

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
Thursday, January 27, 2022**

**Manchester Township  
1 Colonial Drive  
Manchester, NJ**

**MINUTES OF MEETING**

1. The meeting of the Manchester Township Zoning Board of Adjustment was called to order at 6:38 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, M. Dwyer, P. Dambroski, T. Umlauf, S. Galbreath, S. Brustman, R. Arace  
Members Absent: H. Glen

Also Present: C. Reid, Board Attorney, Mark Rohmeyer, Board Engineer

**Administrative Session:**

**Approval of Minutes:** December 9, 2021 meeting

Motion to Approve by: Mr. Dwyer and seconded Ms. Brustman.

Roll Call: Mr. Dwyer-yes, Mr. Dambroski-yes, Ms. Brustman-yes, Mr. Arace- yes, Ms. Fazio-yes

**Payment of Bills:**

Invoice 1388 for Cafarelli & Reid, LLC in the amount of \$990.00 for Case 2171

Invoice 1389 for Cafarelli & Reid, LLC in the amount of \$525.00 for Case 2172

Motion to Approve by: Mr. Cook seconded by Mr. Dwyer.

Roll Call: Mr. Cook-yes, Mr. Dwyer-yes, Messrs. Dambroski, Umlauf, Galbreath, Arace- yes, Ms. Brustman-yes, Ms. Fazio-yes

**Professional Reports:** None at this time.

**Correspondence:** None at this time.

**MEMORIALIZATIONS:**

Memorialization of a variance to construct a two story single family dwelling where the subject property provides a lot frontage of 50 feet where a minimum frontage of 100 feet is required, where the subject property provides a lot width of 50 feet where a minimum of 100 feet is required, where the provides an improvable lot area of 3,727 square feet where a minimum of 5,800 square feet is required, where the subject property provides a front yard setback of 15 feet to Pemberton Street where a minimum front yard setback of 30 feet is required, where the subject property provides a building height of 2 stories where a maximum of 1 ½ stories is permitted. Applicant: Jeffrey Jerman Block 1.341 Lot 24.01 Englemere & Pemberton Blvd. Approved at the December 9, 2021 meeting. Case 2171

Motion to Approve by Mr. Dwyer and seconded by Ms. Brustman.

Roll Call: Mr. Dwyer- yes, Ms. Brustman-yes, Ms. Fazio- yes.

Memorialization of a variance to construct a two story single family dwelling where the subject property provides a lot frontage of 50 feet where a minimum frontage of 100 feet is required, where the provides an improvable lot area of 5,350 square feet where a minimum of 5,800 square feet is required. Applicant: M. Sarama Builder Block 1.114 Lot 1.01 1509 Fifth Avenue Approved at the December 9, 2021 meeting. Case 2172

Motion to Approve by Mr. Dwyer and seconded by Ms. Brustman.

Roll Call: Mr. Dwyer- yes, Ms. Brustman-yes, Mr. Dambroski-yes, Mr. Arace-yes, Ms. Fazio-yes.

#### APPLICATIONS:

- |               |                    |                      |
|---------------|--------------------|----------------------|
| 1. Case 21-74 | Jeffrey Jerman     | Block 1.75 Lot 33.01 |
|               | PO Box 922         | Fourth Avenue        |
|               | Point Pleasant, NJ | Zone R10             |

Ms. Fazio reviews the variance request to construct a single family dwelling on a lot having an area of 7,500 square feet where 10,000 square feet is required, lot frontage of 75 feet where 100 feet is required, lot width of 75 feet where 100 feet is required and improvable lot area of 4,225 square feet where 5,800 square feet is required. Mr. Jeffrey Jerman, applicant, and Mr. William Stevens, professional engineer and planner, credentials accepted and sworn in.

Exhibit A1: Affidavit of Common Ownership.

Exhibit A2: Buy/ Sell Letters: Lots 13-16 couldn't sell, no response. Lots 17-21 no response, to the West-Cedar Creek no response, to the East no response. Mr. Reid only adjacent land owners receive letters- exhaust public. Ms. Fazio are you the owner of Cedar Creek company-Mr.

