

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726
(732) 446-8367

Planning Board Minutes

Virtual Meeting

October 28, 2021

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m., followed by the salute to the flag.

Roll Call: Daria D'Agostino, Secretary

In attendance at the meeting: Barry Fisher, Todd Brown, John Castronovo, Alan Ginsberg, Daria D'Agostino, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Steve Kastell, Brian Shorr

Absent from meeting: Richard Hogan

Also present: Ronald Cucchiaro, Planning Board Attorney
Jennifer Beahm, Planning Board Planner
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in Jennifer Beahm, Professional Planner.

Ordinance: **Ordinance 2021-18**
An Ordinance of the Township of Manalapan
Amending and Supplementing Chapter 95,
"Development Regulations", Section 95-5.1,
"Zoning Map and Schedules" of the Code of the
Township of Manalapan

Ms. Beahm explained that it was brought to the attention of Township Committee that there was an error in one of the schedules of this Ordinance which was allowing excessive floor area ratio in the RR and R40 Zone. This Ordinance is correcting that error, changing the habitable floor area from .75 to .075, and from .95 to .095 respectively. She believes it is just a correction of an error and she does not believe there is any inconsistency with the Master Plan and would therefore submit that it is substantially consistent with the Master Plan. Mr.

Cucchiaro said some people were relying upon the numbers in the Ordinance which were inadvertently incorrect so we do need to change it so people stop relying upon this error.

A Motion was made by Mr. Fisher, Seconded by Mr. Kastell that Ordinance 2021-18 is substantially consistent with the Master Plan.

Yes:	Fisher, Brown, Ginsberg, Castronovo, D'Agostino, Kwaak, McNaboe, Jacobson, Kastell
No:	None
Absent:	Hogan
Abstain:	None
Not Eligible:	Schorr

Chairwoman Kwaak opened the floor for any non-agenda items. Seeing none, the public portion was closed.

Chair Kwaak asked for any correspondence and Ms. Nosseir stated Mr. Cucchiaro had to items to recap with the Board.

Mr. Cucchiaro said he wanted to make the Board aware that the Governor just signed legislation that prohibits challenges to Boards' actions simply because they held a remote virtual meeting. Recently there was some litigation regarding virtual meetings. The caveat is that the Boards have to follow the virtual rules and regulations and the Manalapan Boards have followed the rules. Continuing to hold virtual meetings in the proper manner makes the meeting entirely lawful.

Mr. Cucchiaro said he sent correspondence to the Board regarding the Appellate Division's decision on the Old Tennent Church Crematorium matter and that the Planning Board acting appropriately and denied the application without prejudice. The applicant has the option to go to the Zoning Board and we will see what happens.

Chair Kwaak reminded the Board that the next meeting is November 11, 2021, which will remain virtual.

Mayor McNaboe mentioned the Volunteer Breakfast is scheduled for November 21, 2021 and encouraged all to attend.

Mr. Fisher made a Motion to end the meeting at 7:50 pm and it was agreed to by all.

Respectfully submitted,

A handwritten signature in blue ink that reads "Lisa Urso-Nosseir". The signature is written in a cursive style with a large initial "L" and "U".

Lisa Urso-Nosseir
Recording Secretary