

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
MAY 20, 2019 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 May 20, 2019 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, Councilman Butler, Mr. Tilton, Ms. Dalton Mr. Wasilishen, Ms. Heinz, Mr. Weaver and Mr. Wentz

Also Present: Planning Board Attorney Representative Nicholas Falcone and Planning Board Secretary Gina Kneser

Absent: Vice Chairwoman Umfrid, Mr. Menditto, Ms. Gatsch and Ms. Kane

Mr. John Benello, Township of Ocean Sewage Authority Attorney, joined the table and briefly described the pump station replacement project. The replacement was motivated by the problems incurred with Superstorm Sandy. Many components are currently under ground and there is fear that the system is vulnerable. The restoration cost is \$3.5 million.

Ms. Sue Grayfield, Township of Ocean Sewage Authority Engineer, stated that the purpose of the replacement project is to raise the electrical components of the pump station above ground. The station is currently at a 9.5ft elevation. The flood elevation is 10ft. The proposed station elevation will be 13ft and the building will be 23.4ft in height. There will be vinyl siding and asphalt shingle roofing. The columns will be vinyl clad.

Mr. Bonello noted that colors were pretty much selected at the previous meeting.

Ms. Grayfield continued with the description of the project. The building portion will house all the electrical components and also the generator. There is a dioxide tank. There is a porch overhang, so that the maintenance people will be sheltered during bad weather. There is a scanner system that will communicate alarms. It is on existing building and will be on the proposed building. Construction will probably take six months, once all equipment is in place to begin. The project can be done without interfering with roadway. The intention is that the roadway will not be affected. There is no disruption in service expected.

Ms. Grayfield detailed the landscaping plan. Plantings against the building will not grow more than 3 ft to cover foundation. Larger trees will be added to screen the view of the building.

Mr. Bernhardt, Vice Chairman of TOSA, presented proposed samples of siding and roofing to the Board.

Mr. Wentz questioned the look of the south elevation of the building, a gateway of the community. Mr. Wentz suggested a false window and that the louver door be relocated.

Mr. Bonello agreed to look into it.

Ms. Grayfield stated that the plantings are resistant to salt water. Rear trees are larger and grow to about 15 ft. Ms. Grayfield stated that a false window could be investigated.

Board Engineer/Planner Avakian questioned the floor elevation and internal design. The floor elevation of the pump station and the wet well and meter chambers are proposed to be above elevation 10ft, but the actual flood elevation of Deal Lake for the 100 year or 1% storm is actually 11ft. That is based on the FEMA maps of 2014.

Ms. Grayfield stated that the floors are elevated to 13ft. There are housekeeping pads under the electrical equipment. That will be 6 inches above the first floor.

Board Engineer/Planner Avakian asked questions regarding the flood elevations. The map has not changed since 2014. There are tributaries on both sides of the station. The elevation needs to be 12ft above the mean sea level and all construction must comply.

Ms. Grayfield stated that the project will comply.

Mr. Weaver questioned the purpose of the 1,000-gallon fuel tank.

Ms. Grayfield stated that an evaluation was done regarding the fuel source for the generator. The Authority decided to use a diesel generator. There will be plantings used to screen the view of the tank from the roadway.

Ms. Heinz asked about the types of plants that will be used. Noting some plants need more watering and some are more susceptible to deer. What will be done to ensure that the plants thrive? Is there a water source there?

Ms. Grayfield stated that the contractor will maintain the plantings, then the Authority will take responsibility from there.

Mr. Bonello stated that there is a water source at the site and the local knowledge of plantings would be helpful.

Chairman Papp asked whether there was a containment vessel for the 1,000-gallon tank.

Ms. Grayfield stated that the tank has a double wall with monitoring between to detect leaking. There is a pad.

Board Engineer/Planner Avakian asked about details regarding containment while the tank is being filled. There is a concern in regard to leakage threat due to the proximity of the tank to the lake.

Ms. Grayfield stated that a temporary containment can be set up while the oil is being delivered.

There was a brief discussion regarding the testing of the generator.

Ms. Grayfield stated that the larger trees are Leisure King junipers and the smaller plantings are Blue Mist hydrangea with smaller junipers.

