

MANALAPAN ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
Thursday, August 6, 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 Office Suite Meeting

<https://meeting.windstream.com/j/11114976662?pwd=Vk81SFdsTkFveGVrTFFKTmdlN2tMQT09>

Password: Aug62020

Open Public Meetings Act: Stephen Leviton

Roll Call: Janice Moench

In attendance at the meeting: Mollie Kamen, Terry Rosenthal, Larry Cooper, Robert Gregowicz, David Schertz, Robert DiTota, Basil Mantagas, Stephen Leviton

Absent from the meeting: Adam Weiss, 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. Cooper, Seconded by Mr. Gregowicz, to approve the Minutes of **July 2, 2020** as written.

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

RESOLUTIONS: There were no resolutions offered.

PUBLIC HEARINGS:

Application No. ZBE1942

Applicant: Pushpaben Patel
Proposal: Proposed single family home
Request: Bulk variance-setback relief
Location: McBride Rd.
Block/Lot: 48/4
Zone: R20

John Miller, Esq. swore in the Applicant's Engineer and Planner, John Ploskonka, P.E, P.P. Mr. Ploskonka explained Mrs. Patel along with her son were in attendance of the meeting via telephone they were not sworn in and did not provide testimony. The Applicant is proposing to construct a 2,250-s.f. two-story single family home in the R20.

Mr. Ploskonka explained the lot is vacant between two existing homes on McBride Road. The Board approved the lot for a single family home in 2004. Mr. Ploskonka testified the proposed home would require the following variances for pre-existing conditions:

- (1) minimum lot area where 15,000 s.f. exists and 20,000 s.f. is required;
- (2) minimum lot depth where 123.00 feet exists and 180 feet is required;
- (3) minimum improvable area where 1,265 s.f. is proposed and 6,000 s.f. is required;
- (4) minimum diameter where 17 feet exists and 60 feet is required.

Mr. Ploskonka then testified that the Applicant also requires bulk variance relief for rear yard setback where 34.2 feet was proposed, and 50 feet is required and for the front yard setback where 50 feet is proposed and a 60-foot setback was required. He explained that the Applicant originally proposed to construct the proposed home with a compliant front yard setback. Mr. Ploskonka stated that the Applicant's neighbor requested that the proposed home be moved back to align with the other homes in the neighborhood. Mr. Ploskonka then testified the property located to the rear of the subject property is heavily wooded and would provide a natural buffer. If the home were to be built to compliance, the home would be 19 feet deep and 83 feet wide.

Mr. Ploskonka completed his testimony. Mr. Cooper questioned the Resolution from the 2004 meeting. Mr. Miller explained the 04-04ZN Resolution granted relief for the undersized lot and rear yard setback. At the end of the hearing, the applicant agreed to comply with the rear yard setback leaving only the preexisting conditions for vote. There were no other conditions from the approval in 2004. The application before this Board is a new application.

It was determined, should the applicant propose a deck in the future they would have to come before the Board.

The Board determined that the proposed new single family home would result in an aesthetic upgrade to the currently vacant property and would create a desirable visual environment.

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.

Ms. Moench stated on the record, Mr. Cooper was not present for the prior meeting on this application. Mr. Cooper did request and listen to the recording of the proceedings allowing him to vote on the application.

A Motion of Approval for Application ZBE1942 was made by Mr. Cooper and Seconded by Mr. Rosenthal

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

Application No. ZBE2013

Applicant: Adam & Emily Pearlman
Proposal: Legitimize patio & concrete around pool
Request: Bulk variance- setback relief
Location: 55 Alexandria Drive
Block/Lot: 1809/3
Zone: R20

John Miller, Esq., swore in Applicant Adam Pearlman. The Applicant testified that he proposed to legitimize the existing concrete patio surrounding the in-ground swimming pool, which is located 8 feet 6 inches from the side property line where a 10-foot side setback is required. The applicant testified he replaced a rear wood deck, with a 32-foot by 38-foot by 29-foot by 34-foot with paver patio, which is located 7 foot from the side yard setback where a 15 foot side setback is required. Mr. Pearlman testified that he was seeking to legitimize the existing concrete patio along with the concrete that surrounds the in-ground swimming pool. He explained that he did not realize that the concrete patio encroached into the side yard setback. He further testified that bulk variance relief was required for the rear yard concrete patio, which would have the same dimensions of the wood deck that he preplaced due to deterioration. Mr. Pearlman then testified there is no water runoff issues associated with the patio and that he would comply with all Township drainage requirements.

Ms. DeFalco clarified the property is unusual in shape because the home is located on a curve in the street not a corner.

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 ZBE2013 was made by Mr. Rosenthal and Seconded by Ms. Kamen

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

Application No. ZBE2019

Applicant: Susan Sevinsky
Proposal: Proposed Second Story Deck
Request: Bulk variance- setback relief
Location: 2 Pinehurst Drive
Block/Lot: 7226/1
Zone: CDKH

John Miller Esq. swore in the Applicant Susan Sevinsky. The Applicant is proposing to construct a 28-foot x 10-foot x 13-foot rear yard raised deck with stairs on the subject Property that is located in the Knob Hill Development in the CD-KH Zone. The Applicant testified that she was proposing a new rear yard raised deck with stairs to replace a smaller 5-foot x 7-foot existing rear yard raised deck, which she described as very small, unusable and deteriorating. She explained that the proposed raised deck and stairs would provide a wider and safer access from the home. The proposed deck would have a rear yard setback of 19.5-foot where a 25-foot setback is required. She explained that the proposed raised deck with stairs would connect with the rear sliding door of the home on the subject property. The Applicant added that the properties in the neighborhood contained similarly sized raised decks. She went on to state that the proposed raised deck with stairs would not exceed the width of the existing residential home. She then expressed her opinion that the proposed raised deck would improve the aesthetics of the property.

There will be no additional electrical added to the construction of the deck.
There is an approval in place from the Homeowners Association.

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.

Chair Leviton made mention of adding this development

A Motion of Approval for Application ZBE2019 was made by Ms. Kamen and Seconded by Mr. Cooper

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

Application No. ZBE2020

Applicant: Alex Soriano
Proposal: Proposed foyer/portico addition
Request: Bulk variance- setback relief
Location: 5 Canterbury Rd.
Block/Lot: 1414/20
Zone: R/20

John Miller Esq. swore in Applicants Alex and Karla Soriano. The Applicant proposed a 13-foot, 10-inch x 12-foot, 4.5-inch foyer and portico in the front yard of the property. The Applicant testified that he was proposing a new front yard foyer and portico to cover an existing front door. The Applicant was proposing a 65-foot, 2.5-inch front setback where 75-foot front setback is required. He explained that the proposed foyer and portico would provide additional safety and security for the front access way to his home. Mr. Soriano explained the home is a raised ranch. Upon entry to the home, the front door opens to the right where there is an immediate landing to step up to the second level. The Applicant submitted photos of the inside and outside of the home for the Board to review. Mr. Soriano referenced those photos while giving testimony describing the inside of the home and the current tripping hazard.

The Board found the improvement would be an overall improvement to the home and surrounding area.

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 ZBE2020 was made by Mr. Rosenthal and Seconded by Mr. Schertz

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

Chair Leviton opened the meeting to the public. Being there were no comments Chair Leviton closed public.

ADJOURNMENT:

A Motion was offered by Mr. Cooper to adjourn the meeting at 8:20 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.