

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, October 24, 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 6:30 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, W. Cook, H. Glen., C. Schwartz, P. Dambroski,
S. Brustman
Members Absent: K. Vaccaro, M. Dwyer

Also Present:

Mark Rohmeyer, Board Engineer and C. Reid, Board Attorney

Administrative Session:

Approval of Minutes: September 26, 2019 Meeting

Motion to Approve: Mr. Glen, seconded by Mr. Dambroski

Roll Call: Mr. Glen-yes, Mr. Dambroski-yes, Ms. Fazio-yes

Payment of Bills:

#MTZBR7270 Invoice 28004 for T & M Associates in the amount of \$736.25 for Case 19-27

#MTZBR7190 Invoice 28002 for T & M Associates in the amount of \$503.75 for Case 19-18

#MTZBR7280 Invoice 28005 for T & M Associates in the amount of \$542.50 for Case 19-26

#MTZBR7250 Invoice 28001 for T & M Associates in the amount of

\$480.00 for Case 19-24

Motion to approve by Mr. Cook, seconded by Mr. Dambroski
Roll Call: Mr. Cook-yes, Mr. Dambroski-yes, Ms. Fazio-yes,
Messrs. Glen-yes, Schwartz-yes, Ms. Brustman-yes.

Correspondence: The Secretary has nothing at this time.

Professional Reports: Nothing at this time from both professionals.

MEMORIALIZATIONS:

Memorialization of a variance relief for stamped concrete driveway which now exceeds the permitted lot coverage for the subject property. The permitted lot coverage for the R10 zone is 35% and the current lot coverage on the subject property is 42.8%. The application also indicates that a portion of the driveway encroaches on the neighboring property where no part of any driveway may be located within 5' of a side property line. Applicant: Elsa Bacenet Block 1.345 Lot 17.01 824 Grinnell Avenue. Approved at the September 26, 2019 meeting. Case 1925

This resolution was **APPROVED w/ conditions** on a motion by H. Glen and seconded by P. Dambroski

ROLL CALL VOTE: H. Glen- yes, P. Dambroski-yes, L. Fazio-yes

A copy of the approved resolution is attached.

Memorialization of a variance relief to construct a detached accessory structure within in the front yard area (between the principal building and State Highway 70) where accessory structures (garages) are permitted in side and rear yard areas. Applicant: Peter Roccaforte Block 116 Lot 7 1401 Highway 70. Approved at the September 26, 2019 meeting. Case 1926

This resolution was **APPROVED w/ conditions** on a motion by H. Glen and seconded by P. Dambroski

ROLL CALL VOTE: H. Glen- yes, P. Dambroski-yes, L. Fazio-yes

A copy of the approved resolution is attached.

Memorialization of a variance relief to construct a 2 story family dwelling on this corner lot and provides frontage along the northwest corner of Wellington Avenue and Parkview Boulevard, an improvable lot area of 3,727 square feet where 5,800 square feet is required, a lot frontage of 50

feet along Parkview Blvd. where 100 feet is required and a lot width of 50 feet where 100 feet is required. Additionally, a maximum building height greater than 25' where 25' is permitted, for a 2 story home where 1.5 stories is permitted, for a minimum first floor area of 753 square feet where 900 square feet is required. Also, a proposed finished first floor height of 8.2 feet where a maximum of 4 feet above average centerline road grade along property frontage is permitted. Applicant: Jeffrey Jerman Block 1.312 Lots 28 & 30 Wellington Avenue. Approved at the September 26, 2019 meeting. Case 1927

CARRIED to next scheduled meeting. No objection from Applicant.

APPLICATIONS:

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| 1. Case 1928 | Jeffrey Jerman
PO Box 922
Point Pleasant, NJ | Block 1.328 Lot 30, 31 & 32
Amsterdam Avenue
Zone R10 |
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Mr. Jerman needs a variance to 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 4225 square feet where 5,800 square feet is required. Jeffrey Jerman was sworn in by Ms. Reid. He is the owner and the applicant. The following items were marked into evidence:

A1: Buy/Sell letters to adjoining properties owners, no response received. Chairwoman Fazio verifies with the public in attendance that there is no interest in buying or selling of land from the neighbors. No one present. A2: proposed renderings of the home and the photos of the neighborhood. (Photo Board.)

Mr. William Stevens, professional engineer & planner was sworn in by Mr. Reid. Mr. Stevens explained this is the basic isolated undersized lot case. The 7,500 square feet total lot area is sufficient area for the proposed home & septic system. The proposed home will be a cape-cod style home, 3 bedrooms, one downstairs and two upstairs. The home as proposed meets all the setbacks of the zone. There is no other use for this property except for a single family dwelling. If the variance were not granted the property would be zoned into inutility. In his opinion, Mr. Stevens believes there will be no detriment to the master plan, zoning plan or public good with the granting of these variances. Mr. Jerman points out that originally the Pine Lake Park area was all little houses so one story cape fit with the character of the neighborhood but in the surrounding two block area most homes are two stories, Mr. Stevens stated that this is because of this is a newer section of Pine Lake Park. Ms. Fazio states that can be seen on the exhibit but how many are on undersized lots, Mr. Jerman said that they aren't but the lot next door to this has a frontage of 150' and that he is certainly willing to go for the cape but feels it's a downsize for that area. Mr. Reid asked Mr. Stevens to testify to the ordinance and Mr. Stevens stated that the purpose was to keep undersized lots to cape style homes but there would be no adverse effect if a 2 story home were granted. Ms. Brustman and Mr. Stevens review Exhibit A2 for a demonstration of the type of 2 story that is proposed. Mr. Cook stated that they look more like one and half story homes, Mr. Stevens replied yes the second floor does not extend all the way over the garage. Mr. Jerman testifies that the 2 story would still fit within the building envelope,