Ms. Dalton stated that hydrangea are deciduous. Evergreens may be better. Hydrangea are lovely but the Board would like to hide the fuel tank, as much as possible, all year round.

Mr. Bonello asked that the Board appoint someone work with the Authority to provide suggestions regarding landscaping suggestions.

Mr. Wentz questioned the use of louvers on the building.

Ms. Grayfield stated that the use of louvers on the side elevation as well as the use of a false window will be discussed by the Authority.

Mr. Wentz pointed out that the windows are large and do not have any muttons in them.

Mr. Tilton and Mr. Wentz expressed concerns about the column sizing in regard to the aesthetic of the building.

Mr. Wentz noted that the sizing of the cupola is incorrect.

There was a brief discussion regarding the columns being more decorative in nature.

Mr. Bonello stated that he was instructed to fully cooperate with the Board and asked that the Board choose one person to work with Mr. Schmelling regarding the suggested changes.

Mr. Bonello and Ms. Grayfield thanked the Board and left the meeting.

### **MEMORIALIZATION**

An application had been presented to the Board at the April 15, 2019 meeting to construct a one-story addition and covered porch:

#### **BOROUGH OF INTERLAKEN PLANNING BOARD RESOLUTION GRANTING VARIANCE APPROVAL TO KAREN WATT**

**WHEREAS**, Karen Watt, hereinafter referred to as “Applicant”, is the owner of certain property known as Block 32, Lots 13 & 14 on the official tax map of the Borough of Interlaken, which property is located at 411 Buttermere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

**WHEREAS**, said Applicant has requested approval for the construction of a one (1) story addition at the rear of the dwelling and a front covered porch; and

**WHEREAS**, the property is in the R-A Single Family Residential Zone; and

**WHEREAS**, a denial from the Zoning Official dated October 19, 2018 was received by the Applicant indicating that the improvements require variances for front and rear yard setbacks; and

**WHEREAS**, after proper notice, a public hearing on the within application was held on April 15, 2019 at the Interlaken Borough Hall; and

**WHEREAS**, the Board has considered the Plan of James J. Monteforte, Architect, consisting of eight (8) sheets, dated September 24, 2018 with the latest revisions dated October 30, 2018; a Plot/Grading Plan consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated October 1, 2018; and a survey of property consisting of one (1) sheet prepared by Charles Surmonte, P.E. & P.L.S., dated December 27, 2018; and the Board Engineer's report dated April 3, 2019.

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

1. The Applicant is the owner of Block 32, Lots 13 & 14 in the Borough of Interlaken, County of Monmouth and State of New Jersey. The property is rectangular in shape, measuring 100 feet in width and 100 feet in depth, with an area totaling 10,000 square feet.

2. The Applicant is requesting approval from the Planning Board for the construction of a one-story addition at the rear of the dwelling and a front covered porch.

3. A denial from the Zoning Official dated October 19, 2018 was received by the Applicant indicating that the improvements require variances for front and rear yard setbacks.

4. The property is 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.

5. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 10,000 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 100 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 34.5 feet, which represents an existing non-conformity.

9. The Applicant is proposing a front yard setback of 32.8 feet to the covered porch. 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 16.5 feet, which conforms. The existing east side yard setback is 15.3 feet, which conforms. The Applicant is proposing a west side yard setback of 16.5 feet to the addition, which conforms.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. The existing rear yard setback is 22.2 feet, which represents an existing non-conformity. The Applicant is proposing a rear yard setback of 22.2 feet, which is an expansion of an existing non-conformity. A variance is required.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant has provided the proposed building coverage calculation on the plot plan as 25.8%, however, the correct calculation is 26.1%. A variance is required.

13. The maximum impervious surface area permitted per the zoned district is 45%. The Applicant has provided the proposed impervious coverage calculation on the plot plan and the proposed impervious coverage is 35.1%. The proposed impervious coverage conforms.

14. The maximum height permitted per the zoned district is 35 feet. The existing building height of 29.16 feet, which conforms. The proposed additions will not exceed the existing building height, which conforms.

15. The minimum side and rear yard setback for the patio is 5 feet. The Applicant is proposing a side yard setback of 14 feet to the patio and a rear yard setback of 5 feet to the patio. Both of these setbacks conform.

