

**BOROUGH OF INTERLAKEN  
MINUTES- PLANNING BOARD  
SEPTEMBER 21, 2020 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 September 21, 2020 at 7:30 p.m. in the Borough Hall.

The meeting was held via Zoom.

Vice Chairwoman Umfrid opened the meeting, and read the following Sunshine Statement: *“THE NOTICE REQUIREMENTS OF THE OPEN PUBLIC MEETINGS ACT HAVE BEEN SATISFIED BY FORWARDING NOTICE TO THE ASBURY PARK PRESS AND THE COASTER THAT THERE WOULD BE A VENUE CHANGE TO THE REGULARLY SCHEDULED MEETING HELD ON SEPTEMBER 21, 2020 AT 7:30. THE MEETING WAS MOVED FROM THE BOROUGH HALL, 100 GRASSMERE AVENUE LOCATION TO BE HELD VIA ZOOM CONFERENCE UNDER THE GOVERNOR’S EXECUTIVE ORDER 107. A COPY OF THE NOTICE IS POSTED ON THE OFFICIAL BOROUGH WEBSITE WITH FULL DIRECTIONS ON HOW THE PUBLIC CAN ATTEND AND MAKE COMMENT AT THE MEETING. ALSO, A COPY WAS PLACED ON THE DOOR AT BOROUGH HALL AND IS ON FILE IN THE BOROUGH CLERK’S OFFICE.”*

*IT IS DEEMED THAT THIS HEARING IS BEING HELD THROUGH ELECTRONIC COMMUNICATION. SHOULD THERE BE ANY DISCONNECT OR FAILURE OF TECHNOLOGY, THE MEETING WILL BE CONSIDERED ADJOURNED. THE APPLICATION FOR 420 GRASSMERE AVENUE WHICH IS ON THIS SEPTEMBER 21, 2020 AGENDA WILL AUTOMATICALLY BE CARRIED TO THE NEXT REGULARLY SCHEDULED INTERLAKEN PLANNING BOARD MEETING, WHICH IS SCHEDULED FOR OCTOBER 19, 2020 AT 7:30PM. ADDITIONAL NOTICE WILL NOT BE REQUIRED.*

These announcements were followed by the Pledge of Allegiance.

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**ROLL CALL:**

Present: Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Ms. Heinz, Ms. Kane, Mr. Wentz and Ms. Kapp

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

Absent: Chairman Papp, Councilman Butler, Mr. Weaver and Mr. Franks

The approval for the minutes of the August 17, 2020 minutes was tabled to the October 19, 2020 meeting.

**MEMORIALIZATION**

An application had been presented to the Board at the April 20, 2020 meeting for and extension to complete improvements

**BOROUGH OF INTERLAKEN PLANNING BOARD  
RESOLUTION WITH VARIANCES  
TO JON LEIDERSDORFF & NANCY KANE, 10 BRIDLEMERE AVENUE**

**WHEREAS, JON LEIDERSDORFF AND NANCY KANE**, hereinafter referred to as “Applicant”, are the owners of a certain property known as Block 18, Lots 3 and 4, on the official tax map of the Borough of Interlaken (“Property”), which Property is located at 10 Bridlemere Avenue in the Borough of Interlaken, County of Monmouth, and State of New Jersey; and

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

**WHEREAS**, a denial from the Zoning Official has been received by the Applicant dated May 11, 2020 indicating that the improvements require a variance for proposed height and number of stories;

**WHEREAS**, after proper notice, a public meeting on the within application was held on August 17, 2020 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 August 3, 2020, and the documents and exhibits presented in support of the application, the testimony of Applicant as well as Applicant’s architect and counsel and comments from neighbors;

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

1. The Applicant is the owner of Block 18, Lots 3 and 4 on the current tax map of the Borough of Interlaken, County of Monmouth and State of New Jersey.
2. The property is located at the southwest corner of Bendermere Avenue and Bridlemere Avenue. The property contains an area totaling 13,016.86 square feet.
3. The Applicant is requesting approval from the Planning Board for a rear two-story addition and a two-story detached garage.

4. A denial from the Zoning Official has been received by the Applicant indicating that the proposed detached garage requires a variance for the building height and number of stories.

