

**BOROUGH OF INTERLAKEN
MINUTES- PLANNING BOARD
SEPTEMBER 18, 2023 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 September 18, 2023, 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. The announcement was followed by the Pledge of Allegiance.

ROLL CALL:

Present: Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Kane, Ms. Kapp and Ms. Heinz

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

Absent: Chairman Papp, Councilman Blasucci, Ms. Dalton and Mr. Weaver

UPON MOTION of Ms. Kane seconded by Mr. Wasilishen carried, the Board approved the June 26, 2023 minutes.

ROLL CALL:

In Favor: Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Kane, Ms. Kapp and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp, Councilman Blasucci, Ms. Dalton and Mr. Weaver

APPLICATION

411 Bendermere Avenue

Block 22/Lot 15

Fullen

Addition

Michael Fullen, 411 Bendermere Avenue, Interlaken and Mary Ortman, Licensed Architect for the Applicant, 719 Trenton Avenue, Point Pleasant Beach, New Jersey, joined the table.

Board Attorney Kennedy stated that he and Board Secretary Kneser reviewed the application Notice and found everything in order. The Board has jurisdiction for the application. Board Attorney Kennedy asked if there were any questions regarding the Notice of the application.

There were no questions regarding Notice.

Board Attorney Kennedy marked the following exhibits:

- A-1 Application Packet dated 06/05/2023
- A-2 Zoning Denial Letter dated 06/05/2023
- A-3 Zoning Application dated 06/05/2023
- A-4 Architectural Plans prepared by Mary Ortman, Architect dated 05/23/2023 no revisions four sheets
- A-5 Boundary & Topographic Survey prepared by Insite Engineering & Surveying dated 01/11/2023
- A-6 Leon S. Avakian, Inc. review memorandum dated July 25, 2023
- A-7 Photo collection (6 photos)
- A-8 Leon S. Avakian Board Engineer review memorandum dated August 9, 2023
- A-9 Architectural Plans prepared by Mary Ortman, Architect, dated 07/27/2023 no revisions

Ms. Ortman confirmed to the Board Attorney Kennedy that Ms. Orman will be testifying in the capacity of a licensed architect.

Mr. Fullen and Ms. Ortman were sworn in by Board Attorney Kennedy.

Board Attorney Kennedy confirmed with Mr. Fullen that Mr. Fullen has been the owner of the property at 411 Bendermere Avenue with single-family house since 2009. Mr. Fullen confirmed that he resides at the property.

Mr. Fullen stated that per NJSA 40: 55d-70, by reason of the exceptional narrowness of the non-conforming lot at 411 Bendermere Avenue, the granting of the variance would relieve the hardship that prevents reasonable development of the property. the property in question has a width of 50 feet where 75 minimum lot width required per Ordinance 26-33a. Furthermore Ordinance 26-33a requires a minimum lot size of 15,000sq feet. The property in question is 9590sq feet, which is significantly less than the minimum lot size requirement. This presents a hardship in regard to building area coverage and impervious lot coverage. The proposed addition building area coverage would be 22.6%, therefore conforming to bulk regulations of 25% maximum. The existing impervious coverage is approximately 29.8%. With the removal of some existing paving and walkways, the proposed impervious coverage would be slightly reduced to 48.7%. The existing attached garage is situated at the rear of the property; therefore, a very long paved driveway is needed to access the garage, which contributes significantly to the existing impervious coverage. Ordinance 26-33a requires a minimum side setback of 15ft. The existing dwelling has a side yard setback of 8.1 feet from the westerly property line. The proposed rear addition shall be recessed from the existing kitchen and will be set one foot from the west side yard resulting in a 9-foot setback. The narrowness of the non-conforming lot presents a hardship in achieving reasonable expansion of the side setback of 15 ft. The applicant feels the proposed addition and renovation would not pose a substantial detriment to the public good and would not negatively impact the intent and purpose to the municipality's master plan and local zoning ordinances. The improvements would be in keeping with the character harmony and scale of the neighborhood. The improvements would enhance the value of the property and outweigh any perceived detriment.