Jerman- yes, not willing to sell any property. Mr. Reid reviews case law, Jock v. Twp. ZBA of Wall (2005), merger summed up, Ms. Brustman requests copy of case to review, MR. Reid continues Loechner Case-Doctrine of Merger-must be identical title-then merge occurs, only title matters, Mr. Jerman did not create hardship. Mr. Cook did you ever own under one name? Mr. Jerman- no. Mr. Dambroski but you are the principal owner of the company? Mr. Jerman- yes. Mr. Reid- this is Supreme Court opinion.

Exhibit A3: Survey of property  
Exhibit A4: House Plan  
Exhibit A5: Aerial

Mr. Jerman this is a 75x100 lot in Pine Lake Park, Mr. Stevens Ex. A5: Aerial taken 10/2021, subject property highlights, North of 4<sup>th</sup> between Pemberton and Southampton, isolated undersized lot. Mr. Stevens- Ex. A3: plot plan: 1 and ½ story single family dwelling, setback requirements met, existing isolated area, 10,000sq. ft. versus 5,800sq. ft., 100ft. vs. 75ft. frontage, 100ft. vs. 75ft. width, 5,800sq.ft. improvable lot are vs. 4,200sq. ft. Mr. Jerman allows house to be built on this property, Mr. Stevens- yes all setbacks met. Mr. Jerman a 75' frontage is enough, Mr. Stevens- yes. Mr. Jerman all setbacks for the zone are met, Mr. Stevens correct, will appear like all homes in neighborhood. Mr. Jerman fits in with the character of neighborhood, Mr. Stevens- yes, 3 bedrooms, 2 and ½ bath, 1 car garage, meets Township parking ordinance. Mr. Jerman any issue with improvable lot are, Mr. Stevens- no. Mr. Jerman and without the variance, Mr. Stevens no other use as this is a residential zone. Mr. Jerman any detriment to the zone plan, Mr. Stevens in his opinion no substantial detriment, meets standards and setbacks. Mr. Jerman can you describe Ex. A5, Mr. Stevens, older section of PLP, mixture of 1 and 2 story single family homes, in a 9 block study, there are 80 homes, 59- 1 story homes, 21- 2 story homes, ranging from 576sq. ft. to 2,538sq. ft., proposed home is 1,800sq. ft., 3 bedrooms, 2 and ½ bath, 1 car garage, neither the smallest or largest, fits into neighborhood. Mr. Jerman meets the ordinance for 75ft. undersized lots, Mr. Stevens- yes. Mr. Jerman similar to others presented over the years, Mr. Stevens- yes. Mr. Jerman outside of acquiring additional land any way to alleviate the need for the variance, Mr. Stevens- not in my opinion. Mr. Jerman any negative impact to the neighbors, Mr. Stevens- no substantial detriment, no other use applicable, if not granted zoned into inutility. Mr. Jerman new homes raise value of existing? Mr. Stevens- generally but not my area of expertise. Mr. Jerman any reason to deny, Mr. Stevens- no.

