

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT  
REGULAR MEETING  
Thursday, November 16, 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, M. Dwyer, H. Glen, P. Dambroski, S. Galbreath, G. Georgiano
5. Members Absent: W. Cook, K. Vaccaro, D. Tedeschi  
Also Present: J. Worth, Board Engineer and C. Reid, Board Attorney

**Administrative Session:**

MTZB-R8160 for T&M Associates in the amount of \$353.50 for Case ZB23-18.  
MTZB-R8170 for T&M Associates in the amount of \$277.50 for Case ZB23-19.  
MTZB-R8140 for T&M Associates in the amount of \$891.25 for Case ZB23-16.  
MTZB-R8110 for T&M Associates in the amount of \$87.50 for Case ZB23-13.  
MTZB-R8090 for T&M Associates in the amount of \$87.50 for Case ZB23-11.  
MTZB-R8080 for T&M Associates in the amount of \$218.75 for Case ZB23-10.  
MTZB-R8060 for T&M Associates in the amount of \$262.50 for Case ZB23-08.  
MTZB-R8130 for T&M Associates in the amount of \$807.50 for Case ZB23-15.  
MTZB-R8150 for T&M Associates in the amount of \$239.50 for Case ZB23-17.  
MTZB-R8190 for T&M Associates in the amount of \$271.75 for Case ZB23-21.

Motion to Approve made by H. Glen and seconded by M. Dwyer

Roll Call: H. Glen- yes, M. Dwyer- yes, P. Dambroski- yes, S. Galbreath- yes, G. Georgiano- yes, L. Fazio- yes.

**Correspondence:** None.

**Professional Reports:** none.

**MEMORIALIZATIONS:**

Mr. Reid reviews 23-08 that the applicant has waived time until the December meeting.

Memorialization of a variance to install a six-foot white privacy fence in the front yard where a four-foot open fence is allowed. Applicant: Raymond Wysokowski 2051 Harrison Avenue Block99.125 Lot 5 Approved October 26, 2023. Case 23-13

Motion to Approve made by H. Glen and seconded by S. Galbreath.  
Roll Call: H. Glen- yes, S. Galbreath- yes, G. Georgiano-yes, L. Fazio.

Memorialization of a 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 also proposes to construct an extension of Amsterdam Avenue which does not fully conform to Township requirements for a public street and thus “semi-improved.”

Applicant: Jeffrey Jerman Amsterdam Avenue Block 1.327 Lot 30.01 Approved October 26, 2023.  
Case 23-10

Motion to Approve made by H. Glen and seconded by G. Georgiano.  
Roll Call: H. Glen- yes, G. Georgiano- yes, L. Fazio- yes.

Mr. Reid reviews that the Board needs to have an Executive Session for Litigation Settlement Discussion.

Motion for Executive Session made by M. Dwyer and seconded by H. Glen.

Roll Call: All in Favor.

Motion to leave Executive Session made by M. Dwyer and seconded by P. Dambroski.

Roll Call: All in Favor.

6:55pm, Chairwoman call the regular meeting to Order.

### **APPLICATIONS:**

- |               |                           |                 |
|---------------|---------------------------|-----------------|
| 1. Case 23-07 | Manchester Warehouse, LLC | 131 Hwy 539     |
|               | 109 Clairmont Court       | Block 109 Lot 4 |
|               | Lakewood, NJ              | Zone WTO-P      |

Ms. Fazio reviews that the applicant is seeking a zoning interpretation under NJSA 40:55D-70(B) and issuance of a certificate of non-conformity of a pre-existing non-conforming use under NJSAD-68 permitting the existing uses on the subject property, which include the following: automotive repair and restoration, welding, arcade machine repair shop, garage door repair shop. Dante Alfieri- applicant’s attorney- seeking certificate of non-conformity, unique application, seeking to confirm use, property located at 131 Highway 539 Block 109 Lot. Mr. Alfieri introduces the following Exhibits:

A1- handout with history of property.

