

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**REGULAR MEETING**

**Thursday, September 23, 2010**

**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 7:00p.m. by Vice Chairperson 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: P. Salvia, J. Vitale, W. Cook, K. Vaccaro, J. Hankins, M. Dwyer, T. Umlauf, H. Glen  
  
Members Absent: L. Fazio  
  
Also Present: C. Reid, Attorney  
R. Mullin, Engineer
5. Administrative Session:  
**Approval of Minutes:** The minutes for the November 12, 2009 Regular Meeting were **APPROVED** on motion by P. Salvia and seconded by K. Vaccaro. All in favor.  
  
This minutes for the August 26, 2010 Regular Meeting were **APPROVED** on motion by P. Salvia and seconded by K. Vaccaro. All in favor.  
  
**Payment of Bills:**  
**RFP #7677** for T & M Associates in the amount of \$1802.41 for Case 1037  
**RFP #7679** for T & M Associates in the amount of \$1568.66 for General Board Matters  
**RFP #7680** for T & M Associates in the amount of \$36.75 for Case 0612  
**RFP #7681** for T & M Associates in the amount of \$36.75 for Case 0802  
**RFP #7682** for T & M Associates in the amount of \$73.50 for Case 0913  
**RFP #7690** for T & M Associates in the amount of \$822.25 for Case 1040  
**Invoice #1000**(RFP#74464) for Cafarelli & Reid in the amount of \$540.00 for Case 1036  
  
Bills were **APPROVED** on motion by K. Vaccaro and seconded by T. Umlauf.  
  
**ROLL CALL VOTE:** K. Vaccaro, yes; T. Umlauf, yes; P. Salvia, yes; J. Vitale, yes; J. Hankins, yes; M. Dwyer, yes; W. Cook, yes.

**Correspondence:** The Secretary stated she received a letter from Mrs. Babinski Fairweather asking that Case 0612 be carried to the October 28, 2010 meeting.

The Secretary stated that for some reason she never put the 2009 Annual Report on an agenda for the Boards approval, each member has received a copy and would like an approval this evening. The report was **APPROVED** on motion by K. Vaccaro and seconded by J. Vitale.

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

A copy of the report will be forwarded to the Township Council for their review.

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

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| <b>Case 0612</b> | A T & T Mobility<br>15 East Midland Avenue<br>Paramus, NJ 07652 | Block 99.161 Lot 6<br>Grant & Scranton Avenue<br>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 **CARRIED to the October 28, 2010 meeting** on motion by J. Hankins and seconded by T. Umlauf. All in favor. A waiver of time was given.

Memorialization of a resolution of a variance approval to replace an existing 6-foot high stockade fence located on the property line along Burnside Street with a new 6-foot high vinyl fence in the same location where a 5' setback is required. A variance is also requested for encroaching into the required sight triangle. Block 1.95 Lot 22, 1340 Fifth Avenue. Applicant: Glenn Kallai. Approved at the August 26, 2010 meeting. Case 1036

This resolution was **APPROVED** on motion by H. Glen and seconded by K. Vaccaro.

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

A copy of the approved resolution is attached.

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| <b>Case 1039</b> | Danielle Brandt<br>1412 Larchmont Street<br>Toms River, NJ 08757 | Block 1.281 Lot 5<br>1412 Larchmont Street<br>R-10 Zone |
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Ms. Brandt needs a variance to allow a second floor addition (dormer) to remain on an existing dwelling having a front yard setback from Lawrence Avenue of 16.49 feet where 30 feet is required. Danielle Brandt was sworn in by Mr. Reid. Nicholas Ortense, the applicant's brother was sworn in by Mr. Reid. Mr. Cook stated that there were originally other violations needing variances, but the applicant did rectify those. The house is a pre-existing non-conforming structure. Mr. Ortense stated that he originally started out by doing a re-roof. He took the roof off on a Friday and when he did the whole thing was filled with termites. At that time, he proceeded to raise the back wall by 6 feet to give her more attic space. He never raised the ridge any higher than it was. He knew the home was non-conforming and the roof had to come off, so he decided to give her more room at the time and would apply for the variance after instead of going all that time with no

roof. He got an architect and she designed it to put 2 rooms up there. Nothing has been done inside yet. He has not had any inspections as of this time. There is an existing stairwell in the house for access to the upstairs. There is currently only 1 bedroom in the house, so the kids share a room with their mother. With the 2 rooms upstairs there will be 3 bedrooms.

Mr. Cook opened this portion of the meeting to the public. There being public participation at this time, this portion of the meeting was closed.

This application was **APPROVED** on motion by J. Vitale and seconded by P. Salvia.

