

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**REGULAR MEETING**

**Thursday, July 24, 2014**

**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 Vice Chairman William Cook.
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: T. Umlauf, P. Salvia, W. Cook, K. Vaccaro, J. Hankins, M. Dwyer, H. Glen, P. Ward  
  
Members Absent: L. Fazio  
  
Also Present: C. Reid, Attorney  
R. Mullin, Engineer

Administrative Session:

**Approval of Minutes:** The Minutes for the June 26, 2014 meeting were **APPROVED** on motion by K. Vaccaro and seconded by T. Umlauf. All in favor.

**Payment of Bills:**

**RFP #19986** for T & M Associates in the amount of \$1249.25 for General Board Matters  
**RFP #19987** for T & M Associates in the amount of \$76.50 for Case 1410  
**RFP #19988** for T & M Associates in the amount of \$1677.84 for Case 1414  
**RFP #11456** for Rumpf Reid Dolcy in the amount of \$270.00 for Case 1407  
**RFP #11457** for Rumpf Reid Dolcy in the amount of \$420.00 for Case 1410  
**RFP #11458** for Rumpf Reid Dolcy in the amount of \$270.00 for Case 1408  
**RFP #11459** for Rumpf Reid Dolcy in the amount of \$330.00 for Case 1406  
**RFP #11461** for Rumpf Reid Dolcy in the amount of \$330.00 for Case 1409

Bills were **APPROVED** on motion by T. Umlauf and seconded by P. Salvia.

**ROLL CALL VOTE:** T. Umlauf, yes; P. Salvia, yes; H. Glen, yes; K. Vaccaro, yes to T & M bills, abstain from Rumpf Reid & Dolcy; J. Hankins, yes; M. Dwyer, yes; W. Cook, yes.

**Correspondence:** The Secretary stated she has nothing at this time.

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

Memorialization of a resolution of a variance approval for the construction of a single family dwelling on a lot with 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 4,225 square feet where 5,800 square feet is required. Applicant: V.S. Enterprise, LLC Block 1.277 Lot 9, 708 Lawrence Avenue. Approved at the May 22, 2014 meeting. Case 1406 This was carried from the June 26, 2014 meeting.

This resolution was **APPROVED** on motion by M. Dwyer and seconded by P. Salvia.

**ROLL CALL VOTE:** M. Dwyer, yes; P. Salvia, yes; K. Vaccaro, yes; H. Glen, yes; W. Cook, yes.

A copy of the approved resolution is attached.

Memorialization of a resolution of a variance approval for the construction of a single family dwelling having a 17' rear yard setback where 20' is required. Applicant: Pulte Group of NJ Block 71.08 Lot 29. Approved at the May 22, 2014 meeting. Case 1409 This was carried from the June 26, 2014 meeting.

This resolution was **APPROVED** on motion by M. Dwyer and seconded by P. Salvia.

**ROLL CALL VOTE:** M. Dwyer, yes; P. Salvia, yes.

A copy of the approved resolution is attached.

Memorialization of a resolution of a variance approval for the construction of a 12' x 23' deck on the rear of the dwelling having a 15' rear yard setback where 20 feet is required. Applicant: Richard Myers Block 71.10 Lot 15, 24 Ascot Lane. Approved at the June 26, 2014 meeting. Case 1411

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

**ROLL CALL VOTE:** K. Vaccaro, yes; P. Salvia, yes; J. Hankins, yes; M. Dwyer, yes; H. Glen, yes; W. Cook, yes.

A copy of the approved resolution is attached.

**Case 1415**

Oscar Morua  
3A Columbus Blvd.  
Whiting, NJ 08759

Block 75 Lot 85  
3A Columbus Blvd.  
Co-Op 2  
RC Zone

Mr. Morua needs a variance to allow the construction of a 16' x 12' patio cover over an existing concrete slab at the side of the dwelling having 28 feet between buildings where 40 feet is required. Oscar & Grace Morua were both sworn in by Mr. Reid. Mrs. Morua stated they bought the house & have been trying to improve it. They did a patio on the side of their house because the one they had was in the back. The patio on the side of the house is off the kitchen. The kitchen door leads to the patio. They would like to put a patio cover over it now. They would like it so they could enjoy their yard and not be sitting in the sun. They did receive the approval from the homeowner's association to construct this. The cover will be open, not enclosed. There are other houses in the area that have patios on the side of their houses with the same type of cover.

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

Mr. Cook stated as a condition of approval permits & inspections will be done, the patio will remain open & not be enclosed. It will go to the end of the concrete except for the slight extension for the gutter.

