

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
NOVEMBER 18, 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 November 18, 2024, at 7:30 p.m. in the Borough Hall.

Chairman Papp 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: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton Mr. Wasilishen and Ms. Kapp

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

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

UPON MOTION of Vice Chairwoman Umfrid seconded by Ms. Dalton carried, the Board approved the minutes of the October 21, 2024, meeting.

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Ms. Dalton and Ms. Heinz

Opposed: None

Ineligible: Councilman Blasucci and Mr. Tilton

Abstain: None

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

MEMORIALIZATION

515 Woodmere Road
Block 29/Lots 15& 16.01
Venezia

Board Chairman Papp stated that Mr. Tilton requested that the condition in the draft resolution as “u” be removed from the resolution. Condition section “v” was a requirement that for the applicant to obtain any and all approvals or letters of no interest from applicable outside agencies – including but not limited to the Department of Environmental Protection, the Monmouth County Planning Board, and the Freehold Soil Conservation District. (To the extent the Application materially changes as a result of an outside approval, then in that event, the Applicant shall be required to return to the Planning board for further/amended relief.

Mr. Tilton stated that he felt that the conditions would subject the applicant to apply for approvals and exemptions unnecessary for the project.

Board Secretary Kneser stated that she believed the Construction Official would require an exemption letter from Freehold Soil Conservation District before a CO will be issued for the addition.

The Board had a brief discussion and believed that the requirement for the Freehold Soil Conservation District requirement would be covered by other conditions in the resolution.

The Board agreed that section ‘v’, be removed from the resolution.

Chairman Papp stated that the attorney for the applicant requested that section ‘m’ be removed from the draft resolution.

Section “m” requires that the Applicant’s representatives (and/or successor owners) shall perpetually replace, replant, and maintain landscaping at the site.

The Board had a brief discussion regarding the condition.

Vice Chairwoman Umfrid noted that the applicant should not be responsible for future owner’s having to maintain the landscaping.

Mr. Tilton stated that there were no landscaping requirements discussed during the hearing.

The Board agreed that section “m” be removed from the resolution.

RESOLUTION

**INTERLAKEN PLANNING BOARD
KEVIN AND ROSE VENEZIA
515 WOODMERE ROAD
INTERLAKEN, NJ
BLOCK 29, LOTS 15 AND 16.01**

Introduction

WHEREAS, Kevin and Rose Venezia have made Application to the Interlaken Planning Board for the property designated as Block 29, Lots 15 and 16.01, commonly known as 515 Woodmere Road, Interlaken, New Jersey, within the Borough’s R-A Zone, for the following approval: Bulk Variance associated with a request to effectuate a number of improvements to a lot containing an existing single-family home; and

Public Hearing

WHEREAS, the Board held a Public Hearing on October 21, 2024, Applicants’ representatives 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 Letters, dated September 17, 2024, introduced into Evidence as A-2;*
- *Architectural Plans, prepared by Anthony J. Ercolino, AIA, dated July / August 2024, consisting of 2 sheets, introduced into Evidence as A-3;*
- *Survey, prepared by Charles Surmonte, P.E. & P.L.S., dated January 8, 2021, introduced into Evidence as A-4;*
- *One photograph of the front of the existing dwelling, introduced into Evidence as A-5;*
- *Leon S. Avakian, Inc. Review Memorandum, dated September 30, 2024, introduced into Evidence as A-6;*
- *Affidavit of Service; and*
- *Affidavit of Publication.*

Witnesses

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

- Anthony Ercolino, Architect; and
- Jennifer S. Krimko, Esq., appearing;

Testimony and Other Evidence Presented on Behalf of the Applicants’ representatives

WHEREAS, testimony and other evidence presented by the Applicants’ representatives revealed the following:

- The Applicants are the Owners of the subject property.
- The Applicants have owned the subject property since approximately 2017.
- There is an existing 2½ story single-family home at the site.
- The Applicants live at the site.
- There is an existing 18 foot x 20 foot detached garage at the site.
- The existing garage is not capable of comfortably / safely accommodating 2 vehicles.
- Given the location / orientation of the existing garage / driveway, one must navigate a meandering path to access the garage (from the driveway).
- As a result, the Applicants are proposing to effectuate a number of improvements.
- The proposed improvements include the following:
 - A. Demolition of an existing detached garage;
 - B. Construction of a 1 story detached garage;
 - C. Modification to the existing driveway / paver patio.
- Details pertaining of the proposed improvements include the following:

Existing Garage

Size:	18 feet x 20 feet
Type of Garage:	Detached
Location:	Rear of property
Number of Stories:	Per plans
Proposal:	Demolition

New Garage

Size:	624 SF (per plans)
Type of Garage:	Detached
Height	14 feet 6 inches
Number of Bays:	2
Location	Northeast portion of property (per plans)
Number of Stories:	1

Utilities?	There will be no utilities for the new garage (except possibly electric)
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Modification to Existing Driveway / Paver Patio

Details:	Per the testimony / plans
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- The Applicants anticipate that the new garage will be constructed in the near future.
- The Applicants will be utilizing licensed contractors in conjunction with the renovation process.

Variance

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

IMPERVIOUS LOT COVERAGE: Maximum 45% allowed; whereas 50.6% proposed.

Public Comments

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

- Jody Hynes
- Tom Jannarone

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, testimony, and public comments, 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 and lawful jurisdiction to hear the within matter.

2. The subject property is located at 515 Woodmere Road, Interlaken, New Jersey, within the Borough's R-A Zone.

3. The subject property is irregularly shaped, measuring 70 ft. in width by approximately 135 ft. in depth.

4. The subject property contains 9,536.9 SF, and the same is an undersized lot. (A minimum 15,000 SF lot is otherwise required in the zone.)

5. The existing site contains a 2½ story single-family home. (Single-family Use is a permitted use in the subject Zone).

6. In order to improve the size and functionality of the garage, the Applicants propose to effectuate a number of improvements.

7. The proposed improvements include the following:

- A. Demolition of an existing detached garage;
- B. Construction of a 1 story detached garage;
- C. Modification to the existing driveway / paver patio.

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:

- There is an existing single-family home at the site, and single-family use is a permitted use in the R-A Zone.
- Per the testimony and evidence presented, there is a need for increased garage space at the site.

- As referenced, in the within Application, the Applicants are requesting approval to effectuate the following:
 - Demolition of an existing detached garage;
 - Construction of a 1-story detached garage; and
 - Modifications to the existing driveway / paver patio.
- The within Application will not involve any enlargement / intensification of the existing single-family home.
- As referenced, among other things, the Applicants are seeking permission to demolish the existing detached garage, and to construct a new detached garage at the site.
- Garage use is a permitted accessory use in the zone.
- The Applicants' representatives have testified as to the need of a larger and more easily accessible garage, which will physically accommodate 2 vehicles.
- Per the testimony and evidence presented, and per a review of the survey / plans, because of the nature / orientation / location of the existing garage, and the existing driveway, one must meander over the existing driveway to physically access the existing garage, which compromises the overall effectiveness / functionality of the existing garage. In fact, the Applicants' representatives described the need to "zig-zag" through the driveway in order to reach the existing garage.
- As a result of the above, in conjunction with the within request, the Applicants propose to construct a new garage in a slightly relocated fashion, with a slightly modified driveway.
- The aforesaid slight relocation of the garage, and the aforesaid modification of the existing driveway, will allow for much easier access to the new garage.
- The Board Members certainly understand the need and motives associated with the within request.
- Approval of the within Application will improve the manner in which vehicles can physically enter / exit the garage / driveway / site.
- Approval of the within Application will improve the ease with which vehicles can enter / exit the new garage.
- Improving the ease with which vehicles can enter / exit the garage will likely improve the overall safety at the site as well.

- Approval of the withing Application will allow the new garage to physically accommodate 2 vehicles (as opposed to the 1 vehicle which is accommodated with the existing garage.)
- Improving the ease and functionality with which vehicles can enter the garage represents good planning.
- Approval of the within Application will result in a more practical / functional / typical / user-friendly garage.
- Currently, the existing garage has a non-conforming rear setback of only 3.7ft. (whereas, 5 ft. is otherwise required).
- Approval of the withing Application will result in the new garage having a conforming rear yard setback of 5.1 ft.
- As a result of the above, approval of the within Application will convert the site from non-conforming (relative to the garage structure) to conforming (relative to the garage structure).
- The new garage approved herein complies with all prevailing size / setback requirements.
- The new garage approved herein will conform with prevailing height requirements. Specifically, under the prevailing Borough Ordinance, a garage cannot exceed 15 ft. in height; whereas, in the within situation, the new garage approved herein will have a conforming height of 14 ft. 6 in.
- Per the testimony and evidence presented, and as a condition of the within approval, the new garage approved herein will not be utilized as living space.
- Per the testimony and evidence presented, the top portion of the garage will not be utilized as storage area.
- As referenced, the new garage approved herein will comply with all prevailing setback requirements.
- The Board recognizes that the proposed modification to the driveway and paver patio are directly related to the orientation / location / size of the new garage approved herein.
- The Application as approved herein requires a Variance for Impervious Surface Area.
- The relevant calculations in the said regard include the following:

Maximum Allowable Impervious Surface Coverage45%

Existing Impervious Surface Coverage.....50.9%

Proposed Impervious Surface Coverage.....50.6%

- Thus, as referenced above, although the within Application does require a Variance for Impervious Surface Coverage, approval of the within Application will actually reduce (albeit slightly) the overall impervious coverage at the site.
- As referenced above, approval of the within Application represents a reduction in the overall Impervious Surface Coverage at the site.
- A reduction in the overall Impervious Surface Coverage at the site will render the property more compliant than that which currently exists.
- Per the testimony and evidence presented, there are no known drainage issues associated with the area of the site where the proposed garage is located.
- The Board recognizes that reducing overall impervious surface coverage at the site is generally consistent with the goals and objectives of the Master Plan and other Zoning Regulations.
- Respectfully, the Board Members are typically presented with Applications wherein Applicants are attempting to increase the overall impervious surface coverage at the site (as opposed to the within Application, which results in a slight reduction in the overall impervious surface coverage).
- In conjunction with the reduced overall impervious surface coverage, the Applicants are proposing some drainage- related improvements as well, which will be beneficial for the property, the neighborhood, and the community as a whole.
- Per the testimony and evidence presented, approval of the within Application will improve the overall drainage situation at the site (to be further confirmed by the submission of a Plot Plan, with proposed grades, which will be further reviewed and approved by the Board Engineer.)
- The Applicants’ representatives also testified as to the existence of a beautiful heritage tree located on the east side of the existing driveway. Towards that end, the Applicants’ representatives testified that they would utilize good faith efforts to protect / preserve the said tree, including placing a temporary fence around the same (and the root system) during the construction process. The Board appreciates the Applicants’ tree sensitivity.
- During the Public Hearing portion, 2 members of the community (neighbors) spoke in favor of the Application, and encouraged approval.
- The new garage approved herein will result in a larger and better oriented garage which is more functional, but still without causing substantial detriment to the public good.

- The Board notes that the subject Lot is an undersized Lot. Specifically, a minimum 15,000 SF Lot Size is required in the Zone – whereas the subject Lot only contains 9,536.9 SF. The Board notes that the said condition is an existing condition, which is not being exacerbated as a result of the within approval.
- The Board understands that the undersized Lot compromises the ability of the Applicant to satisfy all Prevailing Bulk Standards.
- The lot currently has an undersized width. Specifically, a minimum width of 75 ft. is required; whereas, the width of the within Lot is only 70 ft., which is an existing condition, which is not being exacerbated herein.
- Currently, the site has a non-conforming lot depth. Specifically, a minimum 150-foot lot depth is required; whereas the existing lot depth is only 135.3 feet. The Board recognizes that the said condition is an existing condition, which is not being exacerbated as a result of the within approval.
- There were no known objections directly associated with the proposed improvements.
- The Board Members appreciate the Applicants' commitment to the home / property and, by extension, the commitment to the Borough of Interlaken.
- The Board Members furthermore note, positively, that there is no building coverage Variance required in connection with the within Application.
- The Board notes that, per the testimony and evidence presented, there is a need for increased garage space at the site.
- The Board finds that the new garage approved herein will be in keeping with the general character of residential development in the neighborhood.
- Subject to the conditions contained herein, the new garage 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 otherwise associated with the Variance relief granted herein.
- The Board finds that the within proposal will enhance the existing structure / site.
- The Board finds that the new garage authorized herein will result in an aesthetic improvement.
- The visual / aesthetic improvements authorized herein will be beneficial for the property, the neighborhood, and the Borough of Interlaken as a whole.