5. The Property in question 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. The proposed detached garage is a permitted accessory use.

6. The minimum lot area permitted per the zoned district is 15,000 square feet. The existing lot area is 13,016.86 square feet, as indicated on the survey, which represents an existing non-conformity. The Zoning Analysis Table on the architectural plan indicates a lot area of 13,338 square feet; this was resolved by testimony of the Applicant's architect at the hearing and a revised plan shall be submitted correcting same.

7. The minimum lot width permitted per the zoned district is 75 feet. The Applicant indicates the lot width of 96.15 feet. The Board Engineer calculates a lot width of 89.68 feet. The lot widths comply with the zoning requirements. The Zoning Analysis Table shall be updated by Applicant.

8. The minimum lot depth permitted per the zoned district is 150 feet. The Applicant indicates the lot depth of 148 feet. The existing lot depths represent an existing non-conformity, and the Zoning Analysis Table shall be updated by Applicant.

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 Applicant did not provide the average alignment for the front yard setback. The existing front yard setback is 19.4 feet along Bridlemere Avenue and 16.9 feet along Bendermere Avenue; both of these setbacks represent existing non-conformities. The proposed front yard setback to the two-story addition is 29.9 feet. A variance is required.

10. The minimum side yard setback permitted per the zoned district is 15 feet. The existing south side yard setback is 37.5 feet, which conforms.

11. The minimum rear yard setback permitted per the zoned district is 30 feet. The existing rear yard setback is 74.9 feet, which conforms. The Applicant is proposing a rear yard setback of 52.4 feet

to the rear addition, which conforms.

12. The maximum building area coverage permitted per the zoned district is 25% of the lot area. The Applicant indicates a proposed building coverage of 17.64%. The Board Engineer calculates a building coverage of 18.1% because of the lot area difference. Both building coverage calculations conform.

13. The maximum impervious surface area per the zoned district is 45%. The Applicant indicates a proposed impervious surface area of 36.16%. The Board Engineer calculates an impervious surface area of 37.1% because of the lot area difference. Both impervious surface area calculations conform.

14. 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 feet, and a side yard setback of 12.8 feet. Both setbacks to the detached garage conform.

15. The maximum building height permitted per the zoned district is 15 feet. The Applicant is proposing a building height of 23.07 feet from the grade around the garage. A variance is required. The definition of building height is the vertical measured from the street level to the highest point of the roof. The Applicant shall amend the plan provide the height of building according to the above definition.

16. The maximum number of stories for an accessory structure is one (1) story. The Applicant is proposing a two-story garage. A variance is required. The Applicant provided adequate testimony at the hearing regarding the use of this space.

17. The permitted setback for a driveway is 5 feet. The existing basketball half court is now going to be the driveway to the garage. The Applicant is removing part of the new driveway to comply with the setback requirements. Applicant is proposing a setback of 5 feet, which conforms. Applicant provided sufficient testimony regarding the court/driveway being designated to handle cars driving over them, and as per Applicant's testimony, the basketball court, as an accessory use, and exiting driveway, shall both be made compliant with ordinance regulations requiring a minimum 5-foot setback from adjacent property line.

18. As testified to by the Applicant's expert at the hearing, the circle indicated on the architectural plans just adjacent to the proposed detached garage represents a specimen tree as being a Poplar approximately 53" in diameter. This specimen tree is to remain and its root system protected during construction.

19. During testimony at the hearing, Applicant agreed that a grading and drainage plan will be provided to the Board Engineer, prepared by a licensed Engineer of the State of New Jersey, to insure the property drains properly and does not discharge surface water onto adjacent residential property.

20. Applicant agreed that a landscaped screen of Green Giant Arborvitae will be installed along the southerly property line from the garage to the east end of the basketball court as a buffer to the adjacent residential property.

21. Applicant agreed that information will be provided to the Board Engineer regarding a "historic" cistern located along the southerly property line behind the proposed garage and that consideration will be made to avoid impact on this structure from the proposed construction, and that no representations will be made regarding integrity or condition of the structure.

