

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
DECEMBER 16, 2024 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 16, 2024, at 7:30 p.m. in the Borough Hall.

Chairman Papp opened the meeting, announced that the meeting was being held in accordance with the Open Public Meeting Act and that Notice of the meeting had been published in the Coaster and Asbury Park Press. The announcement was followed by the Pledge of Allegiance.

ROLL CALL:

Present: Chairman Papp, Councilman Blasucci, Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Mr. Weaver, and Ms. Kane

Also Present: Planning Board Attorney Kevin Kennedy, and Planning Board Secretary Gina Kneser

Absent: Ms. Dalton, Ms. Kapp and Ms. Heinz

UPON MOTION of Vice Chairwoman Umfrid seconded by Mr. Wasilishen carried, the Board approved the minutes of the November 18, 2024, meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton and Mr. Wasilishen

Opposed: None

Ineligible: Councilman Blasucci, Mr. Weaver and Ms. Kane

Abstain: None

Absent: Ms. Dalton, Ms. Kapp and Ms. Heinz

APPLICATION

115 Bendermere Avenue
Block 19/Lots 8 & 9.01
One Story Addition
Andrucyk

Board Attorney Kennedy asked if anyone had any questions, comments or concerns regarding the sufficiency of the Notice given. Board Attorney Kennedy stated that he and the Board Secretary reviewed the notice and found it to be in order. The Board has jurisdiction.

Peter Avakian was sworn in as Board Engineer by Board Attorney Kennedy.

Board Attorney Kennedy marked the following into evidence:

A-1 Application Package

A-2 Denial Letter

A-3 Grading Plan prepared by RC Associate Consulting Inc. dated 10/21/2024

A-4 Architectural Plan prepared by Shore Point Architecture dated 10/12/2024, revised to 10/23/2024

A-5 Topographic and Location Land Survey prepared by Thomas Craig Finnigan dated 07/11/2024 revised to 11/26/2024

A-6 Average Setback Plan prepared by Thomas Craig Finnigan dated 07/15/2024

A-7 Photograph Collection (4 photos) marked 7a, 7b, 7c and 7d)

A-8 Leon S. Avakian Review Memorandum dated 11/22/2024

Jefferey Beekman of the Beekman Law Firm joined the table. Mr. Beekman stated that he represents the applicants Stanley and Donna at 115 Bendermere Avenue Block 19 Lots 8 and 9.01 on the Interlaken tax map.

Mr. Beekman stated that the applicant is proposing to place an approximately 418sqft addition along Iona Street of their property. With that the applicant is requesting a variance for building coverage. The applicant is also requesting a variance for a setback along Iona Street. There are also some existing conditions that the applicant is asking variances for including: minimum lot area in the R-B zone is 12, 000sqft were the lot area of the property is 8,132sqft, the minimum front yard setback to Bendermere Avenue is 35ft where the property is 16ft to the covered porch and 19.8ft to the existing dwelling, and the maximum building height and storage for an accessory garage is greater than 15 ft. There are two-stories on the garage but there is no proposal to make any changes to these additional issues. The main variances the applicant is seeking is for the building coverage of 26.9% where 25% is required on this undersized lot and minimum front yard setback on Iona Street that is 16.16 ft and where 35ft is required where 16.07ft is the average setback in that area of the neighborhood. The average setback is just provided for comparison.

Board Attorney Kennedy confirmed with Mr. Beekman that the accessory structure will not be touched.

Mr. Beekman stated that there is a garage apartment. The applicant is not touching anything there.

Stanley Andrucyk, applicant, William Merunka, Engineer/Planner from RC Associates, 2517 Rt 35 Building J, Suite 102, Manasquan, New Jersey and Andrea Fitzpatrick from Share Point Architecture, 108 South Main Street, Ocean Grove, New Jersey were sworn in by Board Attorney Kennedy.

Mr. Andrucyk stated that he has owned the property for six years and the taxes are current. Mr. Andrucyk stated that he has reviewed the letter prepared by Board Engineer/Planner Avakian's office and has no objection to comply to the comments to Section 3 that requires making repairs to sidewalks in event there is damage during construction.

Board Attorney Kennedy asked if the Board had additional questions for the applicant. There were no additional questions from the Board.

Andrea Fitzpatrick, Architect, joined the table.

