

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
Thursday, March 23, 2023**

**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 6:35 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, S. Galbreath, D. Tedeschi, G. Georgiano  
Members Absent: H. Glen, K. Vaccaro  
Also Present: C. Reid, Board Attorney and M. Rohmeyer, Board Engineer

**Administrative Session:**

**Approval of Minutes:** February 23, 2023, meeting \*Correction made to Date of meeting.

Motion to Approve by W. Cook seconded by M. Dwyer

Roll Call: W. Cook- yes, M. Dwyer- yes, D. Tedeschi- yes, G. Georgiano- yes, L. Fazio- yes.

**Correspondence:** Mr. Reid reviews Case 22-10 carried to May's meeting with time being waived and no notice required. Motion to adjourn made by W. Cook with the stipulation that if requested to adjourn again in May, re-notice would be required, seconded by M. Dwyer. All in Favor.

**Professional Reports:** none.

**Payment of Bills:**

MTZB-R7840 for T&M Associates in the amount of \$42.50 for Case ZB22-11.

MTZB-R7880 for T&M Associates in the amount of \$42.50 for Case ZB22-14.

MTZB-R7960 for T&M Associates in the amount of \$212.50 for Case ZB22-22.

Motion to Approve by W. Cook and seconded by M. Dwyer.

Roll Call: W. Cook- yes, M. Dwyer- yes, P. Dambroski- yes, S. Galbreath- yes, D. Tedeschi- yes, G. Georgiano- yes, L. Fazio- yes.

**APPLICATIONS:**

1. Case 22-21 Latonya Conley  
2 Morgan Court  
Manchester, NJ

Block 21 Lot 621.16  
2 Morgan Court  
Zone R20

Ms. Fazio reviews variance request for the height of a fence in a front yard to permit a six-foot fence where four- feet is allowed.

Latonya Conley-2 Morgan Court- sworn in. Ms. Fazio explain why a 6' versus a 4'? Ms. Conley, I live on a corner lot and it's really for privacy. Mr. Reid, do you have the letter from T&M? Ms. Conley- I do. Mr. Rohmeyer- summarizes location and variance request. 31.5' from property line, survey submitted, accurate survey? Ms. Conley- yes. Mr. Rohmeyer- who sketched on, Ms. Conley- not sure. Mr. Rohmeyer setback pretty far from property line but is in front yard. Ms. Conley- builder had already placed fence and corrected after we put 6' fence. Ms. Conley present Ex. A1- photo of yard. Mr. Rohmeyer comments uniquely situated. Ms. Conley- yes. Mr. Cook this is in rear, Ms. Conley- yes. Mr. Rohmeyer- 6' solid fence. Ms. Conley- would like to replace 4' section from builder, Mr. Cook not in violation, Ms. Mathioudakis- reaches into front yard. Mr. Reid- please explain photos. Ms. Conley A1-side angle 6' to keep in front. A2- picket to extend, Mr. Reid-portion, Ms. Conley- the front. Mr. Dambroski on the right of house, Ms. Conley- yes. Ms. Conley- A4- rear- 4' portion. Mr. Rohmeyer- may condition up to 30' back, clarify labels, Ms. Conley- I did, Mr. Rohmeyer- showing fence, Ms. Conley- yes. Mr. Rohmeyer 10' to 31.5'-advice additional half foot, recommends 31' to Wilbur. Mr. Rohmeyer any others in neighborhood, Ms. Conley across the street at 1 Morgan. Mr. Rohmeyer- any negative impact on the neighbors, Ms. Conley- no.

OPENED TO THE PUBLIC FOR QUESTIONS OR COMMENT. Hearing none.  
CLOSED TO THE PUBLIC FOR QUESTIONS OR COMMENT.

Mr. Cook fence usually really close- due to unique nature, no closer than 31'.

Motion to Approve made by W. Cook and seconded by M. Dwyer.

Roll Call: W. Cook- yes, M. Dwyer- yes, P. Dambroski- yes, S. Galbreath- yes, D. Tedeschi- yes, G. Georgiano- yes, L. Fazio- yes.

