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MEETING IS CALLED TO ORDER:

MR. LEVITON: Thank you, Janice. I'll ask everyone to join me in a salute to the flag.

SALUTE TO THE FLAG

MR. LEVITON: Pursuant to section five of the Open Public Meetings Act notice of this meeting of the Manalapan Township Zoning Board of Adjustment was sent and advertised in the Asbury Park Press. A copy of that notice was posted on the bulletin board where public notices are displayed here in the municipal building. In addition, a copy of this notice is and has been available to the public and is on file in the office of the municipal clerk. Accordingly, this meeting is deemed in compliance with the Open Public Meetings Act. Roll call, please.

ROLL CALL

MS. MOENCH: Mr. Gregowicz?

MR. GREGOWICZ: Here.

MS. MOENCH: Mr. Rosenthal's not present. Mr. Schertz is not present. Mr. Shalika?

MR. SHALIKAR: Yes.

MS. MOENCH: Mr. Weiss is not present. Mr. Mantagas?

MR. MANTAGAS: Here.

MS. MOENCH: Mr. Pochopin?

MR. POCHOPIN: Here.

MS. MOENCH: Mr. Wechsler?

MR. WECHSLER: Here.

MS. MOENCH: Chair Leviton?

MR. LEVITON: Here. So gentlemen one of our applications tonight is a use variance. They're going to require five affirmative votes to get the relief that they seek which means that everyone's vote will count tonight. Our alternates' votes will count. We're down two members and we recently lost a permanent member not too long ago.

1 That didn't sound right, nobody died. Our first order of business is
2 to accept the minutes from September 21st as well as the minutes from
3 the executive session on the same night. Can I get a motion?

4
5 MR. GREGOWICZ: So moved.

6
7 MR. LEVITON: Thank you Mr. Gregowicz and will someone
8 second it?

9
10 MR. SHALIKAR: I'll second.

11
12 MR. LEVITON: Thank you Mr. Shalikar.

13
14 **ROLL CALL**

15
16 MS. MOENCH: Mr. Gregowicz?

17
18 MR. GREGOWICZ: Yes.

19
20 MS. MOENCH: Mr. Shalikar?

21
22 MR. SHALIKAR: Yes.

23
24 MS. MOENCH: Mr. Mantagas?

25
26 MR. MANTAGAS: Yes.

27
28 MS. MOENCH: Mr. Pochopin?

29
30 MR. POCHOPIN: Yes.

31
32 MS. MOENCH: Mr. Wechsler?

33
34 MR. WECHSLER: Yes.

35
36 MS. MOENCH: Chair Leviton?

37
38 MR. LEVITON: Yes. Alright next up we need to memorialize
39 resolution number ZBE2327, Mr. Marmero?

40
41 MS. MOENCH: You need the minutes from the regular meeting.

42
43 MR. MARMERO: He did them.

44
45 MR. LEVITON: I took them together.

46
47 MS. MOENCH: Oh you did both? Oh, I'm sorry, okay perfect
48 thank you.

1
2 MR. MARMERO: Mr. Chairman the resolution that you're
3 referring to ZBE2336 just so the board remembers.

4
5 MR. LEVITON: Seven. Oh, it's ZBE2327.

6
7 MR. MARMERO: Yeah I'm sorry ZBE2327 you're right. Just so
8 the board recalls this was bulk variance relief for an existing fence.
9 The fence was close to meeting the setback requirements if it was at
10 the correct height, but the applicant needed variance relief for both
11 the height of the fence and the setback location.

12
13 MR. LEVITON: Thank you Mr. Marmero.

14
15 MR. MARMERO: Sure.

16
17 MR. LEVITON: Okay will someone move to memorialize that
18 application?

19
20 MR. SHALIKAR: So moved.

21
22 MR. LEVITON: That resolution, thank you Mr. Shalika.

23
24 MR. MANTAGAS: I'll second.

25
26 MR. LEVITON: And thank you Mr. Mantagas.

27
28 **ROLL CALL**

29
30 MS. MOENCH: Mr. Gregowicz?

31
32 MR. GREGOWICZ: Yes.

33
34 MS. MOENCH: Mr. Shalika?

35
36 MR. SHALIKAR: Yes.

37
38 MS. MOENCH: Mr. Mantagas?

39
40 MR. MANTAGAS: Yes.

41
42 MS. MOENCH: Mr. Pochopin?

43
44 MR. POCHOPIN: Yes.

45
46 MS. MOENCH: Chair Leviton?

47
48

1 MR. LEVITON: Yes. Okay I want to first re-introduce to our
2 board from our office downstairs Ms. McGrath. Nancy, we throw a wave
3 hi, and before we go any further I'll ask you Mr. Marmero if you'll
4 swear in our professionals, our planner Ms. Rodriguez and our engineer
5 Mr. Boccanfuso.

6
7 MR. MARMERO: I will do. If you guys will both raise your
8 right hand, do you swear the testimony you will provide tonight will
9 be the truth, the whole truth, and nothing but the truth?

