

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
MAY 15, 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 May 15, 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 Meetings Act and that Notice of the Meeting had been published in the Coaster and was followed by the Pledge of Allegiance.

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**ROLL CALL:**

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

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

Absent: Councilman Gunn, Mr. Menditto, and Mr. Wasilishen

UPON MOTION of Ms. Heinz, seconded by Mr. Tilton, carried, the Board approved the minutes of April 17, 2017 meeting.

An application had been presented to the Board at their April 17, 2017 meeting to construct a covered front porch on the property known as Block 17, Lot 3.

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION WITH VARIANCES TO TODD WALTERS**

**WHEREAS**, Todd Walters, hereinafter referred to as “Applicant”, is the owner of certain property known as Block 17, Lots 3 and 4.01, on the official tax map of the Borough of Interlaken (“Property”), which Property is located at 206 Bendermere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

**WHEREAS**, said Applicant has requested variance approval for a front yard setback in order to construct a covered front porch; and

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

**WHEREAS**, a denial from the Zoning Official was issued on December 1, 2016 indicating the proposed covered front porch is not in accordance with the Zoning Ordinance;

**WHEREAS**, after proper notice, a public meeting on the within application was held on April 17, 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 March 21, 2017; the architectural plan prepared by Paul Lawrence, AIA of I-House Architecture, LLC dated January 19, 2017; a property survey prepared by Charles Surmonte P.E. & P.L.S., dated January 7, 2016; the testimony of the Applicant; and exhibits presented in support of the application;

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

1. The Applicant is the owner of Block 17, Lots 3 and 4.01 in the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The Applicant requested approval from the Borough Zoning Officer for construction of a covered front porch.
3. The Zoning Official denied the application by the Applicant, indicating that the proposed placement of the covered front porch is not in compliance with the Zoning Ordinance.
4. The Property in question is located in the R-B Single Family Residential Zone of the Borough of Interlaken. A single-family dwelling is a permitted principal use in this zone.
5. The Property is rectangular, measuring 75 feet in width by approximately 120.8 feet in depth.
6. The minimum lot area permitted per the zoned district is 12,000 square feet. The existing lot area is 9,064 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 75 feet, which conforms.

8. The minimum lot depth permitted per the zoned district is 100 feet. The existing lot depth is 120.8 feet, which conforms.

9. The minimum front yard setback permitted per the zoned district is 35 feet. The existing front yard setback is 37.4 feet, which conforms.

10. The proposed front yard setback to the covered porch is 28.4 feet which requires a variance.

11. The minimum side yard setback permitted per the zoned district is 8 feet. The existing side yard setbacks to the dwelling conform. The Applicant is proposing a side yard setback of 9.4 feet, which conforms.

12. The minimum rear yard setback permitted per the zoned district is 20 feet. The existing rear yard setback is 35 feet, which conforms.

13. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant proposes a building coverage of 28%, which requires a variance.

14. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant proposes an impervious coverage of 46.4%, which requires a variance.

15. The minimum side and rear yard setback for the garage (accessory structure) is 5 feet. The existing garage has a side yard setback of 3.0 feet and a rear yard setback of 5.1 feet. The side yard represents an existing non-conformity.

16. No driveway shall be constructed closer than five feet to any adjoining lot line. The existing driveway is inches away from the west side property line. This represents an existing non-conformity.

17. The Applicant provided testimony that the improvements should not require any tree removal.

18. The Board finds that the variances requested by the Applicant can be and are granted.

**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 that the construction as proposed will be aesthetically pleasing; and also on the basis that the relief can be granted without substantial detriment to the public good because there are no architectural or visual negatives caused by the construction of the covered front porch 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. The covered front porch approved herein will be constructed as per the site plan and the architectural plans submitted, and as represented by testimony at the hearing.
- B. There shall be no rails on the front porch except on the steps leading to the driveway.
- C. The Applicant shall submit an “as-built” survey for review by the board engineer which shall be 0 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 Applicants 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 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 April 17, 2017.

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

**ROLL CALL:**

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

Opposed: None

Abstained: None

Ineligible: None

Absent: Councilman Gunn, Mr. Wasilishen and Mr. Menditto

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 15<sup>th</sup> day of May, 2017.

An application had been presented to the Board at their April 17, 2017 meeting to construct one-story addition to the west side and rear of the dwelling, with a new patio and walkways in the back yard on the property known as Block 19, Lot 5..