2. Case 22-23 Ifeoma & Amadi Oguagha  
2101 Manchester Street  
Manchester, NJ

Block 1.366 Lot 27.01  
2101 Manchester Street  
Zone R10

Ms. Fazio reviews variance request for the construction of a single family dwelling where a minimum lot area of 10,000 square feet is required and 7,500 square feet is proposed, where a minimum lot frontage of 100 feet is required and 75 feet is proposed, where a minimum lot width of 100 feet is required and 75 feet is proposed and where a minimum improvable lot area of 5,800 square feet is required and 2,600 square feet is proposed. John Mensching- applicant' attorney. Ex. A1-title search-acquired from Mr. Jeffrey Jerman in 2017- already sent certified. Ex. A2- Zoning Board Case 1664- adopted in 2016- expired by condition #6- 3 years- none of

the activity commenced. Ex. A3 Buy/Sell letters- green cards from one. Mr. Reid any response to the buy/sell letters here? Mr. Robert Riggio- depends on price. Mr. Reid- you didn't respond to the letter, so they will move on.

Jason Marciano-Professional Engineer, Professional Planner-sworn in- credentials accepted. Mr. Mensching familiar with the property, Mr. Marciano -yes. Mr. Mensching please describe the location and variances need. Mr. Marciano- corner of Montgomery and Manchester Street, vacant wooded lot, developed on either side, located in the R10 zone, 75x100 vacant 7,500 versus 10,000, 100' versus 75', improvable lot area 2600 versus the required 5800. 4 variances requested, none for structure, only way to eliminate variance is to acquire more land, no land adjacent next property 10' from property line to house, rear has inground pool, can't make lot any bigger. All setbacks met, faces Manchester Street, 10.5' side, 26' on rear, front/left 30.6' and 38' front on Manchester Street. Allowable building coverage is 25%, 16.9% proposed and a lot coverage of 22.6%, height reduced to 25', 1.5 story 3-bedroom, 1 car garage home, driveway, septic, water, drywells on SW corner for roof runoff. Mr. Marciano present Ex. A4- packet, pg.1 google aerial, 2-3 photos of property, 4- Manchester Street view, pgs. 5-7 homes on Manchester and Montgomery, 8- neighboring property, 9- vacant wooded lot, 10- Riverside, pg. 11- across the street, pgs. 12-14- 17 homes-9- 2 story, 8-1story, proposed home is 1.5 story, pg. 15- similar homes of 1.5 story- sample type. Mr. Mensching referring to T&M letter pg. 10- Mr. Marciano replies D1: accuracy of survey- yes, D2: save trees, needs septic/drywells, proposed shade trees after build, nothing in site triangle. Mr. Reid meets ordinance, Mr. Marciano- yes. Mr. Marciano previous stormwater plan updated, well upsized to new Township ordinance. Mr. Cook soils done? Mr. Marciano- yes, 4 done, pretty high area, dry soils, 2' of separation, sandy soils, expand drainage as required. D4: soils- covered. D5: run-off, corner lot to run-off but back right high point, so out to Montgomery, sheet-flow out to both streets, all roof run-off including small porch, landscaped across property. D6: a. 65' will add label, b. 16.9% building coverage under 25% all included, 22% including walks and driveway, c. & d. – conform. No impact on neighbors. Mr. Mensching, any other information? Mr. Marciano- no.

Mr. Cook- distance to rear platform, variance needed, Mr. Marciano- not in letter. Mr. Dambroski- concrete free standing? Mr. Marciano- proposed that way not very high, it is detached. Mr. Dambroski freestanding is different, Mr. Marciano that's why this way. Mr. Cook not attached? Mr. Marciano- correct. Ms. Georgiano- 2 story house? Ms. Fazio- no 1.5 with 3 bedrooms. Ms. Georgiano- doesn't look that way. Mr. Cook- 60%-looks that way. Mr. Marciano- architectural plan- gable added, tall ceiling, roof line constructed over front porch. Mr. Cook no windows on rear, Mr. Marciano right side- none, correction none on upper level. Ms. Fazio Bismarck on undersized too, Mr. Marciano- yes. Mr. Rohmeyer- engineer/planner standpoint agrees with testimony, applicant has addressed all issues and requirements.