and would meet all required setbacks of the zone. Ms. Brustman inquired if it would affect the septic system, Mr. Jerman replied the lot is limited to 3 bedrooms only, and opined a cape style home is a dormered 2 story. Mr. Stevens opined that the 2 story home would provide a better living space by having all bedrooms on the second floor, it would create a more spacious home on the first floor. Mr. Dambroski inquired about the 150' lot next door, Mr. Jerman replied that the owner is not interested in selling. Years ago, Mr. Rapaport owner of said lot was to provide the value of the lot and Mr. Jerman sent the letter with no response. Ms. Fazio stated that the purpose of the ordinance was specific to undersized lots and not lot area, Mr. Jerman stated it was to prevent large two story homes being built next to the bungalow style homes. Mr. Cook opined that other than living space not providing adequate reason to grant variance and asked if they would be willing to eliminate the basement. Mr. Stevens said no and that it really is about the better living space of the home for the two story. Ms. Brustman asked if all other homes on the block are two story, Mr. Jerman replied yes. Mr. Glen inquired if notice would have to be redone because of the change to the two story, Mr. Jerman pointed out in the notice it states any and all variances-so no. Mr. Reid states that the ordinance began with comments of the character of the neighborhood. Mr. Jerman states that this particular section is the exact opposite of that ordinance where they wanted to prevent large two story homes next to small one story, this neighborhood is all large two story homes. Mr. Stevens provided background on the ordinance started from years ago with Shady Pines development with large two story homes approximately 2500 sq. ft. on 75x100 lots. Both Ms. Fazio and Ms. Brustman inquired about the surrounding lots, Mr. Stevens states that the lot to the right block 1.324 lot 5 is a 2 story, 1560 square foot home and the home on block 1.328 lot 39.01 is a 2 story-2 car garage, 2325 square foot home. Mr. Cook states the board needs to decide before moving on with the variance.

Motion to Caucus: Mr. Cook Seconded by: Mr. Dambroski. All in Favor

Mr. Cook is of the opinion that there is no reason to deviate from the ordinance. Ms. Fazio and Mr. Dambroski opine that once a precedence is set it opens the Board to more applications like this. Ms. Brustman believes that the two story would fit into the neighborhood, that it fits on the block. Ms. Fazio says that the undersized lot ordinance is set. Mr. Reid instructs the Board the measure is to weigh the benefits versus the detriments. Mr. Cook believes that the ordinance was set for more than reasons than character of neighborhood and this would deviate from this. Ms. Brustman does not see the detriment for this parcel. Mr. Rohmeyer reviews with the Board the definition of a half story.

Motion to close Caucus: Mr. Cook Seconded by Ms. Brustman. All in Favor

Mr. Jerman testifies that each application is based on its own merit and a picture is worth a thousand words as provided by exhibit A2. From a neighborhood standpoint definitely better a two story.

Straw poll conducted: P. Dambroski-no, H. Glen-no, W. Cook-no, L. Fazio-no.

Mr. Cook asked if the driveway is flipped, Mr. Jerman-yes. Mr. Cook also inquired about the drainage of the property including the drywells, Mr. Stevens states that design infiltration for the property drains to the rear and all storm water from this site will stay on site, and runoff will go

to the drywells from the normal ground slope. As a professional engineer Mr. Stevens testifies that it is better to keep all on property. Mr. Cook asked if there is enough slope to carry it away- Mr. Stevens-yes. Mr. Cook inquired about the trees on property-only sees three, Mr. Stevens meets the ordinance requirements. Ms. Fazio asks that the trees are greater than 4” in diameter- Mr. Stevens-yes. Mr. Cook asked about lot consolidation versus reverse sub-division. Mr. Jerman testifies that a new lot number will be assigned and that the current Zoning Officer requires lot consolidation prior to the issuance of a building permit. Mr. Rohmeyer asked if the architectural presented are for a two story home- Mr. Stevens-no, only building center corridor basically two dormers.

OPEN PUBLIC PORTION: Hearing none CLOSED PUBLIC PORTION.

This application was **APPROVED** on motion by W. Cook and seconded by H. Glen

ROLL CALL VOTE: W. Cook, yes; H. Glen, yes; C. Schwartz; P. Dambroski, yes; S. Brustman, yes; L. Fazio, yes.

Adjournment: The meeting was adjourned at 7:30 p.m. on motion by W. Cook and seconded by C. Schwartz. All in favor.

Respectfully submitted,
Erin Mathioudakis

Erin Mathioudakis
Secretary