10
11 MR. BOCCANFUSO: Yes I do.

12
13 MS. RODRIGUEZ: Yes.

14
15 MR. MARMERO: Okay.

16
17 MR. LEVITON: Thank you Mr. Marmero, welcome professionals.

18
19 MR. BOCCANFUSO: Thank you sir.

20
21 MR. LEVITON: Our first application is ZBE2336. Mr. Marmero
22 have you reviewed the noticing for this application? Can you confirm
23 that we have jurisdiction?

24
25 MR. MARMERO: I did, yes and I can confirm that you do have
26 jurisdiction.

27
28 MR. LEVITON: Alright then I will call Ms. Rojas. Hello Ms.
29 Rojas.

30
31 MS. ROJAS: Hi how are you?

32
33 MR. LEVITON: I am well. Come on up and you'll be taking a
34 seat, but before you do Mr. Marmero will swear you in.

35
36 MR. MARMERO: Ms. Rojas if you'd raise your right hand do
37 you swear the testimony you will provide tonight will be the truth,
38 the whole truth, and nothing but the truth?

39
40 MS. ROJAS: I do.

41
42 MR. MARMERO: Okay and once again for the record can you
43 state your name and address please?

44
45 MS. ROJAS: Natasha Rojas 37 Barrister Lane.

46
47 MR. MARMERO: Okay.

48

1 MR. LEVITON: Welcome Ms. Rojas.

2
3 MS. ROJAS: Thank you.

4
5 MR. LEVITON: How are you this evening?

6
7 MS. ROJAS: Good.

8
9 MR. LEVITON: Good. You're here about the fence in the,
10 it's really your front yard because you're a corner property.

11
12 MS. ROJAS: Yes.

13
14 MR. LEVITON: But it's really your side fence.

15
16 MS. ROJAS: Correct.

17
18 MR. LEVITON: Tell the board what brings you here and the
19 relief that you need.

20
21 MS. ROJAS: I want to replace my pool fence that's existing
22 and I want to put a fence right behind it and around the property, a
23 white fence around the property. So that's and because I have the
24 front entrance and the side entrance that's where the problem comes.

25
26 MR. LEVITON: So you have two front yards is what you're
27 saying and for the record Mr. Marmero the seventy-five feet is allowed
28 she is asking for five feet of relief.

29
30 MR. MARMERO: Correct, minimum street-side setback is
31 seventy-five feet whereas the proposed fence is seventy feet from the
32 lot.

33
34 MR. LEVITON: Yes and we'll go out to the board see if they
35 have any thoughts, Mr. Wechsler?

36
37 MR. WECHSLER: I was by your property yesterday, very well
38 taken care of. So behind the trees is the black fence you're talking
39 about? Do you have a fence on your property now?

40
41 MS. ROJAS: I have a fence around the pool only.

42
43 MR. WECHSLER: Right and it's a black.

44
45 MS. ROJAS: It's the chain link.

46
47 MR. WECHSLER: Chain link fence.

48

1 MS. ROJAS: Yeah.

2
3 MR. WECHSLER: So you're looking to replace that fence with
4 a white?

5
6 MS. ROJAS: With a black steel fence.

7
8 MR. WECHSLER: Right.

9
10 MS. ROJAS: And the one around the property will be the
11 white vinyl.

12
13 MR. WECHSLER: Okay so would be able to see the fence from
14 what is it Craig, Craig Road?

15
16 MR. LEVITON: Symmes.

17
18 MR. WECHSLER: Symmes?

19
20 MS. ROJAS: You would be able to see part, well there's
21 trees.

22
23 MR. WECHSLER: Right there's a lot of.

24
25 MS. ROJAS: Along the and yes and then there's the setback
26 and then you'll probably be able to see the white fence if you could
27 see a little bit of it.

28
29 MR. WECHSLER: Yeah because I couldn't really see anything
30 through the yard.

31
32 MS. ROJAS: Yeah it's more because I have three kids and my
33 two youngest are autistic and non-verbal and they have no sense of
34 danger, self-direction and stuff like that. That's the main reason why
35 I do want to put it up.

36
37 MR. WECHSLER: I have no further questions.

38
39 MR. LEVITON: Thank you Mr. Wechsler, Mr. Pochopin?

40
41 MR. POCHOPIN: That's good you just answered my question
42 one of the main reasons, thank you.

43
44 MS. ROJAS: Thank you.

45
46 MR. LEVITON: Thank you sir, Mr. Mantagas?

47
48 MR. MANTAGAS: No questions Mr. Chairman.

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MR. LEVITON: Mr. Shalika?

MR. SHALIKAR: No questions.

MR. LEVITON: And Mr. Gregowicz?

MR. GREGOWICZ: No questions.

MR. LEVITON: I have no questions either. Mr. Marmero do you require anything further?

MR. MARMERO: Just open to the public and then I can sum up the relief.

