard. The Zoning Officer interpreted that to mean that, since there are no setbacks in the front yard, it means you cannot have it there. In an effort to be good neighbors and not fight city hall, this decision is not being appealed. An application was made to seek a decision from the Board.

Ms. Heinz stated that the last time this applicant came before the Board, they have done a beautiful job with their house and she fully expects everything is going to look gorgeous.

Chairman Papp stated that he has heard comments from residents that say the property looks like a daycare center.

Ms. Krimko stated that she lives across the street, thinks it looks great and does not mind it without the landscaping. The applicants are willing to put the landscaping in to comply.

Ms. Dalton said it looks like a home.

Mr. Tilton confirmed the relocation of the fence.

Ms. Krimko stated that the fence will be moved about 7ft on Scarba Street and about 15ft on Bridlemere Avenue.

Ms. Heinz noted that once everything grows, you will not see the playground equipment.

Mr. Wasilishen asked if the structure was permanent.

Mr. Krimko said it was removable.

Ms. Wasilishen questioned the need for Board approval for a non-permanent structure.

Chairman Papp opened the floor to public comment.

Mr. Gene Boyle, 500 Woodmere Road, stated that all the improvements that the applicants have made have been great. The set-up is beautiful. Mr. Boyle is surprised the need to go before the Board for the fence.

Chairman Papp stated that he does not disagree about the beauty of the improvements. Ordinances need to be followed.

Ms. Samantha Antonelli, 217 Bendermere Avenue, stated that the property looks absolutely beautiful and hopes to do that to her property in the future. It looks like a perfect white picket fence house.

Chairman Papp closed the floor for public comment.

UPON MOTION of Mr. Wasilishen approved the application, seconded by Ms. Dalton, carried, the Board approved the application.

Vice Chairwoman Umfrid asked when project will be completed.

Ms. Krimko stated that the applicants want the plantings to survive and asked for some time for the planting to be done when appropriate.

Ms. Krimko stated that the fence will be moved within 30 days of the adoption of the resolution, weather permitting.

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

Opposed: None

Ineligible: None

Abstain: Ms. Kane

Absent: Ms. Gatsch and Mr. Wentz

Ms. Krimko thanked the Board and left the table.

217 Bendermere Avenue, Block 12/Lot 20, Antonelli

Expansion of non-conforming structure to the rear and side on the first floor and an expansion of second floor from 1.5 story to 2 story.

Ms. Lisa Krenkel, Attorney for the Applicant, joined the table.

Board Attorney Representative Falcone marked the following items into evidence:

A-1 Architectural Plans prepared by Jeremiah J. Regan Architect dated 10/01/2018 revised 10/22/2018 and 11/26/2018.

A-2 Color rendering of project

B-1 Board Engineer Avakian's review letter dated 12/06/2018

A-3 Survey prepared by Thomas M. Ernst dated 04/30/2010

Ms. Krenkel stated that this application is for an expansion on an existing non-conformity for the front yard setback. The property is on a corner lot and has two front yards. The applicant is not expanding on the footprint of the non-conformity, but building up. The house has two stories but the second story is almost like a loft, not a full second story. The applicants want to make a full second story and do a small expansion to the rear of the property. The rear expansion is not a problem for the setback.

Ms. Krenkel noted that Board Engineer Avakian questioned the plan for the existing non-conforming detached garage. The garage is not being touched. New siding to match the house will be installed, as well as new windows.

Mr. Jeramiah Regan, Architect for the applicant, joined the table.

Mr. Regan was by Board Attorney Representative Falcone.

Mr. Regan is a licensed architect in the State of New Jersey for 28 years with an office in Long Branch, New Jersey.

The Board accepted Mr. Regan's credentials.

Mr. Regan stated that the property is on a corner lot with two front yards, a rear yard and a side yard. The two front yards are not conforming to the front yard setback requirement. The rear and side yards are conforming. The house is a story and a half with two bedrooms downstairs and two upstairs. The bedrooms upstairs are small. There is an 8ft ceiling height. The applicants would like to open up the back to move the two bedrooms from first floor to the second floor and still have a five bedroom house.

Mr. Reagan stated that the existing non-conforming setbacks will be maintained. The plan is to keep the current bungalow style architecture. All of the siding and windows will be replaced. To the rear of the house the plan is to do a screened in porch mudroom with a laundry room. This addition meets the setback. The coverages are still within what is required. The only two variances being requested is for the two existing non-conforming variances.

Chairman Papp opened the floor to public comment.

Mr. Mark Vornhagen, 215 Bendermere Avenue, asked about the side yard addition.

Mr. Regan stated that there will be an addition on the side. The side yard setback is currently 24.6ft where 8ft is required. The addition will have a side yard setback of 15.27ft. It is a one story addition in that location and there is no variance required.

Ms. Janet Pepe Cassini, 732 Raymere Avenue, questioned why a variance is needed for an existing non conformity.

Ms. Krenkel explained that, though the applicant building up and not expanding the footprint, it is expanding on the non-conformity, which requires a variance.

Chairman Papp closed the floor for public comment.

Mr. Wasilishen questioned the square footage.

Mr. Regan stated that the house is currently at roughly 2,500sqft. The addition will be roughly 3,800sqft. It is a good sized house, Mr. Regan keep the scale so that it does not look like it.

Ms. Krenkel noted that the expanded use of the second floor will be a benefit.

Chairman Papp stated that this will be extensive work on the home and it will be a benefit to the community.

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

ROLL CALL:

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

Opposed: None

Ineligible: None
Abstain: None
Absent: Ms. Gatsch and Mr. Wentz

Ms. Krenkel thanked the Board and left the table.

Ms. Kneser announced that the next meeting is January 28, 2019 and it will be the reorganization meeting.

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

ROLL CALL:

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

Approved: _____
Mr. Papp, Chairman

Attest: _____
Gina Kneser, Secretary