22. Applicant's expert provided testimony acceptable to the Board that there no need for removal of trees for the improvements.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Borough of Interlaken that the application for variance approval pursuant to N.J.S.A. 40:55D-70(c)(2)(flexible "c" standards) be and is hereby approved, in that as to this particular Property the benefits of the deviation will substantially outweigh any detriment of not granting said variance based on Applicant's proofs and testimony by the Applicant's architect which the Board accepts and adopts, that sufficient reasons exist for the same, as stated through an offer of proof by the Applicant and Applicant's expert that the improvements are aesthetically pleasing, including because the new addition will blend with the existing dwelling and the addition also is compatible with other homes in the immediate neighborhood; and also based on that the relief can be granted without substantial detriment to the public good because there are no architectural or visual negatives caused by the proposed improvements and the finding that the proposed improvements

will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance of the Borough of Interlaken, but subject to the following conditions:

A. There shall be no use of the second story of the garage for any purposes other than storage as testified to at the hearing by Applicant. Applicant shall submit a deed restriction for same subject to review and approval, which deed restriction shall be subject to possible future changes in the ordinance.

B. Applicant shall submit a revised plan to the Board Engineer for review and approval, updating the Zoning Analysis Table to correct those items set forth in paragraphs 6, 7 and 8 above.

C. Applicant shall submit a grading and drainage plan to the Board Engineer for review and approval, which shall be prepared by a licensed Engineer of the State of New Jersey, to insure the Property drains properly and does not discharge surface water onto adjacent residential property.

D. The basketball court, as an accessory use, and exiting driveway, shall both be made compliant with ordinance regulations requiring a minimum 5-foot setback from the adjacent property line.

E. Information shall be provided to the Board Engineer, subject to his approval, regarding a 'historic' cistern located along the southerly property line behind the proposed garage. Consideration shall be made by the Applicant to avoid impact on this structure from proposed construction although no representations by the Applicant need be made regarding the integrity or condition of the cistern.

F. No trees are to be removed for the improvements.

G. Payment of any outstanding estate taxes.

H. Granting of any required construction permits.

I. A general note shall be added to the plans indicating the existing curb and sidewalk along the frontage will be replaced if found in poor condition.

**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 Applicant 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 August 17, 2020.

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

ROLL CALL:

In Favor: Vice Chairwoman Umfrid, Mr. Tilton, Ms. Dalton, Mr. Wasilishen, Ms. Heinz, Mr. Wentz, Ms. Kapp

Opposed: None

Abstained: None

Ineligible: Mr. Weaver, Ms. Kane

Absent: Chairman Papp, Mayor Nohilly, Councilman Butler and Mr. Franks

Vice Chairwoman Umfrid welcomed the applicant for 420 Grassmere Avenue.

Mr. Arthur Kelly, applicant and Mr. James Watt, Architect joined the meeting and were sworn in by Board Attorney Representative Nicolas Falcone.

It was noted at this time that there were two attendees from the public. One was listed as Jennie and one was Ms. Mulhaul, 101 Grassmere Avenue.

Mr. Watt stated that the applicant is proposing a covered porch that conforms to the average setback of the street which is 26.7ft. The proposed setback of this porch is 27ft, so it does conform. Where the porch does not conform is the far-left edge of the porch. The edge of the porch is in line with the existing structure of the house which is an existing nonconformity.

Mr. Watt stated that he is very aware of the architecture vernacular of the area and feels this structure is greatly improved visually and functionally by the addition of the porch. The fact that it conforms to the setback of the other structures on the street is something that is considered a very good thing for the applicant and the Borough in general.

Mr. Watt stated that the second part of the application is for a rear deck. Again, the deck conforms to the rear yard setback because it lines up with the east edge of the house. The deck suffers from an existing nonconformity in terms of the existing back corner of the house and it is triggering the second variance. There is a solid opaque evergreen buffer along the property line which makes the deck proposal non-visible from the neighbors of the east. From the neighbors to the south there is a much larger setback than is required. Mr. Watt referenced the Charles Surmont proposed plot plan dated 4/9/2020 which shows the existing footprint of the house and what is proposed relative to the exiting property lines.

