

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, March 28, 2019

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 6:35 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: L. Fazio, K. Vaccaro, M. Dwyer, H. Glen., W. Cook,
P. Dambroski
Members Absent: P. Salvia, C. Schwartz

Also Present:
C. Reid, Board Attorney P. Jeffrey, Board Engineer

Administrative Session:

Approval of Minutes: February 28, 2019 Meeting

Motion to Approve: Mr. Cook, seconded by Mrs. Vaccaro
Roll Call: Mr. Cook-yes, Mrs. Vaccaro-yes, Chairwoman Fazio-abstain,
Messrs. Dwyer- yes, Glen-yes, Dambroski- yes

Payment of Bills:

#TMC361605 Invoice 25776 for T & M Associates in the amount of \$160.00 for Case 0764-1790
#TMC361606 Invoice 25777 for T & M Associates in the amount of \$480.00 for Case 1918
#TMC361607 Invoice 25778 for T & M Associates in the amount of \$480.00 for Case 1919
#TMC361608 Invoice 25779 for T & M Associates in the amount of \$320.00 for Case 1920

Motion to approve by Mr. Cook, seconded by Mrs. Vaccaro
Roll Call: Mr. Cook-yes, Mrs. Vaccaro-yes, Chairwoman Fazio-yes, Messrs. Glen-yes, Dwyer-yes, Dambroski-yes

Correspondence: The Secretary has nothing at this time.

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

Memorialization of a resolution for a variance approval to construct a single family dwelling on a lot having an area of 7,500 square feet where 10,000 square feet is required, improvable lot area of 2,600 square feet where 5,800 square feet is required, a lot frontage of 75 feet where 100 feet is required and a lot width of 75 feet where 100 feet is required. Applicant: Jeffrey R. Jerman Block 1.335 Lot 5 & 7 Pemberton Street & Englemere Boulevard. Approved at the February 28, 2019 meeting. Case 1918

This resolution was **APPROVED w/ Conditions** on motion by W. Cook and seconded by M. Dwyer.

ROLL CALL VOTE: W. Cook- yes; M. Dwyer, yes; L. Fazio- abstain; K. Vaccaro, yes; H. Glen, yes; Dambroski, yes.

A copy of the approved resolution is attached.

Memorialization of a resolution for a variance approval to construct a sunroom on the rear of an existing dwelling resulting In a rear yard setback of 19.4 feet where a minimum setback of 20 feet is required.

Applicant: Ronald Cedola Block 71.02 Lot 42 10 Aylesford Lane. Approved at the February 28, 2019 meeting. Case 1919

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

ROLL CALL VOTE: W. Cook- yes; K. Vaccaro, yes; L. Fazio- abstain; M. Dwyer, yes; H. Glen, yes; Dambroski, yes.

A copy of the approved resolution is attached.

Case # 1920	Ivan & Diana Soto 1981 Bayonne Avenue Manchester, NJ 08759	Block 99.93 Lot 10 1981 Bayonne Avenue Zone WTR-40
--------------------	--	--

Ivan & Diana Soto requesting variance relief to construct a fence around the perimeter of the property. Based upon the submittal it appears carious fence types are proposed and a portion of the fence is located within a front yard area. The Applicant is proposing a 6' high fence within the front yard area between the subject dwelling and Bloomfield Avenue where fences in front yard areas are permitted up to 4' high.

Nathan and Jessica Liebman, daughter and son-in-law of applicant sworn in by Attorney Reid. Affidavit from Ivan Soto (homeowner) granting permission for Jessica and Nathan to testify on his behalf with regards to this application.

Mr. Jeffrey asked applicant to discuss comments made in Engineer's letter, including type of fencing, orientation and location of fencing.

Mr. Jeffrey requested applicant to clarify the various fences in the application. Mrs. Liebman stated that it is 6 foot stockade fencing along the rear of the property and 5 foot aluminum fencing along Bloomfield Avenue.

Mr. Jeffrey pointed out to the applicant that the location of the fence posts already installed along Bloomfield Avenue are approximately 4 feet from the curb and therefore currently in the Township's Right of Way and that this board has no jurisdiction over such approval. Applicant agreed post must be moved from current location and testified to move the fence an additional five feet from the property line.

Mr. Jeffrey questioned applicant about the 6 foot stockade fence along rear property line and the orientation of that fencing, it appears the frame side currently faces outward or away from property. The applicant stated that it does face outward and stated they would install additional fencing to create a double-sided fence along that portion of the yard.

The applicant testified that there are no plans to build a pool.

Mr. Cook asked applicant to address visibility concerns, as currently installed creates significant loss of visibility at this corner. Applicant stated that this will be alleviated by moving the fence an additional five feet in from the property line as previously stated.

Mr. Reid asked the applicant to present any photos they have of the property to the Board. The following photos were marked into evidence:

Mr. Reid asked who took the photos and when were they taken. Mrs. Liebman stated that she took the photos approximately one month ago.

A1: Photo is taken facing the house from the right side, showing Bloomfield Avenue

A2: Additional side facing

A3: Close up of yard depicts septic area to demonstrate nothing behind that area.

Mr. Jeffrey required the applicant to demonstrate how the variance can be granted without substantial detriment to the public good. Mrs. Liebman stated that the fence provides safety for her dogs and the yard area is utilized as a side yard rather than a front yard.

Mr. Cook opined that moving the fence to correct location still provided the applicant with significant yard space.

Chairwoman Fazio notes that in A3 there are several trees and shrubs, if they located in front of fence when relocated to five feet in from property line, would the applicant be willing to move? Mrs. Liebman stated that they would. Applicant asked if anything can be planted in that area. Mr. Reid clarified to applicant the definition of the Right of Way.

Mr. Glen- what types of dogs? Mrs. Liebman- a lab and cocker spaniel. Mr. Reid inquired will the dogs fit through the verticals? Mrs. Liebman- no.

Mr. Glen stated the style of fence does fit in with the character of the neighborhood.

OPEN PUBLIC PORTION: Hearing none CLOSED PUBLIC PORTION.

This application was **APPROVED w/ Conditions** on motion by H. Glen and seconded by M. Dwyer

ROLL CALL VOTE: H. Glen, yes; M. Dwyer, yes; L. Fazio, yes; K. Vaccaro, yes; W. Cook, no; P. Dambroski, yes.

Adjournment: The meeting was adjourned at 7:07 p.m. on motion by W. Cook and seconded by K. Vaccaro. All in favor.

Respectfully submitted,

Erin Mathioudakis
Secretary