MR. LEVITON: Thank you sir. At this time I will go out to public and I'll ask if anyone in attendance wants to question Ms. Rodriguez or address the board. Now would be the time. Seeing no interest I will close public and Mr. Marmero I'll throw it back to you.

MR. MARMERO: Sure so you heard some testimony from the applicant regarding the difficulty created with the two front yards. We heard testimony about the fences that are proposed essentially replacing the fence around the pool and then a new fence around the property and based on the application and based on Nancy's report it would really be two variances that are required. One is a side-yard setback or I'm sorry a setback variance where seventy-five feet is required and the applicant is proposing seventy feet and then fences shall not exceed three feet in height in a front yard where a proposed fence is six feet in height. Again, it's classified as a front yard, but I guess you could also kind of almost see it as a side yard based on the location so those are the two variances that would be required.

MR. LEVITON: Thank you sir.

MR. MARMERO: Sure.

MR. LEVITON: Before we call the vote and before I ask for a motion I just want Ms. Rodriguez to put some things on the record for me. Would you testify that the building of the new fence doesn't negatively impact on the community at large or anyone in your neighborhood?

MS. ROJAS: No.

MR. LEVITON: And would you briefly describe the shape of your lot as it goes to the back end of your property?

1
2 MS. ROJAS: It's kind of on a slant.

3
4 MR. LEVITON: On a slant?

5
6 MS. ROJAS: Yeah it's weird and it kind of goes down a
7 little bit towards the back.

8
9 MR. LEVITON: So it falls off and it comes to a point?

10
11 MS. ROJAS: Yeah because the fence is I'm assuming straight
12 that's already there, but if you look the beginning it's seventy, but
13 the back is seventy-six. So it kind of goes on a slant a little bit
14 that's why it's off like that.

15
16 MR. LEVITON: Thank you ma'am. Okay would someone make a
17 motion?

18
19 MR. GREGOWICZ: I'll make the motion to approve the
20 application as submitted.

21
22 MR. LEVITON: Thank you Mr. Gregowicz. Will someone second
23 it?

24
25 MR. SHALIKAR: I'll second it.

26
27 MR. LEVITON: Thank you Mr. Shalikar.

28
29 **ROLL CALL**

30
31 MS. MOENCH: Mr. Gregowicz?

32
33 MR. GREGOWICZ: Yes.

34
35 MS. MOENCH: Mr. Shalikar?

36
37 MR. SHALIKAR: Yes.

38
39 MS. MOENCH: Mr. Mantagas?

40
41 MR. MANTAGAS: Yes.

42
43 MS. MOENCH: Mr. Pochopin?

44
45 MR. POCHOPIN: Yes.

46
47 MS. MOENCH: Mr. Wechsler?

48

1 MR. WECHSLER: Yes.

2
3 MS. MOENCH: Chair Leviton?

4
5 MR. LEVITON: Congratulations Ms. Rodriguez.

6
7 MS. ROJAS: Thank you so much.

8
9 MR. LEVITON: Good luck and this board will memorialize the
10 resolution at our next regular meeting and you won't need to be here.

11
12 MS. ROJAS: Okay thank you so much, everybody.

13
14 MR. LEVITON: You're welcome. Okay next up is Manalapan
15 Land Holdings ZBE1901EX and the board recognizes the esteemed Mr.
16 Licata. Hello sir.

17
18 MR. LICATA: Thank you very much Mr. Chairman. Good evening
19 board members, professionals, and staff Peter Licata of the law firm
20 of Sonnenblick, Mehr, & Licata on behalf of the applicant.

21
22 MR. LEVITON: Welcome back Mr. Licata.

23
24 MR. LICATA: Thank you. Yes, we're here tonight to request
25 an extension of time on a site plan approval previously granted for a
26 self storage facility on Madison Avenue and Route 33. As you may
27 recall the project involves the extension of sanitary, sewer, and
28 water service from a point significantly to the east of the property
29 down Route 33 on the westward side across the front of our next door
30 residential development basically around the corner and then down the
31 street through Madison Avenue and then back into residential
32 development. That took a considerable amount of time about a year and
33 a half to accomplish. It was complicated by a couple of factors aside
34 just from the logistics of that task. The original residential
35 developer who got their approvals as I recall correctly was K.
36 Hovnanian who ended up selling the project to Toll Brothers. So we had
37 to change horses in midstream. Toll Brothers wasn't made aware before
38 they acquired the property that there was going to be this extension
39 involved --- the next door street so that set us back in time as well.
40 We did get that accomplished in June of last year at which point in
41 time we were then able to submit not only just a resolution compliance
42 package, but seeking final approvals for our water franchise allotment
43 as well as our sanitary sewer service with the WMUA. Obviously, those
44 approvals and processes have their own timeline as well. That was
45 going on Freehold Soil Conservation District certification expired so
46 we had to reapply and get that re-certified so we have been diligently
47 trying to address the conditions of approval, but they are somewhat

1 more burdensome than ordinarily is the case and we would ask for a
2 one-year extension.

