

MANALAPAN ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
Thursday, October 1, 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/1119834768?pwd=NldTVTBLNlp1d2dkOS93cUt6bVcrdz09>

HD-Office Suites Meeting Number: 111 983 4768 Password: Oct12020

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, Stephen Leviton

Absent from the meeting: Terry Rosenthal, Eliot Lilien, Robert DiTota, Basil Mantagas

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. Gregowicz, to approve the Minutes of **September 17, 2020** as written.

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

RESOLUTIONS:

A Motion was made by Mr. Weiss, Seconded by Ms. Kamen to approve the Resolution of memorialization for **Application ZBE2026 M & M Rosiak LLC**

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

A Motion was made by Mr. Schertz and Seconded by Mr. Gregowicz to approve the Resolution of memorialization for **Application ZBE2032 Todd Brown**

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

PUBLIC HEARINGS:

Application No. ZBE2027

Applicant: Ronko Developers, Inc.
Proposal: Proposed single family home
Request: Bulk variances-width/frontage/improvable area
Location: 22 Pension Hill Rd
Block/Lot: 14.05/60
Zone: RTF/TH

Mr. Miller explained this application would be carried to the December 3, 2020 Zoning Board meeting with no further notice to the public. The Applicant's Attorney, Paul Mirabella, Esq. contacted Mr. Miller earlier in the day. The Applicant received the Boards Engineering review earlier in the day and requested more time to review and comply with the findings in the report.

*Mr. Cooper was having technical difficulties and was unable to participate in the meeting until 7:52 PM.

Application No. ZBE2028

Applicant: Marc & Corinne Librizzi
Proposal: Proposed deck/legitimize driveway
Request: Bulk variance-rear & side yard setback relief
Location: 5 Mallard Ct
Block/Lot: 1436/7
Zone: R20

Chair Leviton put on the record both he and Ms. Librizzi were employed by the same Board of Education, however never worked with each other. Ms. Librizzi is also the Daughter of the past Manalapan Mayor Anthony Morelli.

Applicants Corrine and Marc Librizzi were present and sworn in by Mr. Miller. Ms. Librizzi explained they purchased the home in 1998 and had a survey done. Both the deck and the driveway were existing when they took residency. The home is situated on a "pie-like" lot with a very steep hill as noted in the current survey. The driveway is at the top of the steep hill with a side garage. The extended driveway is necessary to operate a vehicle safely in and out of the garage at the top of the steep hill. The driveway is steep and crooked.

Applicant, Corinne Librizzi, testified that she was seeking bulk variance relief to permit the construction of a 32 foot x 19 foot x 16 foot x 12 foot rear yard deck with a 44.4-foot rear yard setback where a 50-foot setback is required. Ms. Librizzi was also present to legitimize the existing driveway, which is located four and a half (4½) feet from the side property line where a ten (10) foot side setback is required.

Ms. Librizzi explained that she is proposing to replace an existing wood rear deck that was 22 years old and dilapidated. She testified that the new rear yard deck was proposed to be constructed within the same footprint of the existing rear deck, with the exception of the installation of smaller steps, which would connect to the existing residential home. Ms. Librizzi then explained that she became aware of the non-compliant driveway after the Zoning Officer reviewed an updated survey of the Property. She stated that bulk variance relief was also necessary to legitimize the improvement. There has not been any water runoff issues

associated with the driveway and no complaints from neighbors. Ms. Librizzi agreed to comply with all Township drainage requirements.

Mr. Weiss confirmed the pie shaped lot being at the front of the home making it difficult to utilize the garage without the extension of the driveway.

Mr. Schertz confirmed the history of the driveway with the Applicant.

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 ZBE2028 was made by Mr. Weiss and Seconded by Ms. Kamen.

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

Application No. ZBE2029

Applicant: Vincent Rago (Anthony Kobel/NicoleAdelantar
Proposal: Legitimize driveway
Request: Bulk variance-side yard setback relief
Location: 8 Danielle Drive
Block/Lot: 1507/28
Zone: R20

Steven P. Gouin, Esq. of Giordano, Halleran & Ciesla, represented the Applicants Anthony Kobel and Nicole Adelantar. Mr. Gouin explained his clients are the current owners of 8 Danielle Drive. Mr. Rago is the prior owner of the residence and present as well.

Mr. Miller swore in Anthony Kobel. Mr. Kobel testified that he entered into a contract with the Rago's to purchase the home in July 2020 Just prior to closing both parties learned his driveway was not in compliance. Both parties agreed to move forward with the sale, holding funds in escrow, until the hearing would take place. Mr. Kobel was proposing to legitimize the existing circular driveway, which is located six feet from the side property line where a ten-foot side setback is required.

Mr. Miller swore in Vincent Rago, of 422 Ocean Blvd North, Long Branch, NJ. Mr. Rago explained that he had obtained a Road Opening permit to construct the circular driveway in 2013 and only recently became aware that his contractor mistakenly constructed the driveway within the side yard setback. Mr. Rago stated that bulk variance relief was therefore required to legitimize the existing improvements.

Ms. DeFalco explained the Zoning CCO program and the choices the applicant had in order to bring the driveway into conformance.

Mr. Rago then testified that there has not been water runoff issues associated with the circular driveway and that he had not received any complaints from neighbors. Mr. Kobel then stated that he would comply with all Township drainage requirements.

Ms. Kamen confirmed with Ms. DeFalco that there have been no complaints from the neighbors of 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 ZBE2029 was made by Mr. Weiss and Seconded by Ms. Kamen

Yes: Kamen, Weiss, Cooper, Gregowicz, Schertz, Leviton
No: None
Abstain: None
Absent: Rosenthal, Lilien, DiTota, Mantagas
Not Eligible: DiTota, 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. Weiss to adjourn the meeting at 8:15 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.