The bottom of the page is Grassmere Avenue. To the right is Scarba Street. The unshaded portion of the graphic is existing dwelling. The hashed area is the front porch. The front yard setback is 27ft. The side yard setback is 5.6 ft where 15ft is required. The Board can see this aligns with the existing structure and is part of the non-conformity. Moving to the rear of the property, the Board can see that there is more than adequate setbacks to the rear. The side yard setback is 5.6ft where 15ft are required and again that has to do with the deck lining up with the existing structure.

Mr. Watt shared sheet A.100 of the architectural plan prepared by Mr. Watt dated October 3, 2019. Mr. Watt stated that the porch is imposed on the existing front elevation of the house. There are tapered Tuscan columns, a timberline shingle roof, a pediment and gables with an architectural accent at front door. And the elevation of the deck is low enough that a railing is not needed by code. The existing picture window will remain. The is to create another architectural layer on the house. The porch provides the buffer between the street and the main structure of the house in terms of scale and general proportion of things, as well as creates visual interest and the use of the front. It is all consistent with the neighborhood architecturally this is a great improvement over the existing condition and brings it into line with the overall vernacular of the neighborhood.

Mr. Wentz questioned whether French doors would replace the picture window and whether there will be a railing.

Mr. Watt stated that the present picture window will remain. There will be no railing.

Ms. Kapp and Mr. Watt had a brief discussion to clarify references on the plans.

Ms. Kapp stated that there were differences in the wood railing and the French doors. Ms. Kapp also noted that the construction code listed states 2015. Ms. Kapp feels updated drawings are required.

Mr. Watt stated that, as the architect, he can testify that that arrow is pointing at the pediment of entry and that the railing will not be done and asked the Board to go off testimony, as Mr. Watt does not think those two items fundamentally changes anything within the application.

Mr. Tilton agreed with Mr. Watt.

Board Attorney Representative Falcone stated the Board may request proof before as part of the approval which would be required before a permit is given. The updated plans would have to be submitted that match the testimony.

Mr. Watt stated that everything testified to would be applied to and submitted as a revised set of plans.

Planning Board Secretary Kneser noted that the resolution compliance review is done by the Board Engineer.

Mr. Watt agreed to that stipulation.

Mr. Wentz asked about the availability of plans of the rear and side elevations.

Mr. Watt stated that the deck is basically a simple wood deck with a wood railing to code.

Ms. Kapp asked what the hardship that the rear deck cannot be placed at the other set of the patio doors where the previous porch where the survey showed was.

Mr. Watt stated that the hardship was due to the program of the house. There is also an existing Bilco door that is being avoided. There is a completely opaque hedge row there that is evergreen which makes that proposed deck completely invisible from the neighbor.

Mr. Tilton questioned the location of the deck with regard to the interior space. Mr. Tilton asked where the deck is placed, what is the interior living space that is contiguous to the deck. Mr. Tilton guesses that the deck is placed there because that is how it relates to the interior space.

Mr. Watt stated that the deck is directly off the dining room adjacent to the kitchen.

Mr. Watt confirmed to Mr. Tilton that there were sliders in the location.

Mr. Watt shared a photo of the rear of the house noting that the hedge row is quite high.

Mr. Tilton noted that behind hedge row there is a board on board fence behind hedge.

Mr. Watt agreed there is a board on board fence on the neighbors property line and the hedge is on the applicant's property line. None of the deck is visible to the neighbor.

Ms. Kapp questioned the other set of sliders on the rear of the house. Why couldn't the deck obviously go there?

Mr. Watt stated that the reason is the proximity to the dining room and the kitchen. The proposed location makes it programmatically much more appropriate to that side. Mr. Watt does not see the downside to having the deck there because there is such a solid barrier to the neighbor.

Mr. Tilton stated that the entire house is really placed to the northeast corner of the property. The hardship is the location of the house. It is not in the middle of the yard. The houses are oriented to the north east. Mr. Tilton stated that he does not have any problem where the proposed deck is located.

Ms. Heinz asked if there was a plan for the second set of sliders on the rear of the house, that are currently boarded up?

Mr. Watt stated that the applicant was proposing a set of steps to a paving stone patio. It is not part of this application.

Ms. Kapp questioned the patio and asked if the patio will be used in the same manner that a deck would be used just two feet lower.

Mr. Watt stated that it has not been decided what ultimate configuration would be for the patio area.

Vice Chairwoman Umfrid asked if the patio would remain at ground level. but at ground level.