- The materials for the new garage will architecturally / aesthetically match the existing and to-be-continued residential 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 unanimous 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 Applicants’ need to increase the overall size / functionality of the garage, and given the nature / orientation / location of the existing improvements on site.
- The proposed location for the Applicants’ proposed garage is logical and practical.
- Approval of the within Application will render the garage 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 improvement 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 garage more functional, and approval will also improve the quality of life for the Homeowner and anticipated guests.
- Additionally, the architectural / aesthetic benefits associated with the proposal outweigh the detriments associated with the Applicants’ inability to comply with all of the specified Bulk Zoning Standards.

- The architectural design of the new garage will not be inconsistent with the architectural character of other garages in the area (on similarly situated / sized 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.
- 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’ representatives 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 September 30, 2024 (A-6).
- c. The Applicants shall obtain any necessary demolition permits, as may be required by the Borough of Interlaken.
- d. The grading / drainage details shall be specifically reviewed / approved by the Board Engineer.
- e. The new garage shall not be utilized as living space.
- f. The survey revealed that there is small wall encroachment on the subject property. Respectfully, as a matter of law, the Planning board notes that it has no legal authority to legitimize / sanction any such encroachment.
- g. The Applicants shall comply with any prevailing affordable housing rules / regulations / contributions / payment / directives as the Borough may require.

- h. Stormwater management shall be contained in accordance with prevailing Borough regulations, and in accordance with details reviewed / approved by the Board Engineer.
- i. The Applicants shall install any stormwater management improvements, as referenced on the approved plans.
- j. The stormwater management improvements (as referenced on the approved plans) shall be installed / maintained in accordance with prevailing manufacturing standards, and other best practices.
- k. There shall be no adverse drainage impact (on surrounding properties) associated with the development approved herein. The Applicants' representatives shall cause the plans to be revised so as to portray and confirm the following:
 - Confirmation that the garage shall not be utilized as living space;
 - Confirmation that there shall be no utilities for the garage (except electricity as permitted);
 - Confirmation that the Applicants shall utilize good faith efforts to preserve the existing heritage tree on the side of the home (to the east of the existing driveway) including the placement of a temporary fence around the same, (and the roots) during the construction process;
 - Confirmation that the loft area of the garage shall not be utilized as storage space;
 - Confirmation that the new garage shall tie into the roof drains.
- l. This Section is intentionally deleted.
- m. Prior to the issuance of a Certificate of Occupancy, the Applicants' professional representatives shall submit a certification confirming that the garage has been constructed in accordance with the approved plans, in accordance with the testimony presented to the Planning Board, and in accordance with the terms and conditions of the within Resolution.
- n. The Applicants shall comply with all Prevailing Height Regulations, as no Height Variance relief is granted herein.
- o. Grading and drainage details shall be reviewed and approved by the Board Engineer.
- p. The Applicants shall comply with all Prevailing Building and Construction Code Requirements.
- q. All aspects of the proposed improvements shall comply with Prevailing Building / Construction / Fire Code Requirements.

- r. If applicable, the renovation shall comply with Prevailing FEMA Regulations.
- s. 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
- t. 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.
- u. 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.
- v. This Section is intentionally deleted.
- w. The Applicants shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.
- x. If required by the Board Engineer and / or the NJMLUL, the Applicants shall submit appropriate performance guarantees in favor of the Borough of Interlaken.
- y. Unless otherwise agreed by the Planning Board, the within approval shall be deemed abandoned, unless, within 12-months from adoption of the within Resolution, the Applicants obtain a Building Permit for the construction / development approved herein.

BE IT FURTHER RESOLVED, that all representations made under oath by the Applicants' representatives 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 Applicants 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, Councilman Blasucci, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton

AGAINST THE APPLICATION: None

ABSTENTIONS: Ms. Heinz

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

IN FAVOR: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton and Ms. Dalton

OPPOSED None

ABSTAINED: None

INELIGIBLE: Mr. Wasilishen and Ms. Kapp

ABSENT: Councilman Blasucci, Mr. Weaver, Ms. Kane, and Ms. Hein z

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

ROLL CALL:

In Favor: Chairman Papp, Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: Councilman Blasucci, Mr. Weaver, Ms. Kane and Ms. Heina

Approved: _____
T. Papp, Chairman

Attest: _____
Gina Kneser, Secretary