

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
DECEMBER 19, 2016, 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 19, 2016 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 Meetings Act and that Notice of the Meeting had been published in the Coaster and was followed by the Pledge of Allegiance.

ROLL CALL:

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

Absent: Councilman Gunn

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

UPON MOTION of Vice Chairwoman Umfrid, seconded by Ms. Heinz, carried, the Board approved the minutes of November 21, 2016 meeting.

An application had been presented to the Board at their December 19, 2016 meeting requesting the addition of a front covered porch, relocated front walkway and removal of a portion of the driveway. The proposed front covered porch requires a variance for a front yard setback to the property known as 615 Windermere Avenue, Block 9, Lot 8.02, 9.02, 10.03, 18.02, 19 & 20. 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 the existing buildings with 200 feet of each side of the lot and within the same block. The existing front yard setback is 39.62 feet, which represents an existing non-conformity. The proposed front yard setback to the covered porch is 38.74 feet.

**BOROUGH OF INTERLAKEN PLANNING BOARD
RESOLUTION OF MEMORIALIZATION GRANTING VARIANCE APPROVAL 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, and State of New Jersey; and

WHEREAS, said Applicant has requested approval to construct a covered porch at the front of their home; and

WHEREAS, the property is irregular in shape, measuring 140 feet in width and 198 in depth. The property contains an area totaling 24,851 square feet; and

WHEREAS, a denial from the Zoning Official has been received by the Applicant indicating that the proposed construction requires a variance for front yard setback; 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, after proper notice, a public meetings on the within application were held on November 21, 2016 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 7, 2016, and the testimony of the Applicant, and documents and exhibits presented in support of the application; 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 in question is located in the R-A Single Family Residential Zone of the Borough of Interlaken and is currently occupied by a single family dwelling. Single-family dwellings are a permitted principal use in this district.
3. A denial from the Zoning Official has been received by the Applicant indicating that the proposed front covered porch requires a variance for front yard setback.
4. 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.
5. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 140 feet, which conforms.

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

7. 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 39.62 feet, which represents an existing non-conformity. The proposed front yard setback to the covered porch is 38.74 feet. A variance is required.

8. The minimum side yard setback permitted per the zoned district is 15 feet. The existing east side yard setbacks to the dwelling conform. The Applicant is proposing an east side yard setback of 39.93 feet and a west side yard setback of 15.3 feet. The proposed side yard setbacks to the covered porch conform.

9. The minimum rear yard setback permitted per the zoned district is 30 feet. The irregular shaped lot has an existing rear yard setback of 8.0 feet, which represents an existing non-conformity.

10. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant is proposing a building coverage of 17.61%, which conforms.

11. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposing an impervious coverage of 25.01%, which conforms.

12. At the hearing the Applicant provided testimony acceptable to the Board as to any tree removal.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for the variance pursuant to N.J.S.A. 40:55D-70 c-2 for the construction of a covered front porch 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 NJSA 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 the owner is expanding the property without pragmatically changing the footprint of the dwelling, any existing non-conformities are not impacted by the new proposal and the design accomplishes the goal of providing for the needs of the owner without further impacting 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. Applicant shall submit a revised plot plan, subject to the approval of the Board Engineer, which states the existing curb and sidewalk along the frontage will be replaced if found in poor condition.

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.

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 Applicant herein; and

BE IT FURTHER RESOLVED that this Resolution shall serve as the memorialization of a resolution from the November 21, 2016 Board meeting, taken by this Board at its meeting on December 19, 2016.

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

ROLL CALL:

In Favor: Ms. Dalton, Ms. Heinz, Mr. Menditto, Mr. Tilton, Mr. Wasilishen, Ms. Umfrid,
Chairman Papp
Opposed: None
Abstained: None
Ineligible: None
Absent: Councilman Gunn

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 19th day of December, 2016.

An application had been presented to the Board at their December 19, 2016 meeting requesting to allow a one-story addition to the rear of the property located at 28 Bridlemere Avenue, Block 19, Lots 3.01 & 4.01. The minimum rear yard setback permitted per the zoned district is 30ft. The existing rear yard setback is 25.9 feet, which represents an existing non-conformity. The proposed addition has a rear yard setback of 24.6 feet. A variance is required.

The Board had a brief discussion regarding the survey, certified by Lakeland Surveying, submitted by Mr. Ludwig subsequent to the previous meeting and reviewed by Borough Engineer, Peter Avakian. The Board reviewed the letter dated December 15, 2016 from Borough Engineer Avakian which indicated a change in the rear yard set-back from 25.9 feet to 24.6 feet. This letter indicated that, although there was a slight change in the measurement, this did not trigger additional variance requirements.

