

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
JANUARY 22, 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 January 24, 2024, at 7:30 p.m. in the Borough Hall.

Vice Chairwoman Umfrid 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: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Ms. Kane, Mr. Weaver, and Ms. Heinz

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

Absent: Chairman Papp and Ms. Kapp

UPON MOTION of Mr. Weaver seconded by Mr. Dalton carried, the Board approved the minutes of the December 18, 2023, meeting.

ROLL CALL:

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

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

Mr. Kennedy stated that the appointment is very much appreciated, and Mr. Kennedy will certainly do his best to represent the interests of the Board and look forward to working with the Board for 2024.

**RESOLUTION APPOINTING KEVIN E. KENNEDY, ESQ.
TO SERVE AS COUNSEL TO THE
INTERLAKEN PLANNING BOARD**

UPON MOTION of Mr. Wasilishen seconded by Vice Chairwoman Umfrid carried, the Board approved the appointed.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Mr. Blasucci, Mr. Tilton, and Ms. Kapp

**RESOLUTION APPOINTING KEVIN E. KENNEDY, ESQ. OF
LAW OFFICES OF KEVIN E. KENNEDY, LLC
TO SERVE AS ATTORNEY TO THE
INTERLAKEN PLANNING BOARD**

2024

WHEREAS, the Interlaken Planning Board is a duly organized Planning Board (hereinafter referred to as “Planning Board” or “Board”) having a principal office at 100 Grasmere Avenue, Interlaken, NJ; and

WHEREAS, there is a need for the Planning Board to retain the services of a Board Attorney in order to represent its interests; and

WHEREAS, under separate cover, the Borough of Interlaken solicited proposals for the said Attorney position under the Fair and Open Process, as set forth in N.J.S.A. 19: 44A-20.5 et seq.; and

WHEREAS, Kevin E. Kennedy, Esq. submitted a conforming Proposal; and

WHEREAS, the Planning Board is of the opinion that appointment of Kevin E. Kennedy, Esq. will be in the best interest of the Planning Board;

NOW, THEREFORE, BE IT RESOLVED, by the Interlaken Planning Board as follows:

1. That the Interlaken Planning Board is hereby authorized to award a Contract to Kevin E. Kennedy, Esq. so as to represent its interests, as Board Attorney, in connection with all Planning Board matters.
2. That the compensation associated with the said representation shall be set forth in the attached proposal. (Additionally, the Proposal for Services, as submitted by Kevin E. Kennedy, Esq. is incorporated herein at length.)
3. That the Board Chair, Vice-Chair, and Secretary are hereby authorized to sign the said Professional Service Contract.
4. That any payments to be tendered under the said Contract shall be subject to the Borough's Chief Financial Officer confirming that funds are available for the stated purpose.
5. That in accordance with New Jersey Law, notice of the subject appointment shall be published in the Borough's official newspaper.
6. That the within Resolution / Appointment shall be subject to all Prevailing State Statutes / Borough Ordinances, as the same may be amended from time to time. Additionally, the appointed individual shall comply with all Prevailing "Pay to Play" Certifications as the Borough of Interlaken may require.

The following members were sworn in Board Attorney Kennedy:

| <u>Name</u> | <u>Class</u> | <u>Term Expiration</u> |
|-------------------|--------------|------------------------|
| Marguerite Dalton | Class II | 12/31/2024 |
| Leonard Blasucci | Class III | 12/31/2024 |

Board Attorney Kennedy congratulated the newly sworn members.

Ms. Kathy Umfrid NOMINATED Mr. Papp as PLANNING BOARD CHAIRPERSON, seconded by Ms. Dalton.

Chairman Papp was not at the meeting but let it be known prior to the meeting that he would accept the nomination should the Board make the nomination in his absence.

With no additional nominations, the Board voted and carried. The following resolution was adopted:

BE IT RESOLVED by the Interlaken Planning Board that the APPOINTMENT of Thomas Papp as Chairman for the year 2024 is hereby approved.

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

Vice Chairwoman Umfrid opened the floor for nominations for PLANNING BOARD VICE CHAIRPERSON.