3
4 MR. LEVITON: It's always something Mr. Licata. I have no
5 problem with that, board? I see a lot of side-shaking of the heads.
6 Let me go out to public. Is there anyone in attendance who wants to
7 ask Mr. Licata a question? Seeing none I'll close public. Mr. Marmero?

8
9 MR. MARMERO: Sure so from a legal standpoint there is a
10 statute that governs the relief that Mr. Licata is seeking. It does
11 allow the board to offer an extension up to one year and that's the
12 period of time that Mr. Licata is seeking. What the statute
13 essentially says if the developer proves to the reasonable
14 satisfaction of the board that the developer was barred or prevented
15 directly or indirectly from proceeding with the development because of
16 delays in obtaining legally required approvals from other governmental
17 entities and that the developer applied promptly for and diligently
18 pursued these approvals it is relief that can be granted at your
19 discretion.

20
21 MR. LEVITON: Thank you sir.

22
23 MR. MARMERO: Sure.

24
25 MR. LEVITON: If anyone on the dais is so inclined to make
26 a motion I would accept that.

27
28 MR. WECHSLER: I make a motion to approve.

29
30 MR. LEVITON: Thank you Mr. Wechsler and will someone
31 second that?

32
33 MR. MANTAGAS: I'll second Mr. Chairman.

34
35 MR. LEVITON: Thank you Mr. Pochopin.

36
37 MS. MOENCH: Mr. Gregowicz?

38
39 MR. GREGOWICZ: Yes.

40
41 MR. LEVITON: Sorry Janice that was Basil.

42
43 MS. MOENCH: I'm sorry?

44
45 MR. LEVITON: Basil seconded it Mr. Mantagas not Mr.
46 Pochopin.

47

1 MS. MOENCH: Okay just to clarify Mr. Wechsler made the
2 motion and Mr. Mantagas second?

3
4 MR. LEVITON: Correct.

5
6 MS. MOENCH: Perfect okay. I'm going to start again.

7
8 **ROLL CALL**

9
10 MS. MOENCH: Mr. Gregowicz?

11
12 MR. GREGOWICZ: Yes.

13
14 MS. MOENCH: Mr. Shalika?

15
16 MR. SHALIKAR: Yes.

17
18 MS. MOENCH: Mr. Mantagas?

19
20 MR. MANTAGAS: Yes.

21
22 MS. MOENCH: Mr. Pochopin?

23
24 MR. POCHOPIN: Yes.

25
26 MS. MOENCH: Mr. Wechsler?

27
28 MR. WECHSLER: Yes.

29
30 MS. MOENCH: Chair Leviton?

31
32 MR. LEVITON: Thank you for your flexibility, okay.

33
34 MR. LICATA: Thank you.

35
36 MR. LEVITON: You're welcome. I see Mr. Licata has moved
37 over a seat and an open laptop with a television on I guess that's for
38 Mr. Halari, but will you be requiring a second hat as well?

39
40 MR. LICATA: Hopefully not.

41
42 MR. LEVITON: Okay then our last application is number
43 ZBE2328 WGAAM 407, LLC doing business as Redline Athletics and the
44 board already recognizes Mr. Licata and Mr. Licata you seek a use
45 variance tonight. Tell the board what it's all about.

46
47 MR. LICATA: Thank you Mr. Chairman. Good evening again
48 everyone. I'm representing an applicant which is a youth athletic

1 training franchise. I'd just like to say initially as I've been
2 telling people in the gallery as I've met them tonight just so there
3 are no misunderstandings we're not proposing any new building or
4 buildings on the site. We're not proposing expanding a building,
5 moving a building, making a building larger or any additional parking
6 lots or drive aisles. So we're not proposing the changing of the hard
7 scape, physical improvements at all tonight. We're not proposing
8 changes in drainage or traffic signalization or signage. We're here
9 for a very limited purpose which is to seek use variance approval to
10 permit this training facility to occupy a portion of one of the
11 buildings that this board has previously approved. It is a
12 recreational use which we will testify is complementary in that its
13 hours don't overlap with the key operating hours of many of the other
14 tenants in the industrial park so we feel it's an appropriate site. We
15 have a handful of witnesses, Mr. Halari obviously project engineer. We
16 have Mr. Albert Walker who is a principal of the proposed occupants.
17 One of his colleagues is also here. His name is Michael. We also have
18 John Rea to testify on matters of traffic and circulation and also Jim
19 Higgins as our planner.

20
21 MR. LEVITON: You may present your affirmative case.

22
23 MR. LICATA: Thank you I guess I would ask Mr. Halari to be
24 sworn in.

25
26 MR. MARMERO: Sure raise your right hand. Do you swear the
27 testimony you will provide will be the truth, the whole truth and
28 nothing but the truth?

29
30 MR. HALARI: I do.

31
32 MR. MARMERO: Okay and you've testified here before this
33 board in the past, correct?

34
35 MR. HALARI: Yes I have.

36
37 MR. LEVITON: The board recognizes Mr. Halari's
38 qualifications and welcomes him back.

