

REVISED

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
APRIL 19, 2021 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 April 19, 2021 at 7:30 p.m.

The meeting was held via Zoom.

Chairman Papp opened the meeting and read the following Sunshine Statement: *"THE NOTICE REQUIREMENTS OF THE OPEN PUBLIC MEETINGS ACT HAVE BEEN SATISFIED BY FORWARDING ANNUAL MEETING NOTICE TO THE ASBURY PARK PRESS AND THE COASTER THAT THE MEETINGS WOULD BE TO BE HELD VIA ZOOM CONFERENCE UNDER THE GOVERNOR'S EXECUTIVE ORDER 107. WITH FULL DIRECTIONS ON HOW THE PUBLIC CAN ATTEND AND MAKE COMMENT AT THE MEETING. A COPY OF THE NOTICE IS POSTED ON THE OFFICIAL BOROUGH WEBSITE ALSO, A COPY WAS PLACED ON THE DOOR AT BOROUGH HALL AND IS ON FILE IN THE BOROUGH CLERK'S OFFICE."*

IT IS DEEMED THAT THIS HEARING IS BEING HELD THROUGH ELECTRONIC COMMUNICATION. SHOULD THERE BE ANY DISCONNECT OR FAILURE OF TECHNOLOGY, THE MEETING WILL BE CONSIDERED ADJOURNED. ALL AGENDA ITEMS WILL AUTOMATICALLY BE CARRIED TO THE NEXT REGULARLY SCHEDULED INTERLAKEN PLANNING BOARD MEETING, WHICH IS SCHEDULED FOR MAY 17, 2021 AT 7:30PM. ADDITIONAL NOTICE WILL NOT BE REQUIRED.

These announcements were followed by the Pledge of Allegiance.

ROLL CALL:

Present: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Mr. Blasucci, Mr. Wentz and Ms. Kapp

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

Late Arrival: Mr. Weaver 7:38pm

Absent: Councilman Butler, Ms. Heinz, and Ms. Kane

UPON MOTION of Vice Chairwoman Umfrid seconded by Mr. Wasilishen carried, the Board approved the minutes of March 15, 2021 meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Mr. Blasucci and Ms. Kapp

Opposed: None

Ineligible: Mr. Wentz

Abstain: None

Absent: Councilman Butler, Ms. Heinz, Mr. Weaver (for vote/late arrival to meeting), and Ms. Kane

MEMORIALIZATION

An application had been presented to the Board at the March 15, 2021 meeting for additions to garage first floor and existing deck.

BOROUGH OF INTERLAKEN PLANNING BOARD RESOLUTION

GRANTING VARIANCE APPROVAL FOR CONSTRUCTION OF
A ONE-STORY ADDITION & DECK

WHEREAS, Frank Tragno and Thomas Conway, hereinafter referred to as “Applicant”, are the owners of certain property known as Block 12, Lots 19 and 20 as shown on the official tax map of the the Borough of Interlaken, which property is located at 22 Wickapecko Drive, the Southeast corner of Wickapecko Drive & Bendemere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

WHEREAS, the Applicant has made application for the construction of a one-story addition to the East and South sides of the dwelling. The Applicant is also proposing a deck on the East side of the dwelling; and

WHEREAS, said property is located in the Residential Zone of the Borough of Interlaken; and

WHEREAS, in order to construct the addition, variances are required because the Ordinance provides that a non-conforming lot or building may not be altered or enlarged unless the enlargement does not violate any yard setback or lot coverage requirements; and

WHEREAS, the Applicant received a denial from the Zoning Officer dated June 29, 2020; and

WHEREAS, after proper notice, a public meeting on the within application was held on March 15, 2021 at the Interlaken Borough Hall; and

WHEREAS, the Board has considered the report of the Board Engineer, Peter R. Avakian, P.E., dated February 8, 2021 and the testimony of the Applicant's Architect, 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 property known as Block 12, Lots 19 and 20, located at 22 Wickapecko Drive in the Borough of Interlaken, County of Monmouth, and State of New Jersey.

2. The site totals 12,548 square feet, is an irregularly shaped corner lot and measures approximately 103 feet in width by approximately 149 feet in depth, and located on the southeast corner of Wickapecko Drive and Bendemere Avenue. The site is currently occupied by a residential dwelling.

3. The Applicant proposes to construct a one-story addition to the East and South sides of the dwelling and also proposing a deck on the East side of the dwelling.

4. A denial from the Zoning Official has been received by the Applicant indicating the improvements require a variance for side and rear yard setbacks. Also, the denial indicated

existing variance condition for the front yard setback along both roadways, lot area, and lot depth.

5. The site is located in the R-A Single Family Zone, which permits single-family dwellings as a permitted principal use in this district.

6. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 12,548 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 103.5 feet, which conforms.

8. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 149.8 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 Applicant did not provide mapping of the average front yard setback by a surveyor. The existing front yard setback is 35.56 feet along Bendemere Avenue and is 33.1 feet to the covered porch along Wickapecko Drive. Both of the setbacks represent an existing non-conformity.

The Applicant is proposing a front yard setback of 35.5 feet along Bendemere Avenue to the east addition. A variance is required.