Mr. Weaver NOMINATED Ms. Umfrid as PLANNING BOARD VICE CHAIRPERSON, seconded by Mr. Tilton.

With no additional nominations, the Board voted and carried. The following resolution was adopted:

BE IT RESOLVED by the Interlaken Planning Board that the APPOINTMENT of Kathy Umfrid as PLANNING BOARD VICE CHAIRWOMAN for the year 2024 is hereby approved.

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

Vice Chairwoman Umfrid thanked the Board.

UPON MOTION of Mr. Weaver, seconded Ms. Kane, carried, the following resolution was adopted:

WHEREAS, There is a need for a Board Engineer,

WHEREAS, FUNDS ARE AVAILABLE FOR THIS PURPOSE and the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the appointments made without competitive bidding must be publicly advertised.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken, that:

The Planning Board hereby engages the services of SAMUEL. AVAKIAN, P.E., of Leon S. Avakian, Inc., as Board Engineer and Planner. These appointments are being made for the term of one (1) year, effective January 1, 2024.

1. These appointments are being made without competitive bidding because these appointments involve a member of a recognized profession, licensed and regulated by law, and are, therefore, exempt under N.J.S.A. 40A:11-5.

2. The Planning Board Chairman and Secretary are hereby authorized and directed to execute agreements with SAMUEL AVAKIAN, P.E.

3. A copy of this Resolution shall be published in The Coaster as required by law.

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

Ms. Kane NOMINATED Gina Kneser as PLANNING BOARD SECRETARY, seconded by Vice Chairwoman Umfrid.

With no additional nominations, the Board voted and carried. The following resolution was adopted:

BE IT RESOLVED by the Interlaken Planning Board that the APPOINTMENT of Gina Kneser as PLANNING BOARD SECRETARY for the year 2024 is hereby approved.

ROLL CALL:

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

Board Secretary Kneser thanked the Board for the appointment.

UPON MOTION of Mr. Weaver, seconded by Mr. Wasilishen, carried, the following resolution was adopted:

BE IT RESOLVED by the Interlaken Planning Board that The Coaster and the Asbury Park Press are hereby designated as Official Newspapers for notices and matters as may be deemed necessary, according to law.

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

UPON MOTION of Vice Chairwoman Umfrid, seconded by Mr. Weaver, carried, the following resolution was adopted:

WHEREAS, the Open Public Meetings Act is the law of the State of New Jersey and provides for Public Notices to be given to certain requirements concerning meetings of the Planning Board of the Borough of Interlaken, and

WHEREAS, the Planning Board of the Borough of Interlaken, and regular meetings and such meetings as may be necessary to carry out the business of the Planning Board and the Board wishes to adopt certain basic rules and regulations.

NOW, THEREFORE, BE IT RESOLVED that the following schedule is hereby adopted by said Board:

The regularly scheduled meetings of the Planning Board of the Borough of Interlaken shall be held at 7:30 PM on the third Monday of each month except in the case of legal holidays and other appropriate reasons when the meeting will be set forth as provided by law.

In the event of the Board's lack of business, notice will be given to an official newspaper of the Board on the cancellation of said meeting.

All meetings shall be held in the Borough Hall, 100 Grassmere Avenue, Interlaken, New Jersey.

THEREFORE, PURSUANT TO THIS RESOLUTION, the following dates for regular meetings shall be:

| | |
|--------------------|--------------------|
| February 26, 2024* | August 19, 2024 |
| March 18, 2024 | September 16, 2024 |
| April 15, 2024 | October 21, 2024 |
| May 20, 2024 | November 18, 2024 |
| June 17, 2024 | December 16, 2024 |
| July 15, 2024 | January 22, 2025* |

*Meeting moved due to Holiday

THEREFORE, PURSUANT TO THIS RESOLUTION, the dates for work sessions shall be determined on an as needed basis and notice of work sessions will be published in The Coaster or the Asbury Park Press.

BE IT FURTHER RESOLVED that in the event regular meetings or additional meetings have to be held at a date, time and place other than set forth herein due to unforeseen circumstances or in any emergency or for other appropriate reason, same shall be held at a date, time and place set forth by the chairman or according to law, and published in The Coaster or the Asbury Park Press and one in the office of the Borough Clerk.