This application was **APPROVED with conditions** on motion by T. Umlauf and seconded by K. Vaccaro.

**ROLL CALL VOTE:** T. Umlauf, yes; K. Vaccaro, yes; P. Salvia, yes; H. Glen, yes; J. Hankins, yes; M. Dwyer, yes; W. Cook, yes.

<b>Case 1410</b>	United Church of Christ	Block 1 Lot 3
	1681 Ridgeway Road	1681 Ridgeway Road
	Toms River, NJ 08757	RA Zone

This application is to replace an existing site identification sign. The proposed sign is 37.52 square feet per side where a maximum of 36 square feet per side is permitted; a front yard setback of 3.63 feet where the required setback is a minimum of ½ the required principal building setback, or not less than 25 feet. Joseph Michelini, attorney for the applicant was present. Pastor Vern Whittenberg was sworn in by Mr. Reid. The church owns the property. He is the pastor. He has been going to the church since 1995 and has been the pastor since 2010. He is familiar with the property. There is an existing sign that is old & deteriorating. The following items were marked into evidence: A-1 colored rendering of the proposed sign; A-2 survey of the property. The sign had some damage from Superstorm Sandy on the upper left of the sign. The base of the sign is deteriorating, the wooden support system that surrounds the box is also deteriorating & rotting. They want to replace the sign for that reason & they want to make the property look nicer. They want to be able to advertise their programs so the community can know what's going on. They want to promote the church. The proposed sign will be more conforming than the existing sign. The planter will not be replaced. The sign will allow the message to be changed. He is aware of the ordinance that no scrolling, flashing or intermittent movements are permitted. The sign is located in the easement of the Ocean County MUA. The church did get approval from them to replace the sign in the same exact location, originally they proposed moving the sign, but the MUA objected to that. The approval letter had been submitted & is part of the file. The new sign will beautify the property. He did agree to all the conditions set forth in T & M's review letter. The top of the sign will be internally lit. There will be no spillover of light onto any adjacent properties. The proposed sign will not be any closer to Route 571. The actual square footage of the sign is less than the existing sign, the existing sign is 42 square foot. The church acquired the property in 1989, he believes the sign has been there since that time. He is not aware of any accidents at this location with the sign being located in the sight triangle. There will be more visibility with this new sign, plus the planter will not be replaced. There will be no plantings under the sign except for ground cover not to exceed 6 inches. The sign would be controlled by the computer & set to go on & off. It will most likely go off at midnight, but they haven't really decided on any of that yet.

Mr. Cook 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 with conditions** on motion by T. Umlauf and seconded by M. Dwyer.

The following are conditions of approval: Girtain Signs obtain all permits & inspections. Landscaping under the sign shall be limited to ground cover not to exceed 6 inches in height so as not to obstruct the sight triangle.

**ROLL CALL VOTE:** T. Umlauf, yes; M. Dwyer, yes; P. Salvia, yes; H. Glen, yes; K. Vaccaro, yes; J. Hankins, yes; W. Cook, yes.

A resolution of approval was read into the record by Mr. Reid and **APPROVED** on motion by M. Dwyer and seconded by K. Vaccaro.

**ROLL CALL VOTE:** M. Dwyer, yes; K. Vaccaro, yes; T. Umlauf, yes; P. Salvia, yes; H. Glen, yes; J. Hankins, yes; W. Cook, yes.