A2: 1956 aerial photo

A3: 1972 aerial photo

A4: 1995 aerial photo

Mr. Dambroski packet states uses in 1977. Mr. Alfieri 1977 resolution of approval- light manufacturing, uses currently fall within definition, ZO could not substantiate, tenant changes- uses modified.

A5: 2010 aerial photo

A6: 2019 aerial photo

Mr. Alfieri photos show site in existence for several years, nearly 70 years, tenant changes- not uses, Resolution from 1977 include vintage auto museum, restore old cars/boats, Mid-Jersey- stores cars, Class Amusement-repairs arcade games, Welding company- since vacated, all light manufacturing- just new tenants.

Justin Auciello, Professional Planner- sworn in and credentials accepted. Mr. Auciello site WTOP-office professional, all exhibits, show buildings- some changes. Mr. Auciello uses changed some but fall under umbrella of light manufacturing. Referring to T&M letter pg.2C- lawful at commencement- resolution on file, ex. H in packet-contains resolution, dates back to the 50's- similar uses, proves use has not been abandoned or changed, based on correspondence use all under light manufacturing, clear with this evidence that burden has been met. Mr. Alfieri letters with previous Zoning Officer- previous owner didn't move forward with application to Zoning Board- left it to this new owner. Ms. Georgiano trying to keep everything? Mr. Alfieri no proposed changes, in the event tenant vacates same can come back, warehouse/light industrial. Mr. Worth go over site/layout. Mr. Reid statute-had permitted use at time when ordinance changed, when did ordinance change? Mr. Auciello did research, couldn't get to ordinance change, Planning Board resolution-use was permitted, some time after changed occurred, aerial evidence. Mr. Reis explains if use not permitted goes to Zoning Board, if use permitted goes to Planning Board, not sure if combined Board in 1977. Mr. Worth after 1977-uses introduced not part of light industrial. Mr. Reid over time more structures, were there zoning permits? Were there approvals or denials? Mr. Alfieri- Mr. Goylan the original owner. Mr. Reid can't find ordinance? Mr. Auciello- correct. Mr. Reid in front of Planning Board-assume permitted, can really substantiate, really looking at a D variance. Mr. Alfieri can't find actual change in zone. Mr. Reid-August 2022 Goylan issued letter. Chaim Tallim-owner-sworn in. Mr. Alfieri when did you purchase, Mr. Tallim September 2022. Mr. Reid what were the uses? Mr. Tallim referring to A6 pg. 2 vintage auto, service, refinish cars, leased in 2005, main brick building- classic amusement repair-juke boxes, pinball machines, other building mechanic, welding, purchased from Mr. Goylan whose father owned it, manufacture fake flowers, main building with pole barn as production increased other buildings erected and then storage, looking for continuation of use. Mr. Worth presume there was a site plan. Ms. Fazio no approvals on file? Mr. Tallim not sure 55 years ago. Mr. Reid reviews Zoning Officer's correspondence. Mr. Alfieri 1972 aerial shows many buildings but understands. Mr. Worth uses lawful at that time? Mr. Reid withdraw application? Mr. Alfieri not prepared to move forward with Use variance.

7:37pm-Motion for 5 minute recess made by M. Dwyer and seconded by P. Dambroski

Roll Call: All in Favor.

7:47pm Motion to return made by L. Fazio and seconded by P. Dambroski.

Roll Call: All in Favor.

Mr. Alfieri requests to Carry, bring original owner and do additional research.

Motion to carry made by P. Dambroski and seconded by M. Dwyer

Roll Call: All in Favor.