16. The Applicant provided testimony as to tree removal which was satisfactory to the Board.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Interlaken that the application for the variances pursuant to N.J.S.A. 40:55D-70 c-2 for the construction of a one story addition at the rear of the dwelling and a front covered porch addition in accordance with the application submitted, be and is hereby approved, in that based on Applicant's proofs as stated in this Resolution the statutory positive criteria are met since: (a) the purposes of the Municipal Land Use Act under N.J.S.A. 40:55D-2 are advanced by this deviation since the addition will provide a desirable visual environment through a creative development technique and good design and arrangement, and (b) the benefits of the deviation substantially outweigh any detriment because most of the variances relate to existing non-conformities and the addition cannot be seen from the street and will not impact the neighbors; and the statutory negative criteria has also been met since 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 since the addition will be aesthetically pleasing and will not adversely impact the neighbors, subject to the following conditions:

- A. There shall be no trees removed from the subject property for the construction.
- B. Applicant shall comply with the Board Engineer's report dated April 3, 2019.
- C. Applicant shall have the plans revised to add a general note that the existing curb and sidewalk along the frontage will be replaced if found in poor condition.
- D. 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.
- E. 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.
- F. 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.
- 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, 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 April 15, 2019.

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

**ROLL CALL:**

In Favor: Chairman Papp, Councilman Butler, Mr. Tilton, Mr. Wasilishen, Ms. Heinz and Mr. Weaver

Opposed: None

Abstained: None

Ineligible: Ms. Dalton and Mr. Wentz

Absent: Mr. Menditto, Ms. Gatsch and Ms. Kane

**APPLICATION**

316 Bridlemere Avenue/ Menicucci

Mr. Mark Steinberg, Attorney for the Applicant, joined the table.

Board Attorney Representative Falcone marked Site Plan revised to April 1, 2019 entitled Proposed Driveway Reduction Plan as A-1.

Board Engineer/Planner Avakian noted that two plans were prepared by the same firm. Both were submitted. One is the Post Driveway Site Plan revised to April 1, 2019.

Mr. Steinberg submitted the response from the Monmouth County Planning Board stating the Board had no interest in the project.

Board Attorney Representative Falcone marked the letter from Victor Furmanec, Principal Engineer, Monmouth County Planning Board dated February 28, 2019 as A-2.

Mr. Steinberg stated that the driveway has been cut back to almost its original configuration of 1905sqft. with the exception of a small K turn area close to the garage. A traffic engineer will testify to the need of that area. Originally the Applicant came in 2017 for variances for a new garage on Buttermere Avenue in 2017. Variances were granted to change the portico, add some additions to the house, to put in a driveway and a garage off of Buttermere Avenue. After the approval was received and submitted the plans, the garage was built. It has been previously submitted to the Board that one part is off by 2in and the other is off by 2ft. Unfortunately, the masons did not follow the plans exactly, due to a chimney and interior basement access. Testimony has been submitted to the Board regarding those variances. The Applicant is asking the Board to regrant variances for the garage for that movement.

The project has been finished and the Applicant is looking for approval of the plans, as presented. As the project went along, though permits were received from town, the owner did not know that changes required Board approval for these things that people do to their home. The final site plan of the proposed driveway reduction will be presented. It shows all the impervious coverage, which was noticed in the new notice. The percentages are correct. It is a little over 40%, where 45% is allowed. No additional variances are needed, other than to have the two original variances reapproved. There will be testimony regarding Planner testimony during the original application.

Vito Fossella, Engineer for the Applicant, joined the table and was sworn in by Board Attorney Representative Falcone.

Mr. Fossella stated that he was a licensed engineer in the State of New Jersey and has his own firm. Prior to that he was Chair of the New York City Board of Standards and Appeals Planning Board for 10 years. Prior to that he was the Commissioner of Marina Navigation. Prior to that he was the Commissioner of the Highway Department of Staten Island and is an adjunct Professor of Engineering at St. John's University. Mr. Fossella has testified before other Boards in his profession of Engineer.

The Board accepted Mr. Fossella's credentials.

