MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
Thursday, September 22, 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 6:30 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, S. Brustman, R. Arace
   Members Absent: H. Glen, P. Dambroski, T. Umlauf, S. Galbreath
   Also Present: C. Reid, Board Attorney and M. Rohmeyer, Board Engineer

Administrative Session:
Approval of Minutes: August 25, 2022 meeting
Motion to Approve by W. Cook seconded by R. Arace
Roll Call: W. Cook-yes, R. Arace- yes, L. Fazio-yes.
Payment of Bills:
MTZB-R7830 for T&M Associates in the amount of $1,707.50 for Case ZB22-09.
MTZB-R7800 for T&M Associates in the amount of $375.18 for Case ZB22-06.
MTZB-R7790 for T&M Associates in the amount of $165.00 for Case ZB22-05.
MTZB-R7470 for T&M Associates in the amount of $222.00 for Case ZB20-46.
Motion to approve made by W. Cook and seconded by S. Brustman.
Roll Call: W. Cook-yes, S. Brustman-yes, M. Dwyer- yes, R. Arace-yes, L. Fazio-yes.

Correspondence: none.

Professional Reports: none.

MEMORIALIZATIONS:
Memorialization of a variance relief 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 proposes to construct an approximate 65-foot roadway along the frontage of the property. Applicant: Jeffrey Jerman Block 1.348 Lots 34 & 36 Englemere Boulevard. Approved at the August 25, 2022 meeting. Case ZB22-08.
Motion to Approve made by W. Cook and seconded by L. Fazio.
Roll Call: W. Cook- yes, L. Fazio- yes.

Memorialization of a Use variance approval to use the property for office use. The applicant proposes to construct 2 two story office buildings totaling 50,000s.f. each. The applicant also seeks a parking variance for 465 spaces where 500 spaces are required. Applicant: GT Jackson Properties, LLC Block 69 Lots 1.02-1.09 Hangar Road & Ridgeway Road. Denied at the August 25, 2022 meeting. Case ZB22-06.
Motion to Approve made by W. Cook and seconded by L. Fazio.
Roll Call: W. Cook- yes, L. Fazio- yes, R. Arace-yes.

APPLICATIONS:

1. Case 22-07	Ross & Peggy Briggs 1880 New York Avenue Manchester, NJ	Block 99.108 Lot 1 1880 New York Avenue Zone WTR40

Ms. Fazio reviews the variance request to replace and extend an existing 6' wooden fence with a 6' wooden fence along the corner of the property (64' in length, offset 23' from the edge of property along Coolidge Ave. x 48' in length, offset 97.6' from the edge of property along New York Ave.). The Applicant is also seeking variance relief to maintain a gravel driveway, pop-up tent, and shipping container within the property. Relief Required: Use Variance "Commercial Use" – where commercial uses are not permitted in the W-40 Zone. Use Variance "Commercial Parking Lot & Commercial Vehicle Storage" – where commercial parking lots and commercial vehicle storage are not permitted in the W-40 Zone. Use Variance "Storage" – storage is prohibited in the residential zone, where a container exists. Height of Fence in Front Yard – where 4 feet is allowed and 6 feet is proposed. Accessory Structure Front Yard Setback – where Accessory Structures are not permitted within the front yard area between principal structure and roadway, a front yard setback of 21 feet exists. Accessory Structure Rear Yard Setback – where 25 feet is required, and 9 feet exists. Residential Driveway Material – where 2-inch-thick asphalt pavement is required, and gravel driveway exists. Peggy & Ross Briggs- 1880 New York Avenue sworn in. Ms. Briggs refer to commercial use not being sought, Zoning Officer (ZO) wrote violation, no commercial us, no commercial parking, asked for it to be removed from the violation. Ms. Fazio storage, Ms. Briggs-no. Ms. Fazio a shipping container, Ms. Briggs-yes. Ms. Fazio but not allowed. Ms. Briggs asking for that variance, no business, asking to keep container. Mr. Reid survey on file, Mr. Rohmeyer- yes. Ms. Briggs fence runs along driveway, got damaged, extended along Coolidge.
Ex. A1: 5 photos- current 38' from edge of pavement, 23' from property. 6' privacy fence for pool, doesn't interfere with intersection. Mr. Rohmeyer reviews summary from review letter, #1 testimony provided, #2 testimony provided, #4- 6' fence corner lot, Ms. Briggs-privacy for pool a different location would eliminate backyard use.
Ex. A2: photos-previous fencing. Mr. Rohmeyer- fence was already there, Mr. Briggs yes added a few more sections. Mr. Rohmeyer what is the need for the container? Mr. Briggs 30 years worked for a company, 1,000sq.ft. shop-all personal stuff, then COVID, over $75K of personal equipment, cost of storage too much thus storage container. Ms. Fazio referring to the photos what are these? Ms. Briggs- flat bed and car trailer, Mr. Briggs-16'. Ms. Fazio comments awfully large, Mr. Briggs- with our kids, car restoration, all personal vehicles, transport to shows. Mr. Cook-16'? Mr. Briggs the utility trailer, Ms. Brustman clarifies the white trailer, Mr. Briggs-yes. Mr. Rohmeyer when did you purchase the container? Mr. Briggs- 2020. Mr. Rohmeyer aware