#### OPENED TO THE PUBLIC FOR QUESTIONS TO THE ENGINEER

Robert Riggio- explain drainage-ground disturbance, Mr. Marciano- drywell systems, more than 15' from your front porch, sized for all roof run-off into drywell. Mr. Riggio- a pit? Mr. Marciano- large stone bed, gutters and downspouts, your property is uphill from this one, this

property at 67' yours at 69', should experience no issues. Mr. Riggio and the driveway? MR. Marciano- from Manchester Street- 38' deep, 2 cars easy.

Pasquale Popolizio- Manchester Township Zoning Officer- 922sq. ft. and 916sq. ft. not in tune with Township ordinance- looks like a full story. Mr. Marciano if we have to go back, open to below, intent 1.5 story. Mr. Cook ordinance also 60%, Mr. Popolizio- yes. Mr. Reid- comply with 1.5 story? Mr. Marciano- correct. Mr. Reid checked at construction and zoning. Mr. Popolizio- at resolution compliance.

CLOSED TO THE PUBLIC FOR QUESTIONS TO THE ENGINEER.

OPENED TO THE PUBLIC FOR COMMENTS.

Darlene Riggio-533 Montgomery- sworn in- concern with being told undersized lot-can't be built- now all changing, don't want any issues with water, never had before. Neighbor- 100' away- this right next to us, no privacy, should not build on undersized lots.

Alice DeVito-2016 Fourth- sworn in- in 1981 all wooded, no oversized homes then, maybe moratorium, require tree replacement, no beauty anymore.

CLOSED TO THE PUBLIC FOR COMMENTS.

Ms. Fazio- upsize drywell, comply with 1.5 story. Mr. Rohmeyer- update architectural. Mr. Cook- Courts have determined if setbacks met variance should be given, previously it was 2 story on undersized, Township changed to 1.5 story & 60%, probably why you will hear the vote they way you do.

Motion to approve with conditions made W. Cook and seconded by M. Dwyer.

Roll Call: W. Cook- yes, M. Dwyer- yes, P. Dambroski- yes, S. Galbreath- no, D. Tedeschi- yes, G. Georgiano- no, L. Fazio- yes.

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

The following was read earlier, and applicant's attorney Mr. Anthony Pagano requested to wait for applicant's engineer to arrive.

Ms. Fazio reviews 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.

Case 22-07 begins at 7:43pm.

Mr. Pagano- applicant seeking variances and to clear up review letter. Ms. Fazio- here due to violations, clear up.

Mr. Pasquale Popolizio- Manchester Township Zoning Officer- sworn in. Here for 1880 New York, in the WTR40, prohibited storage, commercial use, unpaved parking area, 969sq. ft. in Township R.O.W. creating parking lot, storage tent- used more at weddings-4' fence versus 6', trees greater than 225sq. ft. excess removed without permit- around 3,000 removed. 2007 required paved driveway, expanded in Township right of way- no prior permit or approval, driveway expansion is a parking lot. Mr. Reid the temporary tent, Mr. Popolizio- temporary by definition, this is being used as permanent structure-used for storage. Mr. Reid and the storage container- a commercial use? Mr. Popolizio- correct. Ms. Fazio and not allowed? Mr. Popolizio- correct. Mr. Reid the difference of accessory structure, Mr. Popolizio- a shed- this is a sea box, ordinance says temporary storage in driveway 30 days and can be extended by way of permit.

Mr. Reid- Mr. Pagano additional relief requested, Mr. Popolizio- I understand. Mr. Cook if pole barn under 1000sq. ft. allowed? Mr. Popolizio- yes.