Mr. Rohmeyer inquires to stormwater and existing runoff on property. Mr. Stevens- vacant lot, existing north to southwest flow, will follow, take runoff to drywell. Mr. Rohmeyer heavy storm or overflow, Mr. Stevens towards 4<sup>th</sup> Avenue. Mr. Rohmeyer inquires about re-charge and impervious area, Mr. Stevens yes, roof and some area graded. Mr. Rohmeyer asks about soil boring as condition of approval, Mr. Jerman already required for a building permit. Mr. Rohmeyer inquires about tree save, Mr. Stevens can't really, a couple in rear but will plant 1 to meet ordinance. Mr. Rohmeyer referring to T&M review letter pages 4-6, owner/engineer must do a lot of work prior to hearing/agree, Mr. Stevens yes quite a lot of additional work. Mr. Rohmeyer notes that architectural presented are for a different lot, Mr. Jerman yes but it is the same house. Mr. Cook a rear yard setback variance required due to platform? Mr. Stevens-yes, continue to disagree with Zoning Officer, should be listed as it is required. Mr. Cook will list? Mr. Stevens-yes. Mr. Umlauf inquires about drywell shown, Mr. Stevens- grate on top, side by side. Mr. Umlauf owner of lots 36 & 38, both Ms. Fazio and Mr. Jerman reiterate owned by Lisa Jerman. Mr. Umlauf widen driveway, with 3 bedrooms, more cars eventually. Mr. Jerman would like to widen, move more toward septic, Mr. Jerman to Mr. Stevens any concern with water lines, Mr. Stevens need to keep green space, meet RSID, has more than required by ordinance, could talk about it. Mr. Jerman owner/builder to 18', instead of playing musical cars. Mr. Reid 18' wide enough, Mr. Stevens yes parking stall 9'. Mr. Cook if moved in violation of driveway setback? Ms. Mathioudakis clarifies driveway setback is 5'. Mr. Stevens-could maintain. Mr.

Rohmeyer 11' right now, Mr. Stevens 5' dimension okay for water lines-2' the other way. Mr. Jerman comments a little harder all the up to porch. Mr. Jerman de minimis variance. Mr. Reid clarifies how much, Ms. Mathioudakis-5 feet. Mr. Reid what parking stall sizes, Mr. Stevens 9x18, Mr. Reid 2' east 36 or 18', Ms. Brustman saying this. Mr. Cook could widen in front; Ms. Stevens- yes could do this. Mr. Dambroski- Lot 17 pool in yard, effect drywell, Mr. Stevens lot actually higher drains to 4<sup>th</sup>. Mr. Dambroski as owner of Lot 36 aren't you asking Board to create hardship, Mr. Stevens actually alleviating hardship, 25x100 and 50x100 for a lot of 75x100. Mr. Dambroski owner of Lot 36 will have to go through whole process, Mr. Jerman yes.

#### OPEN FOR QUESTIONS & COMMENTS FROM THE PUBLIC TO THE ENGINEER:

Mark Merz, 1224 4<sup>th</sup>, sworn in. Mr. Merz applicant wants to build on 75x100 but actually owns enough to build on larger lot, more septic, drainage in front on my home. Ms. Fazio reviews lot ownership, Mr. Reid clarifies-people or entity. Mr. Merz just trying to avoid an eye sore, 2 septic systems? Mr. Stevens- in front yard- 2 tanks solid and pump, like leech field done mechanically so more efficient. Mr. Merz inquires about grading, Mr. Stevens grades down to 4<sup>th</sup> taking portions to drywell, Mr. Merz asks about trees and how far back, Mr. Stevens planting one additional tree, 41' front setback. Mr. Dambroski two 75x100 next to each other. Mr. Jerman driveway flipped and cosmetic changes. Mr. Merz already planning, Mr. Jerman replies my wife is.

#### CLOSED FOR QUESTIONS & COMMENTS FROM THE PUBLIC TO THE ENGINEER.

Mr. Reid review conditions, rear setback, soil boring builder to do, widen driveway. Mr. Stevens 4' wide and turn stairs. Mr. Cook rear yard setback to landing only, meet tree ordinance, driveway widen. Mr. Rohmeyer not a deck, Mr. Stevens-correct-greater than 3 ½ high need railing. Mr. Reid reminder remain in scope of jurisdiction. Mr. Stevens comments driveway 5' from property line and 18' meet landing off porch.

Motion to Approve with conditions by: Mr. Cook seconded by Ms. Brustman

Roll Call: Mr. Cook-yes, Ms. Brustman-yes, Mr. Dambroski- no, Mr. Umlauf-yes, Mr. Galbreath-no, Mr. Arace-no, Ms. Fazio-yes.

**Adjournment:** The meeting was adjourned at 7:33 p.m. on motion by Ms. Brustman and seconded by Mr. Cook. All in favor.

Respectfully submitted,

Erin Mathioudakis  
Secretary