too close? Mr. Briggs-no just tried to make sure on property, on pressure treated 6x6s, pushed back without having to remove trees. Mr. Rohmeyer willing to move? Mr. Briggs would have to cut trees, yes but would have to empty and costly. Mr. Rohmeyer visible from road? Mr. Briggs intention is to put double 16' gate and to camouflage. Mr. Briggs could build shed but not as secure. Ms. Briggs willing to do work to make it look better. Mr. Briggs- can't insure the items in public storage. Ms. Brustman do you use the equipment, Mr. Briggs occasionally, really wanted to have a pole barn but not financially feasible. Mr. Cook inquiries about the plow, Mr. Briggs part of the old job, Mr. Cook is it out, Mr. Briggs it was for the old job, Mr. Cook do you use it for business? Mr. Briggs- no. Mr. Rohmeyer the driveway material you want to keep? Mr. Briggs- yes, Ms. Briggs- gravel better for flooding, Mr. Briggs- corner fills with water now, to pave would worsen area. Ms. Briggs- photos show character of neighborhood. Mr. Reid- don't believe that's necessary. Mr. Cook- drove the neighborhood, across the way very bad. Ms. Briggs willing to make ours more attractive. Ms. Fazio agrees across is bad. Mr. Briggs we picked this area because of the boats and trailers on properties, Ms. Briggs we don't mind. Mr. Cook no storage in car trailer? Mr. Briggs- no. Ms. Fazio could it be moved behind the fence, Mr. Briggs- sure. Mr. Reid important to focus on relief- no permitted. Ms. Fazio- use variance-storage prohibited. Mr. Rohmeyer reviews what was cited on violation. Ms. Briggs- not commercial, sheds not commercial. Ms. Fazio any other reasons, Ms. Briggs uniqueness of our lot, care trailer in driveway. Ms. Fazio did you look into alternatives, Mr. Briggs- can't afford, Ms. Fazio but allowed. Mr. Reid keep asking about commercial- strange severance package, Mr. Briggs but that's what it was. Ms. Brustman everything registered to you? Mr. Briggs- yes. Mr. Reid your tools, Mr. Briggs- yes buying tools since I was 18. Mr. Dwyer similar to a mechanic? Mr. Briggs- yes. Ms. Brustman when do you use them, Mr. Briggs- now at work only selectively but still my property, over 30 years' significant amount of tools, need to store these items. Ms. Brustman extend fence. Mr. Briggs gate it and paint it. Ms. Fazio house opposite has storage, Mr. Briggs yes car trailers. Ms. Fazio maybe ZO to come & explain. Ms. Brustman if gated where will plow be? Mr. Briggs wherever. Mr. Dwyer container-move it? Ms. Brustman comments towards house? Mr. Dwyer issue is front yard and too close to property line, set way back, trying to save backyard use. Mr. Briggs also not near anyone else's home, not further back-would have to remove trees. Ms. Briggs undersized lots and dirt roads is what is behind us. Ms. Brustman referring to photo with car trailer and fence- red area is the container, Mr. Briggs- yes.

