

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
JULY 18, 2016, 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 July 18, 2016 at 7:30 p.m. in the Borough Hall.

Vice Chairwoman Umfrid, 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: Vice Chairwoman Umfrid, Councilman Gunn, Ms. Dalton, Ms. Heinz, Mr. Menditto

Absent: Chairman Papp, Mr. Tilton, Mr. Wasilishen

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

UPON MOTION of Mr. Menditto, seconded by Ms. Dalton, carried, the Board approved the minutes of June 20, 2016 meeting.

ROLL CALL:

Ayes: Vice Chairwoman Umfrid, Ms. Dalton, Ms. Heinz, Mr. Menditto
Nays: none
Absent: Chairman Papp, Mr. Tilton, Mr. Wasilishen
Abstain: Councilman Gunn

An application had been presented to the Board at their June 20, 2016 meeting to construct a one story addition on the property known as Block 27, Lots 1 & 2.

**BOROUGH OF INTERLAKEN PLANNING BOARD
RESOLUTION GRANTING VARIANCE APPROVAL TO
ELEANOR S. MILAZZO**

WHEREAS, ELEANOR S. MILAZZO, hereinafter referred to as “Applicant”, is the owner of certain property known as Block 27, Lots 1 & 2 on the official tax map of the Borough of Interlaken, which property is located at 701 Fernmere Avenue in the Borough of Interlaken, County of Monmouth, an State of New Jersey; and

WHEREAS, said Applicant is proposing to construct a one-story addition to the single-family residence; and

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

WHEREAS, in order to construct the proposed 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 height requirements; and

WHEREAS, after proper notice, a public meeting on the within application was held on June 20, 2016 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 June 3, 2016, and the testimony of the Applicant's Architect, Joseph P. Tomaino, A.I.A., P.P., the testimony of the Applicant, and the documents and exhibits presented in support of the application;

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

1. The Applicant is the owner of Block 27, Lots 1 and 2, and located at 701 Fernmere Avenue, at the corner of Fernmere Avenue and Rona Street, in the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The property is rectangular in shape, measuring 100 feet in width by 125 feet in depth, and has two (2) frontages. The property contains an area totaling 12,500 square feet. The site is currently occupied by a two story single family dwelling.
3. The Applicant is requesting approval from the Planning Board for the construction of a one-story addition to the single-family dwelling.
4. A denial from the Zoning Official was received by the Applicant indicating the proposed addition requires a variance for front and side yard setbacks, and existing non-conforming lot depth and lot area.
5. The property in question is located in the R-A Single Family Residential Zone of the Borough of Interlaken. A single-family dwelling is 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 is 12,500 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 100 feet, which conforms.

8. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 125 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 34.5 feet along Rona Street and 34.4 feet along Fernmere Avenue. The front yard setback along Rona Street and Fernmere Avenue represents an existing non-conformity. The Applicant is proposing a front yard setback to the addition of approximately 38.5 along Fernmere Avenue. A variance is required.

10. The minimum side yard setback permitted per the zoned district is 15 feet. The existing west side yard setback is 27.6 feet, which conforms. The Applicant is proposing a side yard setback to the addition of 10.3 feet. A variance is required.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. The rear yard is opposite Fernmere Avenue since this is the front lot line. Frontage is that portion of a lot extending along the street line. In the case of a corner lot, the lot line having the shortest distance along the street shall be considered the front line. The existing rear yard setback is 23.5 feet, which represents an existing non-conformity.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant is proposing a building coverage of 18.6% as indicated on the architectural plan and 17.4% on the plot plan. The Applicant conforms with the building coverage and the plans should be revised to eliminate this discrepancy.

13. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposed an impervious coverage of 28.1% as indicated on the architectural plan and 29.4% on the plot plan. The Applicant conforms with the impervious coverage and the plans should be revised

to eliminate the discrepancy.

14. The maximum building height 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 facing the architectural fronts of the building of the property in question (Fernmere Avenue). The Applicant has calculated a building height of 29.23 feet, which conforms.

15. The Applicant provided testimony personally, and through her architect, Joseph P. Tomaino, A.I.A., P.P., to satisfy all outstanding issues set forth in Mr. Avakian's report dated June 3, 2016, including clarifying that #1 and #2 of said report are not relevant, and further that no trees shall be removed. Applicant stipulated that the hedges depicted in the photos marked A-1 to the sideline on the west shall remain and if they become diseased or are removed by others, Applicant shall replace same. The Applicant's Architect testified that the construction of the one-story addition shall be consistent with the existing house.

16. The Board finds that the application can be granted to allow for the proposed one-story addition with variances for side and front yard setbacks based on Flexible C-2 standards, and that the proposed one-story addition is aesthetically pleasing, and as per the testimony of the Applicant and Applicant's Architect at the hearing, and based on the forthcoming revised plans showing the required changes as set forth above.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough of Interlaken that the application for variances pursuant to N.J.S.A. 40:55D-70c(2) to construct a one-story addition in accordance with the application submitted, be and is hereby approved on the grounds that the positive criteria was met by showing that the proposed addition will creatively address architectural needs in an aesthetically pleasing manner 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 effect to the property, and subject to the following conditions:

A. The Applicant shall provide to the Board for review and approval by the Board Engineer revised plans to correct the discrepancies as stated herein.

B. As testified and agreed to at the hearing, no trees shall be removed and if same are removed by others or for disease, then the Applicant shall replant new ones.

C. The construction of the one-story addition shall be consistent with the type and style of the existing two-story dwelling.

D. Compliance with all conditions set forth in this Resolution, and also satisfying the general comments section of the Board Engineer's report dated June 3, 2016 as required.

E. 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.

F. 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.

G. 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 the Applicant's expert at the hearing.

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

I. 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.

J. The Applicant must comply with all representations made on the record by Applicant and Applicant's Professionals.

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 June 20, 2016.

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

ROLL CALL:

In Favor: Ms. Dalton, Ms. Heinz, Mr. Menditto, Acting Chair Umfrid

Opposed: None

Abstained: None

Ineligible: Chairman Papp, Mr. Wasilishen, Councilman Gunn

Absent: Chairman Papp, Mr. Wasilishen

The foregoing is a true copy of a Resolution adopted by the Planning Board of the Borough of Interlaken on the 18th day of July, 2016.

GINA KNESER
Secretary, Planning Board

The Board had a brief discussion regarding the role of and communications with the Borough Zoning Officer.

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

Approved: _____
Kathy Umfrid, Vice Chairwoman

Attest: _____
Gina Kneser, Secretary