

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, January 26, 2017

**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 7:15 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, L. Fazio, K. Vaccaro, J. Hankins, M. Dwyer, W. Cook

Members Absent: P. Salvia

Also Present: C. Reid, Attorney
P. Jeffery, Engineer

Administrative Session:

Approval of Minutes: The minutes for the December 8, 2016 meeting were **APPROVED** on motion by W. Cook and seconded by K. Vaccaro. All in favor.

Payment of Bills:

RFP #TM314414 for T & M Associates in the amount of \$1046.47 for Case 1674

RFP #TM314413 for T & M Associates in the amount of \$503.75 for Case 1541-1676

RFP #TM314415 for T & M Associates in the amount of \$930.00 for Case 1675

RFP #TM314410 for T & M Associates in the amount of \$95.85 for General Board Matters

Bills were **APPROVED** on motion by W. Cook and seconded by K. Vaccaro.

ROLL CALL VOTE: W. Cook, yes; K. Vaccaro, yes; F. Finn, yes; H. Glen, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.

Correspondence: The Secretary stated that she was just informed earlier in the day that Mr. Maloney has resigned.

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

Memorialization of a resolution of approval for preliminary & final site plan approval with (2) bulk variances, lot width & lot frontage, 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. Applicant: KST Contracting Block 68 Lot 3, Ridgeway Road. Application was approved at the 12/8/16 meeting. Case 1673-1418

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

ROLL CALL VOTE: W. Cook, yes; K. Vaccaro, yes; H. Glen, yes; J. Hankins, yes; M. Dwyer, yes.

A copy of the approved resolution is attached.

Case 1777	Roberto Cartagena	Block 31.04 Lot 2
	2643 Spruce Drive	2643 Spruce Drive
	Manchester, NJ 08759	R-15 Zone

Mr. Cartagena needs a variance to allow an existing carport to be enclosed & converted into living space; the construction of a 12' x 13.4' addition to the rear of the dwelling having a 10.01' side yard setback where 12' is required and a 4' x 6' covered front porch having a 26' front yard setback where 30' is required. Roberto Cartagena was sworn in by Mr. Reid. He would like to keep the wall straight to the back on the right, wants one straight wall. Nicole Ashkar, Zoning Officer explained the situation. She stated this house was built to the R-10 criteria at some point along the line it changed to R-15 so unfortunately, Roberto's house met the R-10 criteria. He needs a variance for the side yard setback because the required setback is 12' and he only has 10'. He wants to put the addition on to keep it in line with the existing house. The front yard he needs a variance for the front porch because his house is at the 30' setback line. The carport conforms to the requirements & doesn't need a variance, he is closing it in for more living space. Mr. Cartagena stated the siding & roof shingles will match the existing home. The front porch will also match the house, it's not going to be an aluminum cover. He wants the front porch for coverage from the weather. With making these changes the home will still fit into the character of the neighborhood.

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** on motion by W. Cook and seconded K. Vaccaro.

ROLL CALL VOTE: W. Cook, yes; K. Vaccaro, yes; F. Finn, yes; H. Glen, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.

Case 1674	Jeffrey Jerman	Block 1.325 Lots 40-42
	P.O. Box 922	Monmouth Avenue
	Pt. Pleasant, NJ 08742	R-10 Zone

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' is required; a lot frontage of 75 feet where 100 feet is required; and an improvable lot are of 4,225 square feet where 5,800 square feet is required. Mr. Jerman was sworn in by Mr. Reid. Mr. Jeff Daum of Nelke Constantine was also sworn in by Mr. Reid. The following items were marked into evidence:

- A-1 Buy/sell letter Lot 10 – Lee
- A-2 Buy/sell letter Lot 37 – Wldazyck – new owner Latonio
- A-3 Buy/sell letter Lot 2 – Ridgewood Village – no response
- A-4 Buy/sell letter Lots 1, 3 & 9

- A-5 Affidavit of the history of the property
- A-6 Picture board of houses in the immediate area