OPEN TO THE PUBLIC FOR QUESTIONS OR COMMENT.

Eugene Lynch, Jr.- 1941 Newark Avenue- sworn in. Thank you Mr. Cook for driving around. Homeowner here since 1989, multiple family members in the area, here 31 years, ZO doing a great job but Board needs to back him. Not personal. 80% of properties have violations- true. Previous Zo not doing their job- this one is. Dumpsters, port-a-potties, taking advantage of residential properties, 5-6 employees parked, shipping containers, Mr. Briggs right- too many in violation, storage prohibited- trailers, shipping containers-not in residential-designated for commercial use, 10x15 container larger than a 2 car garage. Use does not belong in a residential neighborhood, you permit it, you promote it. Realtors say it's okay, if it looks commercial probably is. How many parking spaces is enough, 5-10-15? Even I didn't know trailers weren't allowed. Back ZO- rules are there.
Ms. Fazio- would rather see pole barn? Mr. Lynch that's better, car trailer may be in the right of way. On Hegstrom-gun club- 6 trucks with repairs for 15 years. ZO now got call-gone. People

take advantage. Ms. Brustman port-a-potty? Mr. Lynch yes, Ms. Brustman on applicant's property? Mr. Lynch- no, this is not personal to the Briggs, fences, sheds, out of control, realtors okay to run business-no problem. Mr. Rohmeyer follow ordinance 245-use not permitted-prohibited, commercial. Mr. Rohmeyer don't see code for trailers. Mr. Lynch reads 245.25(N), Ms. Brustman please repeat. Mr. Rohmeyer not referenced-CAFRA & Pinelands-property not in area. Ms. Fazio- did you ask ZO to attend? Ms. Briggs said conflict of interest. Ms. Mathioudakis- it's at Board request. Ms. Briggs feels like being used as an example, Mr. Reid not because of Mr. Lynch's testimony, confusion on violations from ZO.

CLOSED TO THE PUBLIC FOR QUESTIONS OR COMMENT.
Motion to adjourn to carry to request Mr. Popolizio' s presence at meeting made by Mr. Cook seconded by Mr. Arace.
Roll Call: Mr. Cook- yes, Mr. Arace- yes, Mr. Dwyer- yes, Ms. Brustman- yes, Ms. Fazio- yes.

Motion to Recess 7:37pm made by Ms. Brustman and seconded by Mr. Dwyer. Roll Call: All in favor.
Motion to resume 7:41pm made by Ms. Brustman and seconded by Mr. Cook. Roll Call: All in favor.

2.	Case 22-09	Jeffrey Jerman PO Box 922 Point Pleasant, NJ	Block 1.326 Lots 29, 30, 31 Monmouth Avenue Zone R10

Ms. Fazio reviews variance relief 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 proposes to construct a semi-improved street and seeks waivers for curb and sidewalk. Mr. Jeffrey Jerman, owner & applicant, and Mr. Bill Stevens, Professional Engineer- sworn in. Mr. Stevens' credentials accepted.

