

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
Thursday, June 26, 2025**

**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 6:50 p.m. by Chairwoman Linda Fazio.
2. This meeting was 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, H. Glen, S. Galbreath, G. Georgiano, B. Hay, G. Apgar
Members Absent: D. Tedeschi

Also Present: C. Reid, Board Attorney, Jason Worth, Board Engineer

Administrative Session:

Approval of Minutes: May 22, 2025, meeting.

Motion to Approve made by W. Cook and seconded by G. Georgiano

Roll Call: W. Cook- yes, G. Georgiano-yes, B. Hay- yes, G. Apgar- yes, L. Fazio- yes.

Payment of Bills:

MTZB-R8250 for T&M Associates in the amount of \$233.75 for Case ZB23-27.
MTZB-R8340 for T&M Associates in the amount of \$652.00 for Case ZB24-07.
MTZB-R8020 for T&M Associates in the amount of \$326.00 for Case ZB23-04.
MTZB-R8051 for T&M Associates in the amount of \$280.50 for Case ZB25-02.
MTZB-R8060 for T&M Associates in the amount of \$326.00 for Case ZB23-08.
MTZB-R8480 for T&M Associates in the amount of \$326.00 for Case ZB24-22.
MTZB-R8620 for T&M Associates in the amount of \$122.25 for Case ZB24-36.
MTZB-R8630 for T&M Associates in the amount of \$122.25 for Case ZB24-37.
MTZB-R8640 for T&M Associates in the amount of \$122.25 for Case ZB24-38.
MTZB-R8650 for T&M Associates in the amount of \$122.25 for Case ZB24-39.
MTZB-R8740 for T&M Associates in the amount of \$645.50 for Case ZB24-48.
MTZB-R8780 for T&M Associates in the amount of \$407.50 for Case ZB25-04.

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

Correspondence: none.

Professional Reports: none.

Memorializations:

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, applicant is requesting waivers for curb and sidewalk. Approved at the April 24th meeting. Applicant: Jeffrey Jerman First Avenue Block 1.31 Lot 34. Case 24-24.

Mr. Reid reviews April's meeting- stone removed because it creates variance- condition remove.

Motion to approve with changes made by W. Cook and seconded by G. Apgar. Roll Call: W. Cook- yes, G. Apgar- yes, S. Galbreath- yes, L. Fazio- yes.

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, applicant is requesting waivers for curb and sidewalk. Approved at the April 24th meeting. Applicant: Jeffrey Jerman Commonwealth Blvd. Block 1.236 Lot 30. Case 24-32.

Discussion to correct resolution to decorative stone along East side of drive. Mr. Worth- 2' wide decorative stone along the driveway, Ms. Apgar- trench suggested, Mr. Worth- yes.

Motion to approve with changes made by W. Cook and seconded by G. Apgar. Roll Call: W. Cook- yes, G. Apgar- yes, S. Galbreath- yes, L. Fazio- yes.

APPLICATIONS:

- | | | |
|---------------|---------------------|-----------------------|
| 1. Case 25-01 | Jacob & Chana Brody | 545 Englemere Blvd. |
| | 545 Englemere Blvd | Block 1.348 Lot 34.01 |
| | Toms River, NJ | Zone R10 |

Ms. Fazio reviews variance request for proposed lot coverage of 37.3% where 35% is permitted for a proposed deck, canopy, and patio for the existing pool. Mr. John Doyle- attorney for applicant, and Mr. Bill Stevens- Professional Engineer to present. Mr. Doyle- address history- 3 years ago undersized lot approved, here now to request additional approvals, neighbors have pool, thought nice, wanted pool , got approved for the pool, would like to add a deck, puts property over on impervious coverage by 180sf. Mr. Doyle introduces exhibit A1- aerial, original plans, new plans and photos of property, almost all homes on block have pools and decks. Mr. Stevens- sworn in and credentials accepted. Mr. Doyle- all accurate? Mr. Stevens- yes, simple story, aerial is dated October 2024, Englemere Blvd in PLP in R10 zone, 75x100 lot with variance approval, final as built work/final survey, New Lines Engineering with pool already approved, seeking approval on red striped behind and around deck, wood material, over on impervious coverage, open deck over stone, but by definition in ordinance of impervious coverage, last page- photos- house, area for deck, fence in rear yard. Mr. Worth- provide planning testimony, Mr. Stevens- C2 variance- benefits outweigh the negatives, gives outdoor