Mr. Pagano- right to reserve cross-examine. Mr. Pagano is not, was not, will never be commercial. My clients are a secretary to a Judge and a mechanic. Mr. Reid- clients testify to this, Mr. Pagano- yes, need to clarify T&M letter. Mr. Bill Stevens- Professional Engineer-PDS- sworn in and credentials accepted. Mr. Pagano- can you give an overview of the property? Mr. Stevens was here at 1<sup>st</sup> hearing- questions about site, surveyed and presented, definitive measurements and location, corner of New York and Coolidge avenues. Fully conforming lot, house, deck and pool, 6' fence off home to Coolidge Avenue and down, 38' back of paved surface and 22' from property line, to give privacy and space for rear yard, thought permit obtained by company- realized it doesn't, not seeking commercial use or commercial storage area, two structures- tent- meets side yard setbacks, Township prohibits fabric structures? Refer back to Mr. Popolizio, people use these. Ms. Fazio there a long time? Mr. Stevens- 5 years, stores lawn furniture. Mr. Rohmeyer enclosed, Mr. Stevens- yes. Mr. Reid with fabric? Mr. Stevens- yes. Mr. Reid not permanent? Mr. Pagano- correct. Mr. Reid, how would you describe? Mr. Stevens- Engineer of Jackson Crossing- largest fabric structure. Mr. Reid where? Mr. Stevens- Jackson, Mr. Reid same? Mr. Stevens- no this is residential. Ms. Fazio but commercial in Jackson, Mr. Stevens- actually recreational. Mr. Cook frame in Jackson, Mr. Stevens- blow up. Mr. Dambroski footings in Jackson, Mr. Stevens- very large, Mr. Dambroski and the height here, Mr. Stevens 12'. Mr. Rohmeyer not designed to be permanent. Ex. A1 from applicant: tent photo. Photos from Mr. Popolizio marked as Board 1-3- taken March 20, 2023. Mr. Rohmeyer shed use? Mr. Stevens- lawn furniture storage. Mr. Cook not referred to at last hearing. Mr. Reid any objection, Mr. Pagano- no. Mr. Rohmeyer visible from road? Mr. Pagano picture shows. Mr. Cook the square footage, Mr. Stevens 20x12.5, Mr. Popolizio 250sq. ft. approximately. Mr. Pagano- tent violate setback, Mr. Stevens- no. Mr. Rohmeyer confirm permanent accessory structure size, Mr. Stevens 1000sq.ft., Mr. Popolizio total. Mr. Reid cannot exceed. Mr. Dambroski- footings? Mr. Popolizio building question but would need permit if over 200sq.ft.-

would require take down, Ms. Mathioudakis from November to May. Mr. Reid- Mr. Popolizio going into UCC area, work without permits if permanent structure. Mr. Pagano if required as condition. Mr. Reid as both Mr. Popolizio and Ms. Mathioudakis said UCC regulations only- permits- seasonal structure- seek immediate permits. Mr. Rohmeyer- Board says tent acceptable accessory structure? Mr. Reid temporary is temporary. Mr. Popolizio temporary is opposite of permanent, 30 days by way of zoning permit. Mr. Cook like tent structure seasonally? Mr. Popolizio- no, for moving, for construction. Mr. Pagano if permanent structure- no relief required. Mr. Reid- still needs UCC. Mr. Pagano- allowed accessory structure, Mr. Reid asking for interpretation. Mr. Cook call it permanent. Mr. Reid- testimony says temporary. Mr. Popolizio violation refers to pop up tent. Ms. Fazio- Mr. Stevens said tent.

Mr. Pagano in regards to the driveway, Mr. Stevens permitted to have gravel driveway before, kids- 8 cars, built small gravel driveway, not egregious violation, typical of neighborhood. Ex. A2: aerial photo, small gravel drive across the street, Mr. Dambroski- don't see the same. Mr. Stevens driveway built as gravel, Mr. Reid with permit, Mr. Stevens don't know. Mr. Cook vehicles don't extend into R.O.W., Mr. Stevens- correct. Mr. Pagano- drainage better not to be paved. Mr. Stevens not ordinance at the time- better for drainage.