2. Case 22-24 Frank Huber  
316 Oak Lane  
Manchester, NJ

316 Oak Lane  
Block 60.11 Lot 14  
Zone R-10A

Ms. Fazio reviews variance seeking a minimum driveway setback of 3 feet where 5 is required. Frank Huber-applicant-316 Oak Lane- sworn in- will address the 11 concerns in the T&M letter. Mr. Worth please explain what you want. Mr. Huber garage in rear, reduced size to mitigate (22x27), bottle neck only 3' wide at edge of driveway, only single drive. Mr. Worth basically 1 story garage, driveway extends around, supposed to 5' away only 3', 10' wide drive. Mr. Huber could be 8', Mr. Worth try to stay away from neighbors, Mr. Huber- correct. Mr. Worth any grading issues, Mr. Huber don't really understand survey. Mr. Worth shed any water toward neighbors, Mr. Huber- no. Mr. Huber introduces A1: picture showing 70x25 grass area, Mr. Reid when was the picture taken, Mr. Huber a week ago. Mr. Huber- A2: back right area for garage- 40' between garage and property line, all surveys don't show canopy, A3: rear yard with walkway. Mr. Worth you have asphalt driveway. Mr. Huber describes existing driveway, Mr. Worth described very well, concrete slab and walkways will be eliminated, confirm not toward neighbors, drive on grade, any negative impact on neighbors, Mr. Huber- no. Mr. Worth room onto home for garage, Mr. Huber- no, would just like to store tools, free up space. Mr. Worth says 20x30, Mr. Huber 22x27 actually, look forward to having space. Mr. Dambroski where is the septic, Mr. Huber in the front. Mr. Dambroski in regard to drainage any gutters, Mr. Huber I'm not sure, construction drawings, some down spouts, in my opinion plenty of drainage. Mr. Dambroski add blue stone around. Mr. Worth elevation 12 follow existing pattern, 31.08% coverage, appears to be piped into grass area, Mr. Huber 55 gallon tanks, Mr. Worth- drywells. Mr. Worth agree to discharge to grass area, Mr. Huber- yes and no occupancy. Mr. Dambroski plumbing/electric? Mr. Huber electric- yes, plumbing- no, not even sure of cost. Mr. Dambroski personal use only, no commercial, Mr. Huber correct. Mr. Reid any water/sewer? Mr. Huber- no. Mr. Reid any hazardous materials- gasoline only? Mr. Huber- correct, maybe some paint thinner. Mr. Reid match house, architecturally compatible? Mr. Huber- okay and max. height.

OPEN FOR QUESTIONS/COMMENTS FROM THE PUBLIC.

Roseland Carr- sworn in- will you park a car inside? Mr. Huber one vintage car. Ms. Carr just wanted to make sure not a parking lot. Mr. Huber I have a shed and 1 car garage.

CLOSED FOR QUESTIONS/COMMENTS FROM THE PUBLIC.

Motion to approve with conditions made by P. Dambroski and seconded by M. Dwyer.  
Roll Call: P. Dambroski- yes, M. Dwyer- yes, H. Glen- yes, S. Galbreath- yes, G. Georgiano- yes, L. Fazio- yes.

3. Case 23-14 Jeffrey Jerman  
PO Box 922  
Point Pleasant, NJ

Englemere Boulevard  
Block 1.348 Lot 2,3,4  
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 also seeks a variance for a rear yard setback of 23 feet where 26 feet is required and having a maximum lot coverage of 35.9% where 35% is required and seeks waivers for curb and sidewalk. Jeffrey Jerman-owner/applicant sworn in, Mr. Bill Stevens-professional engineer, credentials accepted and sworn in. Mr. Jerman originally a 75x100 lot, as a result of buy/sell letters acquired Township lot, lot basically conforming, extend road with cul-de-sac- 30', encroach slightly into lot. Mr. Jerman introduces the following Exhibits:  
A1: buy/sell letters  
A2: house plan  
A3: site plan