BE IT REOLVED that the Board requires that all applications and appropriate plans in support thereof be received at least fourteen (14) days prior to the regular meeting at which it is proposed that the matter be heard.

THEREAFTER, the Board, at its discretion, will advise the applicant of the specific hearing date to appear for public hearing by the Planning Board Administrative Officer when the application and plans have been determined to be complete.

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

UPON MOTION of Mr. Weaver, seconded by Ms. Dalton, carried, the following resolution was adopted:

WHEREAS, the Planning Board of the Borough of Interlaken is required, pursuant to the N.J. S. A. 40:55D-70.1 and 40:55D-25c., reviewed at least once a year its decision on applications and appeals for variances, and to prepare and adopt by Resolution a report on its findings on Zoning Ordinance provisions which were subject of variance requests and its recommendations for Zoning Ordinance amendments or revisions, if any, and

WHEREAS, the Board has prepared a report, has discussed same, and find the report to be proper;

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Interlaken, as follows,

1. The report, a copy of which is attached hereto and incorporated herein, is approved.
2. The Chairman of the Board is hereby authorized to execute the report.
3. A copy of the report and the herein Resolution shall be forwarded to the Mayor and Council.

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

MEMORIALIZATION

RESOLUTION

**INTERLAKEN PLANNING BOARD
MATTHEW & ADELE BEEGLE
514 BENDERMERE AVENUE
INTERLAKEN, NJ
BLOCK 14, LOT 8.01**

Introduction

WHEREAS, Matthew & Adele Beegle have made Application to the Interlaken Planning Board for the property designated as Block 14, Lot 8.01, commonly known as 514 Bendermere Avenue, Interlaken, New Jersey, within the Borough's R-A Zone, for the following approval: Bulk Variances associated with a request to effectuate a number of improvements to an existing single-family home; and

Public Hearing

WHEREAS, the Board held a Public Hearing on December 18, 2023, Applicants having filed proper Proof of Service and Publication in accordance with Statutory and Ordinance Requirements; and

Evidence / Exhibits

WHEREAS, at the said Hearing, the Board reviewed, considered, and analyzed the following:

- *Development Application Package, introduced into Evidence as A-1;*
- *Zoning Officer Denial Letter, dated September 18,, 2023, introduced into Evidence as A-2;*
- *Application Checklist, introduced into Evidence as A-3;*
- *Architectural Plans, prepared by Barlo Governale and Associates, LLC, consisting of 1 sheet, dated August 28, 2023, introduced into Evidence as A-4;*
- *Survey of Property, prepared by Lakeland Surveying, dated October 20, 2023, introduced into Evidence as A-5;*
- *Survey, reflecting existing and proposed conditions, introduced into Evidence as A-6;*
- *Photograph of the rear of the existing principal dwelling, introduced into Evidence as A-7;*
- *Leon S. Avakian, Inc. review memorandum, dated November 27, 2023, introduced into evidence as A-8;*
- *Affidavit of Service; and*
- *Affidavit of Publication.*

Witnesses

WHEREAS, sworn testimony in support of the Application was presented by the following:

- Matthew Beegle, Applicant, appearing pro se;
- Daniel Governale, Architect;
- James Kinneally, III, Esq., appearing

Testimony and Other Evidence Presented on Behalf of the Applicant

WHEREAS, testimony and other evidence presented by the Applicant revealed the following:

- The Applicant is the Owner of the subject property.
- The Applicant has owned the subject property for approximately 2 years.

- There is an existing single-family home at the site.
- The Applicant lives at the site.
- In order to make the home more modern / functional, the Applicants proposes to effectuate a number of improvements.
- The proposed improvements include the following:
 - Removal of a paver walkway;
 - Removal of a deck;
 - Removal of steps;
 - Construction of a deck;
 - Installation of a paver walkway;
 - Installation of a proposed exterior shower;
 - Installation of one new air conditioning condenser; and
 - Relation of one existing air conditioning condenser.
- Details pertaining to the proposed improvements include the following:

Removal of Paver Walkway

| | |
|-----------|----------------------------|
| Location: | Rear of existing dwelling. |
|-----------|----------------------------|