Mr. Pagano in reference to the sea box. Mr. Stevens- sea box- applicant has business and substantially large tools. Mr. Dambroski, did you say business? Mr. Stevens stored for his business not to run his business. Mr. Pagano under 1000sq. ft.? Mr. Stevens- correct. Mr. Pagano take down and put garage not relief, Mr. Stevens- correct. Mr. Pagano sea box is hidden, Mr. Stevens- yes camouflaged. Mr. Cook how far the property line, Mr. Stevens 20' to front and 8.9' to rear, Mr. Cook- thought closer. Ms. Fazio- 1000sq.ft. pole barn, Mr. Stevens- larger, Ms. Fazio but allowed in residential, Mr. Stevens- yes. Mr. Pagano Ex. A3: photo of storage- hidden by trees. From Mr. Popolizio- Board exhibits 4-7- taken March 20, 2023, street view, close up. Mr. Dambroski- both trailer in violation, Mr. Popolizio- yes. Mr. Cook white & red, Mr. Popolizio- correct. Mr. Pagano what is violation, Mr. Popolizio- outdoor storage, Mr. Pagano one is open, Mr. Popolizio- still storage. Mr. Pagano doesn't have commercial plate. Ms. Fazio red trailer use, Mr. Pagano open trailer is yellow. Mr. Reid white & red, Mr. Pagano white- not commercial, in R.O.W. can be moved, on wheels. Ms. Fazio enclosed. Mr. Pagano flat bed violation, Mr. Popolizio storage prohibited, Mr. Pagano even if parked legally, Mr. Popolizio- correct. Mr. Pagano- Ex. A4 & A5: pictures of trailers. Ms. Fazio- use of yellow? Mr. Pagano- take items to the dump. Ms. Georgiano white use, Mr. Pagano- move vehicles.

Ross & Peggy Briggs- 1880 New York- sworn in. Ms. Georgiano the white trailer? Mr. Briggs- car trailer, our pastime, for car shows. Ms. Georgiano can't go in garage? Mr. Briggs no 2 in and 2 out. Mr. Pagano asks commercial use, ever a commercial use, commercial use in future, Mr. Briggs no to all. Mr. Briggs I would like to explain container, Mr. Reid which one? Mr. Briggs the red container, my previous job collected a lot of personal tools, then COVID, no feasible way to store in public storage. Ms. Fazio same job now, Mr. Briggs- no, new job. Ms. Fazio for that job? Mr. Briggs- salaried employee, not individual contractor- did it all, bought all these tools over the years but needed a place now to store what is mine, the tent has lawn furniture, the white trailer- car show. Ms. Fazio mentioned area- how many pole barns? Mr. Briggs many, missed the window on that, price basically doubled. Ms. Fazio more barns? Mr. Briggs- tons, it was quick move, had two weeks to move my personal belongings. Ms. Georgiano when 2020?