Ms. Fitzpatrick is a licensed architect registered in the State of New Jersey and has been licensed since 2010. Ms. Fitzpatrick is an associate of Shore Point Architecture in Ocean Grove, NJ and has testified in front of numerous planning, zoning and historic preservation boards throughout Monmouth County. Ms. Fitzpatrick did not appear before Interlaken, but had been before boards in Neptune, Asbury Park and Bradley Beach. Ms. Fitzpatrick's license is current.

Chairman Papp agreed that the Board accepts Ms. Fitzpatrick as an expert.

Ms. Fitzpatrick was requested by the applicant to prepare architectural plans. The primary objective of this project is to provide a first-floor bedroom to provide an opportunity for the applicant to stay in the house as long as possible. The applicant loves the house. It is a beautiful house. The applicant is trying to make the house adaptable to future use. The proposed bedroom is a suite. There is a private bedroom and a small walk-in closet in the space, as well. Ms. Fitzpatrick used A-1 to show the proposed site layout. A one-story addition tucked away in an existing corner of the property. It is a highly visible corner lot. The addition can be seen from the street face. The applicant tried to be very sensitive to that, in massing, only taking a one-story addition. Not a two-story addition. The form of the house is well preserved, the plan tried not to block it. The addition is tucked into the corner. Although averaging is not a consideration in the zone, the average was used as the basis for the setback. The addition would fit into Iona Street and would not encroach any further than the other properties that currently encroach. The applicant is not proposing any additional changes to the site. There is an existing driveway. The driveway, walkway and porches will remain unchanged. The form of the house will remain as is. The addition is very isolated in this case.

Ms. Fitzpatrick used Sheet A-3 to show the floor plans. The first-floor plan includes a bedroom with a king-sized bed, not much larger than that, a private bathroom and a walk-in closet. The frontage of the house is really oriented toward Bendermere Avenue. The addition was designed to ensure that it would be attractive from Iona Street. A one-story addition is proposed. There is a precedent for a one-story addition of this house. There is a sunroom on the corner of the property. There is a front porch with a low sloped hip roof on it. The design of the addition is in keeping with the scaling of those current one-story portions of the house. The roof was not designed to overwhelm the house. The plan was to preserve as many windows as possible. Ms. Fitzpatrick pointed to A-4 to show that only one existing window is altered as a result of this addition and it is simply being shortened. The plan tried to pull in details of the existing house, utilizing features of all sides, not just the street facing side. Details include larger than 16in overhangs, bracketing, a little bay window on the elevation to give a nice depth to that elevation. On the north elevation, which is the rear elevation that will be visible, there is a radius skylight type of window shown on A-4. A lot of care and consideration was taken on all sides of this addition because it will be so visible. Material will match the existing house. Painted clap board with a smooth finish will be used. All the materials will match the materials as the existing house. The setbacks and the lot coverage were up against the existing coverage. The bare minimum size bedroom would be to meet their requirements. A king-size bed, private bedroom and small walk-in closet. The feeling was that the size could not be reduced anymore and still make it functional as a bedroom, so the applicant is pursuing a coverage variance. The applicant only had 264sqft of building coverage available and this addition is 418sqft. The overall lot size is significantly smaller than what is a permitted lot in the zone and there is the existing garage, as well, that impacts some of the issues as to where the addition could be located. The applicant is proposing to remove a small amount of coverage near the garage to ensure the impervious coverage is not over the limit.

Chairman Papp asked if the Board had any questions.

Vice Chairwoman Umfrid asked if a basement is going to be under the proposed addition.

Ms. Fitzpatrick stated that a basement to match the existing height of the existing basement would be included. The existing basement is 6ft 9in. The reason for the same height is due to the new footings. In construction you typically want to set your new footings at the same level as the existing footings, so you don't put any pressure on the existing foundation wall. Logistically it makes the most sense to align the footings. Ms. Fitzpatrick noted that the new basement is only 6ft x 9ft. From a construction standpoint, it is the most reasonable way to proceed with constructing with the small adjacent foundation

Vice Chairwoman Umfrid asked what the use of the space would be.

Ms. Fitzpatrick testified that the new portion of the basement will be unfinished just like the existing basement.

Vice Chairwoman Umfrid questioned whether any water studies had been done.

Mr. Beekman stated that the Applicant's engineer would testify.

Chairman Papp opened the floor to public questions.