living space, no detriment to grant, not really impervious coverage. Mr. Doyle really a hardship, Mr. Stevens- really a C2 variance. Mr. Worth what type of deck, Mr. Stevens- trex- open- already has stone there, functions as it should. Mr. Worth any run-off issues, gravel to remain? Mr. Stevens- gravel will remain, 2 drywells installed, no concerns on my part. Mr. Worth drywells with grate, Mr. Stevens- correct, one for rook, one for yard. Mr. Worth sized properly, Mr. Stevens- yes. Mr. Worth- 10x18 box- no doorway? Mr. Stevens- would need to install door. Mr. Worth- steps down on to deck, Mr. Stevens- yes, Mr. Worth- 4' wide? Mr. Stevens- stair down on right side, 26' to house, doesn't infringe on 5' accessory side yard setback. Mr. Worth- lot coverage limit with deck fully exceeds what is allowed, why this size? Mr. Doyle- consistent with neighborhood, for enjoyment, immediate family use only. Mr. Stevens- religious observance- size allows for use on certain days. Ms. Fazio but immediate family only, Mr. Stevens- correct. Ms. Fazio what about trampoline on vacant lot, shows using other lot, Mr. Doyle don't know which- both lots to right and left-vacant. Ms. Fazio- is it your land too? Jacob Brody- owner- sworn in- yes it is our trampoline, moved it to mow grass. Ms. Fazio- with deck no room for trampoline. Mr. Brody- trampoline in front yard. Mr. Cook material is trex deck, Mr. Stevens- yes, open deck, spaces between boards. Mr. Glen- what is the canopy size? Mr. Stevens- have decide temporary canopy or sunset awning. Mr. Glen- so none, Mr. Stevens- correct. Ms. Georgiano- from the corner going in? Mr. Stevens- yes. Ms. Georgiano- garage there, Mr. Stevens- no opposite side. Ms. Georgiano- how high is the deck, Mr. Stevens- 3.5' high. Ms. Georgiano- not attached to pool? Mr. Stevens- no more for outdoor living, bbq. Ms. Georgiano comments has lots of patio area. Mr. Hay- wood or trex- regardless of material, will have gaps? Mr. Stevens- yes. Mr. Hay family in house currently. Mr. Stevens- yes, Mr. & Mrs. Brody and three girls. Mr. Hay- kind of explains size of deck.

OPEN TO THE PUBLIC FOR QUESTIONS

Alice DeVito-this is for a deck and patio? Mr. Stevens- patio and pool already built, so just deck at this time. Mr. Doyle- concrete patio not intended to be listed in notice.

CLOSED TO QUESTIONS FROM THE PUBLIC.

Mr. Doyle- very attractive house and yard, hope you will approve. MS. Apgar comments from living area to out on to deck area very nice.

OPEN TO THE PUBLIC FOR COMMENTS. Hearing none. CLOSED TO THE PUBLIC.

Ms. Fazio and Mr. Cook review conditions- family use only, add lattice, 4x4 area for stairs, no commercial use, no non-profit use, space between boards, Mr. Worth max 35%.

Motion to approve with conditions made by W. Cook and seconded by H. Glen. Roll Call: W. Cook- yes, H. Glen- yes, S. Galbreath- yes, G. Georgiano- yes, B. Hay- yes, G. Apgar- yes, L. Fazio- yes.

2. Case 24-06 Jeffrey Jerman
 PO Box 922
 Point Pleasant, NJ

Sixth Avenue
Block 1.125 Lot 39
Zone R10

WHISPERING WOODS HEARING: Ms. Fazio reviews the purpose of this hearing is to present and discuss a proposed settlement agreement between the applicant and the Board. The settlement is intended to resolve the ongoing litigation, Docket no. OCN-L-2163-24, Jeffrey R. Jerman v. Manchester Township Zoning Board of Adjustment. The Applicant is proposing revisions which will satisfy some concerns of the Board and increase safety. Those changes are eliminating the rear setback variance, moving the house forward, moving the stairs away from the driveway front and enhancing the interior.