Mr. Watt stated that the patio would be at ground level and would not require a variance.

Vice Chairwoman Umfrid questioned the changes in the front sidewalk.

Mr. Watt displayed the plot plan to show the sidewalk. The reason for the change in the walk is that the distance between the sidewalk and the porch makes it an inelegant curve because the walk is shorter. The walk will look better as a straight shot.

Vice Chairwoman Umfrid opened the floor to public comment.

With no questions or comments, Vice Chairwoman Umfrid closed the floor to public comment.

UPON MOTION of Mr. Wasilishen motioned to grant variance for the front porch and the back deck.

Mr. Tilton SECONDED the motion, stating, the house is a beautiful home that is beautifully maintained. The existing house is already located substantially to the northeast orientation of the property. Mr. Tilton does not see any reason why the deck would be put in the middle and interrupt the open space of the property. Regarding the neighbor to the east there is a hedge row and a board on board fence. It also appears to me that the front of the proposed covered porch is consistent with the setback to the other porches to the east and on the 400 block of Grassmere Avenue. Mr. Tilton believes the application looks consistent with other additions and improvements in the neighborhood, especially the front porch. Mr. Tilton believes it is going to look great. It is a beautiful house. It is going to look even better.

ROLL CALL:

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

Opposed: Ms. Kapp

Ineligible: None

Abstain: Ms. Dalton

Absent: Chairman Papp, Mayor Nohilly, Councilman Butler and Mr. Franks

Mr. Kelly and Mr. Watt thanked the board and left the meeting.

Ms. Dalton rejoined the meeting.

Ms. Kapp gave a PowerPoint presentation that was previously shown to Borough Council at their previous workshop meeting. The presentation was made to Council to advise them of the intention of the Planning Board to review the Borough Land Use ordinance and gauge their interest in supporting this process by the Board. The presentation outlined several items that the Board will be reviewing. Some items will require updating current ordinances. Other items may require added ordinances. Consistencies between ordinances and definitions will also be reviewed.

Mr. Wentz made a presentation to illustrate the impact of current impervious coverages and the difference a Floor Area Ratio cap would make.

Ms. Kane questioned whether any towns similar to the Borough have these types of restrictive ordinances, as there is some sentiment within the Borough already that the land use ordinances are very restrictive.

Mr. Wentz and Ms. Kapp gave examples of Spring Lake and Ocean Grove, stating these municipalities are even more restrictive.

Mr. Wentz stated that the land use restrictions are necessary for the protection of the community and the land values.

Ms. Kane questioned whether Council would have to approve the ordinance changes.

Mr. Wentz stated that the Board will propose changes then the Council will review them at a public meeting and then vote.

There was a brief discussion by the Board regarding whether ordinances would be changed or created.

Board Attorney Representative Falcone stated that he has seen several types of ordinances to restrict building size including ordinances that dictate a step back from the face with each added floor. Board Attorney Representative Falcone stated that some of the aesthetic restrictions the Board is proposing may have to be reviewed. The Borough is not a historic district.

Mr. Wentz stated that an Architectural Review Board had previously been proposed and had been shot down by Board Attorney Brown. This current review will look at specific neighborhood ordinances.

There was a brief discussion regarding protections for the Board and Borough.

Councilwoman Umfrid asked about the receptiveness of the Council.

Ms. Kapp and Mr. Wentz stated that the Board was given the go ahead by Council to go forward.

The Board had brief discussion about how the review will proceed. Ms. Kapp and Mr. Wentz will continue to work on the review and the Board will begin to discuss the proposed changes in detail at the next meeting.

Vice Chairwoman Umfrid thanked Mr. Wentz and Ms. Kapp for their work on the presentation.

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

ROLL CALL:

In Favor: Vice Chairwoman Umfrid, Councilman Butler, Ms. Dalton, Ms. Heinz, Ms. Kane, Mr. Wentz and Ms. Kapp

Opposed: None

Ineligible: None

Abstain: None

Absent: Chairman Papp, Mr. Tilton, Mr. Wasilishen, Mr. Weaver and Mr. Franks

Approved: \_\_\_\_\_  
Ms. Umfrid, Vice Chairwoman

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