

MANALAPAN ZONING BOARD OF ADJUSTMENT  
**MINUTES OF THE REGULAR MEETING**  
**Thursday, September 17, 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

<https://meeting.windstream.com/j/1120228571?pwd=clJaWFQzUTljMVZKL01DTFJzTDBKZz09>

HD-Office Suites Meeting Number: 112-022-8571 Password: Sept172020

Open Public Meetings Act: Stephen Leviton  
Roll Call: Janice Moench  
In attendance at the meeting: Mollie Kamen, Terry Rosenthal, Adam Weiss, Larry Cooper, Eliot Lilien, Robert Gregowicz, David Schertz, Robert DiTota, Basil Mantagas, Stephen Leviton  
Absent from the meeting: All Present  
Also, present John Miller, Esq., Zoning Board Attorney  
Nancy DeFalco, Zoning Officer  
Janice Moench, Recording Secretary

MINUTES:

A Motion was made by Mr. Cooper, Seconded by Mr. Schertz, to approve the Minutes of **August 20, 2020** as written.

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

A Motion was made by Mr. Cooper, Seconded by Mr. Schertz to approve the Minutes of **September 3, 2020** as written.

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

**RESOLUTIONS:**

A Motion was made by Mr. Cooper, Seconded by Ms. Kamen to approve the Resolution of memorialization for **Application ZBE2023 Domenick & Andrea Varricchio**

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

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A Motion was made by Mr. Schertz, Seconded by Mr. Cooper to approve the Resolution of memorialization for **Application ZBE2025 Christopher & Karen D'Ambola**

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

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A Motion was made by Mr. Cooper, Seconded by Ms. Kamen to approve the Resolution of memorialization for **Application ZBE2030 Ottavio Carmelo/ Nahoum**

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

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**PUBLIC HEARINGS:**

**Application No. ZBE2026**

Applicant: M & M Rosiak, LLC  
Proposal: Proposed single family home  
Request: Bulk variance- front setback  
Location: 569 Craig Road  
Block/Lot: 22.01/7  
Zone: R20

Richard Cerri, Esq. was present on behalf of the applicant. Mr. Cerri referred to Mr. John Ploskonka to begin testimony on behalf of the client. Mr. Miller swore in Mr. Ploskonka and the Board accepted his credentials.

Mr. Ploskonka explained the property contains approximately two acres and is vacant with frontage along Craig Road within the R-20 (Single-Family Residential) Zone District. The Applicant proposed to construct a 3,900-s.f. two-story single-family residential structure that required bulk variance relief. The lots surrounding the subject property are similarly zoned R-20. The Applicant purchased the property in 2014.

Mr. Ploskonka referred to an aerial photo marked as Exhibit B, previously submitted to the Board. The photo showed an existing home removed by the Applicant earlier this year with a demolition permit. The aerial photo showed the homes to the right and left to be in-line with the existing home on the property.

The Applicant required bulk variance relief for the front yard setback where 60 feet was proposed and a 75-foot setback was required. Mr. Ploskonka explained that the proposed open front carport encroached into the front yard setback. Mr. Ploskonka stated that the proposed home would align with the other homes in the neighborhood. Mr. Ploskonka testified the rear of the property is heavily wooded and the rear property line borders McGellard's Brook. Mr. Ploskonka confirmed the location of the proposed home would not encroach on the buffer from the Brook. The applicant's intent is to keep the backyard larger to be able to install an in-ground pool in the future without encroaching into the environmental constraints. The Applicant has made application to the DEP to get clarification on the Environmental constraints located on the property.

Mr. Weiss asked how many cars in width would fit under the carport. Ms. DeFalco explained in looking at the plans submitted the width is 24 feet and depth is 12 feet.

Mr. Cooper asked if there is any flood potential. Mr. Ploskonka explained there is a stream however the home is 160 feet from the stream.

Ms. Kamen confirmed with Mr. Ploskonka the square footage of the home to be 3,900-s.f. Ms. Kamen recommended a condition to prohibit the carport from enclosure to expand the footprint of the home.

The Board found that the Applicant satisfied the negative criteria. The construction of the home will benefit surrounding properties and will not be out of character for the neighborhood.

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 ZBE2026 was made by Mr. Rosenthal and Seconded by Mr. Lilien.

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

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**Application No. ZBE2032**

Applicant: Todd Brown  
Proposal: Proposed fence  
Request: Bulk variance-front/street-side setback  
Location: 16 Livingston Lane  
Block/Lot: 902/1  
Zone: R20

Ms. Kamen and Mr. Lilien announced they would be recusing themselves from this application and exited the meeting. Mr. Miller swore in Todd and Jillian Brown.

The property is a corner lot that contains 0.69 acres with frontage along Livingston Lane and Dayton Lane within the R-20 (Single-Family) Zone District.

The Applicant proposed to install 6-foot high and 8-foot high-enclosed vinyl or wood fencing in the front, rear and side yards of the property.

The Applicant testified that he was seeking to install 8-foot high closed vinyl or wood fencing along the rear and westerly sides of the property. Mr. Brown stated that he was seeking to install 6-foot high closed vinyl or wood fencing extending from the rear corner of the existing home to the westerly property line and also extending from the easterly side of the residential home for 60 feet and then extending to the southerly property line. He further testified that bulk variance relief was required to permit the 8-foot high fencing where a maximum of 6 feet is permitted and 6-foot high fencing in the front yard (along Dayton Lane) where a maximum of 3 feet is permitted. Mr. Brown explained that motorists traveling along Dayton Lane are now able to view his rear yard as well as his the home located to the rear on Dayton Lane. An 8-foot high fence was proposed to provide additional security on the property. The property slopes from front to rear and that the height of the 6-foot and 8-foot fencing would be mitigated by the slope of the backyard.

Mr. Rosenthal asked the Applicant if there would be any site line issues in the front yard with regard to the installation of the fencing. Mr. Brown confirmed there would be no site line impairment.

Mr. Cooper asked the Applicant if the fence was existing in the front yard when he purchased the home. Mr. Brown confirmed the fence was preexisting and there was not previous variance relief.

Chair Leviton opened the meeting to the public for questions or comments on this application. Yury Manukyan of 35 Dayton Lane was sworn in by Mr. Miller. Mr. Manukyan stated he was in favor of the application.

Chair Leviton closed public.

A Motion of Approval for Application ZBE20 was made by Mr. Cooper and Seconded by Mr. Rosenthal

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

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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. Weiss to adjourn the meeting at 8:30 PM. All were in favor and none 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.