<b>Case 1412</b>	Louis & Lisa Lawson 3340 Ridgeway Road Manchester, NJ 08759	Block 56 Lot 686 Torry Avenue & Ridgeway Road R-40 Zone
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Mr. & Mrs. Lawson need a variance to allow the construction of a single family dwelling on a lot having a lot width of 150 feet where 200 feet is required and a lot frontage of 149.7 feet where 200 feet is required. Louis & Lisa Lawson were both sworn in by Mr. Reid. They live on Route 571 presently just up the street from this property. They are trying to build a house on this property for a family member. The frontage on Route 571 is short. The house faces Route 571. The entrance to get to the property is coming off Torry Avenue. Mr. Cook asked if they considered turning the house 90 degrees? He stated yes he had, but was told he would have to improve the road if he did that. Mr. Mullin asked if there was an advantage to having the driveway on Torry as opposed to Route 571? Less traffic. Mr. Mullin stated that from a safety perspective it's more appropriate to back out onto Torry? Yes, definitely. Mr. Cook asked what's currently on the property? Mr. Lawson stated he has his truck there, equipment/machines, storage of gravel, a trailer. Mr. Glen asked if Torry is a Township road? Yes, as far as he knows it is. Mr. Glen asked so then why would he have to pave it then. Nicole Ashkar, Zoning Officer stated that in order to build a house it must front on an improved roadway. Torry Avenue is an unimproved roadway. Mrs. Ashkar stated that Torry is a paper street & isn't recognized as a street. Mr. Cook asked how the house down the street got built? She couldn't answer that. Mr. Mullin asked what the condition of the road is? Mr. Lawson stated that half of the road has millings on, but from Route 571 for the first 300 feet was paved, actually it was a paved road there at one time, he grew up there as a kid. It was dirt & oil, that's what they used to do, they would oil the streets back then. Mr. Mullin stated that by the photos you can see remnants of pavement. Mr. Cook asked if this application is approved, what he is going to do with everything that is being stored there currently. He will be moving everything off the property. The cement slab will be removed also. Mr. & Mrs. Lawson will own the home, but a family member will live there. Mr. Hankins asked who owns the property. Mr. Lawson stated that his family has owned this property before the current zoning. Mr. Mullin stated that the applicant's engineer did make some of the changes mentioned in his review letter, but not all and he would need to contact him. The proposed home will be a 2-story house. Mr. Glen asked if the Township plows the road. Yes they do, they maintain that road. There was discussion by the Board about different areas of the Township with what is actually considered an improved roadway.

Mr. Cook 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 with conditions** on motion by J. Hankins and seconded by K. Vaccaro.

Conditions: The applicant shall comply with all comments in Mr. Mullin's letter dated 5/28/14. Removing all the items that are stored on the property.

**ROLL CALL VOTE:** J. Hankins, yes; K. Vaccaro, yes; T. Umlauf, yes; P. Salvia, yes; H. Glen, yes; M. Dwyer, yes; W. Cook, yes.

**Case 1414**

D.R. Horton, Inc.  
700 East Gate Dr. Suite 110  
Mt. Laurel, NJ 08054

Block 43.04 Lot 17  
2080 Route 37  
corner of Farm St. & Rte. 37  
HD-3 Zone

This application is to erect a temporary sales sign on the lot where off-site signage promoting or advertising a business not on the same lot is not permitted; and ground mounted signs are to be set back a minimum of ½ the required principal building setback or not less than 50 feet, the proposed sign has a front yard setback of 15 feet. Harvey L. York, attorney for the applicant was present. This application is for the construction of a sign on Route 37. The sign is actually a permitted use, what is not a permitted use is what's on the sign. In addition, they are putting the sign only 15 feet back, the sign however will be temporary. They would stipulate that 3 years from the date of resolution of approval, the sign gets removed. The purpose of the sign is to advertise the project being built about 400 feet off Route 37. There is a residential project being built. Both for advertising & safety purposes, it needs identification on Route 37. Mr. Todd Greene of D.R. Horton was sworn in by Mr. Reid. He is division counsel & assistant secretary for D.R. Horton, Inc. The property is located at 2080 Route 37 at the corner of Route 37 & Farm Street. To the west of the property is the mini golf course/driving range. The residential project is being built approximately 400 feet behind the STS Tire Center & liquor store. They are building a subdivision that is called Coventry Estates at Manchester. Right now it is set for 19 homes. That project needs identification on Route 37 in order to have sales and to safely direct people to the right street. They are hearing through traffic reports that people are having difficulty finding the site. The whole purpose of this is to identify the site and once this project is done, the sign will be removed. They will stipulate after 3 years it has to go. The sign is being located 15 feet from the property line, but it is substantially further than the actual curb line. It is outside the sight triangle. It will not be illuminated. It will be there 3 years or less. Mr. Cook stated there is an existing sign on the property, what will be done with that. It will remain, but be moved back on the property. They do have permission to do that. Mr. Mullin asked about additional clearing. There will be no tree removal or clearing. They will maintain the area in and around the sign.

Mr. Cook 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 with conditions** on motion by T. Umlauf and seconded by P. Salvia.

Conditions: This approval shall expire on 12/31/17. The existing sign shall be moved back at least 50 feet. The ground around the sign shall be maintained. The applicant agrees to the expiration date.

**ROLL CALL VOTE:** T. Umlauf, yes; P. Salvia, yes; H. Glen, yes; K. Vaccaro, yes; J. Hankins, yes; M. Dwyer, yes; W. Cook, yes.

**Adjournment:** The meeting was adjourned at 7:55 p.m. on motion by K. Vaccaro and seconded by J. Hankins. All in favor.

Respectfully submitted,

Darlene E. Garcia  
Secretary