Jeffrey Jerman- owner/applicant and Mr. Bill Stevens- Professional Engineer- sworn in, Mr. Stevens credentials accepted. Mr. Jerman- Board heard this application a year ago, appeal, Court process, judge likes to see settlement, changes slightly for owner benefit, rear yard 24' variance request eliminated, moves house forward, porch and house forward, like others on block, windows eliminated on sides, main reason- stairs to home and driveway right up to the home- creates safety issue, solution move stairs to middle of house, same footprint, better plan, eliminate one variance, more attractive home. Mr. Jerman- Mr. Stevens can you give your opinion? Mr. Stevens- as planning testimony it is a better plan, eliminates rear yard setback variance, better plan with relocation- safer. Mr. Jerman how is it safer? Mr. Stevens- entry before not good coming down on to driveway. Mr. Cook what is the lot size, Mr. Jerman- 50x100. Ms. Apgar stairs moved so the driveway into nowhere, Mr. Jerman- no stays the same, stairs moved to the middle. Ms. Apgar- add bushes to make less driveway like, Mr. Jerman- no there is a minimum parking requirement. Ms. Apgar- moved forward to line up, Mr. Jerman- not even with others but closer. Mr. Glen- what were the other reasons for denial? Mr. Jerman- traffic, pollution, schools, same reasons. Mr. Glen any water issues? Mr. Jerman- no, same as addressed before. Mr. Reid- reason of denial, based on public comment, size of house, privacy, density, lot size, TWA, stormwater. Ms. Georgiano- lot 41 is vacant, Mr. Jerman- yes vacant 50 in back on different road, tried for years to acquire, neighbor wants to keep it, whatever reasons were, overturned anyway, house will be placed there. Ms. Georgiano- why wouldn't you just change it then? Mr. Jerman- Court can't approve changes. Ms. Mathioudakis- he has moved the stairs on other approvals, didn't need to come back to Board, done as field change in Construction, change only moved location of bedroom on first floor. Mr. Reid- can technically move stairs, not variance in Court, windows won't change though, house won't change, Court can't remand, so answer is yes. Mr. Jerman- neighbors concerned with windows. Ms. Mathioudakis- it's also a change to the architectural plans- 3 bedrooms remain but all upstairs now, that's why. MR. Worth- 6' fence proposed, Mr. Jerman- would do that. Mr. Worth- and a shed, Mr. Jerman- okay. MR. Reid- just the same as regular hearing. Ms. Georgiano- no garage, Mr. Jerman- no, Ms. Georgiano- that's why the shed. Ms. Apgar- no spot for gravel, Mr. Jerman- yes, Ms. Apgar- decorative stone? Mr. Jerman- no flood issues here, meets grading and drainage- don't think needed here. Ms. Apgar- flatter lot, install sump pump? Mr. Jerman- yes I'll put that in. Mr. Cook- 60% still met, MR. Jerman- yes. Ms. Fazio- bathrooms-2? Mr. Stevens- 3, Mr. Jerman 2.5, yes 2 bathrooms. Ms. Fazio- so that's another change, Mr. Jerman- yes. Mr. Hay- some public testimony before, did he have to notice? Ms. Mathioudakis- yes, he's required to notice again. Mr. Reid- applications have evolved- let's review. Mr. Reid- sump pump, decorative stone, Mr. Worth- PLP drainage study indicates beneficial with drainage trench, Mr. Reid- which side, Mr. Worth -east side, Mr. Cook- drawn on west side, Mr. Worth-trench on east side, road

grades to east. Mr. Cook- encroach on septic? Mr. Jerman- septic there, Mr. Worth- 15', Mr. Jerman- 10', Mr. Worth- not parking there, Mr. Jerman- encroaching into Township property. Ms. Mathioudakis- road permit required regardless, Mr. Jerman- lay east to west 15'. Mr. Worth- propose trench with stone. Mr. Jerman- propose on the yard but not septic side. Mr. Stevens- on west side and tip drive that direction, Mr. Cook- how far, Mr. Jerman- 15'. Mr. Reid- sump pump, retaining wall? Mr. Jerman- no. Mr. Reid- swale, Mr. Jerman- no nothing more than depicted. Mr. Reid- stormwater, drywell, soils, sump pump, plans, septic, Mr. Jerman- yes to all. Mr. Reid- 200' list, Mr. Worth- yes, Mr. Reid- no bedrooms, kitchen ingress/egress in basement, Mr. Jerman- right. Mr. Reid- 8x10 shed to match, Mr. Jerman- yes. Mr. Reid comply with tree ordinance and grading and drainage, Mr. Jerman- yes. Mr. Reid- install 6' vinyl fence from front corner and around property, Mr. Jerman- yes. Ms. Apgar comments without garages, garbage cans all over, install lattice, looks nice. Mr. Jerman already continuing fence. Mr. Worth- gate on west side, Ms. Mathioudakis- no guarantee behind fence though. Mr. Worth- gate into rear on west side, Ms. Apgar- can be pulled down driveway. Mr. Hay inquiries about tree placement and type, Mr. Jerman- ordinance dictates. Mr. Hay just seeing that rooting into septic, Mr. Jerman- tree work done by our experts- knows rules. Mr. Stevens- not within 10' of septic. Mr. Hay- trees grow in, get older, spread out, could create issues. Mr. Jerman- none in that area. Mr. Hay- porch material is concrete, Mr. Jerman- no. Mr. Hay- regular deck, Mr. Jerman- yes, Mr. Hay- drive goes right up, Mr. Jerman- yes.

