

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT**

**REGULAR MEETING**

**Thursday, December 8, 2016**

**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 Vice Chairwoman Karen Vaccaro
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: H. Glen, P. Salvia, K. Vaccaro, J. Hankins, M. Dwyer, R. Maloney, W. Cook  
  
Members Absent: F. Finn, L. Fazio  
  
Also Present: C. Reid, Attorney  
P. Jeffery, Engineer

Administrative Session:

**Approval of Minutes:** The minutes for the November 10, 2016 meeting were **APPROVED** on motion by J. Hankins and seconded by W. Cook. All in favor.

**Payment of Bills:**

**RFP #TM311800** for T & M Associates in the amount of \$813.75 for General Board Matters

**RFP #TM311801** for T & M Associates in the amount of \$1863.19 for Case 1673

**RFP #TM311802** for T & M Associates in the amount of \$465.00 for Case 1655

**RFP #TM311803** for T & M Associates in the amount of \$78.27 for Case 1667

Bills were **APPROVED** on motion by W. Cook and seconded by M. Dwyer

**ROLL CALL VOTE:** W. Cook, yes; M. Dwyer, yes; R. Maloney, yes; H. Glen, yes; P. Salvia, yes; J. Hankins, yes; K. Vaccaro, yes.

**Correspondence:** The Secretary has nothing at this time.

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

<b>Case 1673-1418</b>	KST Contracting 925 Wellington Avenue Toms River, NJ 08757	Block 68 Lot 3 Route 571 (Ridgeway Road) PR-40 Zone
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This application is for preliminary & final site plan approval for the construction of a 3,200 square foot contractor's storage/maintenance building, material/vehicle storage and a parking area, along with associated site improvements. A Use Variance was granted pursuant to a resolution adopted 10/23/14. Dina Vicari, attorney for the applicant was present. The following items were marked into evidence:

- A-1 aerial map dated 12/8/16
- A-2 site plan phase 2 dated 12/8/16
- A-3 architectural photos dated 12/8/16

Mr. Sean Delany of Bowman consulting was sworn in by Mr. Reid. He gave his credentials and was accepted by the Board. Mr. Reid explained the way the Board likes to proceed with the application, they would like to go through the T & M review letter dated 11/16/16 point by point. This property is located in both Manchester & Jackson. He did have discussions with both towns prior to the use variance and they do not have to get approval from both towns, just Manchester since a majority of the parcel is in Manchester. There is an existing single family dwelling at the front of the property with a couple little structures, a garage and a carport. There is also a shed at the back of the site. Mrs. Vicari asked Mr. Delany to turn to the T & M letter at this time. The use variance approved a 3,500 square foot building, however the size has been reduced to 3,200 square feet. This is a landscaping/excavating business, this will not be an equipment storage yard, the equipment will only be there for maintenance purposes. He owns approximately 25 vehicles, the most that will be onsite at one time will be 5-6. The hours of operation will be Monday – Saturday 7am – 6pm closed on Sunday. The only time it may be operational after hours would be during the winter months for snow removal. The maximum employees on site would be 8, there will always be 3 plus 1 office staff. The workers go directly to the job sites. All of this was agreed to during the use variance and are conditions of approval in the use variance resolution. The type of maintenance on the site would be oil changes, tune ups, minor welding, under carriage repairs & replacements. There will be no lift proposed in the building. This is not a retail establishment, it is not open to the public. Whatever is onsite is used for the business & their jobs only. It may include riverbed stone, mulch and topsoil. During winter months there would be (4) 8' plows. Agreed to during the use variance, no bulk storage of salt, no bulk storage of diesel or gasoline. All waste materials will be stored in drums inside the building & be disposed of in accordance with state requirements.

The existing house has an existing well & septic. Under phase 2 there will be a new well that will serve the building, the existing well will remain to serve the house. The septic will be removed and a new one will be installed to serve both the residence & the proposed building. Mr. Cook was concerned about egress from the second floor office area, Mr. Jeffery explained that would be up to the building department when they submit for a permit. Mr. Cook feels it should have sprinklers.

The Pinelands issued an inconsistent certificate of filing, the 2 comments is they are referencing a reduction in the 2 year storm event, they don't meet the 50% reduction; they didn't submit the report stating they met the 50% reduction. They are reducing peaks, they are reducing volumes, they just have to clarify that. The other one is they have to provide additional information about the recharge of the 10 year storm. Because of the time it took to come back for site plan approval, they will be going directly to phase 2. The construction time line, hopefully start no later than April and hope to be complete by July 4<sup>th</sup> holiday. The 20' x 30' barn at the rear of the property will be removed.