Removal of Deck

| | |
|-----------|----------------------------|
| Location: | Rear of existing dwelling. |
|-----------|----------------------------|

Removal of Steps

| | |
|-----------|----------------------------|
| Location: | Rear of existing dwelling. |
|-----------|----------------------------|

Construction of the Deck

| | |
|------------|--------------------------------|
| Size: | 15ft. 2in. x 16ft. 0in. |
| Location: | Rear of existing dwelling |
| Materials: | Wood |
| Enclosed?: | The deck will not be enclosed. |
| Covered?: | The deck will not be covered. |

Installation of Paver Walkway

| | |
|------------|---------------------------------------|
| Location: | Rear of existing dwelling (Per Plans) |
| Size: | Per Plans |
| Materials: | Pavers |

Installation of Exterior Shower

| | |
|-----------|---|
| Location: | To the west of the proposed deck. |
| Size: | 3ft. 8in x 6ft. 8in. |
| Details: | The exterior shower will have a vinyl enclosure with a lockable gate and translucent roof system. |

Installation of New Air Conditioning Condenser

| | |
|---------------|---|
| Location: | To the west of the proposed deck. |
| Type of Unit: | Brand new energy-efficient air conditioning unit. |

Relocation of Air Conditioning Condenser

| | |
|-------------------------------------|-----------------------------------|
| Existing Air Conditioning Location: | Per Plans |
| Relocated A/C Location: | To the west of the proposed deck. |

- The Applicants anticipate that the renovation work will be completed in the near future.
- The Applicants will be utilizing licensed contractors in connection with the renovation process.

Variances

WHEREAS, the Application as submitted requires approval for the following Variances:

SIDE YARD SETBACK: 15 ft. required; whereas 4.7 ft. proposed.

IMPERVIOUS COVERAGE: Maximum 45% allowed; whereas 52.22% proposed.

Public Comments

WHEREAS, sworn public comments, questions, statements, and / or concerns regarding the Application were presented by the following individuals:

- Peter Hughes
- Jane Hughes

Findings of Fact

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Interlaken, after having considered the aforementioned Application, plans, evidence, and testimony, that the Application is hereby **granted / approved with conditions**.

In support of its decision, the Planning Board makes the following Findings of Fact and Conclusions of Law:

1. The Interlaken Planning Board has proper jurisdiction to hear the within matter.
2. The subject property is located at 514 Bendermere Avenue, Interlaken, New Jersey, within the Borough's R-A Zone.
3. The subject property is rectangular in shape, measuring 50 ft. in width by approximately 160 ft. in depth.
4. The subject property contains 8,000 SF, which is smaller than the minimum required lot size in the zone. (The minimum required lot size in the zone is 15,000 SF.)
5. The existing site contains a single-family home. (Single-family Use is a permitted use in the subject Zone).
6. In order to make the existing home more functional / modern, the Applicant is proposing to effectuate a number of improvements.
7. The proposed improvements include the following:

- Removal of a walkway;
- Removal of a deck;
- Removal of steps;
- Construction of a deck;
- Installation of a paver walkway;
- Installation of a proposed exterior shower;
- Installation of one new air conditioning condenser; and
- Relocation of one existing air conditioning condenser.

8. Details pertaining to the proposed improvements are set forth herein, are set forth on the Plans, and were discussed, at length, during the Public Hearing process.

9. Such a proposal requires Bulk Variance approval.

10. The Interlaken Planning Board is statutorily authorized to grant the requested relief and therefore, the matter is properly before the said entity.

11. With regard to the Application, and the requested relief, the Board notes the following:

- The existing site has a non-conforming lot are of 8,000 SF (whereas 15,000 SF is otherwise required).
- The lot area condition is a pre-existing non-conforming condition.
- The non-conforming lot area is not being exacerbated as a result of the within approval.
- Per the testimony and evidence presented, in that the other surrounding lots are fully developed, there is no real / practical / functional opportunity for the Applicants to secure additional lands (in order to increase the size of the non-conforming lot area).
- The Board notes that the existing deck is roughly the same size as the replacement deck approved herein.
- The Board notes that per the testimony and evidence presented, the existing deck at the site is compromised, the railings are compromised, and the same is otherwise in an unsafe condition.

