

MANALAPAN ZONING BOARD OF ADJUSTMENT  
**MINUTES OF THE REGULAR MEETING**  
**Thursday, May 21, 2020**  
**TOWNSHIP OF MANALAPAN**  
**Manalapan, NJ 07726**

PUBLIC MEETING~ HD OFFICE SUITES

DUE COVID-19, IN ACCORDANCE WITH GOVERNOR MURPHY'S EXECUTIVE ORDER NO. 107, THE PUBLIC WAS PERMITTED TO PARTICIPATE IN THIS MEETING VIA HD OFFICE SUITES BY ACCESSING THE LINK AND MEETING ID

Join OfficeSuite Meeting

<https://meeting.windstream.com/j/11114976662?pwd=Vk81SFdsTkFveGVrTFFKTmdlN2tMQT09>

Password: May212020

Open Public Meetings Act: Stephen Leviton

Roll Call: Janice Moench

In attendance at the meeting: Mollie Kamen, Terry Rosenthal, Adam Weiss, Larry Cooper, Robert Gregowicz, David Schertz, Robert DiTota, Basil Mantagas, Stephen Leviton

Absent from the meeting: Eliot Lilien

Also, present: John Miller, Esq., Zoning Board Attorney  
Nancy DeFalco, Zoning Officer  
Janice Moench, Recording Secretary

**MINUTES:**

A Motion was made by Mr. Weiss, Seconded by Mr. Rosenthal, to approve the Minutes of **April 2, 2020** as written.

Yes: Rosenthal, Weiss, Gregowicz, Leviton  
No: None  
Abstain: None  
Absent: Lilien  
Not Eligible: Kamen, Cooper, Schertz, DiTota, Mantagas

**RESOLUTIONS:**

There were no Resolutions

**PUBLIC HEARINGS:**

Application No. ZBE1640EX

Applicant: New York SMSA Limited Partnership dba Verizon Wireless  
Proposal: Extension of Time  
Request: Extension of Time for Final Site Plan  
Location: 83 Millhurst Road  
Block/Lot: 67/35.01  
Zone: RAG

Ms. Lynn Dunn represented the applicant. She explained the applicant was before the Board for a one-year extension of time of the original site plan approval granted on May 3, 2018.

Mr. Miller swore in Brian Boccanfuso, Township Engineer. Mr. Boccanfuso explained all of the conditions of the original approval have been satisfied to date and the plans have been executed by all parties. The Building permits have been issued. At this time, the applicant is requesting the extension to tie up some loose ends with the outside agencies.

Mr. Miller explained the one-year extension of time would run for May 3, 2020 through May 3, 2021. Ms. Dunn agreed.

Chair Leviton opened the meeting to the public for questions or comments on this application. There were no members of the public expressing an interest in this application. Chair Leviton closed public

A Motion of Approval for Application ZBE1640EX was made by Mr. Weiss and Seconded by Mr. Rosenthal

Yes: Kamen, Rosenthal, Weiss, Cooper, Gregowicz, Schertz, DiTota, Mantagas. Leviton  
No: None  
Abstain: None  
Absent: Lilien  
Not Eligible: None

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**Application No. ZBE2009**

Applicant: Kemar Phillips  
Proposal: Proposed fence in the street side setback  
Request: Bulk variance  
Location: 20 Fountayne Lane  
Block/Lot: 1800/1  
Zone: RR

Board Member Larry Cooper was recused from this application. Ms. DeFalco placed Mr. Cooper in the "waiting room" at 7:52 PM. Mr. Cooper was unable to hear or see any testimony given regarding this application.

Mr. Kemar Phillips was present and sworn in by Mr. Miller. The applicant explained his home was on the corner of Gravel Hill Road and Fountayne Lane. Mr. Phillips was before the Board to construct a 6 foot proposed fence on the street side of Gravel Hill Road. Mr. Phillips is proposing to construct the fence at 25 feet where 90 feet is required. The home itself is non-conforming and sits at 85 feet from the setback. Mr. Phillips further explained being a corner property his home has two front yards where zoning is concerned. Mr. Phillips explained he has two young children and would like the fence for safety and privacy.

The Board members confirmed there would be no site line issues and the fence would be constructed along the current tree line.