OPEN TO THE PUBLIC FOR QUESTIONS & COMMENTS.

Kirk Goebel- sworn in- this a minor site plan, Mr. Reid- no. Mr. Goebel- asking for waiver for curb and sidewalks, Mr. Reid- yes. Mr. Goebel- why? Mr. Stevens- really none in PLP plus would increase drainage issue. Mr. Goebel but with the population change, Mr. Jerman- 50' would be worthless. Mr. Goebel- but how many applications given waiver? Mr. Jerman- irrelevant to this application. Mr. Goebel you talk of safety concern, County road on Commonwealth- gravel walk, reconsider waiver, each time developer given opportunity not to install increases the cost to the taxpayer in the future. Mr. Goebel- driveway center crowned to reduce run-off and sump pump. Mr. Stevens- drywell to rear. Mr. Goebel- road opening cost already there. Mr. Jerman- already explained.

CLOSED TO THE PUBLIC.

Mr. Cook- substantial conditions listed, 50' section here or there would not help now.

Motion to approve with conditions made by W. Cook and seconded by H. Glen. Roll Call: W. Cook- yes, H. Glen- yes, S. Galbreath- no, B. Hay- no, G. Apgar- yes, L. Fazio- yes.

Motion to recess made by W. Cook and seconded by B. Hay. Roll Call: All in Favor.

Motion to return made by W. Cook and seconded by L. Fazio. Roll Call: All in Favor.

3. Case 24-13 Jeffrey Jerman
 PO Box 922
 Point Pleasant, NJ

Ninth Avenue
Block 1.171 Lot 20
Zone R10

WHISPERING WOODS HEARING: Ms. Fazio reviews the purpose of this hearing is to present and discuss a proposed settlement agreement between the applicant and the Board. The settlement is intended to resolve the ongoing litigation, Docket no. OCN-L-2162-24, Jeffrey R. Jerman v. Manchester Township Zoning Board of Adjustment. The Applicant is proposing revisions which will satisfy some concerns of the Board and increase safety. Those changes are eliminating the rear setback variance, moving the house forward, moving the stairs away from the driveway front and enhancing the interior. Ms. Fazio- same as previous case, Mr. Jerman- yes, Ms. Fazio- comply with conditions. Mr. Jeffrey Jerman- owner/applicant and Mr. Bill Stevens- Professional Engineer- sworn in and Mr. Stevens credentials accepted. Mr. Jerman- I believe so, have to check about fence. Mr. Reid- I think you should anyway. Mr. Cook- at least enclosure for garbage. Mr. Jerman- already fence there. Ms. Fazio- from corner of house to side, Mr. Jerman- fence exiting. Mr. Reid- to be clear, Mr. Jerman- enclosure fence may not match. Ms. Apgar fence on side but not rear, Mr. Jerman- there is a fence in rear. Ms. Apgar- enclosure is fine. Mr. Glen- no drainage issue, Mr. Jerman- will agree to sump pump.

OPEN TO THE PUBLIC FOR QUESTIONS & COMMENTS.

Kirk Goebel-sworn in- curb and sidewalk waiver? Mr. Reid- yes. Mr. Goebel asking is that safe, Mr. Stevens- yes, Mr. Goebel because? Mr. Stevens- enhances drainage, creates detriment with curbs and sidewalks, Township building collection over 5 years, Mr. Goebel put funds aside, anyway to do this, Mr. Reid- could recommend in annual report. Ms. Apgar- not sure always room on some streets, Mr. Goebel could look at just one side. Mr. Reid- Mr. Worth take a look because no sanitary sewer, what is the effect, could look at funding. Mr. Goebel required paved driveway now. Ms. Fazio-may want to attend Council meeting. Mr. Goebel- trench is helpful. Mr. Jerman- Courts consistently stuck down condition with curbs and sidewalks, fund also struck down, discriminatory to one owner and not others, could do through assessment. Mr. Goebel- I'm on a corner lot, so double assessment.