39
40 MR. HALARI: Thank you very much gentlemen and the board,
41 Bhaskar Halari from Concept Engineering Consulting Manalapan, New
42 Jersey.

43
44 MR. LEVITON: The board had what you were projecting
45 already. We're familiar with the plans, okay.

46
47 MR. MARMERO: And was this something that this was
48 submitted as part of the package?

1
2 MS. MOENCH: No.
3
4 MR. HALARI: Yes this was.
5
6 MR. LEVITON: We have it.
7
8 MR. HALARI: As an exhibit.
9
10 MR. MARMERO: Gotcha, yup, yup, yup.
11
12 MR. LICATA: And just for the record is that exhibit given
13 a letter or a number?
14
15 MS. MOENCH: Yes.
16
17 MR. HALARI: A1 I think.
18
19 MS. MOENCH: This one is A1.
20
21 MR. LICATA: A1? Okay.
22
23 MR. HALARI: Great so as the board may be aware of this
24 site it is on Harrison Avenue. It's at 29 acre site. It is an old
25 industry facility that exist there for many, many years. We got an
26 approval last year to add two new buildings to the site. Actually
27 since then the site is under construction. We have constructed
28 stormwater system and we have done some other draining work to build
29 the building pass. Meanwhile we have this perspective tenant who
30 wanted to occupy part of the smaller building that is on Center Street
31 so that building will be here and they are basically taking easterly
32 portion of the site sorry building about forty units. It is about
33 seven thousand square feet on the first floor and there is a mezzanine
34 over two thousand square feet. That is the same building and same
35 layout how the board approved the application previously. So they're
36 taking a --- and combining it together. There is no change at the ---
37 site plan or site improvement or any of that thing. Only thing is
38 during our TRC discussion the planner requested us to provide a
39 crosswalk right in front of their entrance door. So we will stripe the
40 area in front of the entrance door of the facility.
41
42 MR. LEVITON: Mr. Halari I believe she also asked you to
43 move it closer to the building is that correct?
44
45 MR. HALARI: Yes so let me go back to exhibit A2.
46
47 MR. LEVITON: The crosswalk only.
48

1 MR. HALARI: Crosswalk.

2
3 MR. LEVITON: Okay.

4
5 MR. HALARI: This is a black and white where you can see
6 here the crosswalk this is how the site plan currently have it. The
7 striping is a little bit to the west of the entrance. As you see this
8 cross --- here is the building they'll be occupying. So we need to
9 basically move the crosswalk that was proposed originally to about
10 three parking spots to the east and that is pretty much the change on
11 the striping we will have.

12
13 MR. LEVITON: Alright that's very clear, thank you sir.

14
15 MR. HALARI: No problem.

16
17 MR. LEVITON: Okay.

18
19 MR. HALARI: There's no new site improvement. We have
20 architectural plan for the facility. So this is our architectural plan
21 which shows the first floor and the mezzanine space.

22
23 MR. LICATA: And Bhaskar if I could just interrupt is that
24 a pre-marked exhibit or should that be?

25
26 MR. HALARI: No this one is not pre-marked. This we will
27 call it A3.

28
29 MS. MOENCH: It was previously submitted.

30
31 MR. HALARI: Yes, no it was submitted as.

32
33 MR. LICATA: Okay just wanted to make sure you have it.

34
35 MR. HALARI: Yes.

36
37 MR. MARMERO: It's part of our submission package we don't
38 need to label it.

39
40 MR. HALARI: Yeah no this is part of submission package. So
41 I have just zoomed into the first floor design of the facility. The
42 entrance is on the left side where my mouse is there's a main entrance
43 into the facility. There is a small office at the front area let me
44 just zoom in more maybe you can read a little better. So as you see
45 there is this the front office area.

46

1 MR. LEVITON: I hate to interrupt, but I don't think we
2 have this as part of the digital record. I don't think I've seen this
3 document.

4
5 MR. SHALIKAR: We did not.

6
7 MR. HALARI: It should be there.

8
9 MR. LEVITON: I'm not questioning whether you submitted it.
10 I'm questioning whether it's been uploaded to the digital file and
11 it's not a big deal either way we'll mark it in the present if we have
12 to.

13
14 MR. LICATA: It's one of these right?

15
16 MS. MOENCH: Thank you.

17
18 MR. MARMERO: And we'll label it A3 architectural
19 rendering. Is that sufficient for you?

20
21 MR. LICATA: That would be great.

22
23 MR. HALARI: So this zoomed in area of the building shows
24 the main entrance to the site. They have an office then a service
25 counter then a lobby area where parents of the kids or somebody can
26 come and have a meeting. There is two restrooms and then rest of the
27 facility is a large, open area quite honestly and the applicant will
28 be able to actually tell you more about the use and how this facility
29 will operate and then on the mezzanine has a small office area and
30 rest is basically a large open room. Again they will be able to
31 explain better the use of the spaces that they have. That is ---

32
33 MR. LEVITON: Thank you very much.

34
35 MR. LICATA: I suppose if there are any questions for him.