Ms. Ortman referenced the drawing site plan where the areas which are being added were highlighted. It is a three-part addition. One part would be adding a 16x16, 250 square foot, one-story addition to be a family room off the kitchen. As stated in Mr. Fullen presentation, the addition would come in one foot from the existing western side wall of the house to increase the setback of that side yard. In all it is 9 feet, which is a little bit more than what exists. It is also proposed to add a mud room in the corner, which is conforming to setbacks and then expanding the attic space to add a bedroom and a bathroom. The footprint will not expand, just increasing the height of the existing roof and adding a dormer that is within existing space. There is no increase in total impervious coverage, because the applicant is removing an existing patio area and a paved walkway. Even though building coverage is being added, the applicant is taking away some of the existing impervious coverage so there is a slight decrease in the impervious coverage and an increase in the building coverage but that is still within the maximum 25% allowed.

Ms. Ortman reviewed the existing elevation sheets of the plans for the Board, illustrating where the mud room and one-story addition will be placed. Part of the roof will be removed, and a couple of dormers will be added to allow for living space on that level. The first and third floor plans were shown. There are no changes to the second floor plan. Ms. Ortman reviewed the first-floor plan showing the family room addition to the kitchen, explaining that the addition will be in line with the kitchen and stepping it in a little bit to increase the side set back, the mudroom and the increase in the roof area to give a partial habitable attic with a bedroom and bathroom were shown. Ms. Ortman noted that the stairs to the attic are existing and will be used. The new elevation shows that increase in height is still within the maximum height allowance for the zone. A dormer is added to give a little more head room on that floor. The rear addition is one-story so as not to add a lot of volume and the mudroom addition is treated a little differently with some panel walls and a lot of windows, so it looks sort of like an enclosed porch. Ms. Ortman presented the elevations showing the rear with French doors windows and windows on the side elevation. The house will be completely resided with a shingle style cedar or fiber cement board like a James Hardy siding, bringing the house back to the original siding.

Mr. Tilton questioned the purpose of the removal of the existing flagstone walkway. It is a small walkway.

Mr. Fullen stated that Asbury removed bluestone sidewalk and offered the stones to the public. Mr. Fullen used the stones to make the walkway around the side. Mr. Fullen stated that the Zoning Officer, Frank DiRoma stated that the stones count toward the impervious coverage calculation. If the Board does not require the stones to be removed he will gladly leave them in place.

The Board had a brief discussion regarding the significance of the 74sqft of the small area of the walkway pavers.

Mr. Tilton asked if there is a door on the west side.

Mr. Fullen stated that there is no door on the west there is an entry door on the south facing side and the actual garage door is on the east facing side. There are no doors or windows on that side.

Mr. Tilton stated that this lot is radically undersized. It is not Mr. Fullen's problem. Everything else meets the requirements. Any of the variance relief being requested is actually less than what exists. Mr. Tilton thinks the addition is very respectful to the neighbors and is consistent with the neighborhood. Mr. Tilton

hates making people take things up because the Zoning officer said that would help. Would be in favor in leaving the 74sqft of pavers.

Ms. Kapp stated that while the applicant is bringing the side all in, it is still increasing the degree of non-compliance of the side yard by putting this addition on. While it is being brought in another foot, it is increasing the degree of non-compliance, which is a big issue. Ms. Kapp thinks it is sometimes lost.

Mr. Wasilishen stated that he cannot believe the small size of the lot.

Ms. Kapp stated that the lot has been that way and the size of the lot was known when the lot was purchased. When you make a purchase you have to do your due diligence if you ever plan to expand it.

Mr. Wasilishen stated that you don't know when you buy it. You have no idea.

Ms. Kapp stated that the due diligence is on the purchaser. If Ms. Kapp if she did not see a speeding sign and received a ticket, it is on her, because there is a speeding limit.

Ms. Kane stated that what is being built is being built over something that already was coverage. It was also outside of the scope initially, so it is being brought back. It was outside the unbeknownst to Mr. Fullen who probably bought it that way.

Mr. Fullen stated that it was that way when he bought the property.