- Approval of the within Application will eliminate an old/ compromised deck, and replace the same with a new, safer, aesthetically pleasing, and code-compliant deck.
- The proposed outdoor shower has a conforming west side setback of 15 ft.
- Per the testimony and evidence presented, the proposed exterior shower will tie into the sanitary drain system.
- The Application as presented has a compliant building coverage.
- The Application as presented requires a Variance for Impervious Lot Coverage. The relevant calculations in the said regard include the following:

Maximum Allowable Impervious Lot Coverage.....45%

Existing Impervious Lot Coverage.....50.85%

Proposed Impervious Lot Coverage.....52.22%

- As referenced above, approval of the within Application will increase the overall Impervious Lot Coverage by approximately 1.37%.
- The Board recognizes that the aforesaid increase in Impervious Lot Coverage is driven by the new deck and the new re-configured walkways.
- Under the circumstances, the Board finds that the proposed Impervious Coverage relief is rather de minimis in nature.
- The Application as presented requires a Side Yard Setback Variance (east side). The relevant calculations in the said regard include the following:

Minimum Required Side Yard Setback.....15 ft.

Existing Side Yard Setback.....4.7 ft.

Proposed Side Yard Setback.....4.7 ft.

- As referenced above, the Board is aware that the deck has a non-conforming east side setback of 4.7 ft.
- The Board also recognizes that the replacement deck approved herein will have a non-conforming side setback of 4.7 ft. as well.
- The Board is aware that the new deck will be no closer to the eastern property line than that which currently exists (and that which has historically existed).
- Approval of the within Application will not exacerbate any non-conforming Side Yard Setback deficiency.

- The Board notes that there were no objections associated with the subject Application. In fact, 2 members of the public attended the Public Hearing and formally endorsed / supported approval of the Application.
- Per the testimony and evidence presented, there will be no adverse stormwater management issues associated with the within approval.
- The improvements approved herein are appropriately sized for the lot and the subject residential neighborhood.
- The improvements approved herein will architecturally enhance the existing structure.
- The improvements approved herein will architecturally/aesthetically match the existing structure.
- The improvements approved herein will be practical and functional amenities for the homeowner.
- Subject to the conditions contained herein, the approved improvements will not overtax or otherwise over-burden the site.
- Per the on-the-record discussion, the Board recognizes that the renovated home will be consistent with the character of development in the neighborhood.
- Per the testimony and evidence presented, there is sufficient landscaping trees at the site, which should help mitigate any potentially adverse issues associated with the requested variance relief.
- For the reasons set forth herein and as otherwise set forth during the public hearing process, the Board Members believe that, subject to the conditions of approval, the application can be granted without causing substantial detriment to the public good and/or to the neighbors.
- Single-family use is a permitted use in the R-A Zone.
- Per the testimony and evidence presented, there is a need for the proposed improvements at the site.
- The Board recognizes that the Applicants' goal associated with the within proposal is to make the home more functional, for a modern family.
- The Board recognizes, accepts, and understands the aforesaid bases for the subject Development Application.
- The improvements authorized herein will result in the home being more functional, without causing substantial detriment to the public good.

- Additionally, as a condition of the within approval, grading and drainage details shall be reviewed and approved by the Board Engineer, so as to further confirm the absence of any drainage issues associated with the excess coverage.
- The Board finds that the renovated structure / improvements approved herein will be in keeping with the character of residential development in the neighborhood.
- Subject to the conditions contained herein, the improvements approved herein will not overpower the site, the neighborhood, or the Borough as a whole.
- The Board notes that there is a sufficient amount of landscaping at the site.
- The Board notes that the sufficient amount of landscaping helps mitigate any potentially adverse consequences associated with the Variance relief granted herein.
- The Board finds that the within proposal will significantly enhance the existing structure.
- The Board finds that the improvements authorized herein will result in a significant / aesthetic improvement.
- The significant visual / aesthetic improvements authorized herein will be beneficial for the property, the neighborhood, and the Borough of Interlaken as a whole.
- The Board appreciates the Applicants' commitment to the Borough of Interlaken and the commitment to improve / upgrade / expand the existing structure.
- No Parking Variance is required in connection with the subject Application.
- The existence of sufficient parking is of material importance to the Board – and but for the same, the within Application may not have been approved.
- Given the nature of the Lot and subject to the conditions set forth herein, the Board is of the opinion that the requested relief can be granted without causing substantial detriment to the public good.
- Per the testimony and evidence presented, other development / expansion options were reviewed and considered – but the same were not really practical / feasible.
- Approval of the within Application will not appreciably change the nature of the existing and to-be-continued single-family use.