Mr. Daum stated the applicant is proposing to construct a cape cod style house. It meets all the required setbacks for the zone. The septic will be located in the front yard. The driveway will be located to the left side of the house, because on the right side is a utility pole and guide line that would block the driveway. The proposed home will be 3 bedrooms 2-1/2 baths and does meet the special requirement for the floor area requirements in this zone for an undersized lot. The proposed home fits into the character of the neighborhood. A similar house was built recently right next door. If the requested variances were not approved it would be zoning the lot into inutility. There is no other use for the property. In Mr. Daum's opinion they meet all the principles of light, air and open space. He feels there will be no detriment to the zone plan or master plan. They are not able to get any additional property to mitigate any of the variances. The applicant needs to change the plan to show 1-1/2 story, the plan shows a 2-story dwelling. The applicant will provide dry wells as required. He is also willing to comply with the undersized lot requirements.

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** on motion by W. Cook and seconded M. Dwyer.

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

Case 1675	Jeffrey Jerman P.O. Box 922 Pt. Pleasant, NJ 08742	Block 1.245 Lot 1 Manchester Street 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 9,806 square feet where 10,000 square feet is required and an improvable lot are of 5,060 square feet where 5,800 square feet is required. Mr. Hankins has recused himself from this application, he is a lifetime member of the fire department. Mr. Jerman was sworn in by Mr. Reid. Mr. William Stevens of PDS was also sworn in by Mr. Reid. The following items were marked into evidence:

- A-1 Title history affidavit
- A-2 Buy/sell letter & response – Lot 5 – Robinson
- A-3 Buy/sell letter - Lot 12 – Manchester Twp. Drainage basin
- A-4 Buy/sell letter & response – Lot 7 Manchester Fire Company
- A-5 Photo Board
- A-6 Aerial photograph
- A-7 Letter dated 1/20/17 from Mr. Jerman to Mr. Reid

Mr. Stevens stated the applicant is proposing to construct a 2-story 3 bedroom 2-1/2 bath home with the septic system located to the south and it will be serviced by public water. They will be providing drywell system as required by ordinance. The total lot are is 9,806 square feet, which is just shy of being conforming, it is a diminimus variance. The improvable lot area if 5,109 square feet where 5,800 square feet is required. This lot can only be used for a residential home and without the requested variances the lot would be zoning into inutility. The proposed home will meet all the required setbacks for the zone. There will be no detriment to the public good. There will be no detriment to the zone plan or master plan. The proposed home will fit into the character of the neighborhood. The proposed home will be a 2-story 1-car garage with a total square footage of 1,513 square feet. In the immediate area shown on the picture board there are 15 1-story homes and 13 2-story homes, there is a mix of older & newer homes with square footages ranging from 1,056 square feet to 2,682 square feet. This home is basically right in the middle not the smallest and not the largest. Mr. Jerman stated that when he had the survey done, it was discovered the fire department paved part of his property, approximately 10', it is their parking lot & a shed for clothes. It came about because where they have their paving used to be a paper street, when it was vacated he acquired that property. Maybe the fire department thought they owned it. Mr. Jerman feels he

doesn't need the 20' at the southern part because it's only 60' deep and it doesn't affect any of the house placement, there is still enough buffer. He is going to give that piece to the fire company. Under the right of way also there is a drainage pipe, he is willing to give them an easement for that pipe. The only affect this will have on the variance, he still has the required 100', if he were to give that property to the fire company, he would still have the 100', it just reduces the property a bit, instead of 9,800 square feet he will have 8,600 square feet left, which is more than enough room to put a house & septic system. Nicole Ashkar, Zoning Officer stated the right of way was vacated in 2006 and the parking lot had already been constructed. The moving of the lot line can be done by deed. It would have to be reflected in the resolution that he would be conveying that 20'x 60' and that the lot line would be moved. During resolution compliance the board engineer would have to look at that to make sure the lot lines comply with the copy of the deed. The drainage easement should be put on the map, but it would be on the fire department side. Mr. Jerman would need to give a 5' drainage easement on his lot and the fire department would also have a 5' drainage easement. Mr. Jerman agreed to the drainage easement. Mr. Yodakis, Director of Public Works told Mrs. Ashkar that a 10' wide drainage would be acceptable. The septic will not be affected he will be moving it further north. The applicant agrees to comply with all the undersized lot standards. No subdivision will be needed, they will only be moving lot lines. Mr. Jeffery had concern about the shed only being 2 feet from the property. Mrs. Ashkar stated she believes they will be relocating the shed to a different spot.

