

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, July 23, 2015

**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, P. Salvia, L. Fazio, K. Vaccaro, J. Hankins

Members Absent: H. Glen, M. Dwyer, R. Maloney, P. Ward

Also Present: R. Mullin, Engineer
C. Reid, Attorney

Administrative Session:

Approval of Minutes: The minutes for the June 25, 2015 Meeting were **APPROVED** on motion by K. Vaccaro and seconded by P. Salvia. All in favor.

Payment of Bills:

RFP #TM268714 for T & M Associates in the amount of \$1071.00 for Case 1425

RFP #TM276661 for T & M Associates in the amount of \$382.50 for temporary vehicle storage – Harvey Karen

RFP #TM276375 for T & M Associates in the amount of \$977.26 for Case 1429

RFP #TM27806 for T & M Associates in the amount of \$1071.00 for General Board Matters

RFP #TM278608 for T & M Associates in the amount of \$38.36 for Case 0614

RFP #TM278609 for T & M Associates in the amount of \$596.16 for Case 1429

RFP #TM278613 for T & M Associates in the amount of \$344.25 for Case 1430

RFP #TM278615 for T & M Associates in the amount of \$459.00 for Case 1541

RFP #TM278617 for T & M Associates in the amount of \$1185.75 for Case 1544

RFP #TM278616 for T & M Associates in the amount of \$994.50 for Case 1542

RFP #TM278607 for T & M Associates in the amount of \$76.50 for Case 0767

RFP #11481 for Rumpf Rumpf & Reid in the amount of \$450.00 for Case 1544

RFP #11482 for Rumpf Rumpf & Reid in the amount of \$300.00 for Case 1543

Bills were **APPROVED** on motion by K. Vaccaro and seconded by P. Salvia.

ROLL CALL VOTE: K. Vaccaro, yes; P. Salvia, yes; F. Finn, yes; J. Hankins, yes; L. Fazio, yes.

Correspondence: The Secretary stated she received a letter from Mr. Jerman regarding the case that was carried last month to the August meeting, Block 1.93 Lot 22.

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

Case 1430	Robert Patuto	Block 1.70 Lots 30-32
	2 First Street	733 Fourth Avenue
	Manchester, NJ 08759	R-10 Zone

Mr. Patuto needs a variance 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 feet is required; a lot frontage of 75 feet where 100 feet is required; an improvable lot area of 4,225 square feet where 5,800 square feet is required; and a variance to allow a 2-story dwelling where a maximum of 1-1/2 stories is permitted. **THIS APPLICATION WAS PULLED FROM THE AGENDA DUE TO THE NOTICE BEING DEFICIENT.**

Memorialization of a resolution of a variance approval to allow the relocation of an existing 8' x 10' playhouse having a 5' front yard setback where 30' is required and to install an 8' x 12' shed having a 13' front yard setback where 30' is required. Applicant: John & Melanie Biscardi. Block 1.59 Lot 26, 1541 Third Avenue. Approved at the June 25, 2015 meeting. Case 1543

This resolution was **APPROVED** on motion by K. Vaccaro and seconded by P. Salvia.

ROLL CALL VOTE: K. Vaccaro, yes; P. Salvia, yes; F. Finn, yes; J. Hankins, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

Memorialization of a resolution of a variance approval to allow the construction 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 feet is required; a lot frontage of 75 feet where 100 feet is required; and an improvable lot area of 2,600 square feet where 5,800 square feet is required. Applicant: Jeffrey Jerman. Block 1.304 Lot 22, Monmouth Avenue & Northampton Blvd. Approved at the June 25, 2015 meeting. Case 1544

This resolution was **APPROVED** on motion by K. Vaccaro and seconded by P. Salvia.

ROLL CALL VOTE: K. Vaccaro, yes; P. Salvia, yes; F. Finn, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

Case 1545

Marilyn Menta
166A Constitution Blvd.
Whiting, NJ 08759

Block 75 Lot 85.252
166A Constitution Blvd.
Crestwood Village Co-Op 2
RC Zone

Ms. Menta needs a variance to allow the construction of a 12' x 14' three-season room at the side of the dwelling having 32' to the adjacent building where a minimum of 40' is required. Marilyn Menta was sworn in by Mr. Reid. William Santora, the contractor was sworn in by Mr. Reid. Mr. Santora explained he will be constructing a 12' x 14' room, currently the dwellings are only 46' apart with the addition of the room it will leave only 32'. There is an existing 10' x 12' concrete slab that will be enlarged by 2 feet around. She would like that size room to fit her furniture. The 12' wide works with the existing windows. She needs the room for health reasons and to enjoy the yard without the sun & bugs. There is a large tree that will be staying. Ms. Menta has received approval from her association to build this room. There are other similar rooms in the area.

Mrs. Fazio opened this portion of the meeting to the public. There being no public participation at this time, this portion of the meeting was closed.