CLOSED TO THE PUBLIC.

Ms. Fazio- same as before, same conditions. Mr. Cook- enclosure, sump pump. Mr. Reid- retaining wall, Mr. Stevens and Mr. Jerman- no. Mr. Reid- swales, Mr. Stevens- no, trench on west side, channel away. Mr. Reid drywell, septic, sump pump, no kitchens, bedrooms, ingress/egress windows in basement, 8x10 shed to match, trees, grading & drainage.

Motion to approve with conditions made by W. Cook and seconded by H. Glen. Roll Call: W. Cook- yes, H. Glen- yes, S. Galbreath- no, B. Hay- no, G. Apgar- yes, L. Fazio- yes.

4. Case 24-36	Jeffrey Jerman	Sixth Avenue
	PO Box 922	Block 1.138 Lot 39
	Point Pleasant, NJ	Zone R10

Ms. Fazio reviews request for 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, applicant is requesting waivers for curb and sidewalk.

Jeffrey Jerman- owner/applicant and Mr. Bill Stevens, Professional Engineer- sworn in, Mr. Stevens credentials accepted. Mr. Jerman introduces the following exhibits:

A1: aerial photo (October 2024)

A2: variance plan

A3: architectural plans

A4: picture board, packet handout/200' list

A5: affidavit of ownership

A6: buy/sell letters sent regular and certified mail: 3 adjoining owners, Lot 9- no response, Lots 38 & 41 owned by Mr. Raport, back in January offer to sub-divide- other lot, on June 18th- he said purchase for fair market value, I said 175K, assessed at 225K, 100x100 lots being sold for 375K, if I sell for 175K he will be enriched, instantly has lot for 375K, he offered 120K. Mr. Reid- June letter said highest is 120K, Mr. Worth lot 42 included, Mr. Jerman- no, offered to exchange. Mr. Worth lot 38 for 42? Mr. Jerman no other lots- given lots of choices, happens in this case gives 175x100, several variations given but none have been acceptable. Ms. Fazio- appreciate your effort, PLP would love to see 100x100 lots, Mr. Raport is here- will ask, will you be helping the Town by either selling/buying or swapping?

Mr. David Raport-sworn in. Ms. Fazio- couple of questions- did Mr. Jerman reach out to purchase? Mr. Raport- yes. Ms. Fazio- and about swapping, Mr. Raport- yes. Ms. Fazio- and about you buying? Mr. Raport- he said fair market value. Ms. Fazio- 175K. Mr. Raport- that's his opinion, insufficient data to support that, difficult to come to an agreement. Ms. Fazio- based on assessment. Mr. Raport- assessment for Manchester says 50' equals 120K. Mr. Reid- lots 38 & 41. Mr. Raport- correct. Mr. Reid- fair point- need real estate expert, establish fair market value at 175K. Mr. Raport could be 185K and I would have to pay that. Mr. Reid- still represent that you would purchase if says 225K. Mr. Raport- yes if independent person says. Mr. Reid- no opposing appraiser- hire one person. MR. Raport- I just want to do the right thing. Mr. Jerman- no separate ones, need time limit too. Ms. Mathioudakis-with time constraints. Mr. Reid- 45 days. Mr. Jerman and Mr. Raport- same 45 days. Mr. Jerman- both get appraisals but don't have to agree, in this case, unjust enrichment, he has 25' worthless lot. Mr. Reid- making assumptions, go through the process. Ms. Mathioudakis- 90 days is September 24th. Mr. Reid request waive until November. Mr. Stevens- appraisal must be with variance granted.

Motion to carry 24-36 made by L. Fazio and seconded by W. Cook. Roll Call: All in Favor.

Mr. Reid- November meeting is November 13th.

5. Case 24-37 Jeffrey Jerman
PO Box 922
Point Pleasant, NJ

Tenth Avenue
Block 1.190 Lot 13
Zone R10

Ms. Fazio reviews request for 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, applicant is requesting waivers for curb and sidewalk.

