

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, April 27, 2017

**Manchester Township Municipal Building
1 Colonial Drive, Manchester, NJ**

MINUTES OF MEETING

1. The meeting of the Manchester Township Zoning Board of Adjustment was called to order at 7:00 p.m. by Chairwoman Linda Fazio.
2. This meeting had been duly advertised, filed and posted in accordance with the Open Public Meetings Act.
3. A Pledge of Allegiance and Salute to the Flag.
4. Roll Call:
Members Present: F. Finn, H. Glen, P. Salvia, L. Fazio, M. Dwyer, J. Hankins, W. Cook,

Members Absent: K. Vaccaro, C. Schwartz

Also Present: C. Reid, Attorney
P. Jeffery, Engineer

Administrative Session:

Approval of Minutes: The minutes for the March 23, 2017 meeting were **APPROVED** on motion by W. Cook and seconded by M. Dwyer. All in favor.

Payment of Bills:

RFP #20452 for Brian Rumpf, PC in the amount of \$435.00 for Case 1779

Bills were **APPROVED** on motion by W. Cook and seconded by M. Dwyer.

ROLL CALL VOTE: W. Cook, yes; M. Dwyer, yes; F. Finn, yes; H. Glen, yes; P. Salvia, yes; J. Hankins, yes; L. Fazio, yes.

Correspondence: The Secretary has nothing at this time.

Professional Reports: Mr. Reid has nothing at this time.
Mr. Jeffery has nothing at this time.

Memorialization of a resolution of a variance approval to allow the construction of a single family dwelling on a lot having a lot area of 7,500 square feet where 10,000 square feet is required; a lot width of 75 feet where 100' is required; a lot frontage of 75 feet where 100 feet is required; and an improvable lot are of 4,225 square feet where 5,800 square feet is required. Applicant: Jeffrey Jerman Block 1.146 Lots 9 & 11, 8th Avenue. Application was approved at the March 23, 2017 meeting. Case 1779

This resolution was **APPROVED** on motion by W. Cook and seconded by M. Dwyer.

ROLL CALL VOTE: W. Cook, yes; M. Dwyer, yes; F. Finn, yes; H. Glen, yes; P. Salvia, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

6.	Case 1778	Vladimir Allakhverdov 1700 Commonwealth Blvd Toms River, NJ 08757	Block 1.225 Lot 5 1700 Commonwealth Blvd. R-10 Zone
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Mr. Allakhverdov needs a variance to allow an existing 13' x 36' x 12'10" carport consisting of a metal frame & tarp to remain having a 2'7" side yard setback where 5' is required. This application was carried from the March 23, 2017 meeting. Mr. Allakhverdov was sworn in by Mr. Reid. The following items were marked into evidence: **A-1** survey dated 10/20/07. The applicant described what was marked into evidence as A-1. He did not have a new survey done, he found the full copy in his file that was done in 2007. He drew in the proposed structure with the setbacks. He explained that he had a similar structure in the same place, but it was smaller & was destroyed in a snow storm. He bought a motor home & would like to store it in this new structure. Mr. Jeffery tried to clarify what the applicant is actually asking for. The structure will be 13' wide, 36' long & 12'10" high. The setback will be 1' to the house & 2'7" to the property line. He asked if the structure will be permanent or will it be taken down as required? He had photos of similar structures marked into evidence that stay up year round, they were marked into evidence as **A-2**. He told the Board that showing on the plan there are 2 windows on the side of the house where the proposed structure is, but he has other windows in those rooms that can be used for egress. Mr. Reid tried to explain to the applicant that it is up to him to prove to the Board that he has a hardship. Is there any other place on his property that he can place the structure? Mr. Reid explained that the pictures he provided will not help him. Mr. Allakhverdov stated he is just showing them because he has the same structure as those in the pictures and they are left up all year long. He doesn't think it's fair that he can only have his up from April to November. He is putting it in this location because he already has a concrete patio there. The Chairwoman asked the Zoning Officer to please come up & explain temporary structure. Nicole Ashkar, Zoning Officer was sworn in by Mr. Reid. She stated that the temporary structure comes into play with the UCC building code where it has to be removed in November & be installed again in April. That is because the canopies are not built to support snow loads or wind loads. They have to be removed for safety concerns. No building inspector is going to ride around looking for these structures in January, but if they see one they can tell you it has to be removed. The second issue is also a building/fire code is structure to structure you have to be 5' away. This canopy has to be 5 feet away unless you have a fire rated wall. If the Board were to approve this application, he would have a problem on the building end to have this structure being only 1 foot away, they wouldn't be able to approve it. Mr. Reid stated that the applicant has to demonstrate a hardship. Mrs. Finn stated it still doesn't meet the code even if it was only a temporary structure. Mrs. Ashkar asked the applicant when was the pool constructed? It's not on the survey. What about the deck & the shed? He stated he did get approvals from the Zoning Board for those structures. He also had permits from the building department. There was discussion between the Board & the applicant with regard to the previous structure & the approval, since it was taken down that approval is gone & no longer exists. Mr. Reid stated he needs to talk about his property and any

uniqueness because that is what the Board has to make the decision on. The applicant stated his property doesn't have any hardship with regard to size or shape. His hardship is he has already spent money on the concrete patio in that location and spent money on the new structure.

Mrs. Fazio opened this portion of the meeting to the public. The following people were recognized and spoke against the application:

Robert Nolan – 1708 Commonwealth Blvd.

There being no further public participation at this time, this portion of the meeting was closed.

Due to the safety, due to the size and so that 10 years down the road come up with another problem, this application was **DENIED** on motion by L. Fazio and seconded by W. Cook.

ROLL CALL VOTE: L. Fazio, yes; W. Cook, yes; F. Finn, yes; H. Glen, yes; P. Salvia, yes; M. Dwyer, yes.

7.	Case 1665	Ridgeway Self Storage Partners, LLC 1735 Market Street, Suite A462 Philadelphia, PA 19103	Block 72.01 Lot 14.02 2420 Ridgeway Blvd. POR-LI Zone
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This application is for a Use Variance for an automotive rental and leasing use where the proposed use is not a permitted use. This use would be an accessory use to an existing self-storage facility. This application was previously carried to the May 25, 2017 meeting.

Adjournment: The meeting was adjourned at 8:00 p.m. on motion by W. Cook and seconded by J. Hankins. All in favor.

Respectfully submitted,

Darlene E. Garcia
Secretary