Mr. Jerman presents the following exhibits:
A1: site plan
A2: house plan
A3: aerial photo

Mr. Jerman isolated undersized lot need to satisfy Buy/Sell letters. L12- no response. L32-no response. L28- not interested in buy/sell, exchange lot for lot only.
A4: buy/sell package.
Ms. Fazio in room? Yes, interested in selling?
David Raport-835 Wyoming Avenue Elizabeth, NJ. Mr. Reid interested in buying or selling for a price? Mr. Raport land swap if possible. Mr. Reid not at our Board. Mr. Raport keep that in mind. Mr. Jerman- willing to swap if Mr. Raport is serious. Ms. Fazio move forward regardless of swap. Mr. Reid move forward-obtain relief tonight, can't force Mr. Jerman. Mr. Raport but I am offering. Mr. Reid okay how much? Mr. Raport $38,000. Ms. Brustman for this property? Mr. Raport- yes, add as a condition. Mr. Reid- cannot. Mr. Jerman told Board I would swap.

Mr. Jerman please describe for the Board. Mr. Stevens Ex. A3 an aerial from August 2022, subject property highlighted in yellow. 75x100 lot, paper street toward Monmouth, end of PLP, improve 250' of road on Monmouth. A1-variance plan- road with 2' stone shoulder to access. Mr. Jerman what variances required, Mr. Stevens typical isolated lot, lot area, lot frontage, lot width, improvable lot area. Mr. Jerman lot large enough to accommodate home, similar to several others and meets the setbacks? Mr. Stevens yes, conforms to undersized lot ordinance and yes meets setbacks. Mr. Jerman develop anything other than residential, any detriment to zone plan or public good? Mr. Stevens residential zone should be developed as residential, no detriment, meets all setbacks, nothing to light, air and open space and no detriment to the public. Mr. Jerman the study of the neighborhood. Mr. Stevens in the case a 6 block study, 28 single family homes, 9 single story, 19 two story homes, ranging from 1,248sq.ft. to 2,486sq. ft., proposed home is a one and half story, 2,032 sq. improved Cape as the last one. Mr. Jerman fits into the character of the neighborhood- Mr. Stevens- yes it does. Mr. Jerman what waivers requested. Mr. Stevens curbs and sidewalks-simple, none there now, curbs and sidewalks would create additional impervious coverage and stormwater issues, water into these 2x4 areas. Mr. Jerman comply with RSIS? Mr. Stevens meets and exceeds, my design superior, 1" thickness, this is 1.5", 1" doesn't hold up, 2" versus 2.5" best way to build a road, could follow Township but not my suggestion. Mr. Rohmeyer gravel turnaround on or waiver, Mr. Jerman length sufficient, Mr. Stevens yes no safety concerns, bunch of newspaper lots, last two owned by Township. Mr. Jerman not wide enough for cul-de-sac. Mr. Stevens 40' square at end for turnaround. Mr. Rohmeyer no problem with that. Mr. Cook runoff to rear of lot, Mr. Stevens slopes away from road 4-5' can't fill, will bring forward as much as possible, create low point in rear yard, 2 drywells for roof, one with grate. Mr. Cook re-charge basin, Mr. Stevens- yes. Mr. Rohmeyer comments good for neighbors.

OPEN TO THE PUBLIC FOR QUESTIONS. Hearing none. CLOSED TO THE PUBLIC FOR QUESTIONS.
Mr. Jerman redesigned beautiful house, meets all setbacks, hope Board agrees.
OPEN TO THE PUBLIC FOR COMMENT.
Mr. Raport- why ask if Board can't do anything. Ms. Fazio-reversing you said exchange, we move forward, if exchange goes through no need for variance.
CLOSED TO THE PUBLIC FOR QUESTIONS OR COMMENT.
Ms. Fazio reviews the conditions.

Motion to approve with conditions and waivers and road construction made by Mr. Cook and seconded by Ms. Brustman.
Roll Call: Mr. Cook- yes, Ms. Brustman- yes, Mr. Dwyer- yes, Mr. Arace- no, Ms. Fazio- yes.

Adjournment: The meeting was adjourned at 8:13 p.m. on motion by Ms. Brustman and seconded by Mr. Cook. All in favor.

Respectfully submitted,

Erin Mathioudakis
Zoning Board Secretary