Mr. Briggs around then. Mr. Dwyer-work on construction equipment? Mr. Briggs- yes have very large tools. 10x20 storage- \$500/month and can't insure, miles way off-site. Ms. Fazio it's the storage that you have chosen, Mr. Briggs but mine, not commercial. Ms. Briggs a shed okay, Ms. Fazio- Zoning Officer can verify pole barns. Mr. Popolizio- permitted- 16' height. Mr. Briggs problem is can get into with a butter knife. Ms. Fazio- understand cost. Mr. Cook- classic cars moved, Mr. Briggs- insurance coverage- 4 classic cars, that's our pastime. Mr. Rohmeyer to Mr. Popolizio- explain why shipping, Mr. Popolizio not similar material to pole barn, found on a ship, if allowed opening Pandora's box, enforced many in neighborhood. Mr. Pagano objection- stand on its own matter, Mr. Popolizio-you referenced other properties. Mr. Reid- accessory versus principal- testimony provided- large mechanical tools for a commercial entity and claim it's residential, Mr. Briggs but it's my property. Mr. Reid relief request? Mr. Pagano- fence, driveway-gravel not asphalt, tent and storage container, two trailers not called out as long as not in R.O.W. Mr. Popolizio 245.25(n) in violation. Mr. Pagano if ZO wants to issue summons, he can, not seeking that relief. Mr. Rohmeyer relief to shipping container, Mr. Pagano not in this. Mr. Popolizio 245.25(o)1. Mr. Pagano again Municipal Court-saying not commercial use. Mr. Reid-narrow relief. Mr. Pagano- fence height, 4,5,6,7, relief requested. Mr. Rohmeyer- relocate shipping container, Mr. Briggs sure but would have to cut trees. Mr. Reid- red container? Mr. Popolizio- not permitted storage. Mr. Pagano- relief not sought- setback not structure. Mr. Reid- not an accessory structure. Mr. Pagano contradicts testimony-pole barns. Mr. Reid shipping container in residential use, Board to consider. Mr. Pagano- can't be moved versus on wheels. Mr. Reid refer to Engineer-320sq.ft. Mr. Briggs- yes. Mr. Reid needs UCC as well. Mr. Pagano not before the Boards, fence, driveway, the rest before Municipal Court. Mr. Reid- can't say Court would determine if structure is accessory-land use question, structure not permitted, variance to allow then setback. Ms. Fazio applicant- maintain gravel driveway, shipping container. Mr. Pagano lay people also noticed as use variance. Ms. Fazio- I read into record. MR. Pagano variances called out incorrect. Ms. Fazio- but not the container. Mr. Pagano-fence, accessory structure setback, gravel drive. Ms. Fazio to Mr. Rohmeyer your letter said these, Mr. Rohmeyer variance based off violation. Mr. Reid- let Mr. Pagano finish. Mr. Pagano applicant to remove res shipping container as condition of approval, would like fence, drive and tent, but would need time. Mr. Brigs would like to keep tent. Mr. Reid- grant relief. Ms. Briggs- removes poles and just tarp- would be terrible. Mr. Reid- testimony temporary structure- can only have certain times, relief as permanent structure. Ms. Briggs opinion from Mr. Popolizio? Mr. Popolizio- 30 days-can extend 30 days. Mr. Pagano come down in November, Mr. Reid that is UCC regs. Mr. Dwyer- temporary shed stay until November and then come down, Mr. Reid- correct. Ms. Fazio- red container removed.

Mr. Pagano if variances granted no substantial detriment to neighbors, no detriment to the zone plan, Mr. Stevens- yes. Mr. Pagano- unique corner lot, Mr. Stevens- 6' high fence heard routinely, typically site triangle distances, not blocked any views, safe conditions on roadway. Ms. Georgiano from house out, Mr. Stevens yes 6' in front. Ms. Georgiano before gravel allowed, Mr. Briggs- yes. Ms. Georgiano- when di you gavel, Mr. Briggs- 2021. Mr. Pagano-reluctantly remove tent, leave gravel and fence as part of resolution compliance, Mr. Stevens- yes. Mr. Cook clarifies tent and container, Mr. Pagano- yes. Mr. Rohmeyer and the trailer, Mr. Pagano as long as not in R.O.W. Mr. Dambroski- the white & yellow, Mr. Rohmeyer- yes. Mr. Briggs- can move, Mr. Pagano- not in R.O.W. Ms. Fazio- trees? Mr. Reid not part of relief.

OPENED TO THE PUBLIC FOR QUESTIONS & COMMENTS.

Gayle Apar-gh-53 Columbus Boulevard-sworn in- just a lay person, resident in CV2, just happened to be here, very different residential area, very different style, lake people-recreational, drive through the community a lot, cars, recreational, don't want city type of living.

CLOSED TO THE PUBLIC FOR QUESTIONS & COMMENTS.

Ms. Fazio fence & driveway. Mr. Cook- tent-common sense- temporary versus permanent, understands UCC-snow loads- been there 5 years- no problem as it stands. Ms. Georgiano-no problem with tent.

Motion to Caucus made by M. Dwyer and seconded by W. Cook. Roll Call: All in favor.

For recording purposes the following will be used: LF-L. Fazio, WC-W. Cook, MD-M. Dwyer, PD-P. Dambroski, SG-S. Galbreath, DT-D. Tedeschi, GG-G. Georgiano, CR- Chris Reid, MR- Mark Rohmeyer, EM-E. Mathioudakis

LF-that was their choice.

WC-common sense

CR-Mr. Pagano did preface not against keeping the tent.

WC-don't think we should condition

LF-we didn't force them

WC-didn't pass resolution

PD-still have gravel drive & fence-still other violations.

LF-applicant agreed to remove.

