

**MANALAPAN ZONING BOARD OF ADJUSTMENT  
MINUTES OF THE REGULAR MEETING  
Thursday, August 16, 2018  
TOWNSHIP OF MANALAPAN – Courtroom  
Manalapan, NJ 07726**

The meeting was called to order with the reading of the Open Public Meetings by Chairman Stephen Leviton at 7:35 PM followed by the salute to the flag.

Roll Call: Janice Moench

In attendance at the meeting: Mollie Kamen, Larry Cooper, Eric Nelson, Eve Strauss, Mary Anne Byan, David Schertz, Adam Weiss, Stephen Leviton

Absent from the meeting: Terry Rosenthal, Eliot Lilien

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

Chair Leviton announced the Fontana Application number ZBE1719 of 11 Cambridge Court will be carried to the September 6, 2018 meeting. The Betre Application number ZBE1806 of 68 Deer Way will be carried to the September 20, 2018 meeting. Both applications will not provide any further notice to the public

**MINUTES:**

A Motion was made by Mr. Cooper, Seconded by Mr. Weiss by to approve the Minutes of **July 19, 2018** as written.

Yes: Cooper, Nelson, Schertz, Weiss, Leviton  
No: None  
Abstain: None  
Absent: Rosenthal, Lilien  
Not Eligible: Byan, Strauss, Kamen

**RESOLUTIONS:**

Memorialization of Approval

**Application No: ZBE1827**

Applicant: Michael Green

Location: 1 Constitution Court; 502/11

A Motion was made by Mr. Cooper, Seconded by Mr. Weiss to approve the Resolution of memorialization for Application **ZBE1827**

Yes: Cooper, Nelson, Byan, Schertz, Weiss, Leviton  
No: None  
Abstain: None  
Absent: Rosenthal, Lilien  
Not Eligible: Strauss, Kamen

**PUBLIC HEARINGS:**

**Application No. ZBE1817 (carried from July 19, 2018)**

Applicant: Eivind Hauge  
Proposal: Construct a 2 story single family dwelling  
Request: Bulk variances  
Location: Woodward Road  
Block/Lot: 76.02/12.02  
Zone: R20

Mr. and Mrs. Hauge of 55 Lamb Lane were previously sworn in at the July 19, 2018 meeting and remain under oath for any new testimony provided.

The applicant was before the Board on July 19, 2018 to construct a two story single family home that required bulk variances. The Board Planner, Ms. Beahm expressed concern with the relief sought regarding the encroachments and provided some options. The Board received changes made to the proposed home. Chair Leviton asked the applicants to review the proposed changes on the record.

Mr. Hauge produced a poster board containing pictures of the proposed changes. The poster board also included a picture from Google Maps to help answer some questions that were asked by Board members at the prior meeting. The poster board was marked as Exhibit A-1

Mr. Hauge began by addressing a question raised at the prior meeting on July 19, 2018, by Mr. Weiss. Mr. Weiss asked how many homes between Lamb Lane and Sweetmans Lane were built with a 75 foot setback. Mr. Hauge explained after reviewing Google Maps he determined there are 35 homes and 29 of the homes are at a 60 Foot setback. Mr. Hauge went on to explain the proposed changes in order to bring the home further into compliance. Mr. Hauge changed the rear of the home to be straight across, this allowed him to move the proposed home back. He also reduced the garage to two bays instead of three bays. With these changes a small corner portion of the home remains in the 75 Foot setback.

Chair Leviton explained he spoke with Ms. Beahm after she reviewed the modifications made by the applicant and she would take no exception to the Board's approval

Mr. Miller asked for an exact distance the proposed home would be from the front setback. The Board discussed the setback relief with the applicant and it was determined the front setback relief sought would be 68 feet. Mr. Miller explained the applicant would have to provide an updated plot plan, prior to submitting for a permit, as a condition of the approval.

Chair Leviton opened the meeting to the public for comment or questions on the application. See there were none, Chair Leviton closed public.

A Motion of Approval for Application ZBE1817 was made by Mr. Weiss and Seconded by Mr. Cooper.

Yes: Kamen, Cooper, Nelson, Schertz, Weiss, Leviton  
No: None  
Abstain: None  
Absent: Byan, Strauss  
Not Eligible: Rosenthal, Lilien

**Application No. ZBE1826**

Applicant: Godwin I. Ayeke  
Proposal: Proposed Deck  
Request: Bulk variance  
Location: 76 Pension Road  
Block/Lot: 14.06/44  
Zone: RTGTH

Mr. Godwin Ayeke of 76 Pension Road was sworn in by Mr. Miller. Mr. Ayeke explained he purchased the home at 76 Pension Road in 2007. The rear of the home is sloped with a large hill. The only way the applicant can enjoy his backyard would be to build a deck. When the applicant applied to the zoning department to build the 20 x 28 foot deck it was brought to his attention the deck would encroach into the rear yard setback.

Ms. DeFalco explained in addition to the lot being irregular in size. The home is on a non-conforming lot in the RFTH zone. The lot requirement is 85 feet wide where the applicant's property is 50 feet wide. The principal building should be 25 feet from the front setback where the property is set back 40 feet. In the rear corner where the lot is irregularly shaped there is on 36 feet where the minimum requirement is 30 feet. The placement of the home leaves the applicant with a very shallow rear yard. The lot behind the applicant's home is owned by Manalapan Township.

The Board had no further questions for the applicant.

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

A Motion of Approval for application ZBE1826 was made by Ms. Kamen and Seconded by Mr. Nelson.

Yes: Kamen, Cooper, Nelson, Strauss, Byan, Schertz, Leviton  
No: None  
Abstain: None  
Absent: Rosenthal, Lilien  
Not Eligible: Weiss

Chair Leviton opened the meeting to the public for comment or questions on the application. See there were none, Chair Leviton closed public.

**ADJOURNMENT:**

A Motion was offered by Ms. Kamen and agreed by all to adjourn the meeting at 7:55 PM

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.