

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
DECEMBER 18, 2017 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 November 8, 2017 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, Councilman Gunn, Vice Chairwoman Umfrid, Ms. Dalton, Ms. Heinz, Mr. Menditto, Mr. Tilton, Mr. Wasilishen and Mr. Weaver

Also Present: Planning Board Attorney Sanford Brown and Planning Board Secretary Gina Kneser

Absent: None

Late Arrival: None

UPON MOTION of Councilman Gunn, seconded by Ms. Dalton, carried, the Board approved the minutes of November 8, 2017 meeting.

**ROLL CALL:**

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

Opposed: None

Ineligible: Mr. Wasilishen

Abstain: None

Absent: None

**MEMORIALIZATIONS**

**709 RAYMERE AVENUE, BLOCK 12/LOT 6, (FRANCESE)**

An application had been presented to the Board at their November 20, 2017 meeting to allow the current deck, which has been in place for nearly 20 years, to remain. Variances are required for Impervious Surface coverage. 45% is permitted and 47.3% is requested. A variance for side yard setback is also required. 15 feet is permitted and 10 feet is requested.

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION WITH VARIANCES  
TO NANCY FRANCESE, 709 RAYMERE AVENUE**

**WHEREAS, NANCY FRANCESE**, hereinafter referred to as “Applicant”, is the owner of a certain property known as Block 12, Lot 6, on the official tax map of the Borough of Interlaken (“Property”), which Property is located at 709 Raymere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

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

**WHEREAS**, a denial from the Zoning Official has been received by the Applicant dated September 1, 2017 indicating over allowable impervious coverage; and

**WHEREAS**, Applicant is requesting approval for the existing deck and patio, which were built in the early 2000’s without obtaining building permits, to remain, which require variances for side yard setback and impervious coverage; and

**WHEREAS**, after proper notice, a public meeting on the within application was held on November 20, 2017 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 November 2, 2017, and the documents and exhibits presented in support of the application, and comments of the public;

**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 6 in the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The property is rectangular in shape, measuring approximately 50 feet in width and 133 in depth. The property contains an area totaling 6,669 sq. ft.
3. The Applicant had built a deck and patio without zoning approval or building permits in

2001. Applicant is requesting approval from the Planning Board for the existing deck and patio to remain. The existing deck and patio require variances for side yard setback and impervious coverage.

4. A denial from the Zoning Official has been received by the Applicant indicating that the deck and patio requires a variance for impervious coverage. The property has existing non-conformities with lot area, lot width, lot depth, front yard setback to the principal dwelling, and rear yard setback to the garage.

5. The Property in question is located in the R-A Single Family Residential Zone of the Borough of Interlaken.

6. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 6,669 square feet, which represents an existing non-conformity.

7. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is approximately 50 feet, which represents an existing non-conformity.

8. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 133.38 feet, which represents an existing non-conformity.

9. 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 30.9 feet, which represents an existing non-conformity.

10. The minimum side yard setback permitted per the zoned district is 15 feet. The dwelling has an existing east side yard setback is 8.7 feet, which represents an existing non-conformity. The dwelling has an existing west side yard setback of 5.1 feet, which represents an existing non-conformity.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. The dwelling has an existing rear yard setback is 66.4 feet, which conforms.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The building coverage is 22.8% which includes the dwelling, wood deck, and garage.

13. The maximum impervious surface area per the zoned district is 45%. The existing

impervious coverage of 47.3%, which represents an existing non-conformity. The addition of the deck and patio will increase the impervious coverage to 53.3%. A variance is required.

14. The minimum side and rear yard setback for the garage (accessory structure) is 5 feet. The existing garage has a side yard setback of 5.0 feet and a rear yard setback of 4.9 feet. The rear yard setback represents an existing non-conformity.

15. The minimum side yard setback permitted for a deck is 15 feet. The deck has an east side yard setback of 10 feet and west side yard setback of approximately 26 feet. A variance for the east side yard setback is required.

16. The minimum rear yard setback permitted for a deck is 30 feet. The deck has an existing rear yard setback of approximately 48 feet, which conforms.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Interlaken that the application for variance approval pursuant to N.J.S.A. 40:55D-70 (c)(2)(flexible “c” standards) be and is hereby approved, in that as to this particular Property the benefits of the deviation will substantially outweigh any detriment of not granting said variances based on Applicant’s proofs that sufficient reasons exist for the same, as stated through the testimony of the Applicant and the Architect that the improvements are aesthetically pleasing; and also based on the offer of proof of the Applicant’s Planner, that the relief can be granted without substantial detriment to the public good because there are no architectural or visual negatives caused by the existing improvements and the finding that the improvements will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Interlaken, but subject to the following conditions:

A. Applicant shall comply with all recommendations in the Board Engineer’s letter report dated November 2, 2017.

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 proper 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 the requirements of all governmental agencies having jurisdiction over the development of the Property.