Mr. Fossella stated that he was asked to review the survey done by Land Planning and Engineering Consultants which shows property dimensions and impervious area dimensions, including all impervious area. Mr. Fossella stated that he walked through site. The purpose of drawing was to do calculation of impervious surface on site. The measurement is 40.75%, where the maximum permitted at 45%.

Peter Avakian stated that Mr. Fossella comes in to save the day because some Board members may have a little difficulty understanding what improvements were granted with the original approval and what improvements were in addition to that original approval. Mrs. Menicucci testified to them last time, but they were not on all one plan. What you see are the current conditions of the site with the driveway reduction, with the five additional improvements that are shown beyond the scope of the original approval. The testimony is accurate here. They are almost 5% below what is allowed for the total impervious coverage for this site.

Mr. Stein stated that modifications were made at an expense and it turns out that it looks lovely and is under coverage.

Board Engineer/Planner Avakian noted one other thing that is shown on this plan and believes Mr. Menicucci testified to it at the first meeting. The driveway surface is three inches of asphalt covered with thin layer of imbedded stone to give the appearance of residential look, which blends in appearance as opposed to a black asphalt look. It is three inches of asphalt that has been noted on plans.

Mr. Stein stated that there is also a coating over the stone to prevent it from washing it into the street. The stones will be affixed to the asphalt.

Mr. Papp opened the floor to questions. With no questions, he closed the floor.

Mr. Frank Miskovich, joined the table and was sworn in by Board Attorney Representative Falcone.

Mr. Miskovich stated that he was a licensed professional engineer in New Jersey since 1976 in the area of Highway in Engineering and has a BS in Civil Engineering. Mr. Miskovich has been Middlesex County Engineer for 12 years and been in private engineering for the last 40 years doing traffic engineering, representing boards and public citizens.

The Board accepted Mr. Miskovich as an expert.

Mr. Miskovich stated that the driveway has been in place for a very long time. It has been changed a little bit, but it has been in the current location. The driveway is on a County road and meets County standard in which there is a requirement for an offset on the curb return to the driveway. At 10ft it meets the range. Another criteria that is important for a minor subdivision is a turnaround area, so that you are not backing out onto the road. A turn around has been provided. The ability to pull head on into traffic it is a real safety improvement. The intersection is operating safely. Mr. Miskovich asked police for the crash record for the last five years. There was only one crash due to snow and ice. There is nothing to see that would point to a safety issue.

Mr. Stein stated that the small turnaround gives a little more imperious coverage.

Mr. Miskovich stated that they definitely must have turn around. If follow the county standard was used the turnaround would be much larger. The area was reduced from what was there before.

Chairman Papp opened the floor to the public. With no public comment, Chairman Papp closed the floor.

Board Engineer/Planner Avakian stated that the Board did hear prior testimony about difficulty driving in and not feeling safe driving out of the driveway and thinks this configuration resolves that issue and is safer for the residential use.

Mr. Stein stated that the driveway has been substantially landscaped and does not think you can see the turnaround area from the street.

Ms. Allison Coffin, Planner for the Applicant, joined the table and was sworn in by Board Representative Falcone.

Ms. Coffin is a licensed professional planner that was recognized at that time of the initial application and still has license.

Ms. Coffin stated that, in assessing the current application, she went back through the testimony of the hearing in 2017 to see how the conditions differed given what is proposed at this time. As to the positive criteria, she previously testified that the variance could be granted under the C1 and C2 standards. The C1 relief is still justified by the lot being a unique condition of having three front yards and the existing non-

conforming setbacks of the yard. This has remained unchanged. The addition is in a slightly different location the hardship remains. Ms. Coffin believes that the testimony would be the same regarding the hardship. The next would be the C2 variance relief, which is the flexible C the standard, where the variance advances the purposes of the municipal land use law and the benefits of the variance substantially outweighs the detriments. The variance, in this case, advances the purposes of the municipal land use law by providing for appropriate space in an appropriate location for residential use and providing a desirable visual environment. It is Ms. Coffin's opinion, that even with the changes to the plan, this site still advances these purposes, as it did last time and that the benefits of the variance still outweigh the detriments.