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION WITH VARIANCES TO KEVIN and PATRICIA DOLAN**

**WHEREAS**, Kevin and Patricia Dolan, hereinafter referred to as “Applicant”, are the owners of certain property known as Block 19, Lot 5, on the official tax map of the Borough of Interlaken (“Property”), which Property is located at 102 Buttermere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

**WHEREAS**, Applicant has requested variance approval for a one-story addition to the west side and rear of the dwelling, with a new patio and walkways in the backyard; 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 was issued on February 23, 2017 indicating that the proposed addition is not in accordance with the Zoning Ordinance;

**WHEREAS**, after proper notice, a public meeting on the within application was held on April 17, 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 April 6, 2017; an architectural plan, including a site plan prepared by Joseph L. Walker, III, AIA of J L Walker- Architects, dated February 13, 2017; and a survey of property prepared by Charles Surmonte, P.E. & P.L.S. dated March 29, 2017;

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

1. Applicant is the owner of Block 19, Lot 5 in the Borough of Interlaken, County of

Monmouth and State of New Jersey.

2. The Applicants requested approval of the Borough Zoning Officer for a variance for front yard setback.

3. The Zoning Official denied the application by the Applicant, indicating that the proposed second story addition is not in compliance with the Zoning Ordinance.

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

5. The Property is rectangular in shape, measuring 75 feet in width by approximately 101.9 feet in depth. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 10,193 square feet, which represents an existing non-conformity.

6. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 100 feet, which conforms.

7. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 101.9 feet, which represents an existing non-conformity.

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 within 200 feet of each side of the lot and within the same block. The block has one additional house fronting on Buttermere Avenue and its setback is 35.09 feet as indicated on the architectural plans. The average front yard setback on this block within 200 feet is 35.09 feet and existing front yard setback is 24.9, which is an existing non-conformity. The Applicant proposes a front yard setback of 26.15, to the one- story addition. A variance is required.

9. The minimum side yard setback permitted per the zoned district is 15 feet. The existing east side yard setback is 9.3 feet, which is an existing non-conformity. The Applicant is proposing a west side yard setback of 43.58 feet, which conforms.

10. The minimum rear yard setback permitted per the zoned district is 30 feet. The proposed addition has a rear yard setback of 43.58 feet, which conforms.

11. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicants propose a building coverage of 19.85%, which conforms.

12. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant proposes an impervious coverage of 33.5%, which conforms.

13. The Maximum building height per the zoned district is 40 feet. The Applicant has indicated a proposed building height of 19 feet, from crown of road, which conforms. The existing building height is 30.5 feet from crown of road, which conforms.

14. The Applicant should remove the existing driveway encroachment on the adjacent property (Lot 3.01 & 4.01). A minimum setback of 5 feet is required for the driveway.

15. The minimum side and rear yard setback for the garage (accessory structure) is 5 feet. The existing garage has a side yard setback of 1.2 feet and a rear yard setback of 2.6 feet. The side and rear yard setbacks represent existing non-conformities.

16. The Applicant provided testimony that it may be necessary to remove one tree. The Applicant also testified that the new addition would be aesthetically pleasing and would not have a negative impact on the neighborhood.

**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 proof that sufficient reasons exist for the same, as stated through the testimony of the Applicant who testified in part that the new addition and renovations update an older structure and make the older structure and grounds more aesthetically pleasing; and also on

the basis that the relief can be granted without substantial detriment to the public good because there are no architectural or visual negatives caused by the construction of the new addition 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:

G. The addition and all other improvements approved herein will be constructed as per the site plan and the architectural plans submitted, and as represented at the hearing.

H. A storm water runoff plan shall be submitted to, and is subject to approval of, the Planning Board engineer.

I. The Applicant may remove one tree, if deemed necessary, as per testimony by them at the hearing.

J. The Applicant shall provide an "As Built" survey to the Board Engineer subject to his approval.

K. The Applicant shall abide by Ordinance No. 369, which states there is a five-year moratorium on street openings. Buttermere Avenue was paved in December 2015. During the 5-year period, no excavation permit shall be issued to open, cut, or excavate the roadway. While the Applicants are not proposing any improvements along Buttermere Avenue, if any future improvements require opening, cutting, or excavation of Buttermere Avenue, they will have to request a resolution authorizing a street opening moratorium waiver from the Borough Council.

L. 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.

M. 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.

N. 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.

O. Compliance with the requirements of all governmental agencies having jurisdiction over the development of the Property.

P. 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 April 17, 2017.

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

ROLL CALL:

In Favor: Chairman Papp, Ms. Dalton, Ms. Heinz, Ms. Umfrid

Opposed: None

Abstained: Mr. Tilton

Ineligible: None

Absent: Councilman Gunn, Mr. Menditto, Mr. Wasilishen

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 15th day of May, 2017.

Gina Kneser

Planning Board Secretary

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

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Ms. Heinz, Mr. Tilton

Opposed: None

Ineligible: None

Abstain: None

Absent: Councilman Gunn, Mr. Menditto and Mr. Wasilishen

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

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