Jeffrey Jerman- owner/applicant and Mr. Bill Stevens, Professional Engineer- sworn in, Mr. Stevens credentials accepted. Mr. Jerman introduces the following exhibits:

A1: aerial photo (October 2024)

A2: variance plan

A3: architectural plans

A4: picture board, packet handout/200' list

A5: affidavit of ownership

A6: buy/sell letters sent regular and certified mail: 3 adjoining property owners, Lot 37- not interested, lot 9- not interested, 115- would sell their house for 600K.

Mr. Jerman - similar case, many before, most approved, some denied, appealed, overturned, exact same lot, same house, footprint, common typical lot, very nice house. Mr. Jerman did you view the site and prepare the plans, Mr. Stevens- I have, and I did. Mr. Jerman summarize variances? Mr. Stevens- referring to A1- aerial dated October 2024, subject property existing isolated lot, 50x100, south side of Tenth between Parkview and Beechmont. A2- property in R10 zone, variances for lot area, frontage, width and improvable lot area, with municipal water and septic. Mr. Jerman size of lot 5000 versus 10,000 sufficient with 1400sf home, Mr. Stevens- yes, it is, meets all R10 setbacks, off street parking, fits septic. Mr. Jerman- complies with undersized lot ordinance, Mr. Stevens- 1.5 story Cape style conforms, under 25' in height. Mr. Jerman- variance for 50' frontage and width sufficient for septic and drive, Mr. Stevens- plan does show home can be constructed with septic and 2 car drive. Mr. Jerman- change from prior with rear yard setback, Mr. Stevens- reviewed with DEP, redesign accomplished. Mr. Jerman and the house moved forward, Mr. Stevens- yes. Mr. Jerman- different porch fits more, Mr. Stevens- correct, home has been improved. Mr. Jerman- with improvable lot area any constraint? Mr. Stevens- only to build smaller house. Mr. Jerman based on area map, variety of homes, Mr. Stevens- mixture of homes, 9 block analysis, 77 homes, 6 are on undersized lots, homes ranging from 3446sf to 756sf. Mr. Jerman- describe elevations, Mr. Stevens- 1.5 story Cape, conforms with undersized lot ordinance, 3 bedrooms, 3 bathrooms, 25' maximum height with basement at 1415sf, Mr. Jerman- revised plan is 1476sf. Mr. Reid- how many bathrooms, Mr. Jerman- 3 bedrooms, 2 bathrooms. Mr. Jerman- with a partial basement, Mr. Stevens- correct. Mr. Jerman any violations to light, air or open space, Mr. Stevens- it does not, setbacks are met. Mr. Jerman- for privacy- all windows on sides eliminated, Mr. Stevens- as a way to increase privacy. Mr. Jerman- because of public concerns, Mr. Stevens- correct. Mr. Jerman- any other use for this property, Mr. Stevens- not in my opinion, residential only, meets all R10 undersized lot requirements. Mr. Jerman- any substantial detriment? Mr. Stevens- no, I don't see any, again conforms with R10 and undersized lot ordinance. Mr. Jerman- modest home just over 1400sf, Mr. Stevens- yes. Mr. Jerman- any detriment to the public good, Mr. Stevens- no, none. Mr. Jerman- any difference between now and before, Mr. Stevens- substantially the same. Mr. Jerman- eliminates windows, rear yard variance eliminated, house moved further up, Mr. Stevens- correct. Mr. Jerman- outside of acquiring additional property any way to mitigate, MR. Stevens- no, only through buy/sell process. Mr. Jerman- in fact new homes are good for neighborhoods, Mr. Stevens- generally good. Mr. Jerman- redesign to move stairs to increase safety, Mr. Stevens- redesign to porch, more centered, walk down to drive, more typical, improves conditions. Mr. Jerman- house fits in neighborhood- positive criteria met, only left to

prove negative criteria- adequately addressed? Mr. Stevens- yes, positive criteria actually the buy/sell process, negative criteria- no substantial detriment- meets R10 undersized lot ordinance. Mr. Jerman- we meet grading and drainage, Mr. Stevens- we do. Mr. Jerman actually with smaller lot, less drainage impact. Mr. Stevens- because half size, reduced impact. Mr. Jerman- and agreeable to changes, Mr. Stevens- yes that's how it works. Mr. Jerman- even though not required by ordinance, Mr. Stevens- correct. Mr. Jerman- why these 50' lots now? Mr. Stevens- because without sanitary sewer, there have been advancements in septic systems. Mr. Jerman- reasons like population, traffic, finance, taxes, schools as Planner, Mr. Stevens- not valid reasons for denial.

