

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
FEBRUARY 24, 2020 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 February 24, 2020 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 Meeting Act and that Notice of the meeting had been published in the Coaster. The announcement was followed by the Pledge of Allegiance.

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**ROLL CALL:**

Present: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Mr. Tilton, Ms. Heinz, Mr. Franks, Mr. Wentz and Ms. Kapp

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

Late Arrival: None

Absent: Ms. Dalton, Mr. Wasilishen, Mr. Weaver and Ms. Kane

UPON MOTION of Vice Chairwoman Umfrid, seconded by Ms. Kapp carried, the Board approved the minutes of January 27, 2020 meeting.

**ROLL CALL:**

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Mr. Tilton, Ms. Heinz, Mr. Franks, Mr. Wentz and Ms. Kapp

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

Late Arrival: None

Absent: Ms. Dalton, Mr. Wasilishen, Mr. Weaver and Ms. Kane

**MEMORIALIZATION**

An application had been presented to the Board at the January 27, 2020 meeting for Impervious Coverage variance to allow patio for hot tub to remain.

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION WITH VARIANCES TO  
FRANK & CATHERINE RAFFERTY, 709 RAYMERE AVENUE**

**WHEREAS, FRANK & CATHERINE RAFFERTY**, hereinafter referred to as “Applicant”, are the

owners of a certain property known as Block 12, Lot 6, on the official tax map of the Borough of Interlaken (“Property”), which Property is located at 709 Raymere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

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

**WHEREAS**, The Applicant filed an application with the Board seeking bulk variance relief; and

**WHEREAS**, after proper notice, a public meeting on the within application was held on January 27, 2020 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 December 11, 2019, and the documents and exhibits presented in support of the application, testimony by the Applicant and/or Applicant’s expert and comments of the public, if any;

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

1. The Applicant is the owner of Block 12, Lot 6 in the Borough of Interlaken, County of Monmouth and State of New Jersey.

2. The Property is located in the R-A Single Family Residential Zone of the Borough of Interlaken.

3. The Property is rectangular in shape, measuring approximately 50 feet in width and 133 in depth.

The Property contains an area totaling 6,669 sq. ft.

4. The previous owner of the Property had built a deck and patio without zoning approval or building permits in 2001. In a prior application which resulted in a Resolution by this Board dated December 18, 2017, the deck and patio were permitted to remain.

5. The Property has existing non-conformities with lot area, lot width, lot depth, front yard setback to the principal dwelling, and rear yard setback to the garage.

6. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 6,669 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

approximately 50 feet, which represents an existing non-conformity.

8. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 133.38 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 existing front yard setback is 30.9 feet, which represents an existing non-conformity.

10. The minimum side yard setback permitted per the zoned district is 15 feet. The dwelling has an existing east side yard setback is 8.7 feet, which represents an existing non-conformity. The dwelling has an existing west side yard setback of 5.1 feet, which represents an existing non-conformity.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. The dwelling has an existing rear yard setback is 66.4 feet, which conforms.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The building coverage is 22.8% which includes the dwelling, wood deck, and garage.

13. The maximum impervious surface area per the zoned district is 45%. The addition of the concrete slab will increase the impervious coverage to 55.8%. A variance is required.

14. The minimum side and rear yard setback for the garage (accessory structure) is 5 feet. The existing garage has a side yard setback of 5.0 feet and a rear yard setback of 4.9 feet. The rear yard setback represents an existing non-conformity.

15. The minimum side yard setback permitted for a deck is 15 feet. The deck has an east side yard setback of 10 feet and west side yard setback of approximately 26 feet. A variance for the east side yard setback was previously granted.

16. The minimum rear yard setback permitted for a deck is 30 feet. The deck has an existing rear yard setback of approximately 48 feet, which conforms.

17. The only improvement made by the Applicant is the addition of a concrete slab which is where the hot tub is located, and the only new variance is for impervious coverage.

18. The Board finds that the location of the hot tub is appropriate relating to the patio area and there is no other logical area to build the concrete slab/hot tub. The Board finds that the hot tub is needed by the Applicant for medical purposes.

**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 and the finding above in this Resolution and also that the relief can be granted without substantial detriment to the public good because there are no architectural or visual negatives caused by the existing improvements 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 condition:

A. Any future improvements on the Property would require an application before the Board and approval by the Board.

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 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. Raymere Avenue was paved in October 2018. The Applicant should be aware that, by Ordinance No. 369, there is a five-year moratorium on street openings. During the 5-year period, no excavation permit shall be issued to open, cut or excavate the roadway. The Applicant is not proposing any improvements along Raymere Avenue.

F. The Applicant should be aware, if any improvements require opening, cutting, or excavation of

Raymere Avenue, they will have to request a resolution authorizing a street opening moratorium waiver from the Borough Council.

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

H. 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 January 27, 2020.

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

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Vice Chairwoman Umfrid,

Mr. Tilton, Ms. Heinz, Mr. Wentz and Ms. Kapp

Ms. Kapp

Opposed: None

Abstained: None

Ineligible: None

Absent: Ms. Dalton and Mr. Weaver

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 24<sup>th</sup> day of February 2020.

Mr. Tilton stated that the Land Use Continuity Sub-Committee members, including Mr. Tilton, Mr. Wentz and Ms. Kapp, met with Board Engineer/Planner Avakian and Jennifer Beam, Planner.

Mr. Tilton stated that the group discussed several items including accessory structures size and use, setbacks and Floor Area Ratio.

The Board had continued discussion regarding Land Use Ordinances.

Chairman Papp noted that the Board would require additional funding for the use of professionals for the proposed ordinance review and would require approval from Council for the funding. Chairman Papp reviewed a cost proposal prepared by Board Engineer/Planner Avakian for the services.

Mr. Tilton stated that the proposal was very reasonable.

Chairman Papp agreed with Mr. Wentz. They feel that proposal was premature. The topics being discussed should be reviewed by the full Board.

Chairman Papp would like the Board to come up with six to eight bullet points that they would like to take to Council.

Councilman Butler stated that he has made Council aware that the Board is considering Land Use Ordinance change suggestions for Council's consideration.

Board Attorney Brown gave a review of the procedure for ordinance changes within the Borough.

The Board agreed that Mr. Wentz would put together discussion bullet points and a workshop session to review and discuss these points will be added to the end of the March 16, 2020 agenda.

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

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Councilman Butler, Mr. Tilton, Ms. Heinz, Mr. Franks, Mr. Wentz and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: Mr. Wasilishen, Mr. Weaver and Ms. Kane

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

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