

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
JUNE 16, 2014, 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 June 16, 2014 at 7:30 p.m. in the Borough Hall.

Chairman Gunn, 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: Chairman Gunn, Ms. Dalton, Mr. Franks, Mr. Menditto, Ms. Umfrid

Absent: Mr. Papp, Mr. Tilton, Mr. Wasilishen, Councilman Miller

Also Present: Board Attorney Sanford Brown, Planning Board Secretary Gina Kneser, Board Contracted Planners James W. Higgins and Alison Coffin.

UPON MOTION of Mr. Franks , seconded by Ms. Dalton, carried, the Board approved the minutes of March 17, 2014 meeting.

ROLL CALL: Ayes: Ms. Dalton, Mr. Franks, Mr. Menditto, Ms. Umfrid,
Chairman Gunn

Nays: none

Absent: Mr. Papp, Mr. Tilton, Mr. Wasilishen, Councilman Miller

An application had been presented to the Board at their April 21, 2014 meeting to construct a new 2-car detached garage to replace an existing 2-car detached garage, install a generator and enlarge the driveway on the property known as Block 26, Lot 1.01.

**BOROUGH OF INTERLAKEN PLANNING BOARD
RESOLUTION GRANTING VARIANCE APPROVAL TO
THOMAS AND CHRISTINE PAPP**

WHEREAS, THOMAS AND CHRISTINE PAPP, hereinafter referred to as “Applicant”, are the owners of certain property known as Block 26, Lots 1.01 and 2.01 on the official tax map of the Borough of Interlaken, which property is located at 37 Rona Street in the Borough of Interlaken, County of Monmouth, an State of New Jersey; and

WHEREAS, said Applicant is proposing to construct a new 2-car detached garage to replace an existing 2-car detached garage, install a generator, and enlarge the driveway; and

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

WHEREAS, in order to construct the proposed garage, 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 April 21, 2014 at the Interlaken Borough Hall; and

WHEREAS, the Board has considered the reports of the Board Engineer, Peter R. Avakian P.E., P.P., dated April 7, 2014, and the testimony of the Applicant's Architect, Donald J. Passman, A.I.A., 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 26, Lots 1.01 and 2.01, and located at the corner of Rona Street and Fernmere Avenue, in the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The property is rectangular in shape, measuring 106 feet in width by 100 feet in depth. The property contains an area totaling 10,600 square feet. The site is currently occupied by a two story single family dwelling, with a 2-car detached garage.
3. The Applicant is requesting approval from the Planning Board for the replacement of the existing detached 2-car garage with a new detached 2-car garage, a proposed generator, and enlarging the driveway.

3. A denial from the Zoning Official was received by the Applicant indicating the proposed detached garage requires a variance for the side yard setback and building height.

4. The property is located in the R-A Single Family Residential Zone of the Borough of Interlaken. Single-family dwellings are a permitted principal use in this district.

5. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot is 10,600 square feet, which represents an existing non-conformity.

6. The minimum lot width permitted per the zoned district is 75 feet. The existing lot width is 106 feet, which conforms.

7. The minimum lot depth permitted per the zoned district is 150 feet. The existing lot depth is 100 feet, which represents an existing non-conformity.

8. 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 33.4 feet along Rona Street and 25.5 feet along Fernmere Avenue, both of these setbacks represent an existing non-conformity.

9. The minimum side yard setback permitted per the zoned district is 15 feet. The existing south side yard setback is 26.2 feet, which conforms.

10. The minimum rear yard setback permitted per the zoned district is 30 feet. The existing rear yard setback is 32 feet, which conforms.

11. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant is proposing a building coverage of 19.58%, which conforms.

12. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant is proposed an impervious coverage of 38.83%, which conforms.

13. An accessory structure requires a minimum setback of 5 feet from the side and rear property lines. The proposed detached garage has a rear yard setback of 5.17 feet, and a side yard setback of 3.17 feet. A variance is required for side yard setback.

14. The proposed generator shall meet accessory structure setback requirements. It has a rear yard setback of 10 feet and a side yard setback of 33.84 feet. The rear and side yard setbacks conform. The Applicant provided manufacturer's specifications for the proposed generator, and also provided testimony as to the type of fuel being proposed and the direction of the exhaust, which shall not be directed to the neighboring properties.

15. The maximum building height for an accessory structure is 15 feet. The Applicant is proposing a building height of 20.58 feet. A variance is required.

16. The maximum number of stories for an accessory structure is one (1) story. The proposed garage has a loft space for storage above the first floor area. The Applicant testified that the space will be only used for storage and the Architect testified that the height of the storage space does not permit occupancy of this space.

17. The Applicant provided testimony personally, and through their architect, Donald J. Passman, A.I.A., to satisfy all outstanding issues set forth in Mr. Avakian's report dated April 7, 2014, including stipulating that the architectural plans shall be amended to satisfy item 3.D. of said report, and further amended and certified as to the detail to confirm the new driveway location as per A-9 admitted into evidence at the hearing. The revised plans shall be sent to the Board Engineer for review and approval before the issuance of a building permit for a new garage.

18. The Board finds that the application can be granted to allow for the proposed accessory structure and generator with variances for side yard setback and building height of the proposed garage based on Flexible C-2 standards, and that the proposed accessory structures are

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. 40:55-D:70c to construct a 2-car detached garage and install a generator in accordance with the application submitted, be and is hereby approved, based on Applicant's proofs 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, within 60 days of this Resolution of Memorialization, provide to the Board attorney for review and approval a Restrictive Deed confirming the testimony as outlined at the hearing that the use of the garage shall be restricted to the storage of vehicles and household items. Said Deed shall be recorded within 30 days after being approved, and a recorded copy of same shall be provided to the Board Secretary.

B. As testified and agreed to at the hearing, there shall be no plumbing, heating, or air conditioning permitted in said garage, however, a refrigerator will be permitted.

C. The interior height of the upstairs area of the garage storage area shall be as testified and agreed to at the hearing, and per the plans marked at the hearing.

D. The existing curb and sidewalk along the frontage will be replaced if found in poor condition.

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 all conditions set forth in this Resolution, and also satisfying the general comments section of the Board Engineer's report dated April 7, 2014 as required.

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

J. 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.

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 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 April 21, 2014.

The foregoing Resolution was offered by Mr. Franks and seconded by Ms. Dalton and adopted on by the following vote:

ROLL CALL:

In Favor: Ms. Dalton, Mr. Franks, Mr. Menditto, Ms. Umfrid, Chairman Gunn

Opposed: None

Ineligible: Mr. Papp, Mr. Tilton, Mr. Wasilishen

Absent: Councilman Miller

Ms. Allison Coffin and Mr. James Higgins of James W. Higgins Associates joined the table.

Ms. Coffin and Mr. Higgins reviewed their suggested ordinance changes with the Board. The Board discussed the recommendations. Changes were suggested in several areas of the ordinance including: several definitions, Single Family Residential Zone, Permitted Accessory Uses, Area, Yard and Building Requirements and Fence Regulations.

The Board agreed more time was needed to discuss the details and ramifications of each of these changes.

The Board will further review the suggested changes during future meetings. It was agreed that Ms. Coffin and Mr. Higgins would return for a meeting once there is some agreement regarding the changes.

The Board had a brief discussion regarding escrow fees. The matter was tabled until Councilman Miller could be present for further discussion.

There being no other business, UPON MOTION of Mr. Franks, seconded by Mr. Menditto, carried, the meeting was adjourned.

Approved: _____
John Gunn, Chairman

Attest: _____
Gina Kneser, Secretary