F. 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, and once issued, the Applicant shall continue to complete the construction in a commercially reasonable time frame.

**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 November 20, 2017.

The foregoing Resolution was offered by Mr. Menditto and seconded by Ms. Heinz and adopted on Roll Call by the following vote:

**ROLL CALL:**

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

Opposed: None

Abstained: Mr. Wasilishen and Mr. Weaver

Ineligible: None

Absent: None

UPON MOTION of Mr. Menditto, seconded by Ms. Heinz, carried, the Board memorialized the application.

ROLL CALL:

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

Opposed: None

Ineligible: None

Abstain: Mr. Wasilishen and Mr. Weaver

Absent: None

APPLICATION

619 BRIDLEMERE AVENUE (BLOCK 30/LOT19.01) ZBORAY

Application to allow the construction of a second floor addition over the existing garage and a one-story addition at the rear of the dwelling.

Mr. & Mrs. Zboray joined the table and were sworn in by Board Attorney Brown.

Mr. Zboray told the Board that his family fell in love with the house. The family has three young children and it is next to the park. The family is relocating from Connecticut. Mrs. Zboray is originally from the area and has family nearby. The intent of the project is to make space for his mother Jeanette to live with the family.

Board Attorney Brown confirmed the Board has jurisdiction and marked exhibits into evidence.

Mr. Zboray stated that the home is a center hall colonial with an attached garage. It was built around 1960-1961n which was before the current setback requirements were established.

The home is in an R-A zone. The front yard setback is currently 32ft, where 50ft is required. A one-bedroom addition is planned over the garage that would extend out 18ft and use the existing face of the garage. The front setback of the addition would be 36ft, which improves the existing non-conforming condition by 4ft. There will be a master bedroom with a walk-in closet. A laundry room will be removed to create the master bedroom closet.

Board Attorney Brown referenced Peter Avakian's report, dated December 6, 2017. The report notes that the existing east side yard setback is 9.8 ft., which represents an existing non-conformity. The Applicant is proposing an east side yard setback of 11.9 ft. to the second story addition. The side yard addition to the second story addition is an expansion of an existing non-conformity. There is also a proposed 15.3ft. setback to the one-story addition.

Councilman Gunn noted that the proposal is within the footprint of the existing non-conformity and seems reasonable.

Chairman Papp stated that the Borough has many non-confirming conditions as they were built before the ordinances were put in place. It is the Board's responsibility to insure that any expansion of the non-conformities do not have any adverse effects.

Councilman Gunn noted that the proposal is not just a standard design. It adds architectural interest.

Mr. Zboray reaffirmed to Board Attorney Brown that the positive points to the proposed Flex C variance are that the project is aesthetically pleasing and the proposed additions are in the rear of the house where most of the impact of the addition is not going to be seen.

Mr. Zboray confirmed to Board Attorney Brown that there were no deed restrictions. There were none brought up at the purchase closing.

Mr. Zboray stated that the outside appearance to the addition will match the existing house.

Mr. Tilton asked if there would be a stove.

Mr. Zboray stated that there will be no stove. There is a sink proposed and there will be a microwave. A toaster oven will also be used.

Mr. Tilton asked if there will be a second entrance to the garage addition.

Mr. Zboray stated that the above the garage addition will be accessed by a stairway in the garage.

Mr. Zboray confirmed to Board Attorney Brown that there only be one kitchen in the house. There will be no stove or range in the addition. This will not be a mother-daughter arrangement.

Ms. Umfrid questioned whether the Board should request a deed restriction to prevent future purchasers from converting the addition to a rental apartment.

Councilman Gunn stated that there are already ordinances in place to prevent a rental apartment conversion.

Board Attorney Brown stated that it can be made clear in the resolution that there cannot be a full kitchen or a mother daughter arrangement.

Mr. Tilton stated that he approved as long as it was in the resolution that there was only one kitchen in the house.

Ms. Umfrid questioned the impervious surface calculations as they pertain to the driveway.

Mr. Papp opened the floor for public comment.

UPON MOTION of Chairman Papp, seconded by Ms. Umfrid, carried, the Board closed the floor to public comment.

#### ROLL CALL:

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

Opposed: None  
Ineligible: None  
Abstain: None  
Absent: None

UPON MOTION of Councilman Gunn, seconded by Mr. Tilton, carried, the Board approved the application.

ROLL CALL:

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

The applicants, Mr. & Mrs. Zboray, thanked the Board for their time and left the meeting.

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

ROLL CALL:

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

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

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