36
37 MR. LEVITON: We're going to hold off on the professional's
38 questions and the board's questions until the end.

39
40 MR. LICATA: Sure.

41
42 MR. LEVITON: We're going to let you present the whole
43 shabang.

44
45 MR. LICATA: I would ask Albert Walker to come in and be
46 sworn.

47
48 MR. LEVITON: Mr. Walker is the principal?

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MR. LICATA: Yes.

MR. MARMERO: Mr. Walker do you swear the testimony you provide tonight will be the truth, the whole truth, and nothing but the truth?

MR. WALKER: I do.

MR. MARMERO: Okay.

MR. LEVITON: Welcome Mr. Walker get comfortable.

MR. LICATA: Albert you're a principal of the proposed tenant are you not?

MR. WALKER: Correct.

MR. LICATA: So you're familiar with how it's business would operate?

MR. WALKER: Yes sir.

MR. LICATA: On a day-to-day basis and this is a franchise that would train youth athletes.

MR. WALKER: Correct.

MR. LICATA: People who play sports both for school teams and travel teams?

MR. WALKER: That is correct.

MR. LICATA: But who want extra training to enhance their abilities outside of the team-organized training sessions?

MR. WALKER: Correct.

MR. LICATA: Okay and what would be your hours of operation?

MR. WALKER: Monday through Friday from 3:00 to 8:00.

MR. LICATA: Okay and what about on Saturdays or Sundays?

MR. WALKER: On Sundays is no operation hours at all on Sundays. On Saturdays it's from 8:00 to 1:00.

1 MR. LICATA: Okay and the athletes that you train is it by
2 arrangement, is it a walk-in style business how do you manage that?

3
4 MR. WALKER: Yeah so it's not walk-in at all. All our
5 training hours and training appointments is through the app. It's
6 only hour appointments so you have to set up appointments prior to
7 coming.

8
9 MR. LICATA: And in terms of the scheduling of the athletes
10 would it be fair to say it's not like a typical gym where people just
11 come and they take sports equipment or weights and work out on their
12 own? It's an instructional training facility is that right?

13
14 MR. WALKER: Correct. It's group sessions, semi-group
15 sessions, and private sessions as well.

16
17 MR. LICATA: Okay and the age range of the athletes that
18 you train are?

19
20 MR. WALKER: From eight to eighteen.

21
22 MR. LICATA: Eight to eighteen okay and you schedule
23 classes and sessions so you know how many people or students are on
24 site at a given time. How do you size those classes?

25
26 MR. WALKER: So the classes are set by again by the app. So
27 as an athlete wants to make an appointment they'll go on the app and
28 say okay I want to come at 5:00. Once they schedule and ping that
29 appointment it comes back to us we actually know how many kids are
30 coming at 5:00. Let's say for instance it's ten kids or let's say
31 twelve kids coming in at 5:00 at that time we'll have about the ratio
32 is ten to one. For every ten athletes you have one to two trainers. So
33 with that being said if you have twelve athletes you have about two
34 trainers on deck ready to go.

35
36 MR. LICATA: Okay got it and as you mentioned it's
37 effectively one hour sessions that are scheduled? And your average
38 class size runs?

39
40 MR. WALKER: Ten to fifteen.

41
42 MR. LICATA: Ten to fifteen.

43
44 MR. WALKER: On peak hours.

45
46 MR. LICATA: On peak times? Okay so sometimes it could be
47 less than that?

1 MR. WALKER: Correct.

2
3 MR. LICATA: Okay, but that would be your peak time?

4
5 MR. WALKER: Correct.

6
7 MR. LICATA: The athletes that you train, some of them are
8 of driving age, but a number of them are not?

9
10 MR. WALKER: Correct. As I just stated athletes that we're
11 training from eight to eighteen so you're going to have a lot of
12 parents or guardians going to drop their kids off, drop them off, make
13 sure they're checked in, and go about their business, go to do grocery
14 shopping or whatever it may be.

15
16 MR. LICATA: And based on your business model do you find
17 that the majority of the parents do drop off and do other things?

18
19 MR. WALKER: Correct.

20
21 MR. LICATA: As opposed to seek to remain on site?

22
23 MR. WALKER: We have a small number of parents that want to
24 stay and watch their kids play and work out. Majority of athletes
25 parents they drop their kids off or they carpool and get dropped off,
26 go ahead and do errands as their kids are working out for an hour or
27 so.

28
29 MR. LICATA: And would you be scheduling any regional
30 competitions or special events?

31
32 MR. WALKER: No not at all.

33
34 MR. LICATA: It's just not what you do?

35
36 MR. WALKER: No we don't have the space for it either.

37
38 MR. LICATA: With regard to your staff I think you said you
39 had one trainer per?

40
41 MR. WALKER: Ten kids.

42
43 MR. LICATA: Ten kids and do some of those trainers also
44 serve in managerial capacities, work the desk before the session
45 begins? How does that work?