Mr. Worth- increased 61sf? Mr. Jerman- on the upstairs, with the way the undersized lot ordinance works- count footprint plus porch area, with redesign of steps, gave additional square footage- allows 3 bedrooms upstairs. Mr. Worth- 1st floor footprint stayed but extended porch gives you a bit more upstairs, septic 25' from basement, 15' from crawl and 7' from porch. Ms. Apgar comments can you show public the house. Mr. Worth- 2 parking meets RSIS, Mr. Stevens- yes. Mr. Worth- proposed basement- any kitchen, bedrooms, ingress/egress windows, Mr. Stevens- no. Mr. Worth- comply with tree ordinance, Mr. Stevens- yes. Mr. Worth- plant in rear yard, Mr. Stevens-yes. Mr. Worth- lot grades back to front, issue at 10th and Parkview, drywell ties into roof leaders. Mr. Reid- area in study? Mr. Stevens- UR17-area #3, isolated low point, Township answer is perforated pipe, recharge trench, property is absolutely flat. Mr. Worth- mitigate flow, defined swale connect back to drywell? Mr. Stevens- add lawn inlets and connect back. Mr. Worth- 68.3 elevation, Mr. Stevens- yes. Mr. Worth- pitch west drive, 15' trench along west with stone, Mr. Jerman- both sides of house, Mr. Worth- only one side. Mr. Jerman- so 15' long by 2' wide on west side of driveway-okay. Mr. Worth- storage 8x10 shed to match, Mr. Jerman- yes, Mr. Worth- in compliant location, Mr. Jerman- yes. Mr. Worth- soils 2' above, Mr. Stevens- yes of course, 4 holes on each. Mr. Worth- drywell capture roof run-off.

Ms. Apgar- no bathroom in basement, Mr. Jerman- no. Ms. Apgar half furnished, half not, Mr. Jerman- no, Mr. Stevens- partial only. Ms. Apgar so recreation only, Mr. Jerman- yes. Ms. Apgar- plan shows 2 stoves, Ms. Georgiano- and 2 sinks, Mr. Hay- and 2 dishwashers, Mr. Jerman- main buyers. Mr. Hay- catering to specific buyer, Mr. Jerman- no just providing options, do you want enclosure for garbage, Ms. Apgar-yes and a fence. Mr. Jerman- there already. Ms. Georgiano- enlarged porch to have 3 bedrooms upstairs, Mr. Jerman- yes to make more livable. Ms. Georgiano- 8' wide not enclosed, Mr. Jerman- in some spots, Ms. Georgiano- why no garage then, Mr. Jerman to give better living space, Ms. Georgiano- 10' to the stairs, most people's living room not 30' wide, Mr. Jerman- not necessarily. Ms. Georgiano- sink in master, Mr. Jerman- vanity actually, have one in my house. Mr. Hay- 2 dishwashers, 2 sinks, 2 stoves, Mr. Jerman- many buyers want- food prep, religious reasons. Mr. Hay- those are the buyers, Mr. Jerman- yes but doesn't preclude anyone from buying. Mr. Hay- I think it's exclusionary, Mr. Jerman- I'm not excluding anyone. Mr. Hay- I think you are making it unattractive for majority of buyers, Mr. Jerman- that's your opinion. Ms. Fazio- just listening to the market. Mr. Hay- I pointed out 2 dishwashers, 2 sinks, 2 stoves, he says all realtors and interrupting me. Ms. Fazio- would you change if not wanted? Mr. Jerman- yes. MR. Hay- I'm saying maybe space could be used for garage instead of in the kitchen. Mr. Hay- is there any avenue for changing an ordinance? Mr. Reid- yes. Mr. Jerman- just any reason to vote no- all homes built now have 2

sinks, 2 dishwashers, 2 stoves, all builders putting in 2. Mr. Hay- no trees in front, Mr. Jerman- no most homes don't. Mr. Hay- not based on the photos you provide, Mr. Jerman- another lie. Mr. Hay- home doesn't fit, 50' lot, half the size, 4 homes on other side, this property 6th house, Mr. Jerman- 5th, Mr. Stevens- most have five homes, Mr. Stevens- 5th house, Mr. Stevens- 5 lots face 10th, Mr. Hay- but 6 lots- out of place, Mr. Jerman- oh yeah as you say. Mr. Hay- increased vehicular traffic, increased accidents, any study on roadways with 6 houses. Mr. Stevens- undersized lot ordinance does not require traffic study.