Ms. Coffin asked that the negative criteria be reassessed. That is where the greatest changes are between the prior application and this time. At the time of the previous approval, Ms. Coffin identified several detrimental impacts that would be caused by the proposed addition. For traffic, noise, odor and density, there is no harm before caused by those and there is none now. The changes that are proposed at this time do not increase those impacts. Rather the proposed driveway, with the turnabout, improves public safety and traffic safety. Secondly, the number of bedrooms and the as built conditions do not create any new or larger bedrooms which is constant with prior of approval. Even though there is an addition, the number of bedrooms does not change. The primary detriment identified that could result from this application and it has a potential obstruction of open space. The condition exists within the front yard setback. The addition still remains behind the existing front yard façade, facing Buttermere Avenue, of the houses that existed prior to the addition. It is not affecting the facing front yard of the house that existed to the prior and does not impact light air and open space along that avenue. The proposed addition remains a greater setback along Westra Street than other homes to the south, so it will not affect light or air and open space along that street to spite the fact that the addition is a little bit closer to Buttermere Avenue and a little bit closer to Westra Street. The impact hasn't significantly changed in terms of wide-open space.

Ms. Coffin stated another potential detriment that was identified would be an impact on visual environment. Ms. Coffin previously testified that a home in this location is in a significant gateway to the Borough, being one of the first properties visual to people who are entering the Borough from Ocean Township. The improved garage addition, at that time, did not have garage doors facing the bridge. Ms. Coffin testified previously that if the garage addition were located fronting Bridlemere Avenue, the garage would be much more visual and would have a negative impact to the visual character in the gateway, changing the public face and visual character of the home.

Ms. Coffin stated that she was wrong. Ms. Coffin drives by this house every week from Ocean Township to Asbury Park and watched the construction unfold and was happy that to be part of it. Ms. Coffin did not notice the garage door that she said would have a negative impact, until Mr. Menicucci called and asked for her to come back and testify for him. Ms. Coffin reassessed her opinion as to the negative impact of a garage door at this location. It is Ms. Coffin's opinion now that this garage door, as it was built, does not have a detrimental impact of the visual character at this location. Ms. Coffin believes it is because the Menicucci's took great care in designing this project. The garage door is designed so that it blends into the shadows on that site of the façade. Now there is significant landscaping when you come over the bridge. You do not look at it and go, "There is a garage door". You look at it and go "There is a beautiful home." In terms of the negative impact as Ms. Coffin testified to last time, even with a garage door on this façade, the way it was built and designed, there is no detrimental impact. At least not the impact that it was feared it could have been with a garage door on that side. The applicant in Ms. Coffin's opinion, did a really good job of having of garage door that blends in properly with the façade. Given the care and attention that was taken to ensure the front face of this home, in its entirety, has a high esthetic value, it is Ms. Coffin's opinion that the variances have not resulted in any harm to the visual character and more importantly there is no significant impact. The benefits of the variances do outweigh the detriments. In addition, Ms. Coffin testified that the third driveway was eliminated and landscaped and that there is no negative impact by the

mistake made in the construction of the garage a few feet off. There is no visual impact. No one would notice the difference.

Chairman Papp opened the floor to the public. With no public comment, the floor was closed.

Board Engineer/Planner Avakian made comment on his letter dated May 6, 2019 in response to submission packet marked at exhibits 1,2 &3. The letter follows the testimony. In asking for approval for a site plan that already has been completed, there is a benefit of not having to conceptualize how it is going to look, because you know how it is going to look. Board Engineer/Planner Avakian stated that the letter is asking for compliance of original letter which has been testified to October 24, 2018 and the coverage that is shown on the site plan revised through April 1, 2019. Board Engineer/Planner Avakian can verify the testimony that the improvements included an original site plan approval for this property plus the five additional improvements including: courtyard, side patio, a rear walkway, a light column pad and a utility pad that are all shown and highlighted on A-1 total 40.7% coverage and the maximum percentage in an R zone district is 45%. The proposed coverage is below maximum allowed. The Board has heard testimony on landscaping and landscaping improvements that have been installed on the property. Noted on the original letter are the variances or deviation of the conditions which were testified to previously or testified to tonight. The first was the variance for the front yard setback from Westra Street to the garage structure. The garage was constructed 4/10ths of a foot closer to Westra Street than the approved plan. The reasons for the deviations was given by the architect in previous testimony. The variance for the front setback from Buttermere Avenue was 1.4ft closer but was also justified in a construction sense by the architect. The interesting testimony the Board heard tonight was that the sighting of the garage structure off Westra Street is greater in setback than those homes that continue on Westra Street. Nothing is being blocked. Open space is not being blocked visually as testified by Ms. Coffin. The as built to the garage area are slightly greater than the approved plan but that additional area is taken into consideration in the impervious coverage. The last item is the newly constructed garage was built with a garage door on the north building elevation which deviated from the original approval. Ms. Coffin testified to the reasons or at least her planning justification for that in the current condition. Board Engineer/Planner Avakian noted that the best way to treat this property is to look at it. It is a beautifully manicured property. The landscaping on the property coincides with the plan that was talked about at least two times previously and any improvements on the property are reflected on exhibit A1 accurately.

