

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
MAY 18, 2015, 7:30 P.M.  
BOROUGH HALL, 100 GRASMERE AVE**

---

A meeting of the PLANNING BOARD of the Borough of Interlaken, Monmouth County, New Jersey was held on May 18, 2015 at 7:30 p.m. in the Borough Hall.

Chairman Tilton, 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 Tilton, Ms. Dalton, Councilman Gunn, Ms. Heinz, Mr. Menditto, Councilman Miller, Mr. Papp, Ms. Umfrid, Mr. Wasilishen

Absent: none

Also Present: Board Attorney Sanford Brown, Board Engineer/Planner and Planning Board Secretary Gina Kneser

UPON MOTION of Councilman Gunn, seconded by Ms. Heinz, carried, the Board approved the minutes of April 20, 2015 meeting.

**ROLL CALL:**

Ayes: Chairman Tilton, Ms. Dalton, Councilman Gunn, Ms. Heinz, Mr. Menditto, Councilman Miller, Mr. Papp, Ms. Umfrid, Mr. Wasilishen

Nays: none

Abstain: none

Absent: none

An application had been presented to the Board at their April 20, 2015 meeting to construct a second story, over an existing one-story, portion of residence on the property known as Block 31, Lots 1, 2, 3 & 4.01.

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION GRANTING VARIANCE APPROVAL TO  
EVAN BOGARDUS AND MAUREEN McLAUGHLIN**

**WHEREAS**, Evan Bogardus and Maureen McLaughlin, hereinafter referred to as “Applicant”, is the owner of certain property known as Block 31, Lots 1, 2, 3 & 4.01 on the official tax map of the Borough of Interlaken, which property is located at 501 Buttermere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

**WHEREAS**, said Applicant has requested approval for the construction of a second story over existing one-story portion of residence; 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 received by the Applicant indicating that the proposed improvements require variances for lot depth, front yard setback, and side yard setback; and

**WHEREAS**, after proper notice, a public meeting on the within application was held on April 20, 2015 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 7, 2015, and the testimony of the Applicant, and the 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 31, Lots 1, 2, 3 & 4.01 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. The property is irregular in shape, and has three (3) frontages.

4. The minimum lot area permitted per the zoned district is 15,000 square feet. The property contains an area totaling 27,529 square feet, which conforms.

5. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 175 feet, which conforms.

6. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 161.0 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 62.4 feet along Buttermere Avenue, 60.3 feet along Scarba Street, and 25.5 feet along Woodmere Road. The existing front yard setback along Buttermere Avenue and Scarba Street conforms to the front yard setbacks. The front yard setback along Woodmere Road represents an existing non-conformity. The Applicant is proposing a front yard setback to the second floor addition of 26.1 feet along Woodmere Road, which is an expansion of an existing non-conformity, and requires a variance.

8. The minimum side yard setback permitted per the zoned district is 15 feet. The existing west side yard setback is 14.3 feet, which represents an existing non-conformity.

9. The minimum rear yard setback permitted per the zoned district is 30 feet. This lot does not have a rear yard setback.

10. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The site plan indicates a building coverage of 12.7%, which conforms.

11. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposing an impervious coverage of 20.0%, which conforms.

12. The maximum building height permitted per the zoned district is 40 feet. *Building Height* shall mean the vertical distance measured from the street level to the highest point of the roof. For the purposes of this calculation, the street level shall be a horizontal line from the crown of the road measured at the midpoint along the frontage of the property in question (Woodmere Road). The Application has calculated a proposed building height of 29.5 feet from ground elevation. The proposed building height of the second floor addition is lower than the existing two-story dwelling. The Applicant provided satisfactory testimony at the hearing that the building height dimension was calculated in accordance with the definition as measured from roadway center line.

13. The Board has determined that the property has a very unusual shape with three frontages, making it very difficult to properly utilize the property.

14. As to the Board Engineer's comment in his letter about drainage under paragraphs 1 and 2, the Board finds that there is no need to have the Applicant satisfy these points in light of the large size of the Property and the elevation of the same and therefore these points shall not be part of any conditions of approval.

15. The Board accepts the testimony of the Applicant's Architect that the new addition will be aesthetically pleasing and will not cause any negative impact on the neighbors including because the addition is on the North side of the property adjacent to a large public right-of-way in the Street.

**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 NJSA 40:55D-2 are advanced by this deviation since expanding over the existing footprint will maintain open space; and (b) the benefits of the deviation substantially outweigh any detriment for the same reason; 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. 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;

B. 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.

C. 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;

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

E. Applicant receiving written approval from the planning board engineer of a landscape plan and a revised survey to comport with the stipulations and conditions at the hearing;

F. Compliance with the requirements of all governmental agencies having jurisdiction over the development of the property;

G. 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 one year from the date hereof.

H. The Applicant must comply with all representations made on the record.

**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 April 20, 2015.

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

ROLL CALL:

In Favor: Chairman Tilton, Mr. Gunn, Ms. Heinz, Mr. Menditto, Councilman Miller, Ms. Umfrid

Opposed: none

Abstained: none

Ineligible: Ms. Dalton, Mr. Papp, Mr. Wasilishen

Absent: none

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 18<sup>th</sup> day of May, 2015.

Borough Engineer/Planner Avakian presented an overview of the Master Plan review process.

The Board discussed their questions about the process with Borough Engineer/Planner Avakian.

The Board members will each review the Master Plan and forward their concerns, questions and recommended changes to Planning Board Secretary Kneser during the month of June. Communications will be forwarded to Board Engineer/Planner Avakian to be discussed with the full Board at the July 20, 2015 meeting.

UPON MOTION of Councilman Miller, seconded by Councilman Gunn, carried, the meeting was adjourned.

Approved: \_\_\_\_\_  
Richard Tilton, Chairman

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