Mr. Reid- judge said not asking for traffic variance, variance for lot only, Mr. Hay can express himself with reasonable assessment, judge asked Board to recognize what is being requested of them- variance for lot frontage, lot width, improvable lot area. Mr. Jerman- Court also pointed out drainage not under Board purview. Mr. Reid- each case on own, application complies with grading & drainage, so should not discuss, sinks, stoves, dishwasher lead to maybe garage. Mr. Hay- what did I ask that was wrong, Mr. Reid- nothing. Mr. Hay- want to have home fit into neighborhood, talked about density and parking, still waiting to hear what I've asked wrong since he instructed you to tell me. Mr. Reid- can't remember every question. MR. Jerman- reason I interject because nothing to do with variance, not relevant to the application. Mr. Hay- reasons eliminated windows because too close, to make people feel more comfortable. Mr. Reid- not asking for side yard setbacks. Mr. Hay- said it looks out of place. MR. Jerman- specifically eliminated by Board and neighbors. Mr. Hay- looks out of place, does not fit neighborhood, say less run-off, increase run-off for the block, just addressing your statement of doesn't effect. Mr. Jerman- roof into pit, drain to front less than if house not constructed, drainage not under purview of Board. Ms. Georgiano- but you brought it up, Mr. Jerman- no. Mr. Hay- yes that's why I addressed, maybe address this ordinance in total so it doesn't bring you here, saves time and money.

OPEN TO THE PUBLIC FOR QUESTIONS & COMMENTS.

Kirk Goebel- seeks curb and sidewalk waiver, Ms. Fazio- yes. Mr. Goebel- did testify trying to sell to particular community- a walking community who need sidewalks, 50' times every application, 30 applications in the last year, 1500sf of sidewalk given away- stop giving the waiver, specific market- that market walks, it's a safety issue. Mr. Jerman- you're going to do it now? Mr. Goebel- when Town comes around, wasn't required before- is now- so stop giving waiver.

Mr. Glen- if drainage not in purview why are we concerned about it? Mr. Reid- so it doesn't have a negative impact on neighbors. Mr. Jerman- shows complies with the grading and drainage ordinance, as long as I comply- Court said not in Board purview. Mr. Glen- makes sense but still should check. Mr. Reid- yes that's what Mr. Worth does with his questions, not creating anything negative. Mr. Jerman- just like a conforming lot- must meet ordinances. Ms. Apgar- ordinance by State? Mr. Jerman- no, Township. Ms. Georgiano house looks set back, doesn't look even. Mr. Jerman- septic requirements, 8' porch looks closer to road. Ms. Georgiano- 10'? Mr. Worth- from the property line. Ms. Apgar- 2nd bedroom small window in front, possibly add 2nd window, MR. Jerman- not on the side, Ms. Apgar- in front though. Mr. Jerman- windows must be a certain size. Ms. Georgiano- bath and shower on 1st floor, Mr. Jerman- yes.

Ms. Fazio- ties to Courts, Mr. Cook bound by Court, Mr. worth- yard inlet to tie into drywell, drainage trench on drive, Ms. Fazio- garbage enclosure, Ms. Apgar- sump pump, Ms. Fazio- no bedrooms in basement. MR. Cook- no ingress/egress windows, no kitchen. Mr. Reid- reviews all conditions. Mr. Jerman-if denied- appeal- all extras go away.

Motion to approve with conditions made by W. Cook and seconded by H. Glen. Roll Call: W. Cook- yes, H. Glen- yes, S. Galbreath- no, B. Hay- no, G. Apgar- yes, L. Fazio- yes.

GERNERAL DISCUSSION

Ms. Apgar- question about Larchmont & Amsterdam. Ms. Mathioudakis- not for the Zoning Board to answer.

Mr. Reid- items #6 and #7 on the agenda carry to August 28, 2025-no notice and waiver of time.

Motion to Carry for both made by W. Cook and seconded by L. Fazio. Roll Call: All in Favor.

Mr. Hay- a process in which applicant cannot bully or harass a Board member or public that he would require representation.

Adjournment: The meeting was adjourned at 10:42 p.m. on motion by W. Cook and seconded by S. Galbreath. All in favor.

Respectfully submitted,

Erin Mathioudakis
Zoning Board Secretary