Mr. Jerman conforming cul-de-sac, few small variances. Mr. Jerman have you been to the site, Mr. Stevens- yes. Mr. Jerman please describe the site, Mr. Stevens existing lot on paper street, Englemere-end of development, Board looks for cul-de-sac, paved turnaround, 250' long, 24' width, 32' radius, paved, stone shoulder to protect pavement edge, extend Municipal water with hydrant, single family dwelling with municipal water, septic, drywells-roof run-off. Mr. Jerman variance for 9,600sq.ft. versus 10,000 sq. ft., Mr. Stevens R.O.W. 60' wide, 64' cul-de-sac with stone-area dedicated back to Manchester. Mr. Jerman 27' front yard setback versus 30' required, Mr. Stevens again because of R.O.W. and area back to Town, setback to front porch, de minimis. Mr. Jerman improvable lot area any problems, Mr. Stevens all 100x100 require variance, ZO approves though, quirk in ordinance. Mr. Jerman all other setbacks met, Mr. Stevens- yes. Mr. Jerman any detriment- Mr. Stevens- no, Mr. Jerman house, fits into street, all new homes there, Mr. Stevens- yes all new 2 story homes, 4 bedroom, 2.5 bathroom with basement. Mr. Jerman would request that any house could be built. Mr. Reid wouldn't need variance. Mr. Jerman and Mr. Stevens- ZO sends back to Board. Ms. Mathioudakis explains what happens- sticks to exhibits and testimony. Mr. Reid- will grant that relief. Mr. Jerman waiver request, Mr. Stevens helps drainage. Mr. Jerman comply with ordinance, Mr. Stevens- yes. Mr. Dambroski explain further the improvable lot area, Mr. Stevens every corner lot, 100x100 does not meet, ordinance should be changed. Mr. Dambroski the distance between Leisure Village and fence, Mr. Stevens about 100' along Englemere. Mr. Dambroski buffer required? Mr. Worth not for single family dwelling but if did probable 50'. Mr. Dambroski really a corner, Fairfax is a paper street. Space in driveway and cul-de-sac? Mr. Jerman actually 6 cars, really long driveway. Mr. Dambroski cul-de-sac great, just parking issues. Mr. Worth both decks free standing, Mr. Stevens- correct. Mr. Worth grading and drywells, Mr. Stevens- rear back toward wooded area-maintain, front to street-stone box, rear also has drywell. Mr. Worth retaining wall-directs away? Mr. Stevens- yes less than 1' high. Mr. Worth provide sizing of stone and stormwater calculations, Mr. Stevens- yes. Mr. Worth trees all removed, Mr. Stevens meet ordinance. Mr. Worth not many lots around developed but keeps in general look of neighborhood, Mr. Stevens- yes. Mr. Worth parking in driveway, Mr. Stevens- 4 bedroom, 3 parking spots required, 27' wide-3 across, 36' in length ample room.

OPEN FOR QUESTIONS/COMMENT FROM THE PUBLIC. Hearing none. CLOSED FOR QUESTIONS/ COMMENTS FROM PUBLIC.

Motion to Approve made by P. Dambroski and seconded by M. Dwyer.

Roll Call: P. Dambroski, yes, M. Dwyer-yes, H. Glen- yes, S. Galbreath-yes, G. Georgiano- yes, L. Fazio- yes.

4. Case 23-04 Jeffrey Jerman  
PO Box 922  
Point Pleasant, NJ

Englemere Boulevard  
Block 1.341 Lot 41  
Zone R10

Ms. Fazio reviews variance request 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 first floor area of 721 feet is provided where 900 feet is required. Applicant is requesting waivers for curbs and sidewalks. Jeffrey Jerman-owner/applicant sworn in, Mr. Bill Stevens-professional engineer, credentials accepted and sworn in.

Mr. Jerman requests to carry. Mr. Reid reviews previous carry, why the request. Mr. Jerman mainly only six members voting.

Motion to carry to February's meeting with notice required made by P. Dambroski and seconded by M. Dwyer.

Roll Call: All in Favor.

Mr. Reid reviews with the public why Case is back even after denial.

**Adjournment:** The meeting was adjourned at 8:52 p.m. on motion by P. Dambroski and seconded by M. Dwyer. All in favor.

Respectfully submitted,

Erin Mathioudakis  
Zoning Board Secretary