

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Monday, May 16, 2011

**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 7:05 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: T. Umlauf, W. Cook, L. Fazio, K. Vaccaro, J. Hankins, M. Dwyer, H. Glen

Members Absent: P. Salvia

Also Present: C. Reid, Attorney
R. Mullin, Engineer
5. Administrative Session:

Payment of Bills:

RFP #86693 for T & M Associates in the amount of \$1036.75 for Case 1048-0917
RFP #86697 for T & M Associates in the amount of \$357.50 for Case 1050
RFP #86707 for T & M Associates in the amount of \$321.75 for Case 1162
RFP #86692 for T & M Associates in the amount of \$1603.00 for General Board Matters
RFP #86706 for T & M Associates in the amount of \$35.75 for Case 1158
RFP #86705 for T & M Associates in the amount of \$35.75 for Case 0612
RFP #74471 for Cafarelli & Reid in the amount of \$465.00 for Case 1075
RFP #74470 for T & M Associates in the amount of \$530.00 for Case 1076
RFP #74472 for T & M Associates in the amount of \$945.00 for Case 1074

Bills were **APPROVED** on motion by W. Cook and seconded by T. Umlauf.

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

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

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

Memorialization of a resolution of a variance approval for 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. Block 1.241 Lots 29-31, Commonwealth Blvd. Applicant: Jeffrey Jerman. Approved at the April 28, 2011 meeting. Case 1053

This resolution was **APPROVED** on motion by W. Cook and seconded by K. Vaccaro.

ROLL CALL VOTE: W. Cook, yes; K. Vaccaro, yes; H. Glen, yes; L. Fazio, 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 on a lot having a lot area of 37,400 square feet where 40,000 square feet is required; a lot frontage of 170 feet where 200 feet is required; a lot width of 170 feet where 200 feet is required; and an improvable lot area of 13,775 square feet where 18,700 square feet is required. Block 99.93 Lot 10, Bayonne & Bloomfield Avenue. Applicant: Aaron Developers. Approved at the April 28, 2011 meeting. Case 1158

This resolution was **APPROVED** on motion by W. Cook and seconded by K. Vaccaro.

ROLL CALL VOTE: W. Cook, yes; K. Vaccaro, yes; T. Umlauf, yes; J. Hankins, yes; H. Glen, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

Memorialization of a resolution of a variance approval for the construction of a 35' x 3' addition to the front of an existing dwelling having a 46.6 foot front yard setback where 50 feet is required. Block 99.128 Lot 4, 1720 Delaware Avenue. Applicant: Edwin & Cheryl Zdanowicz. Approved at the April 28, 2011 meeting. Case 1159

This resolution was **APPROVED** on motion by W. Cook and seconded by T. Umlauf.

ROLL CALL VOTE: W. Cook, yes; T. Umlauf, yes; K. Vaccaro, yes; J. Hankins, yes; H. Glen, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

Memorialization of a resolution of a variance for the construction of an 18-foot diameter above-ground pool in the front yard area along Amsterdam having a 20' 10" front yard setback where 30 feet is required. Block 1.336 Lots 31 & 33, 1425 Amsterdam Avenue. Applicant: Lisa Johnson. Approved at the April 28, 2011 meeting. Case 1163

This resolution was **APPROVED** on motion by T. Umlauf and seconded by W. Cook.

ROLL CALL VOTE: T. Umlauf, yes; W. Cook, yes; K. Vaccaro, yes; J. Hankins, yes; H. Glen, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

Case 0612	A T & T Mobility 15 East Midland Avenue Paramus, NJ 07652	Block 99.161 Lot 6 Grant & Scranton Avenue WTR-40 Zone
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This application is for a Use Variance to erect a 170-foot tall monopole cell tower in a zone where the use is not permitted. The applicant is also requesting preliminary & final site plan approval for the proposed structure & appurtenant equipment.

This application was previously **CARRIED to the June 23, 2011 meeting.**

Case 1048	Presbyterian Homes & Services Inc. 13 Roszel Road, Ste C-120 Princeton, NJ 08543	Block 82.09 Lot 14 Block 83 Lot 7.05 202 Hilltop Road WTRC-AF Zone
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This application is for modifications to the originally approved plan including a variance approval to allow a 10' high fence where a maximum height allowed is 6 feet. Mr. Reid stated this application will be carried this evening. He has spoken to the applicant's attorney, Mr. Bundick, at the last meeting the notice was incorrect because they had noticed for a 7' fence, they renoticed and that stated an 8' fence, however, Mr. Mullin and several Board Members visited the site and the fence is in fact higher than 8 feet. They will provide proper notice for the next meeting.

