

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
Thursday, May 23, 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 6:41 p.m. by Vice Chairman Bill Cook.
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: W. Cook, M. Dwyer, H. Glen, P. Dambroski, S. Galbreath, S. Brustman, R. Arace  
Members Absent: L. Fazio, T. Umlauf,  
Also Present: C. Reid, Board Attorney, Mark Rohmeyer, Board Engineer

**Administrative Session:**

**Approval of Minutes:** April 28, 2022 meeting

Motion to Approve by Mr. Dwyer and seconded by Mr. Dambroski.

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

**Payment of Bills:**

MTZB-G-2201 for T&M Associates in the amount of \$82.50 for General Board Assistance.

MTZB-R7400 for T&M Associates in the amount of \$841.56 for Case 20-39.

MTZB-R7460 for T&M Associates in the amount of \$880.75 for Case 20-45.

MTZB-R7740 for T&M Associates in the amount of \$247.50 for Case 21-76.

MTZB-R7760 for T&M Associates in the amount of \$123.75 for Case ZB22-02.

MTZB-R7470 for T&M Associates in the amount of \$752.75 for Case 20-46.

MTZB-R7650 for T&M Associates in the amount of \$259.00 for Case 21-66.

MTZB-R7700 for T&M Associates in the amount of \$165.00 for Case 21-72.

MTZB-R7720 for T&M Associates in the amount of \$296.00 for Case 21-74.

MTZB-R7740 for T&M Associates in the amount of \$123.75 for Case 21-76.

MTZB-R7780 for T&M Associates in the amount of \$839.50 for Case ZB22-04.

MTZB-R7790 for T&M Associates in the amount of \$577.50 for Case ZB22-05.

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

Roll Call: Ms. Brustman-yes, Mr. Dwyer-yes, Mr. Glen-yes, Mr. Dambroski-yes, Mr. Galbreath-yes, Mr. Arace-yes, Mr. Cook- yes.

**Correspondence:** none at this time.

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

**MEMORIALIZATIONS:**

Memorialization of variance 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. Applicant: Lisa Jerman Block 1.75 Lot 36.01 Fourth Avenue. Approved at the April 28, 2022 meeting. Case 21-76

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

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

Memorialization of variance for an accessory side yard setback of 10 feet where 25 feet is required, for an accessory building height of 18.82 feet where 16 feet is permitted, for total accessory building coverage of 2,074 sf where 1,000 sf is permitted, for driveway material to extend existing stone driveway to the proposed garage where driveways shall be constructed of either 2' thick bituminous material on compacted 4' gravel base of 6' NJDOT Class B concrete with wire mesh, and for no driveway apron provided where all driveways shall be provided with a driveway apron. Applicant: George Convery & Ann Scopelitis Block 99.220 Lot 3 1341 Scranton Avenue. Approved at the April 28, 2022 meeting. Case ZB22-03

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

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

**APPLICATIONS:**

- |                 |                        |                       |
|-----------------|------------------------|-----------------------|
| 1. Case ZB22-04 | Peter Ploumitsakos     | Block 99.82 Lot 5     |
|                 | 1900 Baltimore Avenue. | 1900 Baltimore Avenue |
|                 | Manchester, NJ         | Zone-WTR40            |

Mr. Cook reviews variance relief to construct a 336 sq. ft. pool house with a bathroom which therefore requires a use variance, and for an accessory rear yard setback of 3.1 ft. from an existing shed where a rear yard setback of 25 ft. is permitted, for an accessory side yard setback of 17ft. from an existing shed where 25ft. is permitted, for an accessory rear yard setback of 9.5 ft. from an existing shed where a rear yard setback of 25 ft. is permitted, and for an accessory side yard setback of 11ft. from an existing shed where 25ft. is permitted. Peter Ploumitsakos-1900 Baltimore Avenue sworn in. Jason Marciano, Professional Engineer, Professional Planner-East Coast Engineering sworn in and credentials accepted. Mr. Marciano home is located in Roosevelt City area of Whiting in the WTR40 zone, 200 foot frontages on Baltimore and Coolidge Avenues. Home is an existing single family dwelling for the past 30 years, with patio, fencing, pool and sheds. The pool house adjacent to pool, based on Zoning Officer's (ZO) review-changing room