With no public questions the floor was closed.

William Merunka joined the table. Mr. Merunka has been a licensed engineer since 2018 and a licensed planner since 2022. Mr. Merunka has been accepted as an engineer/planner by many boards in Monmouth and Ocean including Sea Girt, Spring Lake, Manasquan, Wall, Point Pleasant Beach, Bay Head and Berkeley Township. It is the first time in front of the Interlaken Board. Both Mr. Merunka's engineering and planning licenses are current.

The Board accepted Mr. Merunka as an expert engineer/planner.

Mr. Merunka worked with Ms. Fitzpatrick to prepare the plot plan and grading plan. A soil boring has been done. Mr. Merunka noted that the soil boring information was on the grading plan. The water table was not found down until 10ft but there were signs of a seasonal high-water table at 104in which comes out to elevation 9.2ft. The proposed basement has an elevation of 12.92in which is almost 4ft above the seasonal high-water table. No water issues are anticipated with the new basement on the house.

Mr. Beekman stated that part of what is proposed is a French drain for roof run from the addition

Mr. Merunka stated the plan is to pick up the roof run off and pipe it to a trench drain running along Iona Street with a pop-up drain on the end for the overflow

Mr. Merunka confirmed to Mr. Beekman and the Board that there is a catch basin in the street. There are catch basins each on both sides of Iona Street so if anything does not recharge in the ground it will go into the catch basin on Iona Street. The trench design was based upon the addition. The trench is based on one inch grade over the footprint of the addition. The bottom of the trench is three feet below grade level. On the site there are some proposals to make modifications to reduce the overall impervious coverage to be compliant. The main change is that the walkway on the north side of the exiting garage will be removed to offset the coverage, so the 45% impervious coverage is met. That walkway is closest to the neighboring property so that it removes impervious coverage closest to that property. In terms of a front setback, Ms. Fitzpatrick was talking about earlier, while averaging is not permitted in this zone, the property directly to north is in the R-A zone where they do allow the averaging on the block. To this is a corner lot. Typically, with a corner lot the zoning requires properties to be a little bit wider, so that when the second street frontage offset is accounted for, the same size house will be on the

corner lot as there would be on the interior lot. A lot of towns do allow a larger corner lot or a reduced front set back on the side street to account for that.

Mr. Merunka believes there will be a minimal impact. The project is aesthetically pleasing. The project will match the existing house and the neighborhood. As shown on the tax map that was submitted by the surveyor, the house on Lot 9's front setback is 14.5ft so looking at Iona Street that house is going to be closer to the street than what is being proposed on for this application. The addition will not be out of character. There is no interference on air or light or open space on any of the neighbors. The addition is tucked into the corner of the house to minimize the impact of the neighbors while also allowing the owner to maintain use of the existing patio on their property. There is minimal space due to the fact that this is a corner lot and parking is coming off from the back area.

Mr. Merunka stated there will be no impact on the site triangles at the corners.

Chairman Papp asked the Board members for any additional questions. There were no additional questions by the Board.

Board Engineer Avakian stated that this is a non-conforming lot. There are a number of them in the Borough. This R-B zone has a lot area that is significantly greater than the lot area of many of the lots in that zone, so the applicant comes before you at a deficiency that the applicant is trying to improve. What the applicant is proposing is not negative on their property and/or the neighbors' properties. Board Engineer/Planner Avakian believes the Board is aware that the averaging of the setbacks of the adjacent properties is not permitted within 200ft. In this case the frontage is the smaller of the two front yard lot line areas, so the frontage is Bendermere Avenue. The side setback criteria is Iona Street. If you go up and down most of the side streets those side setbacks are significantly less than the front yards. The applicant gave their rationale. There really is no other location on this property to put this addition. The Board heard the architectural testimony on that. If you look at the engineering review letter, the review came up with a building coverage slightly less than a coverage than was submitted. The reason for that is that the deck in the rear area is not covered with a roof and is not included in the coverage calculation. It is about 74sqft. Which brings the building coverage down to 26.9%, where the maximum allowable is 25%, which is the first variance. If this was a compliant lot of 12,000ft in this zone, there would not be that problem. The second variance is the setback along Iona Street at 16.16ft, where the ordinance requires 35ft in this zone. Again, it is not allowed for that side yard setback averaging but the applicant submitted a land surveyor's technical data saying that if that was utilized the applicant would be compliant. The Board is left with a lot of information and a lot of justification by the applicant. One of the reasons why the Borough has coverage calculations in our ordinance and in many municipal ordinances is for aesthetics which can be seen very easily and for items like stormwater management. The applicant is trying to accommodate that by putting it underground into a trench drain and allowing it to percolate into the ground or allow it to tie into the Borough storm drain system. The planning testimony was meeting the neighborhood aesthetics and meeting the setbacks of the adjacent property to try to minimize the impact of this application. It is not an easy review for the Planning Board because the building coverage is exceeded, and the setback is exceeded.