The Applicant is proposing a front yard setback of 35.1 feet along Wickapecko Drive to the south addition. A variance is required.

10. The minimum side yard setback permitted per the zoned district is 15 feet. The existing side yard setback is 10 feet, which represents an existing non-conformity. The Applicant is proposing a side yard setback of 5.6 feet to the East addition. A variance is required.

The Applicant is proposing a side yard setback of 6.0 feet to the new deck. A

variance is required.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. The existing rear yard setback is 40.86 feet, which conforms. The Applicant is proposing a rear yard setback of 28.1 feet. A variance is required.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The existing building coverage is 17.2%, which conforms. The Applicant is proposing a building coverage of 23.4%, which conforms.

13. The maximum impervious surface permitted per the zoned district is 45%. The existing impervious coverage is 30.7%, which conforms. The Applicant is proposing an impervious coverage of 34.8%, which conforms.

14. No driveway shall be constructed closer than 5 feet to any adjoining lot line. The Applicant is proposing a setback of 5 feet from the property lines, which conforms. A portion of the existing driveway along Wickapecko Drive right-of-way is closer than 5 feet, which represents an existing non-conformity.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for a use variance pursuant to N.J.S.A. 40:55-D:70c-1 and N.J.S.A. 40:55-D:70d to construct a one-story addition, in accordance with the application submitted, be and is hereby approved, based on Applicant's proofs that special reasons exist for same and on the basis that 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, and further that the variances regarding the pre-existing non-conforming structure are granted because those conditions are not impacted by the proposed new construction and have no detrimental affect to the property, and subject to the following instructions:

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 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 and Applicant's experts 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 dated February 8, 2021;

E. Subject to the Applicant applying to the Borough Tax Assessor and having the three lots for the subject property merged of record.

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 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 March 15, 2021.

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

ROLL CALL:

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

Mr. Wasilishen, Mr. Weaver, Mr. Blasucci, Ms. Kapp

Opposed: None

Abstained: None

Ineligible: Mr. Wentz

Absent: Councilman Butler, Ms. Heinz and Ms. Kane

The Board reviewed Ordinance No. 2021-2 Amending Sign Regulations for constancy with the Borough Master Plan.

The Board reviewed a letter from Board Engineer, Peter Avakian, dated April 19, 2021 stating that while the Master Plan does not speak directly to the matter contained within the ordinance, promoting the public health, safety, morals, and general welfare is an overall goal of the Borough's Master Plan, and the proposed ordinance amendment intends to further this goal.

BOROUGH OF INTERLAKEN

ORDINANCE NO. 2021-2

AN ORDINANCE OF THE BOROUGH OF INTERLAKEN SUPPLEMENTING CHAPTER XXVI "LAND USE AND DEVELOPMENT", ARTICLE V, "GENERAL PERFORMANCE STANDARDS," SECTION 26-50, "SIGN REGULATIONS"

BE IT ORDAINED by the Borough Council of the Borough of Interlaken, in the County of Monmouth and State of New Jersey, that,

SECTION ONE. Sub-section 26-50 of the Code of the Borough of Interlaken is amended and supplemented as follows:

- a. Any type of sign not permitted herein as an accessory use is prohibited, in any zone in this Borough.
- b. The following types and kinds of signs shall be permitted as accessory uses in all zones.
 1. One (1) temporary sign advertising the sale or rental of real property not exceeding five (5) square feet. The signs are temporary and shall be removed within thirty (30) days after sale of the premises;
 2. Signs of government entities;
 3. Construction signs not exceeding sixteen (16) square feet in area limited to a period of not more than thirty (30) days after the period of construction;
 4. Political signs of not more than four square feet in area. These signs must be removed at the latest by thirty (30) days after the election has ended.
- c. All signs shall comply with any other ordinances of this Borough that may be applicable, including but not limited to Sections 4-2.6 and 10-8.

SECTION TWO. All other sections and subsections of the Borough Code will remain unaltered.

SECTION THREE. If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION FOUR. All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby replaced to the extent of such inconsistencies.

SECTION FIVE. This Ordinance shall take effect immediately upon its final passage and publication according to law.

UPON MOTION of Mr. Weaver, seconded by Ms. Kapp, carried, the Board found the ordinance consistent with the Borough's Master Plan.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Mr. Weaver, Mr. Blasucci, and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: Councilman Butler, Ms. Heinz and Ms. Kane

The Board commenced with a discussion regarding Land Use Continuity led by Mr. Wentz and Ms. Kapp.

Board members reviewed proposed changes and reviewed specific questions including items pertaining to building height measurement from the crown of the road, use variances, family day care centers, home offices, use of garage as home office, houses of worship, lot size, Air B&B rentals and contiguous lots.

Board Attorney Brown answered questions from Board members during the discussion.

The Board determined that the review would proceed by having Board Engineer/Planner, Peter Avakian, review the proposed changes and provide guidance to the Board.

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

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Mr. Weaver, Mr. Blasucci, and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: Councilman Butler, Ms. Heinz and Ms. Kane

Approved: _____
Mr. Papp, Chairman

Attest: _____
Gina Kneser, Secretary