and bathroom, sewer/septic, full utilities-ZO not a permitted use. Mr. Marciano also states that the existing sheds does not meet setbacks-seeking variance. Mr. Marciano states existing shed in back left corner, 7.7 x14 w/ 7x7 concrete pad-48sq.ft. plus 140sq. ft. needs rear and side yard setback-25' required for these to meet zone. Stores patio furniture, storage, 30' strip of trees, many properties with these, well under height limit, no detriment to neighbors. Mr. Marciano continues with the shed on Coolidge-abuts house on fence, no views blocked, no detriment to neighbors, in front yard, 50' required, has 7.25', existing 339sq. ft., add all 594sq. ft. in total, well under. Mr. Marciano provides that the driveway has paver apron, circular stone drive, side entry into home, stone between, ZO sites the wheel stops as commercial, Mr. Marciano testifies that it's to prevent cars from going off the asphalt, low retaining walls, protects the landscape, ZO sites commercial in use, no commercial use at this property, waiver sought, Mr. Marciano testifies that a paved surface would create more run-off. Mr. Marciano lastly reviews the pool house, it's 24x14 pool house, 16x14 enclosed, rest open with overhang, connects to pavers around pool, bathroom out near pool-saves trips, and wet people into the house, convenience to guests, no separate living-strictly accessory.

Mr. Marciano present Exhibit packet, marked as A1: pg. 1 aerial photos-residential neighborhood, pg. 2-front/back of house, pg. 3- left/right of house-shed-blends, matches, front yard setback sought, pg. 4 & 5- rear yard shed- not large and obtrusive, pg. 6- neighbor's accessory structure-common in neighborhood, pg. 7- view along Coolidge- doesn't stand out, pg. 8- trees-circular drive, both directions on drive, pg. 9- wheel stops-stops from driving on landscape-no commercial use, pg. 10- off street parking, applicant trying to provide, pg. 11- pool house area-no tree removal, pg. 12-proposed pool house area. Mr. Marciano setback variances are typical, for a D variance-positive criteria, promote MLUL, 1-public health and safety-no climbing stairs while wet from pool, promote air, light and open space- already exists, doesn't conflict with Master Plan or zone plan, preserve environment-creates better off street parking, and desirable visual environment. Mr. Marciano testifies toward the negative criteria- no substantial detriment, specifically used by guests in a residential area/use, wouldn't impair Master Plan or zone plan.

Mr. Dwyer wood versus metal still commercial, Mr. Marciano reads denial from ZO on parking stops, disagrees beneficial to people. Mr. Rohmeyer agrees with testimony at this point, location on sheds-no impact, received variance in 2019, no effect on previous approvals. Mr. Marciano not that he can tell. Mr. Rohmeyer no living space, Mr. Marciano-no. Mr. Rohmeyer any flooding issues, Mr. Marciano- no, existing drywell, gavel driveway, green space absorbs, not a large increase from roof runoff on pool house roof. Mr. Rohmeyer gutters/downspouts? Mr. Marciano-on pool house-yes-directed to green space. Mr. Glen- no concern from 2019, one condition was wood piles to be removed-still there-concerned with no follow through. Mr. Marciano yes still some there, would need c/o for this permit, could withhold. Mr. Glen the log holding rack-selling, Mr. Ploumitsakos- no absolutely not. Mr. Dambroski- apply to County 2' from bath to septic, Mr. Marciano- grinder pump, like basement, applicant can do this work, designed up front. Mr. Dambroski under driveway, Mr. Marciano schedule 40 type pipe, laterals do go under. Mr. Glen what storage, Mr. Marciano- patio furniture, pool supplies, Mr. Ploumitsakos-bicycles, helmets, pool toys. Mr. Cook the other shed, Mr. Ploumitsakos- garden supplies. Mr. Glen what in this shed, Mr. Ploumitsakos- picnic supplies, pool toys, Mr. Glen any chlorine, Mr. Ploumitsakos no, salt pool, apologizes for wood. Mr. Glen it's three years later, Mr. Ploumitsakos will clean it up. Mr.

