

MANALAPAN ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
Thursday, September 3, 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

HD-Office Suites Meeting Number: 111-1497-6662 Password: Sept32020

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: There were no minutes offered

RESOLUTIONS: There were no resolutions offered.

PUBLIC HEARINGS:

Application No. ZBE2023

Applicant: Domenick & Andrea Varricchio
Proposal: Legitimize pool, deck & Fence
Request: Bulk variance- rear/street-side setback
Location: 5 Devon Drive
Block/Lot: 1905/11
Zone: R20

Domenick and Andrea Varricchio were present and sworn in by Mr. Miller.

The Applicants recently purchased the property in May of 2019 with the pre-existing wood deck and above ground swimming pool. The property is located on a corner lot, which contains frontage along Devon Drive and a Regal Road within the R-20 Zone.

Mr. Varricchio testified that he is proposing to construct 6-foot high white vinyl fence along the property line to enclose the rear yard. Mr. Varricchio stated that he required bulk variance relief for the fencing along the Regal Road side where a 39-foot setback was proposed and a 60-foot setback is required. The proposed fencing would contain a 3-foot wide gate and a 4-foot wide gate. Mr. Varricchio explained the fencing would provide additional privacy and security on the property and would not interfere with traffic sightlines.

Mr. Varricchio then testified that he was also proposing to legitimize the existing above ground swimming pool which is located 50 feet from Regal Road where a 60-foot setback is required. Mr. Varricchio explained the pool and the deck were pre-existing when he purchased the home.

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 ZBE2023 was made by Mr. Weiss and Seconded by Mr. Schertz

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

Application No. ZBE2025

Applicant: Christopher & Karen D' Ambola
Proposal: Proposed Deck
Request: Bulk variance- rear setback
Location: 32 Pine Brook Road
Block/Lot: 1314/27.03
Zone: R20

Karen D' Ambola was present and sworn in by Mr. Miller. Also, present and sworn in by Mr. Miller, was Stephen J. Nuzzolo of SJN Development & Construction, LLC. Mr. Nuzzolo is the contractor hired by the Applicants to build the proposed deck in the rear yard. Mr. Nuzzolo testified the property is located on Pine Brook Road within the R-20 (Single-Family) Zone. The Applicants are proposing to construct a 16-foot x 31-foot rear yard raised deck with stairs.

The proposed raised deck and stairs would provide a wider and safer access from the home. Mr. Nuzzolo testified that bulk variance relief required is for a 34-foot rear yard setback where a 50-foot setback is required. The proposed raised deck with stairs would connect with the rear entrance of the home on the property. Ms. D'Ambola added that the properties in the neighborhood contained similarly sized raised decks. She then expressed her opinion that the proposed raised deck would improve the aesthetics of the property.

Ms. DeFalco explained that the home is already at 50 feet and the property is unusual in shaped; narrow and long.

The Board members discussed and agreed to the hardship 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 ZBE2025 was made by Mr. Weiss and Seconded by Mr. Rosenthal

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

Application No. ZBE2030

Applicant: Ottavio Carmelo (Nahoum)
Proposal: Legitimize Raised Paver Patio
Request: Bulk variance- setback relief
Location: 1 Woodhollow Drive
Block/Lot: 1311/3
Zone: R/20

Mr. Ottavio Carmelo was present and sworn in by Mr. Miller. Also, present and sworn in, were Mr. and Mrs. Joseph Nahoum, who recently purchased the home.

The property is a corner lot that contains frontage along Woodhollow Drive and Union Hill Road in the R-20 Zone District.

Mr. Carmelo testified that 10 years prior he installed a multi-level block patio in the rear yard. Mr. Carmelo explained he applied and received the permits to install the patio. The Building Department of the Township came out to inspect and approve the patio. Mr. Carmelo further testified he recently applied for the Zoning Certificate of Occupancy ("ZCCO") just prior to selling the home. During the review and inspection of the ZCCO it was discovered the contractor mistakenly constructed the patio encroaching into the side setback. The design of the patio is unique and the rounded portion is where the encroachment is to the side setback. Pictures of the patio design were submitted with the application for the Board to review.

Mr. Carmelo, testified that he proposes to legitimize the existing multi-level block patio which is located 11 feet, 6 inches from the side property line where a 15-foot side setback is required.

Mr. Nahoum testified he has since closed on the home and has been residing there for the past two weeks.

Chair Leviton confirmed with Mr. Nahoum the paperwork on file indicating, should the Board not act favorably the patio would need to be in conformance.

Ms. Kamen asked if there were any complaints from the neighbors. Ms. DeFalco explained this application was brought to the Board from a ZCCO inspection. There were no complaints on file.

Mr. Carmelo testified there have been no water runoff issues associated with the existing patio. He added that a vinyl shed located within the side yard setback has been removed.

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 ZBE2030 was made by Mr. Weiss and Seconded by Ms. Kamen

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

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

The Board discussed the New Zoning Certificate of Occupancy Program in greater detail with Ms. DeFalco.

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.