

MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

Thursday, June 23, 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 7:05 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, W. Cook

Members Absent: R. Maloney

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

Administrative Session:

Approval of Minutes: The minutes for the May 26, 2016 meeting were **APPROVED** on motion by M. Dwyer and seconded by K. Vaccaro. All in favor.

Payment of Bills:

RFP # TM300614 for T & M Associates in the amount of \$813.75 for General Board Matters
RFP #TM300617 for T & M Associates in the amount of \$233.05 for Case 1430
RFP #TM300618 for T & M Associates in the amount of \$238.50 for Case 1553
RFP #TM300619 for T & M Associates in the amount of \$813.75 for Case 1655
RFP #TM300620 for T & M Associates in the amount of \$1162.50 for Case 1664
RFP #TM300622 for T & M Associates in the amount of \$658.75 for Case 1667
RFP #TM300621 for T & M Associates in the amount of \$620.00 for Case 1665
RFP #TM284246 for T & M Associates in the amount of \$543.05 for Case 1553
RFP #TM284246 for T & M Associates in the amount of \$1826.45 for Case 1553
RFP #TM296171 for T & M Associates in the amount of \$1085.00 for Case 1657-1053
RFP #TM286143 for T & M Associates in the amount of \$353.72 for Case 1171-1548
RFP #TM286147 for T & M Associates in the amount of \$366.72 for Case 1542-1549
RFP #TM300616 for T & M Associates in the amount of \$1000.00 for Case 1663-1281

Bills were **APPROVED** on motion by P. Salvia and seconded by K. Vaccaro.

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

Correspondence: The Secretary received a letter from Mr. Peter Lofredo, attorney for the applicant of Case 1656 asking that the application be carried to the July meeting.

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

Case 1656	Sarama Homes, Inc. 1634 Mink Court Toms River, NJ 08755	Block 1.107 Lot 40 809 Fifth Avenue R-10 Zone
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This application is to allow the construction of a single family dwelling 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.

This application was **CARRIED to the July 28, 2016 meeting** 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.

A waiver of time was given.

Memorialization of a resolution of a variance approval to allow the construction of an addition on the rear of an existing dwelling having a 15' rear yard setback where 20' is required. Applicant: Frank Gallotti, Block 52.42 Lot 40, 6 Kirkby Lane. Approved at the May 26, 2016 meeting. Case 1661

This resolution was **APPROVED** on motion by F. Finn and seconded by M. Dwyer.

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

A copy of the approved resolution is attached.

Memorialization of a resolution of a variance approval to allow the construction of a 12' x 24' shed along the Madison Avenue frontage having a 5.5' front yard setback where 30' is required. Applicant: Vincent Robinson, Block 1.245 Lot 5, 1213 Manchester Street. Approved at the May 26, 2016 meeting. Case 1662

This resolution was **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, P. Salvia, yes; J. Hankins, yes; L. Fazio, yes.

A copy of the approved resolution is attached.

Case 1666

Donald & Deborah DeFelice
1800 Broadway Blvd.
Toms River, NJ 08757

Block 1.81 Lot 5
1800 Broadway Blvd.
R-10 Zone

Mr. & Mrs. DeFelice need a variance to allow an existing 8' x 16' shed to remain having a 3' front setback to the Hannibal Street property line where 30' is required and a rear yard setback of 2' where 5' is required; also to allow an existing 6' high vinyl fence to remain along a portion of the Hannibal Street property line where a 5' setback is required. Donald & Deborah were both sworn in by Mr. Reid. There is no other place in the yard for the shed to be located. Their 2 grandkids live with them, one of which is autistic so they need the shed to keep things put away. They put it in that location because they have a pool & deck in the yard & want the kids to have someplace to play. The shed is about 10 feet to the peak & is located behind the 6' solid fence. The shed was placed on the property in April of this year, they didn't know they needed a permit for it. The fence was replaced about 4-5 years, there was an existing 4' chain link fence and they didn't know he needed a permit just to replace it. Nicole Ashkar, Zoning Official was sworn in by Mr. Reid. She testified that she found the shed while they were constructing it and sent them a violation notice. They came in to apply for the permits & were informed they did not meet the setbacks and would have to apply for the variance. If they were to move the shed to where it would meet the setbacks it would be right in the middle of the patio, right next to the pool. There is no other place in the yard it can be located. There is no electric to the shed. It will be used to store pool stuff, lawnmower, etc.

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 M. Dwyer and seconded by P. Salvia.

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

Case 1668

Jonathan Young &
Kristy Naples
733 Third Avenue
Toms River, NJ 08757

Block 1.67 Lot 20
733 Third Avenue
R-10 Zone

Mr. Young & Ms. Naples need a variance to allow an existing 18' x 6' uncovered front porch to remain having a 26' front yard setback where 30' is required. Kristy Naples was sworn in by Mr. Reid. Nicole Ashkar, Zoning Official explained to the Board this has existed for a long time. There was an addition put on back in 2012 without permits. The front porch was also built without permits. Violation notices were sent out & it fell through the cracks. She is now trying to sell her house, but there were open permits & violations. The Township could not issue a permit because it violates the front yard setback, that is why she is here this evening. Ms. Naples stated the front steps that were originally there were concrete & they were deteriorating and unsafe, so that is when they constructed the existing front porch. The addition & front porch were done within a year of each other. She was pregnant at the time the steps were in disrepair back in 2012, it has existed like this for approximately 4 years. Mr. Glen asked if the Board could put a condition that the porch not ever be enclosed. Mr. Mullin asked Mrs. Ashkar if the addition has been inspected. Yes, they did get all the permits & inspections. The porch could not be inspected because no permit has been issued yet. This home is located on a dead end street & it is all wooded.

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.

Conditions: All building permits must be applied for & approved. Porch will not be enclosed.

This application was **APPROVED with conditions** on motion by K. Vaccaro and seconded by F. Finn.

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

Mr. Reid read the resolution of approval into the record. The resolution was **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.

A copy of the approved resolution is attached.

Adjournment: The meeting was adjourned at 7:40 p.m. on motion by J. Hankins and seconded by M. Dwyer. All in favor.

Respectfully submitted,

Darlene E. Garcia
Secretary