Mr. Miller confirmed with the applicant the fence would not be constructed in the Conservation Easement on the property.

Chair Leviton opened the meeting to the public for questions or comments on this application. There were no members of the public expressing an interest in this application. Chair Leviton closed public

A Motion of Approval for Application ZBE2009 was made by Mr. Weiss and Seconded by Mr. Schertz.

Yes: Kamen, Rosenthal, Weiss, Gregowicz, Schertz, DiTota, Mantagas. Leviton  
No: None  
Abstain: None  
Absent: Lilien  
Not Eligible: Cooper

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Mr. Cooper came back into the meeting at 8:03 PM to hear the remaining applications.

**Application No. ZBE2010**

Applicant: Michael & Sharon Munoz  
Proposal: Proposed fence in front setback/Columns  
Request: Bulk variance  
Location: 120 Beagle Drive  
Block/Lot: 82/7.03  
Zone: RR

Michael and Sharon Munoz were present and sworn in by Mr. Miller. Mr. John Ploskonka, Profession Engineer and Planner was also present and sworn in by Mr. Miller. Mr. Ploskonka explained the Munoz property sits at the end of a cul-de-sac. The applicants are proposing a 4-foot rail horse fence with welded wire mesh. They are requesting the following variances:

1. The proposed fence is to be located 2 feet from the front property line where no fencing is permitted within 25 feet of the property line.
2. The height of the proposed fence is 4 feet where 3 feet is permitted. the required setback for a 4- foot fence would be 100 feet from the setback)
3. Ornamental structures are not to exceed 3-feet in height whereas 4 feet high columns are proposed.

Mr. Ploskonka explained the property presents itself as a dead end however there is township property beyond their land. Unfortunately, there are many people trespassing onto their property in cars, busses, ATV's etc. The cul-de-sac is a "paper street".

The Board members confirmed through questions there will be an electric 4-foot gate. There will be no trees taken down to construct the fence, gate and columns. The gate and columns will be wide enough for emergency vehicles to access the property in case of a fire or other emergency.

Chair Leviton opened the meeting to the public for questions or comments on this application. There were no members of the public expressing an interest in this application. Chair Leviton closed public

A Motion of Approval for Application ZBE2010 was made by Mr. Weiss and Seconded by Mr. Cooper

Yes: Kamen, Rosenthal, Weiss, Cooper, Gregowicz, Schertz, DiTota, Mantagas, Leviton  
No: None  
Abstain: None  
Absent: Lilien  
Not Eligible: None

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**Application No. ZBE2012**

Applicant: Seth & Tracy Katzenstein  
Proposal: Proposed 2<sup>nd</sup> story deck in rear setback  
Request: Bulk variance  
Location: 14 Turnberry Drive  
Block/Lot: 7227/7  
Zone: CDKH

Board member Adam Weiss was recused from this application. Mr. Weiss exited the meeting at 8:26 PM.

Seth Katzenstein was present and sworn in by Mr. Miller. Mr. Katzenstein explained he is proposing to build an 11-foot by 20-foot second story deck to

replace the current 5 feet by 8 feet deck. The proposed deck will be 20 feet from the rear property line where 25 feet is required.

The Board members confirmed there is no gas, electric or stairs proposed to deck.

Chair Leviton opened the meeting to the public for questions or comments on this application. There were no members of the public expressing an interest in this application. Chair Leviton closed public

A Motion of Approval for Application ZBE2012 was made by Mr. Rosenthal and Seconded by Mr. DiTota

Yes: Kamen, Rosenthal, Cooper, Gregowicz, Schertz, DiTota, Mantagas, Leviton  
No: None  
Abstain: None  
Absent: Lilien  
Not Eligible: Weiss

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Chair Leviton opened the meeting to the public. Being there were no comments Chair Leviton closed public.

**ADJOURNMENT:**

A Motion was offered by Mr. Schertz to adjourn the meeting at 8:45 PM. All were in favor and none were opposed.

Respectfully Submitted,

Janice Moench  
Recording Secretary

RECORDED COMPACT DISCS OF THE ZONING BOARD OF ADJUSTMENT ARE AVAILABLE FOR REVIEW, IN THE PLANNING/ZONING BOARD OFFICE BY APPOINTMENT.