Ms. Heinz stated that she was odds about a couple of things with granting approval, because Interlaken has been known that people do things and just do what they want and get away with it. Ms. Heinz feels that this approval would set a precedent, because there was no approval and the work continued. There was considerable expense in redoing everything, but it should not have been done to begin with. Ms. Heinz stated that she would not have given the initial approval, if there were garage doors on the North elevation and still does not think they should be there, though she does believe the k turn area should be there. Ms. Heinz also noted that there are beautiful mature trees that have been planted but may have cut roots to some of the larger trees and may impact these trees in the future.

Chairman Papp feel that the Planner did a great job in encumbering the negative and positive criteria. The landscaping does cover up quite a bit. This was never on a plan then all of sudden it was added to the plan. In this town the Board has to be careful that when there is approval for something that is what is done. We cannot go forward and have someone disregard what these Planning Board volunteers come and do once a month. It must be adhered to.

Mr. Stein agreed with Chairman Papp. 50% of planning board applications are after the fact. In this case, it is not an excuse, but there is previous testimony that the applicant submitted plans to the Construction Department that were approved. One hand did not know what the other was doing. The garage door was shown, and the permit was issued. The applicant was under the impression that it was not a big deal change.

It was. The applicant has now been before the Board three times and submit that it is appropriate planning wise and aesthetic wise to the building.

UPON MOTION of Mr. Weaver to approve variances as the deviations are insignificant and accept the as built plans as being tasteful and to the nature of the community, seconded by Mr. Tilton who added one other condition that the driveway remain the same shape as approved, carried, the variances were granted.

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz, Mr. Weaver and Mr. Wentz

Opposed: None

Ineligible: None

Abstain: None

Absent: Mr. Menditto, Ms. Gatsch and Ms. Kane

Mr. Stein and Ms. Coffin thanked the Board and left the table.

The Board discussed proposed changes to the Borough Ordinance NO. 2019-5, An Ordinance of the Borough of Interlaken Amending and Supplementing Chapter XII "Swimming Pools", in regard to compliance with the Master Plan.

Board Engineer/Planner Avakian reviewed the changes with the Board, stating that he believes that the Interlaken Mayor and Council did a good job on the ordinance and it does comply with the Master Plan.

Board Attorney Representative Falcone advised the Board that it was the Board's role to determine compliance with the Master Plan.

The Board discussed the changes to the ordinance and agreed with Board Engineer/Planner Avakian that regarding compliance with the Master Plan.

UPON MOTION of Councilman Butler, seconded by Ms. Dalton, carried, the Board confirmed that Borough Ordinance NO. 2019-5, An Ordinance of the Borough of Interlaken Amending and Supplementing Chapter XII "Swimming Pools", is in compliance with the Master Plan.

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz, Mr. Weaver and Mr. Wentz

Opposed: None

Ineligible: None

Abstain: None

Mr. Wentz proposed that the Board consider creating an Architectural Review Committee.

The Board discussed concerns regarding development within the Borough.

Mr. Wentz was tasked with drafting an ordinance for the creation of an Architectural Review Committee for discussion by the Board at a future meeting.

UPON MOTION of Ms. Heinz, seconded by Chairman Papp, carried, the Board adjourned the meeting.

ROLL CALL:

In Favor: Chairman Papp, Councilman Butler, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz, Mr. Weaver and Mr. Wentz

Opposed: None

Ineligible: None

Abstain: None

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

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