Mrs. Fazio opened this portion of the meeting to the public. The following people were recognized and spoke:

Anthony Nasta, Vice President of Manchester Fire – 713 Englemere Blvd.

Mr. Jerman assured the fire company that he is donating that portion of the property to them. Mr. Nasta thanked Mr. Jerman for his generosity.

Paul Cugliari, President of Manchester Fire – 717 Fifth Avenue

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

Conditions: 5' easement for drainage pipe
20' x 60' on south side of the property via deed to convey & lot line moving to the fire department
the septic would be moved to be in compliance
meet all requirements in T & M review letter
lot area will be 8,504 square feet
improvable lot area will be 4, 480 square feet

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

ROLL CALL VOTE: W. Cook, yes; M. Dwyer, yes; F. Finn, yes; H. Glen, yes; K. Vaccaro, yes; L. Fazio, yes.

Mr. Hankins has returned to the Board.

Case 1670	Keith Decher 205 Central Avenue Whiting, NJ 08759	Block 85.13 Lots 1,3,11,15,17 & 51 Lakewood Avenue & Locust Street WTRC Zone
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Mr. Decher needs a variance to allow the construction of a single family dwelling on a lot having a lot width of 100' where 150' is required; a front yard setback to Lakewood Avenue of 44' where 50' is required; a rear yard setback of 21.8' where 30' is required; an improvable lot area of 22,000 square feet where 27,000 square feet is required. Mr. Frank Baer of WSB Engineering was sworn in by Mr. Reid. Mr. Keith Decher was also sworn in by Mr. Reid. Mr. Baer stated that this application is an undersized lot, it is rectangular in nature having a 100' frontage on Locust Street & also on Pine Street, 600' lot frontage on Lakewood Avenue. A total lot are of 1.37 acres or 50,000 square feet. Single family homes are a permitted use subject to provisions of the RA zoning district.

The lot only has 100' of lot depth which is caused by the fact that it is bounded on 3 side by municipal right of ways. The applicant is proposing to construct a 2-story frame dwelling. Public sewer is available, but public water is not so it will be serviced by a well. The property will comply with the RSIS standards for off street parking. The driveway is 20' wide and 40' long and will be able to handle 4 cars. The buildable depth is about 20' that is why they are asking for front & rear yard setback variances. There is a small deck on the rear of the home, it is not covered, it's more of a platform for access from the rear of the home. Mr. Jeffery suggested he request a variance for the rear yard setback which would be 17.8'. The applicant did receive a certificate of filing from the Pinelands Commission. The proposed home will have a footprint of 54' x 27-1/2'. It will be a 2-story 5 bedroom 2-1/2 baths no garage with a total square footage of 2,548 square feet. The lots will be consolidated. The applicant agreed to all the comments in T & M's review letter. The applicant also agreed to comply with the Township tree ordinance. There are other lots that have this same situation. The proposed home will fit into the character of the neighborhood. In Mr. Baer's opinion there will be no detriment to the zone plan or master plan. Drywells will be provided as per the ordinance. It is a unique lot because it has 3 frontages.

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** on motion by W. Cook and seconded F. Finn.

ROLL CALL VOTE: W. Cook, yes; F. Finn, yes; H. Glen, yes; K. Vaccaro, yes; J. Hankins, yes; M. Dwyer, yes; L. Fazio, yes.

Adjournment: The meeting was adjourned at 8:40 p.m. on motion by W. Cook and seconded by M. Dwyer. All in favor.

Respectfully submitted,

Darlene E. Garcia
Secretary