- The Plans approved herein are reasonable, given the site constraints, given the location/orientation of the existing structures, and given the Applicant's need to increase the overall functionality of the home.
- The proposed location for the Applicant's improvements are logical and practical.
- Subject to the conditions contained herein, the improvements authorized herein will not have any significant detrimental impact on adjoining property owners.
- Approval of the within Application will render the home more functional. However, approval of the subject Application will not appreciably intensify the existing single-family use at the Site. Consequently, the Board is of the collective opinion that the requested relief can be granted without impairing the intent or purposes of the Borough Zoning Plan / scheme.
- The proposed improvements will comply with the Borough's Prevailing Height Regulations and therefore, no Height Variance is necessary.
- Subject to the conditions contained herein, approval of the within Application will improve the overall appearance of the area.
- Approval of the within Application will make the existing home more functional, and approval will also improve the quality of life for the Homeowner.
- Additionally, the architectural / aesthetic benefits associated with the proposal outweigh the detriments associated with the Applicant's inability to comply with all of the specified Bulk Zoning Standards.
- The architectural design of the proposed improvements will not be inconsistent with the architectural character of other single-family homes / improvements in the area (on similarly situated lots).
- Subject to the conditions set forth herein, the benefits associated with approving the within Application outweigh any detriments associated with the same.
- Approval of the within Application will have no known detrimental impact on adjoining property owners and, thus, the Application can be granted without causing substantial detriment to the public good.
- The improvements to be constructed herein will not be inconsistent with other improvements located in the Borough.
- Approval of the within Application will promote various purposes of the Municipal Land Use Law; specifically, the same will provide a desirable visual environment through creative development techniques.

- The Application as presented satisfies the Statutory Requirements of N.J.S.A. 40:55D-70(c) (Bulk Variances).

Based upon the above, and subject to the conditions contained herein, the Board is of the unanimous opinion that the requested relief can be granted without causing substantial detriment to the public good.

Conditions

During the course of the Hearing, the Board has requested, and the Applicants have agreed, to comply with the following conditions:

- a. The Applicants shall comply with all promises, commitments, and representations made at or during the Public Hearing process.
- b. The Applicants shall comply with the terms and conditions of the Leon S. Avakian, Inc. Review Memorandum, dated November 27, 2023 (A-8).
- c. The Applicant shall comply with all prevailing affordable housing rules / regulations / contributions / directives as required by the State of New Jersey, the Borough of Interlaken, COAH, the Court system, and any Agency having jurisdiction over the matter.
- d. The Applicants shall cause the plans to be revised so as to portray and confirm the following:
 - The inclusion of a note confirming that notwithstanding references in the survey to the contrary, the existing west side setback is 16.8 feet (and not 17.7 feet).
 - The Applicant shall perpetually maintain, replace, and replant the landscaping at the site.
- e. The Applicants shall comply with any prevailing Tree Preservation Ordinances of the Borough of Interlaken.
- f. Unless waived by the Board Engineer, grading and drainage details shall be reviewed and approved by the Board Engineer.
- g. The Applicants shall comply with all Prevailing Building, Fire, and Construction Code Requirements.
- h. If applicable, the renovation shall comply with Prevailing FEMA Regulations.
- i. The Applicants shall obtain any applicable permits / approvals as may be required by the Borough of Interlaken - including, but not limited to, the following:

- Building Permit
 - Plumbing Permit
 - Electric Permit
 - Fire Permit
- j. If applicable, the proposed structure / renovation shall comply with applicable provisions of the Americans with Disabilities Act.
- k. The construction / renovation shall be strictly limited to the Plans which are referenced herein, and which are incorporated herein at length. Additionally, the construction shall comply with Prevailing Provisions of the Uniform Construction Code.
- l. The Applicants shall comply with all terms and conditions of the Review Memoranda, if any, issued by the Board Engineer, Borough Engineer, Construction Office, the Municipal Project Assistant, the Department of Public Works, the Bureau of Fire Prevention and Investigation, and / or other Agents of the Borough. **BE IT FURTHER RESOLVED**, that all representations made under oath by the Applicants and / or their agents shall be deemed conditions of the approval granted herein, and any mis-representations or actions by the Applicants contrary to the representations made before the Board shall be deemed a violation of the within approval.

BE IT FURTHER RESOLVED, that the Application is granted only in conjunction with the conditions noted above - and but for the existence of the same, the within Application would not be approved.

BE IT FURTHER RESOLVED, that the granting of the within Application is expressly made subject to and dependent upon the Applicants' compliance with all other appropriate Rules, Regulations, and / or Ordinances of the Borough of Interlaken, County of Monmouth, and State of New Jersey.

BE IT FURTHER RESOLVED, that the action of the Board in approving the within Application shall not relieve the Applicant of responsibility for any damage caused by the subject project, nor does the Planning Board of the Borough of Interlaken, the Borough of Interlaken, or their agents /

representatives accept any responsibility for the structural design of the proposed improvements or for any damage which may be caused by the development / construction.

FOR THE APPLICATION: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton, Mr. Tilton, Mr. Wasilishen, Mr. Weaver, Ms Kapp and Ms. Heinz

AGAINST THE APPLICATION: None

ABSTENTIONS: Councilman Blasucci

The foregoing Resolution was offered by Mr. Weaver and Seconded by Ms. Dalton, and adopted by Roll Call Vote:

IN FAVOR: Vice Chairwoman Umfrid, Ms. Dalton, Mr. Weaver and Ms. Heinz

OPPOSED: None

ABSTAINED: None

INELIGIBLE: Councilman Blasucci

ABSENT: Chairman Papp and Ms. Kapp

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Interlaken Planning Board on this ____ day of _____, 2024

Gina Kneser, Planning Board Secretary

The Board had a brief discussion regarding the Land Use Continuity information that was sent to Borough Council.

Mr. Weaver suggested requesting pocket poll results regarding each subject.

Vice Chairwoman Umfrid stated that the Council has not rejected any of the suggestions that were made, and the Board must continue their effort for the recommended changes to be made.

Board Engineer Avakian summarized the information he gathered regarding the matter. Board Engineer Avakian stated that the role of the Planning Board is to make recommendations to the Council for their review. Board Engineer Avakian is aware that this matter has been ongoing since April 2022. Board Engineer Avakian stated that Council has reviewed the requested changes and has taken action regarding some of these proposed changes. Council has determined that it will not act on all the proposed changes. Board Engineer Avakian stated that he would further investigate Council's findings.

Mr. Tilton asked several questions regarding the House of Worship ordinance including the subjects of site circulation, storm water management, height, lot coverage and parking.

Councilman Blasucci stated that Council did include explicit measures regarding parking within the ordinance. Councilman Blasucci noted that there was public interest at the meeting particularly regarding parking matters. Councilman Blasucci read the passages in Ordinance 26-35 pertaining to parking regulations.

Board Engineer Avakian referred to a portion of the December 2022 meeting minutes including Councilman Butler's review regarding Land Use Continuity. Councilman Butler's comments provided a summary of Council's actions regarding the continuity review. Councilman Butler

The Board tasked Board Secretary Kneser to investigate the status of the Council's review and actions regarding each of the suggested submitted changes and prepare an updated list to be provided to the Board prior to the next meeting.

Board Secretary Kneser stated that the next meeting would be February 26th, 2024, and noted that February 29, 2024 is a holiday.

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

ROLL CALL:

In Favor: Vice Chairwoman Umfrid, Councilman Blasucci, Ms. Dalton, Mr. Wasilishen, Mr. Weaver, Ms. Kane and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp and Ms. Kapp

Approved: _____
K. Umfrid, Vice Chairwoman

Attest: _____
Gina Kneser, Secretary