46
47 MR. WALKER: Yeah so as far as employees we're looking at
48 one front end manager and two trainers on hand at a given time and

1 that front end manager is also going to be the person that's going to
2 help train and assist the trainers as well.

3
4 MR. LICATA: So when you look at the floor plan you have
5 some large kind of open spaces, but I imagine you have special type of
6 flooring and you run different agility, running exercises, throwing
7 exercises. Can you just explain to the board how that space is
8 utilized?

9
10 MR. WALKER: Right, so this layout right here is the
11 mezzanine so this is the upstairs area. So the kids will come in, go
12 upstairs first which is that gray area is all turf. It's real turf
13 like NFL, college that's what we have right there. The kids will go up
14 there warm up. They do stretching, jogging, anything to get themselves
15 warmed up. From that point on they'll go downstairs to the main level.
16 The main level has a weight room as well. Also has another turf area
17 as well that's where the real training goes though. So they will train
18 there speed, agility, injury prevention then got the weight room.

19
20 MR. LICATA: Can you get it a little further down?

21
22 MR. WALKER: Yeah I'm trying.

23
24 MR. LICATA: Perfect.

25
26 MR. WALKER: So as you see here it's the weight room. We
27 will have.

28
29 MR. LICATA: That's the bottom right hand corner of the
30 darker shade.

31
32 MR. WALKER: Yeah. That right there is the actual weight
33 room so we'll have full racks there, state-of-the-art equipment for
34 the kids to work out with the weights and get strengthening and
35 strength there. This area here is where the training actually speed,
36 agility, injury prevention all that calisthenics will be done in this
37 area right here.

38
39 MR. LICATA: And Redline Athletics that's a franchise
40 right?

41
42 MR. WALKER: Correct it's a national franchise.

43
44 MR. LICATA: About how many locations are there?

45
46 MR. WALKER: Right now there's roughly about sixty.

47
48 MR. LICATA: Around the country?

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MR. WALKER: Around the country.

MR. LICATA: So there are standards that you have to uphold in the way you run your establishment?

MR. WALKER: Correct and there's also one in Jersey already.

MR. LICATA: Okay where's that?

MR. WALKER: In Morristown.

MR. LICATA: In Morristown. In terms of signage for your building am I correct in thinking that you would if approved you would look for conforming building signage that is in line with what is permitted.

MR. WALKER: Yes.

MR. LICATA: Anything else you'd like to share with the board?

MR. WALKER: No.

MR. LICATA: Those are all the direct questions I have Mr. Chair.

MR. LEVITON: Thank you sir.

MR. LICATA: Thank you.

MR. LEVITON: Bring Mr. Higgins or whomever.

MR. LICATA: I guess Mr. Rea first.

MR. LEVITON: Mr. Rea.

MR. REA: Thank you.

MR. LICATA: Good evening John.

MR. REA: Good evening.

MR. MARMERO: Mr. Rea if I'll get you sworn in and do you swear that the testimony you will provide tonight will be the truth, the whole truth, and nothing but the truth?

1 MR. REA: I do.

2
3 MR. MARMERO: Okay and you'll be testifying on traffic
4 engineering?

5
6 MR. REA: Traffic and parking.

7
8 MR. MARMERO: Traffic and parking and you've testified
9 before this board correct?

10
11 MR. REA: I have. I'm a licensed professional engineer with
12 McDonough & Rea Associates. I've testified before this board and the
13 planning board in Manalapan on many occasions.

14
15 MR. LEVITON: The board recognizes Mr. Rea's credentials.

16
17 MR. REA: Thank you.

18
19 MR. LEVITON: And we welcome him back.

20
21 MR. LICATA: Thank you.

22
23 MR. REA: Thank you.

24
25 MR. LICATA: John you've prepared a study of the parking
26 and traffic arrangements for this proposed use?

27
28 MR. REA: I did yes.

29
30 MR. LICATA: Could you summarize that for the board?

31
32 MR. REA: Okay well I was involved in the initial
33 application that Mr. Halari testified to that, just moving the mouse.

34
35 MR. LICATA: It's going to give you the site plan.

36
37 MR. REA: The site plan okay. I was involved in the
38 original application that was approved that resulted in the approval
39 for the two new buildings. Mr. Halari has gone over that at the
40 beginning of the presentation so I was involved with the project from
41 the outset. What I did for this particular application you've heard
42 the testimony from Mr. Walker regarding the athletic endeavors that
43 are going to take place in the building. The hours of operation, the
44 days that are going the facility is going to be in operation they're
45 very compatible with the other land uses and the industrial park. When
46 I did the original application for the industrial park I did go
47 through the industrial park we did a pretty detailed traffic and
48 parking analysis and there are no traffic issues within the industrial