Mr. Delany explained the drainage on the site and how the site will be graded so all the water will drain to the basin. The depth of the basin will be 4 feet. Mr. Jeffery mentioned that in the letter it talks about putting a fence around the basin. Mr. Delany stated they are not proposing a fence. He doesn't feel one is needed. The home will be a rental home, but he still feels it is far enough back on the site that it doesn't need one. Mr. Cook feels the Board should require a fence, especially if they rent to someone with

kids. The distance from the dwelling to the basin is approximately 225 feet. Mrs. Vaccaro also feels a fence should be required, if a child goes wandering off & gets into something they couldn't get out of. Mr. Jeffery stated there are residential uses in the area as well. Mr. Delany stated that if the Board wanted they would put a post & rail fence around it.

There will be 7 parking spaces, 10' x 20', not sure how they will be delineated, they will not stripe the spaces since it is a private business. They are not proposing an ADA space, this is not a business open to the public, it is controlled by the applicant, he doesn't feel they need a handicap parking space. Mr. Jeffery stated that even though it is not a retail business, it still has an office space & they could have an employee that has a disability & that requirement cannot be waived by this Board. They need to make one ADA space and a walkway to the building.

The proposed lighting will be 3 building mounted lights, now with the ADA space they will add a 4<sup>th</sup>. The lighting will not go off the property. The proposed lights are not flood lights they are down facing lights. The lights will be on during working hours, after hours they will be on timers or most likely motion sensors.

Mr. Jeffery asked about garbage storage & collection. It would be stored inside the building. They are proposing a small dumpster near the storage bins. It will be shown on the plans as a condition of approval. Mr. Cook asked about floor washing, how is it going to be handled? Mr. Sam Tuma, owner/applicant was sworn in by Mr. Reid. If there is any type of oil spill they have containment, they put speedy dry on it then they would sweep it up & put it in a containment can, they have a couple different companies that pick it up along with the waste oil.

Mr. Delany testified they will comply with all comments in the T & M letter dated 11/16/16.

Mr. Glen had concerns about the buffering on the west side of the property line, he would like additional plantings. He also wants the buffer installed so the commercial operations could not be seen. Mr. Tuma stated he might put up a stockade fence. Mr. Glen would prefer plantings. Mr. Glen feels that putting curbing in would be for beautification & to stop the construction equipment from being parked in that area. Mr. Tuma stated he would be willing to put in timber curbing. They would agree to a condition that no construction equipment be parked in front of the building. Mr. Glen doesn't want any equipment being parked to the rear of the property behind the basin. Mr. Cook is suggesting from the southerly portion of the parking lot right in front of the basin all the way to the front of the building that they plant some dense shrubbery like arborvitae to prevent the headlights from spilling over when going out at night for plowing. He wants them on the easterly side. Mr. Tuma agreed to do that.

Mrs. Vaccaro opened this portion of the meeting to the public for questions on the testimony provided. There being none, this portion of the meeting was closed.

Mrs. Vaccaro opened this portion of the meeting to the public for comments at this time. There being none, this portion of the meeting was closed.

This application was **APPROVED with conditions** on motion by W. Cook and seconded by M. Dwyer.

Conditions: Buffer of 10'-12' white pines, spruce (types to be discussed with Board Engineer) with reduced spacing & staggering to be installed along the westerly property line.

\*Arborvitae to be planted on the east side in front of the basin all the way to the front of the building.

\*A timber curbing would be installed along both sides of the driveway, it will extend down the westerly side approximately 110 feet from the property line and on the easterly side to the beginning of the parking stalls.

\*1 handicap space with walkway which will require some minimal paving to meet ADA requirements.

\*There will be a fence required around the retention basin, they agreed to post & rail.

- \*3 months after the CO is issued for the building there will be no further use of the carport & garage for business use, it will revert back to residential use.
- \*There will be shielded lights used to prevent spill and less than half a foot candle at the property line in any location.
- \*There will be no floor washing at all, only dry cleaning & sweeping.
- \*Will comply with the Manchester Township noise ordinance.
- \*South of the basin there will be no storage of equipment, vehicles, or drums, it will remain natural.
- \*Compliance will all the conditions in the use variance resolution.
- \*The shed to the rear of the property to be removed.
- \*No bulk salt storage.
- \*Revise plan to include 2 yard dumpster.

**ROLL CALL VOTE:** W. Cook, yes; M. Dwyer, yes; R. Maloney, yes; H. Glen, yes; P. Salvia, yes; J. Hankins, yes; K. Vaccaro, yes.

**Adjournment:** The meeting was adjourned at 8:20 p.m. on motion by J. Hankins and seconded by M. Dwyer. All in favor.

Respectfully submitted,

Darlene E. Garcia  
Secretary