WC-foresee versus push

PD-30' approval on fence.

MR- it was already there

EM- to meet front yard setback

PD-just approved 30'- treat fairly and evenly- 30' back and remove gravel in R.O.W.

WC-run around PLP.

LF- not PLP-over 1,000 violations, stick with this

MD-don't see why 30'

MR- different sized lot & zone, 22.1' off property line

PD-zero permits on fence

MR-back 69.5 to house, decrease usable rear yard area

MD-property line 22'

PD-right

MD-cars will not encroach, cars do park in R.O.W. had gravel at time of house bought crazy to pave now, trailer moved, gravel not a big deal

PD- says paved

Cr-ordinance says must be paved

MD-new ordinance

PD-large lot-I get it- should have rear yard use, pole barn variance greater than 1,000sq.ft.

WC-not unusual for us to keep gravel.

LF-remove all non-conforming structures

MD-agreed to remove it.

LF-fence & driveway then  
WC-and that's what we are talking about  
CR-listen to caucus-can take their chance  
PD-condition require permit  
LF-different more like pole barns  
PD-same siding, roof, etc.

Motion to end Caucus made by W. Cook and seconded by M. Dwyer. Roll Call: All in favor.

Mr. Pagano after listening, each variance- one vote.  
Mr. Reid- one memorialization, how much time?  
Mr. & Ms. Briggs-couldn't say. Mr. Pagano- 90 days after adoption of resolution. Ms. Fazio  
fence first- keep and 6'.

Motion to keep fence and at 6' made by W. Cook and seconded by M. Dwyer.  
Roll Call: W. Cook-yes, M. Dwyer-yes, P. Dambroski-no, S. Galbreath-yes, D. Tedeschi-no, G.  
Georgiano-yes, L. Fazio-yes.

Motion to gravel driveway to remain made by W. Cook and seconded by M. Dwyer.  
Roll Call: W. Cook-yes, M. Dwyer-yes, P. Dambroski-yes, S. Galbreath-yes, D. Tedeschi-yes,  
G. Georgiano-yes, L. Fazio-yes.

Motion to keep tent made by W. Cook and seconded by M. Dwyer.  
Roll Call: W. Cook-yes, M. Dwyer-yes, P. Dambroski-no-tent does not fit accessory structure, S.  
Galbreath-no-same, D. Tedeschi-no-same, G. Georgiano-yes, L. Fazio-no-same.

### **General Discussion:**

Stan Bortnowski-proud resident-chased me out when I was running business, compliment to the Board, nature/trees-really enjoy environment-appreciate it, moved here had Shade Tree Commission. Mr. Popolizio-not now. Mr. Bortnowski wasn't allowed to cut a single tree without phone call. Ms. Fazio-we have tree ordinance. Mr. Bortnowski-no enforcement- intentions good-volunteer my time to do this. Ms. Fazio we do volunteer, have taken oath, take in to consideration everything said. Mr. Bortnowski- I want a Shade Tree Commission. Mr. Reid- will pass this along. Mr. Bortnowski- reach out to me.

### **MEMORIALIZATIONS:**

Mr. Reid reads resolution for Case ZB22-18.

Memorialization of a variance to construct a single family dwelling on an unimproved lot having an area of 5,000 square feet where 10,000 square feet is required, an improvable lot area of 2,600 square feet where 5,800 square feet is required, a frontage of 50 feet where 100 is required, a lot width of 50 feet where 100 feet is required, a rear yard setback of 24 feet where 26 feet is required and a maximum building height of one and a half stories is required and 2 stories is

proposed. Applicant: Jeffrey Jerman Block 1.325 Lots 31 & 32 Monmouth Avenue. Approved with CONDITIONS at the February 23, 2022, meeting.

Motion to approve made by W. Cook and seconded by M. Dwyer.

Roll Call: W. Cook- yes, M. Dwyer- yes, L. Fazio- yes.

**Adjournment:** The meeting was adjourned at 9:49 p.m. on motion by Mr. Dwyer and seconded by Mr. Cook. All in favor.

Respectfully submitted,

Erin Mathioudakis  
Zoning Board Secretary