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

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| <b>Case 1041</b> | Jeffrey Jerman<br>PO Box 355<br>Monmouth Beach, NJ | Block 1.304 Lot 6-8<br>Monmouth Ave. & Bismarck St.<br>R-10 Zone |
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This application is 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; an improvable lot area of 2,600 square feet where 5,800 square feet is required; and a first floor elevation 66 inches above the average centerline of the road where it shall not be less than 24 inches nor more than 48 inches. Mr. Jeffrey Jerman, owner/applicant, Mr. Jeff Daum, Professional Engineer/Planner, and Mr. Alan Krupnick, Real Estate Broker were all sworn in by Mr. Reid. The following items were marked into evidence:

- A-1 Title letter dated 9/21/10
- A-2 Buy/Sell letter to Lot 9 – no response
- A-3 Buy/Sell letter to Lot 1 (Golad)
- A-4 Response from Golad
- A-5 Photo board and tax map

Mr. Daum has visited the site and prepared the site plan. The site is currently wooded and raised above the street. There is water available, but no sewer. It will be serviced by a septic system. The proposed home will be a 2-story 3 bedroom home with 1-car garage. It will meet all the setbacks for the zone. This is a corner lot and the proposed home still meets all the setbacks. The existing lot is much higher than the street as it presently sits. The homes on either side are very high as well. The elevation for the proposed home is in between the houses on either side. There is no violation of the principles of light, air and open space. Mr. Daum discussed **A-5**. There is a mixture of 1 and 2-story homes in the neighborhood. There are 22 1-story homes and 35 2-story homes. The sizes range in size from 1000 square feet going up to in excess of 2700 square feet. The proposed home is approximately 1600 square feet. He feels it will fit into the character of the neighborhood with do detriment. The proposed home has been used on other 75 foot lots in this area and does fit into the neighborhood. Mr. Cook asked for more information on the elevation and grading for the lot. He asked about any drainage issues. Mr. Daum doesn't feel there will be any issues. Mr. Glen asked if the drywells will have to be deeper because of the elevation. Mr. Daum stated no they wouldn't have to be. He also asked what side the garage will be on, because the plot plan shows one side and the architect plans show opposite. The garage will be on the right side on Bismarck Street. The plans are proto type plans. Mr. Glen asked if the *oak tree on the Monmouth Avenue side could be saved*. Mr. Daum stated he's not sure how many trees will be able to be saved, but he thinks that one could be. *Mr. Jerman stated that he wouldn't mind that a condition be put in the resolution that the tree be saved*. He also asked if windows could be installed on the left side elevation of the plans to make it more appealing. Mr. Jerman stated he would have no objection to *a condition that 2-3 windows be installed on that side, facing Monmouth Avenue*. Mr. Mullin would like the note corrected that they will comply with the Township tree ordinance. Mr. Umlauf asked if there was a way to make the home a little more appealing by changing from vinyl siding, changing the facade.

Mr. Krupnick described what is shown on **A-5**. Block 1.304 Lot 1 is a 2-story home facing Wellington 2848 square feet; Block 1.304 Lot 9 is a 1-story home is 1378 square feet; Block 1.325 Lot 26 is a 2-story home facing Bismarck 2240 square feet; Block 1.303 Lot 22 is a 1-story home 1685 square feet; and Block 1.324 Lot 1 is a 1-story home is 1617 square feet. There are 75 foot lots in the area that have been approved for variances. Block 1.298 Lot 15 has a 2348 square foot 2-story home, which is a 75 foot lot.

Mr. Cook opened this portion of the meeting to the public. The following people were recognized and spoke: Barbara Golad – 701 Wellington Avenue (would like a buffer of trees along her lot and lot 9) the applicant did agree to a 5' buffer leaving as many existing trees as possible, if not they will be planted.

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

Mr. Daum stated *the 5' buffer of trees will be the backyard only from the rear of the proposed house adjacent to Lot 1 to the front line of the adjacent house on Lot 9. (copy of plan attached)*

This application was **APPROVED with conditions** on motion by P. Salvia and seconded by J. Vitale.

Save the oak tree on the Monmouth Avenue side of the property. Add 2-3 windows on the blank wall left side elevation. 5 foot tree buffer along Lots 1 & 9 as shown on plan. Will comply with the tree ordinance. Will leave as many existing trees as possible.

**ROLL CALL VOTE:** P. Salvia, yes; J. Vitale, yes; T. Umlauf, yes; K. Vaccaro, yes; J. Hankins, no; M. Dwyer, yes; W. Cook, yes.

Mr. Cook brought up the issue of Mr. Tomasik's letter from last month with regard to case 1030. He feels that a letter should be sent to him asking him to come back before the Board and explain why he needs 6 bedrooms, how many cars there will be, what will they do for storage now, how many families will be living there, etc. The Board agrees and would like the attorney to send a letter asking him to come back and explain the changes that were made.

**Adjournment:** The meeting was adjourned at 8:20 p.m. on motion by K. Vaccaro and seconded by J. Vitale. All in favor.

Respectfully submitted,

Darlene E. Garcia  
Secretary

Dated: October 9, 2010