Chairman Papp stated that the out of conformity situations are small. 1% in one case. There are a lot of smaller lots in town where people have done this in the past. That is something that has to be considered as to whether or not the Board wants to grant these variances or not.

Chairman Papp opened the floor for Board comments.

Mr. Tilton stated that the lot is very undersized for the zone and as Chairman Papp pointed out a lot of the lots are that way. There is a very good case to be made as to why a variance should be granted. This seems like an

appropriate addition. The upstairs of this house looks like it is relatively small. It is 800sqft. Obviously, the applicant is bringing the house to 2024 standards. Everybody wants a bedroom on the first floor. Further down Iona Street there an offset by the butt out on Bendermere Avenue. Mr. Tilton would not have any problem with this application.

Board Engineer Avakian answered Tilton's question regarding minimum floor area. The ordinance in this zone has a minimum usable floor area of 2,000sqft with 1200 square feet on one floor. That is the requirement that is in the Borough ordinance.

Board Engineer Avakian noted to Chairman Papp as a response to his question regarding the impact of the minimum floor area that there is no impact to this application.

Mr. Beekman stated that for the application it has an impact, but the existing structure does not comply. The applicant is making the existing structure comply to that specific section of the zone.

Mr. Tilton noted that the lot is very small.

Mr. Beekman stated that this lot is 2/3rds of the required lot in the zone. To ask for 1.9%, in Mr. Beekman's opinion, is a very diminutive ask and the applicant has provided that comparison of other lots along Iona Street, because Bendermere Avenue is the primary street for this property, and it is limited with where the structure is already on the actual side lot line. The applicant is limited to tucking in a small addition on the Iona Street side and that is really the gist of the application. It is a significant hardship for this lot.

Chairman Papp the whole point of this application for the variances is talking about under 2%. If it was a lot where it was like 10 or 15% that would be a different story. These smaller lots and as the experts have indicated, the lots around the area are all chopped up and small anyway. It is something the Board needs to consider, and the Board decides whether to allow these variances or not.

Mr. Wasilishen stated that he has no problem with the application.

Vice Chairwoman Umfrid asked about evergreens in the area where the proposed addition is being built. Will the evergreens have to be sacrificed? Will something else be planted in its place?

Mr. Andrucyk stated that there is a hedge of trees in the area. Mr. Andrucyk is unsure, but it looks like probably one of the evergreens will have to come down. Mr. Andrucyk will be glad to replace the evergreen with no problem at all.

Mr. Andrucyk confirmed to Mr. Beekman that the Iona Street side or frontage has landscaping and Mr. Andrucyk's intention is that after the addition the landscaping will be replaced in that front.

Mr. Weaver asked if there is a basement under the rest of the house and if there is a sump pump.

Mr. Andrucyk stated that there is no pump. A pump is not needed because it is dry in the basement and confirmed to Mr. Weaver that it has always been dry.

Chairman Papp noted it to be unique that no pump is required.

Mr. Weaver suggested that Mr. Andrucyk install a sump pump during the construction in case of future need.

Board Engineer/Planner Avakian stated that with respect to this applicant, there is a storm drain system immediately adjacent to the property, so if a pump had to be done it could be done easily without any impact on

the neighbor. The time to do it, though, is during construction. The need has been seen in the past. Rather than there being a condition of approval to install a pump, it could be a recommendation for consideration in the future.

Vice Chairwoman Umfrid noted that if there is heating equipment in the basement that would be an additional reason for consideration.

Chairman Papp opened the floor for comments or questions or statements. With none, the floor was closed.