This application was **APPROVED** on motion by K. Vaccaro and seconded by F. Finn.

ROLL CALL VOTE: K. Vaccaro, yes; F. Finn, yes; P. Salvia, yes; J. Hankins, yes; L. Fazio, yes.

Case 1428

Czelaw Klusek
1201 Twelfth Avenue
Toms River, NJ 08757

Block 1.285 Lots 40-42
1509 Birmingham Avenue
R-10 Zone

Mr. Klusek needs a variance to construction 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 feet is required; a lot frontage of 75 feet where 100 feet is required; an improvable lot area of 4,225 square feet where 5,800 square feet is required; a building height/number of stories 28 feet/2 stories where the maximum permitted is 25 feet/1-1/2 stories; and a finished floor elevation of 53 inches above the roadway centerline where a maximum of 48 inches above the roadway centerline is permitted. This application was carried from the June 25, 2015 meeting. Agnes Rybar, attorney for the applicant was present. Jason Marciano of East Coast Engineering was sworn in by Mr. Reid. He gave his credentials as a Professional Planner & Engineer and was accepted by the Board. The buy/sell letters were previously marked into evidence at **A-1**. The applicant is proposing to construct a 2 story 1-car garage with a partial basement. It will have 3 bedrooms 2 bath. The footprint of the home is 42'4" width at the deepest point of the house it is 29' in width. The second floor is 30'8" at the widest point and at the deepest point it is 27'. The front plain of the house is staggered. The home will have a 45' front setback, they will be meeting or exceeding all required setbacks for the zone. The first floor living space will be 935 square feet the second floor will be 690 square feet totaling 1625 square feet of living space. Mrs. Fazio asked why the home is not designed with the 1-1/2 stories that the ordinance requires. Mr. Marciano stated the main reason is to keep as much yard space available as possible. They didn't want to expand the footprint to get the 1600 square feet. A photo of the proposed home built on 11th Avenue, also on a 75' x 100' lot was marked into evidence as **A-2**. It is approximately 6 blocks south of the proposed lot. In his opinion, the proposed home will fit within the character of the neighborhood. A tax map of the area was marked into evidence as **A-3**. Mr. Marciano described the color coding of the map. There are 2-story homes all around the area according to the map. **A-4** are 14 photographs of homes in the area. A 2-story home improves air light and open space by giving more yard area. The height limit of 25' is being met with the changes they made. They will also be lowering the house 6" to meet the 4' above the crown of the road. The finished first floor elevation will now be 47" above the crown of the road. Mrs. Fazio asked him to discuss the items listed in Mr. Mullin's letter dated 5/13/15. He has agreed they will meet all the conditions in that

letter. Mr. Mullin asked him to submit a copy of the Ocean County Health Department approval, he agreed. In Mr. Marciano's opinion, granting of these variances will have no detrimental effect to the master plan, zoning plan or public good. The nearest house to the right will be 60' away and the lot to the left is vacant. This property could not be developed for any other purpose, this is a residential zone and only single family dwellings are permitted. If the variances are not granted it would be zoned into inutility. There was discussion between the Board & Mr. Marciano regarding building a 2-story home as opposed to a 1-1/2-story home.

Mrs. Fazio opened this portion of the meeting to the public for questions of Mr. Marciano. The following people were recognized:

Henry Wernocho – 716 Fourth Avenue

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

Mrs. Finn asked if the applicant or family member would be occupying the home or would it be sold? At this point in time, Mr. Klusek was not sure. Mr. Klusek was sworn in at the last meeting and is still under oath.

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

Henry Wernocho – 716 Fourth Avenue

Lori Solymosi – 401 Northampton Blvd. – wrong application

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

The applicant has addressed all the items in Mr. Mullin's letter dated 5/13/15. The height will be under 25', they will submit OCHD approval, and they will correct & clarify the items on the plans. The Board discussed the construction of a 2-story home as opposed to the 1-1/2-story the ordinance requires. The Board would like to see it changed to a 1-1/2-stories. Mr. Marciano stated trying to get the 1600 square feet into a 1-1/2-story home, more of the lot would be taken up. After a lengthy discussion, Mr. Klusek did agree to change the home to a 1-1/2-story home. Changing the house plans would still have to meet all the required setbacks. All changes to the plot plan & house plans would have to be reviewed by Mr. Mullin, prior to applying for a building permit.

This application was **APPROVED with conditions** on motion by P. Salvia and seconded by F. Finn

ROLL CALL VOTE: P. Salvia, yes; F. Finn, yes; K. Vaccaro, yes; J. Hankins, yes; L. Fazio, yes.

Adjournment: The meeting was adjourned at 8:05 p.m. on motion by K. Vaccaro and seconded by J. Hankins. All in favor.

Respectfully submitted,

Darlene E. Garcia
Secretary