

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, September 24, 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, H. Glen, P. Salvia, L. Fazio, K. Vaccaro, J. Hankins, M. Dwyer, R. Maloney

Members Absent: P. Ward

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

Administrative Session:

Approval of Minutes: The minutes for the July 23, 2015 meeting were **APPROVED** on motion by P. Salvia and seconded by K. Vaccaro. All in favor.

Payment of Bills:

RFP #TM281835 for T & M Associates in the amount of \$535.83 for Case 0614

RFP #TM281837 for T & M Associates in the amount of \$231.11 for Case 1428

Bills were **APPROVED** on motion by K. Vaccaro and seconded by M. Dwyer.

ROLL CALL VOTE: K. Vaccaro, 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. Mullin has nothing at this time.
Mr. Reid has nothing at this time.

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 1.93 Lot 22, 5th Avenue & Parkview Blvd. Approved at the August 27, 2015 meeting. Case 1541

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; R. Maloney, yes.

A copy of the approved resolution is attached.

Case 1542	Jeffrey Jerman P.O Box 922 Pt. Pleasant Borough, NJ	Block 1.325 Lots 37 & 39 Monmouth Avenue R-10 Zone
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Mr. Jerman 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; and an improvable lot area of 4,225 square feet where 5,800 square feet is required. Jeff Jerman was sworn in by Mr. Reid. He is the owner & applicant of the subject property. Mr. Jeff Daum of Nelke Constantine was sworn in by Mr. Reid. He is a professional engineer & planner. He was accepted by the Board. The following items were marked into evidence:

- A-1 Affidavit of ownership
- A-2 Buy/sell letters & responses - Lot 10 – Lee
- A-3 Buy/sell letters – no response – Lot 33 – Ridgewood Village Estates
- A-4 Buy/sell letters & responses - Lot 40 - Todd Jerman
- A-5 Site Plan
- A-6 Photo Board & tax map

Mr. Daum explained that this is the basic isolated undersized lot case. They will be meeting all the setbacks for the zone. The proposed house does meet the current ordinance requirements. They do have Ocean County Health Department approval for the septic system. The applicant is proposing a 3 bedroom cape-cod style home with a 1-car garage. The property could not be used for anything other than a single family dwelling, if the variances were denied the property would be zoned into inutility. There will be no detriment to the public good, zoning plan or master plan if the variances were approved. Mr. Daum explained the photos on A-6 of the homes in the immediate area. Mr. Jerman asked if there would be a violation of air, light & open space. Mr. Daum stated no, by meeting the setbacks, it would not. Without acquiring additional land there is no way to mitigate the variances. Mr. Daum reviewed Mr. Mullin's letter dated 8/14/15 and has agreed to conform to all items. Mr. Mullin asked if there was a lip at the top of the wall. He will confirm that. Mr. Mullin would like 1-2 inches. There will be no impact on the adjacent properties with storm water runoff. Mr. Glen had concerns with runoff & drainage. Mr. Mullin asked as a condition of approval would the applicant be willing to provide a pre & post development runoff calculation from the rear of the property. Yes, he agreed to that as a condition of approval.

Mrs. Fazio opened this portion of the meeting to the public for questions of Mr. Daum. There being no questions at this time, this portion of the meeting was closed.

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 with conditions** on motion by K. Vaccaro and seconded by P. Salvia.

ROLL CALL VOTE: K. Vaccaro, yes; P. Salvia, yes; F. Finn, yes; H. Glen, yes; J. Hankins, no; M. Dwyer, yes; L. Fazio, yes.

Case 1430

Robert Patuto
2 First Street
Manchester, NJ 08759

Block 1.70 Lots 30-32
733 Fourth Avenue
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. Mr. Robert Patuto was sworn in by Mr. Reid. Mr. Kenneth Schlatmann, professional engineer & professional planner was sworn in by Mr. Reid. He gave his credentials & was accepted by the Board. Mr. Schlatmann was asked to come before the Board by Mr. Leslie Ramdeen. Mr. Schlatmann started the application, but the Chairwoman asked that they please explain the buy/sell letter process they went through. Mr. Patuto explained there was only 1 house that they notified & didn't get a response.

The following items were marked into evidence:

- A-1 Buy/sell letter to Raport – Lot 33 - unclaimed
- A-2 Tax map

Mrs. Fazio asked if they can provide proof that they did make an attempt to each adjoining property owner to either buy or sell property to mitigate the variances. The property immediately to the west is the one they sent the buy/sell letter to. The property immediately to the east is a 100' x 100' with a house on it. They did not send them a letter because they knew they couldn't sell anything. The only buy/sell letter that was sent was to the only vacant land which is lot 33. Notification of the meeting was sent out to everyone. Mr. Mullin stated he had a document from Mr. Ramdeen from March 15, 2015, in it he notes copies of letters to adjoining property owners for request to buy/sell. Included with that letter certified receipts for Raport, Barlow (to the rear),

- A-3 Notification for 8/27/15 meeting to Barlow Lot 15, not a buy/sell letter

The information provided by Mr. Ramdeen was incorrect. He has been given further information as to what the Board requires. Mr. Schlatmann apologized to the Board for the mistakes and misinformation that has been provided. Mr. Mullin asked that the tax map inset be enlarged.

The Board has determined the applicant has not met his burden of proof with the buy/sell letter requirement. The application is deemed incomplete and will not be heard by the Board at this time.

Adjournment: The meeting was adjourned at 7:50 p.m. on motion by K. Vaccaro and seconded by P. Salvia. All in favor.

Respectfully submitted,

Darlene E. Garcia
Secretary