Board Attorney Kennedy noted the approval by the Board for the resolution would include compliance to all the promises and commitments and representations the applicants have made tonight, compliance with the Leon S. Avakian review memorandum, a twelve-month time frame after resolution is adopted in which to obtain building permits. In accordance with Borough ordinance there is usually a requirement for a professional certification once the improvement is constructed, that the appropriate part of the applicant's development team submits a certification that the improvements were installed in accordance with the approved plans and in accordance with the testimony and in accordance with the resolution.

Board Attorney Kennedy questioned Board Engineer/Planner regarding the two lots having to be consolidated.

Board Engineer/Planner Avakian stated that the property is shown on the tax map.

Board Engineer/Planner Avakian answered Board Attorney Kennedy's question regarding grading and drainage details by stating that the details are incorporated in the review memo.

Mr. Beekman confirmed to Board Attorney Kennedy that the area of impervious coverage being removed will comply with all prevailing requirements.

Board Attorney Kennedy stated that the planned basement addition will be just like the existing basement.

Board Attorney Kennedy asked if there needs to be additional details regarding the planned trench drain.

Board Engineer/Planner Avakian stated that the details on the trench drain are incorporated into the current plans.

Board Engineer/Planner Avakian stated that the plans need to be corrected to confirm the building coverage. The plan does not change, just that page.

Board Attorney Kennedy included that the one hedge tree on the Iona Street front will be replaced, if removed.

Board Engineer/Planner Avakian noted that the installation of the sump system is a recommendation not a condition of the resolution. There is no requirement for it, but things have been happening recently.

Mr. Beekman noted that those conditions are acceptable and stated that the applicant will comply with the general comments of #3 of the Leon S. Avakian review memo, as well.

UPON MOTION of Mr. Wasilishen, to include Board Kennedy's review of the conditions, made motion to approve the variance, seconded by Mr. Tilton, carried.

ROLL CALL:

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

Opposed: None
Ineligible: None
Abstain: None
Absent: Ms. Dalton, Ms. Kapp and Ms. Heinz

The applicant and Mr. Beekman thanked the Board, wished everyone a happy holiday and left the meeting.

Chairman Papp noted that it becomes easier for the Board to make some of these decisions because many lots are so chopped up. The lots are so small and there is so many precedents that have been set over the years.

Board Engineer/Planner noted that if this was a conforming lot in another zone, he thinks that the decision would have been a different situation. The Board would have seen someone trying to extend the limits of reasonableness. Here the Board had someone living here wanting to stay here and they would move perhaps if the Board did not grant the variance so that is taken into consideration.

The Board had a discussion regarding 515 Woodmere Road.

Board Attorney Kennedy stated that two meetings ago, the Board approved the application for 515 Woodmere Road. There was a was a three-pronged application which included: demolition of an existing detached garage, construction of a one-story detached garage and modifications to the existing driveway and paver patio. Jennifer Krimko was the applicants' attorney. The Board made some conditions. The conditions of the resolution were modified, and the resolution was adopted. Afterwards, Ms. Krimko called with a question from the applicant's architect regarding the condition to say there would be no utilities in the garage, except for electric service. Ms. Krimko, on behalf of her client, asks the Board to consider the possibility of having water service to the garage to have a slop sink and a hose bib. Ms. Krimko thinks that other residents would be allowed to have the same and that this consideration is not necessarily related to the requested relief. Board Attorney Kennedy stated that no representations were made to Ms. Krimko but agreed to bring the matter to the Board.

Vice Chairwoman Umfrid stated that the Board was clear about the utilities and only having electric service.

Mr. Tilton stated that he actually asked if the garage would have utilities at the time of the application.

Vice Chairwoman Umfrid stated that the Board asked questions about the water utility and were told there would not be water utilities.

Board Attorney Kennedy stated that he would communicate to Ms. Krimko that no utilities other than electricity was a condition of the approval.

Chairman Papp announced that this meeting will be the last meeting for Mr. Weaver. Mr. Weaver is resigning at the end of this year.

Board Engineer/Planner Avakian thanked Mr. Weaver for his years of service, stating that Mr. Weaver has been a tremendous benefit to this Board.

Chairman Papp stated that Mr. Weaver will be missed.

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

ROLL CALL:

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

Opposed: None

Ineligible: None

Abstain: None

Absent: Ms. Dalton, Ms. Kapp and Ms. Heinz

Approved: _____
T. Papp, Chairman

Attest: _____
Gina Kneser, Secretary