The floor was opened to public comment.

With no public comment, Ms. Heinz made motion to close the floor to public comment, seconded by Mr. Tilton and unanimously carried.

**BOROUGH OF INTERLAKEN PLANNING BOARD
RESOLUTION GRANTING VARIANCE APPROVAL TO
RYAN LUDWIG AND ASHLEY LININGTON**

WHEREAS, Ryan Ludwig and Ashley Linington, hereinafter referred to as “Applicant”, are the owners of certain property known as Block 19, Lots 3.01 and 4.01 on the official tax map of the Borough

of Interlaken, which property is located at 28 Bridlemere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

WHEREAS, said Applicant has requested approval to renovate the existing structure (first floor only), and to construct a one-story addition with entry stoop; and

WHEREAS, the property is a corner lot and has frontages along Bridlemere Avenue and Buttermere Avenue. The property contains an area totaling 9,814 square feet; and

WHEREAS, a denial from the Zoning Official has been received by the Applicant indicating that the proposed construction requires a variance for rear yard setback; 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, after proper notice, a public meetings on the within application was held on November 21, 2016 and December 19, 2016 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 3, 2016, and the testimony of the Applicant and Expert, and the documents and exhibits presented in support of the application including a certified survey presented at the December 19, 2016 hearing; and

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

13. The Applicant is the owner of Block 19, Lots 3.01 and 4.01 in the Borough of Interlaken, County of Monmouth and State of New Jersey.

14. The property in question is located in the R-A Single Family Residential Zone of the Borough of Interlaken and is currently occupied by a single family dwelling. Single-family dwellings are a permitted principal use in this district.

15. A denial from the Zoning Official has been received by the Applicant indicating that the proposed front covered porch requires a variance for rear yard setback.

16. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 9,814 square feet, which represents an existing non-conformity.

17. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 101.29 feet, which conforms.

18. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 101.70 feet, which represents an existing non-conformity.

19. 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 24.7 feet along Buttermere Avenue, and approximately 32 feet along Bridlemere Avenue. The front yard setback along Buttermere Avenue and Bridlemere Avenue represents an existing non-conformity.

20. The minimum side yard setback permitted per the zoned district is 15 feet. The existing south side yard setback is 17.3 feet, which conforms.

21. The minimum rear yard setback permitted per the zone district is 30 feet. The existing rear yard setback is 25.9 feet, which represents an existing non-conformity. The proposed addition has a rear yard setback of 25.9 feet. Since the time of the hearing on November 21, 2016, the Applicant as required by the Board provided a certified survey which indicates that the rear setback line is 24.6 feet (the Applicant's expert had previously noted at the hearing that he thought it was 25.9 feet). A variance is required.

22. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant is proposing a building coverage of 20.94%, which conforms.

23. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposing an impervious coverage of 43.02%, which conforms.

24.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for the variance pursuant to N.J.S.A. 40:55D-70 c-2 for the construction of the

one-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 NJSA 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 the owner is expanding the property without pragmatically changing the footprint of the dwelling, the non-rear yard variances relate to existing non-conformities which do have an impact on the property based on the proposal and the design accomplishes the goal of providing for the needs of the owner without further impacting 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:

F. Applicant shall submit a revised plot plan, subject to approval of the Board Engineer, which states the existing curb and sidewalk along the frontage will be replaced if found in poor condition.

G. Buttermere Avenue was paved in December 2015. The Borough has a five-year moratorium on Buttermere Avenue and a street opening permit will not be permitted until the end of the moratorium.

H. 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.

I. 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.

J. 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.

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

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 Applicant herein; and

BE IT FURTHER RESOLVED that this Resolution shall serve as the action taken by this Board at its meeting on December 19, 2016.

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

ROLL CALL:

In Favor: Ms. Dalton, Ms. Heinz, Mr. Menditto, Mr. Tilton, Mr. Wasilishen, Ms. Umfrid,
Chairman Papp

Opposed: None

Abstained: None

Ineligible: None

Absent: Councilman Gunn

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 19th day of December, 2016.

UPON MOTION of Mr. Wasilishen, seconded by Mr. Tilton, carried, the meeting was adjourned.

Approved: _____
Thomas Papp, Chairman

Attest: _____
Gina Kneser, Secretary