Ms. Kane stated that as she always agrees with not adding on, the project is going over existing coverage.

Vice Chairwoman Umfrid asked questions in reference to page two of letter from the Board Engineer's office which stated that the applicant did not provide the average alignment of the existing buildings and asked if the applicant had that information.

Ms. Ortman stated that the information was not available, but a request can be made for the information to be added to the plot plan.

Vice Chairwoman Umfrid asked about the habitable living space on the third-floor attic. Does the applicant intend to follow the specification for fire safety as it relates to the project.

Mr. Fullen stated that all codes will be followed.

Ms. Kapp asked about the distance of the garage. What is the rear yard going to be?

Ms. Ortman stated that it is a little more than 50ft between the addition and the garage wall.

Ms. Kapp noted that it meets rear yard requirements.

Mr. Fullen stated that there is a patio there now where the addition is going to go.

Vice Chairwoman Umfrid asked if the applicant would be doing any work around the driveway.

Mr. Fullen stated no work was planned around the driveway unless something unexpected came up. If something gets dropped on it for example.

Vice Chairwomen Umfrid asked the Board if there were any questions.

No additional questions were asked by the Board.

Board Attorney Kennedy asked that the record reflect there are no members of the public present.

Board Attorney Kennedy stated that the request is for the construction of the addition and for the variances listed. Board Attorney Kennedy has taken the liberty of writing down some of the optional conditions of approval if the board is inclined to approve it and if the Board agrees to these conditions. Some of the conditions would be: compliance of all the promises, commitments and representations that the development team has made at the hearing, compliance with the Board Engineer's review memorandum and compliance with prevailing building and construction code requirements. The Board has a condition for any applicable outside approvals, if any outside approvals are necessary. The Board typically, unless the Board has changed it, requires a 24-month time frame from adoption of the resolution to secure any construction permits. There must be compliance with the height requirements. The architect indicated the project will still comply with the height requirements. There is no height variance. The Board typically says, unless otherwise waived by the Board Engineer, grading and drainage details will be reviewed and improved by the Board Engineer. If it is approved, the plans will be revised to include the average

alignment of the existing buildings, make sure the Board Engineer's office signs off on that and then the increased space in the attic comply with prevailing building and construction code requirements. The only thing in the notes open was about the issue with removing some of the blue stone as to whether or not the Board wanted to have the application as initially proposed or have it remain as is with the stones in place.

Vice Chairwoman Umfrid stated that she would be in favor of leaving the bluestone in place and believes the Board should proceed with that.

Mr. Tilton stated that the bluestone is .7% of the impervious coverage and the applicant will still be less than the existing conditions and still be a reduction of coverage even if the blue stone stays.

Ms. Kane asked if that the change was made to leave exiting as is, does anything need to be changed in the plans or anything else moving forward.

Vice Chairwoman Umfrid stated that the plans would probably have to go back to the Board Engineer's office.

Ms. Kane and Ms. Kapp agreed the plans would have to be revised.

Board Attorney Kennedy confirmed with Mr. Fullen that the plans presented show that the blue stone will be removed, and that element is still staying as is.

Vice Chairwoman Umfrid requested a motion to vote.

ROLL CALL:

In Favor: Vice Chairwoman Umfrid, Mr. Tilton, Mr. Wasilishen, Ms. Kane, Ms. Kapp and Ms. Heinz

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp, Councilman Blasucci, Ms. Dalton and Mr. Weaver

The applicant thanked the Board and left the table.

Vice Chairwoman Umfrid stated that the next item on the agenda. Other Business: Discussion regarding amendments to the Planning Board Application and submission requirements, has been postponed to a future Planning Board Meeting.

Board Secretary Kneser stated the next meeting would be October 16, 2023.

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

ROLL CALL:

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

Opposed: None

Ineligible: None

Abstain: None

Absent: Mr. Blasucci, Ms. Dalton, Ms. Kapp and Ms. Heinz

Approved: _____
Kathy Umfrid, Vice Chairwoman

Attest: _____
Gina Kneser, Secretary