

**MANALAPAN ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
Thursday, July 2, 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=Vk81SFdsTkFveGVrTFFKTmdIN2tMQT09>

Password:July22020

Open Public Meetings Act: Stephen Leviton
Roll Call: Janice Moench
In attendance at the meeting: Mollie Kamen, Adam Weiss, Larry Cooper,
Robert Gregowicz, David Schertz, Rob DiTota,
Basil Mantagas, Stephen Leviton
Absent from the meeting: Terry Rosenthal and 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. Schertz, to approve the Minutes of **June 18, 2020** as written.

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

RESOLUTIONS: There were no resolutions offered.

PUBLIC HEARINGS:

Application No. ZBE1950

Applicant: Jarod Buehler
Proposal: Ratify existing paver patio
Request: Bulk variance rear setback relief
Location: 4 Sherwood Drive
Block/Lot: 411/2
Zone: R20

Jarod and Angel Buehler were present and sworn in by the Board Attorney. Mr. Buehler explained they are currently before the Board to legitimize an existing paver patio by the pool in backyard. The patio is located 2.5 feet from the rear property line where a 10-foot setback is required. Mr. Buehler gave testimony

that patio was installed in 2016 by a contractor. Mr. and Mrs. Buehler testified they were unaware that the contractor failed to obtain a permit for the patio. Mr. Buehler explained further the rear yard slopes down drastically leaving no useable space in the rear yard. The property itself is irregular in shape. The patio enhances the property aesthetically.

The applicant agreed to install a drywell on the subject property, in response to the April 6, 2020 report by Brian Boccanfuso, Township Engineer.

There will be no extra lighting added to the patio.

Chair Leviton opened the meeting to the public for questions or comments on this application.

The Board Attorney swore in Mr. Thomas Garcia, of 6 Sherwood Road. Mr. Garcia testified he has been living at 6 Sherwood Road for 16 years. When the patio was installed, the drainage run-off damage to his property began. Mr. Garcia explained he was very pleased to hear that a drywell/recharge system would be installed on the subject property.

There were no other members of the public expressing an interest in this application

Chair Leviton closed public

A Motion of Approval for Application ZBE1950 was made by Mr. Weiss, and Seconded by Mr. DiTota

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

*** Ms. Kamen entered the virtual proceedings at 8:06 PM

Application No. ZBE2017

Applicant: Ankur Desai
Proposal: Proposed Patio
Request: Bulk variance rear setback relief
Location: 84 E. Parsonage Way
Block/Lot: 6504/91
Zone: GCRC

The applicant's contractor Just Tal was present and sworn in by the Board Attorney. Mr. Tal explained the applicant was seeking bulk variance relief for a proposed 40 foot x 15 foot ground-level paver patio with sitting benches and six 3-foot high pillars with lights. The patio will have a setback of 5 feet from the rear property line where 10 foot is required. Mr. Tal explained the lighting would be on a dimmer. Mr. Tal met with the President of the Home Owners Association ("HOA") at the site. After the meeting on site and a review of the proposal, the HOA issued an approval. Mr. Tal further explained the patio would not affect drainage on the subject property and there would be no trees removed. Bordering the rear of the property is an open lot.

The patio sitting benches and pillars with lights will aesthetically improve the subject property without creating any detriment to the area.

Ms. Kamen asked for clarification on the location of the fire pit. Mr. Tal explained in further detail.

The application was submitted without the HOA approval. Mr. Tal explained he will send the HOA approval via email Ms. Moench.

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 ZBE2017 was made by Mr. Weiss, and Seconded by Ms. Kamen

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

Application No. ZBE2018

Applicant: Volodymyr Fedyshyn
Proposal: Proposed detached garage
Request: Bulk variance rear setback relief
Location: 10 Cozy Drive
Block/Lot: 8101/15
Zone: RAG4

Mr. Voldymyr Fedyshyn was present and sworn in by the Board Attorney. Mr. Fedyshyn explained he is seeking bulk variance relief to build a 22 foot X 24 foot x 15 foot-detached garage. The proposed garage would have a rear setback of 25 feet where 50 feet is required. The applicant explained the garage would be used to store trucks and cars, including, but not limited to collector or model vehicles. Mr. Fedyshyn explained his property is irregular in shape. Shaped like a pie. There is an easement on one side of the property. The applicant has stated he does not intend to use the garage as a rental. An open lot owned by Manalapan Township borders the property. The applicant stated the proposed detached garage would improve the aesthetics of the subject property.

Ms. Kamen asked if a lift is proposed in the garage. Ms. DeFalco explained the lift would require a permit from the construction department; however, the lift is not a zoning issue. The applicant explained he doesn't currently have a plan for a lift in the proposed garage, however he may look into it in the future for a way to store his collectible cars.

Chair Leviton opened the meeting to the public for questions or comments on this application.

Mark Presby of 16 Apple Blossom Lane expressed concern that the proposed garage would be constructed within the conservation easement along the property. The applicant confirmed the garage would not be located in the easement. Mr. Presby then expressed concern regarding any construction debris in the conservation easement. The applicant responded and explained there would be no conservation disturbance on the property. Mr. Presby asked the Board to limit the time for the applicant to complete the work if the Board were to vote favorably on the application. Ms. DeFalco explained the Township Construction Department would be responsible for the timing of completion of the work.

Being there were no other members of the public expressing interest in this application. Chair Leviton closed public.

A Motion of Approval for Application ZBE2018 was made by Mr. Weiss and Seconded by Mr. Cooper

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

Chair Leviton opened the meeting to the public for any non-agenda items. Being there were no comments Chair Leviton closed public.

ADJOURNMENT:

A Motion was offered by Mr. Cooper to adjourn the meeting at 8:55PM. 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.