Reid any commercial use, Mr. Ploumitsakos-no, Mr. Reid accessory structure for recreation, Mr. Ploumitsakos-yes, would help 87-year-old father.

OPEN TO PUBLIC FOR QUESTIONS/COMMENTS. Hearing none. CLOSED TO PUBLIC.

Mr. Cook like to address bulk variances and then use, any concerns with bulk variances? Mr. Rohmeyer comments been there a long time. Mr. Cook in regards to the wheel stops? Mr. Dwyer- no problem if railroad ties. Mr. Rohmeyer-reviews ZO comments. Mr. Cook the stone driveway-bituminous contributes to runoff, Mr. Dwyer and Ms. Brustman agree. Mr. Reid no use variance necessary based on testimony, can identify both uses-protect the applicant by granting use. Ms. Brustman-both? Mr. Reid-yes, it would be both- same outcome. Mr. Cook comments this is a use variance-requirements not met. Mr. Reid-for discussion-expert does not believe it is a use variance. Mr. Reid asking for any other variance, Mr. Marciano-no not as an accessory structure but because of bathroom. Mr. Reid-the ZO deemed use variance, did ZO identify any code? Mr. Marciano- no, not specifically, but referred to not permitted so therefore prohibited, electric-yes, water/sewer-no, just that comment. Ms. Brustman what's the definition of an accessory use? Mr. Marciano presents definition, Ms. Brustman reads the definition and comments after doesn't see evidence that this is not an accessory use, wouldn't need to look at the D variance requirements. Mr. Dwyer agrees. Mr. Arace agrees. Mr. Cook comments says washing-would need plumbing. Mr. Reid not an appeal under 70A-in best interest of applicant-should grant. Ms. Brustman confirms living space versus habitable space. Mr. Cook- no pool chemicals stored, no commercial use, gutters/downspouts installed. Mr. Glen condition to clean up wood. Mr. Reid send Code Enforcement to follow up- if not done issue violation. Mr. Ploumitsakos says it will be done by Monday.

Motion to Approve variances for sheds made by Ms. Brustman and seconded by Mr. Arace.

Roll Call: Ms. Brustman-yes, Mr. Arace- yes, Mr. Dwyer- yes, Mr. Glen- yes, Mr. Dambroski- yes, Mr. Galbreath- yes, Mr. Cook- yes.

Motion to Approve variances for wheel stops made by Mr. Dwyer and seconded by Ms. Brustman.

Roll Call: Mr. Dwyer- yes, Ms. Brustman-yes, Mr. Glen- yes, Mr. Dambroski- yes, Mr. Galbreath- yes, Mr. Arace- yes, Mr. Cook- yes.

Motion to Approve use variance (pool house) made by Ms. Brustman and seconded by Mr. Dwyer.

Roll Call: Ms. Brustman-yes, Mr. Dwyer- yes, Mr. Glen- yes, Mr. Dambroski- yes, Mr. Galbreath- yes, Mr. Arace- yes, Mr. Cook- yes.

Mr. Reid- this will be all in one resolution.

Board discussed septic and septic locations, sanitary versus stormwater and the American Rescue Fund. Board decided to carry Annual Report and discussion to June meeting.

**Adjournment:** The meeting was adjourned at 7:42 p.m. on motion by Ms. Brustman and seconded by Mr. Dambroski. All in favor.

Respectfully submitted,

Erin Mathioudakis  
Secretary