Case 1161	Pete Peterson 1112 Larchmont Street Toms River, NJ 08757	Block 1.219 Lot 5 1112 Larchmont Street R-10 Zone
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Mr. Peterson needs a variance to allow the construction of a 6' high vinyl fence in the front yard area along Commonwealth Blvd. The fence will be set back 8' from the property line along Commonwealth Blvd. Pete Peterson was sworn in by Mr. Reid. He would like to install a 6' vinyl fence along Commonwealth Blvd. He was previously approved for a permit to install the fence 5' in from the property line back in May 2009, but he did not have the funds to install the fence at that time. He removed his existing 4' stockade fence to put up the new fence and was given a notice of violation for not having a fence around his in-ground pool. He didn't realize the permit had expired. He went into the office and at that time he was informed the permit was issued in error. If he wanted to proceed with that plan, he would have to apply for a variance. In order to stay outside of the sight triangle, he would have to come back 8' inside his property line from Commonwealth and 45' back from the Larchmont property line. Mr. Cook asked why if he was approved for 5' inside the property line was he now applying for 8' inside this time. He explained because he was told about the sight triangle. Mr. Mullin explained to the Board the sight triangle for this property was per Township Ordinance. Mr. Mullin stated the question came up with regard to the adjacent driveway behind his house on Commonwealth, would a 6' fence 8' inside the property line would it impede their site backing into Commonwealth? Mr. Peterson stated his property line is approximately 22' from the edge of pavement of Commonwealth. There is a rather large pine tree and that is approximately 12' outside of his property line. A photo of the trees that are outside of the property line was marked into evidence as **A-1**. Mr. Cook asked where the existing 4' fence was. Mr. Peterson stated it was back about 22' from the edge of pavement. There was discussion as to how far back the property line is from the edge of pavement along Commonwealth Blvd. A photo showing the area where the existing fence was removed and the large pine tree outside the property line was marked into evidence as **A-2**. Mr. Cook stated that the Board's main concern is that someone backing out of the adjacent driveway will be able to stop beyond the fence and look up Commonwealth. It has nothing to do with the property owner, it is a Township Ordinance. They have to make sure whoever lives in that house can see when they back out of their driveway. Mr.

Mullin stated that it is hard for the Board to make an educated decision because they don't know the distance between the edge of pavement and the property line, he would be willing to go out and tape it off before the next meeting. Mr. Cook asked when he was looking to use his pool. Mr. Peterson stated he was ready to use it, but can't without a fence, and based on the approval he received in May 2009. Mr. Mullin stated the proposal shows the fence 22' from the house, suppose the Board says 16' from the house. Mr. Cook asked if there would be a problem with putting a condition of the fence would be 8' off the property line and no less than 20' from the edge of pavement. Mr. Mullin stated it would have to be more than 20' from the edge of pavement. It should be a minimum of 30' from the edge of pavement. Mr. Peterson has no problem with that condition. The fence has to go back 8' to stay outside the sight triangle of Larchmont; the issue is the adjacent driveway.

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.

Condition of approval: The fence will be a minimum of 8' from the property line to avoid the sight triangle on the corner of Larchmont & Commonwealth Blvd. and a minimum of 30' from the edge of pavement of Commonwealth Blvd.

This application was **APPROVED with conditions** on motion by W. Cook and seconded by T. Umlauf.

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

Case 1160	Lance Lawson 3385 Ridgeway Road Manchester, NJ 08759	Block 57 Lot 718.01 3385 Ridgeway Road R-40 Zone
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Mr. Lawson needs a variance to allow the construction of a 27' x 24', 1-1/2 story addition to an existing 850-square foot dwelling having a 35' front yard setback from Torry Avenue where 50' is required. Lance Lawson was sworn in by Mr. Reid. He would like to build a 27' x 24' addition. It will be located on the opposite side of Ridgeway Road. The original house is setback 35', the addition will not be encroaching into that setback. He will be expanding an existing non-conforming structure. The home was built in 1942 and there are 5 of them living in it. The home is the least built up home in the neighborhood. He was given the home as a gift from a family member. He would like to bring up to date. There are 5 people living in 900 square feet. They need more room. They are going to blow out the kitchen and living room and where the existing foundation is will be the bedrooms and bathroom. There will be limited tree removal. Mr. Mullin confirmed he is aware drywells are needed and must be shown on the plan. He also asked whether there is going to be a stoop or a step on the side. There will be a step. Mr. Mullin asked if he was proposing a deck. Mr. Shannon Unger, 1861 Elizabeth Avenue was sworn in by Mr. Reid. He is a friend of the family and the general contractor. As far as the side entry, there will be something whether it be pavers or a deck. If they were to put a deck it wouldn't go outside the outer portion of the house. He would have to stay outside of the front setback, even if it were detached. If not, he would have to apply for a variance. If it were a normal stoop down to a paver patio it shouldn't be a problem.

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 W. Cook and seconded by K. Vaccaro.

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

Adjournment: The meeting was adjourned at 7:57 p.m. on motion by W. Cook and seconded by T. Umlauf. All in favor.

Respectfully submitted,

Darlene E. Garcia
Secretary

Dated: June 4, 2011