1 park today and if this application is approved I do not believe there
2 will be any parking issues in the future. As part of the new
3 application that was approved there are twenty-six new parking spaces
4 that have been approved and are under construction in the vicinity of
5 the building that Mr. Walker is going to be a tenant. So we've got
6 twenty-six new spaces there. Across the street there's some industrial
7 users I can tell you there were five users: a pool company, a custom
8 sign company, home improvement company. Typical tenants that would be
9 in the light industrial park. Those tenants across the street on the
10 south side of Center Street have a combined staff those five tenants
11 have a combined staff of twenty-one people and I can tell you that in
12 the immediate vicinity of the new building and the parking that is
13 provided for those other tenants on the south side of Center Street we
14 have a total of approximately seventy-five parking spaces so with the
15 parking demands that Mr. Walker's operation is going to put on the
16 site which is going to be off peak anyway, but what I'm essentially
17 saying is even if he were to run this operation at the same time that
18 those other tenants in the area are generating their peak parking we
19 wouldn't have a parking issue. There's plenty of parking in that area
20 of the industrial park and like I said the seventy-five parking spaces
21 that will be in the vicinity of the new building and the existing
22 buildings on the south side of Center Street you're going to see a
23 combined parking demand of probably twenty-one parking spaces during
24 the day when the other tenants are busy and in the evening when Mr.
25 Walker's application is up and running probably thirty, thirty-five
26 parking spaces so the parking spaces that are in that area of the
27 industrial park will be more than adequate.

28
29 MR. LICATA: Thank you John.

30
31 MR. LEVITON: Thank you Mr. Rea.

32
33 MR. REA: Thank you.

34
35 MR. LEVITON: Jim.

36
37 MR. LEVITON: Welcome back Mr. Higgins.

38
39 MR. HIGGINS: Thank you.

40
41 MR. MARMERO: Raise your right hand I'll get your sworn in.
42 Do you swear your testimony tonight will be the truth, the whole truth
43 and nothing but the truth?

44
45 MR. HIGGINS: I do.

46
47 MR. MARMERO: Okay and you've testified here before this
48 board?

1
2 MR. HIGGINS: Yes I've testified before this board and the
3 planning board on numerous occasions.

4
5 MR. LEVITON: This board recognizes and accepts Mr.
6 Higgins.

7
8 MR. HIGGINS: For the record my license is still current.

9
10 MR. LICATA: Thank you Jim. Could you give the board an
11 overview of the use variance relief we're seeking and address both the
12 positive and negative criteria?

13
14 MR. HIGGINS: Yes surely. Well this site is a site in three
15 separate zones; one in Englishtown and two in Manalapan. The two zones
16 in Manalapan are residential zones, however, the portion of the site
17 that's in Manalapan actually has use variance approval for light
18 industrial use and flex space. So while it's technically within a
19 residential zone the use that's permitted on the site is light
20 industrial and flex space. What's being proposed by this applicant is
21 a use that typically is located in areas of light industrial use
22 primarily because the buildings are much better suited to this type of
23 operation with the higher ceilings, the larger open spaces inside, in
24 addition the proximity of the parking to the building. All of those
25 things I think are conducive to a recreational use such as this so
26 I've been in my career probably involved in reviewing for
27 municipalities or in working for applicants who are up to thirty such
28 facilities and the vast majority are in light industrial zones because
29 of the fact that the buildings are particularly suited to this type of
30 use. So when I look at it first of all I think that it is a D1
31 variance and one of the criteria is whether or not the site is
32 particularly suited to the use. In this case, I think the site is
33 particularly suited to the use particularly since you have a building
34 that has a high ceiling, it has a large open space, and has adequate
35 parking associated with it so that I think that that test of the D1
36 variance is met. In addition the application itself I think advances a
37 number of purposes of the municipal land use law because you do have a
38 recreational use. That recreational use does promote the public health
39 and the general welfare and that's one of the purposes of the
40 municipal land use law in section 40-55D2A and that's to encourage
41 municipal action to guide appropriate use or development of all lands
42 in the state in a manner which will promote the public health, safety,
43 morals, and general welfare and it clearly advances that purpose. In
44 addition I think this application also advances purpose D of the
45 municipal land use law which is to ensure the development of
46 individual municipalities does not conflict with development and
47 general welfare of neighboring municipalities, the county, and the
48 state as a whole and more particularly this is an industrially-

1 approved site. What's being proposed here is a recreational use that
2 does not involve truck traffic as you heard Mr. Rea talk about. It
3 does not and the applicant also that the hours of operation are
4 somewhat offset from the hours of operation of the other uses on the
5 site and all the traffic comes through Englishtown. So the impact on
6 traffic in Englishtown in my opinion is going to be less than if this
7 were developed, this portion of this building, were used as flex space
8 or light industrial use. Particularly since you would not have trucks
9 coming to and from the site and you would not have activity coming to
10 and from the site during the peak traffic hours in the morning. So I
11 think it advances that purpose. Also, to provide purpose G is to
12 provide sufficient space and appropriate locations for a variety of
13 uses including recreational uses and again clearly what's being
14 proposed here is to utilize sufficient space in an appropriate
15 location for a recreational use. So I think it advances that purpose
16 of the land use law and then finally not to bore you with all the
17 purposes of the land use law, but purpose M is to encourage the
18 coordination of various public and private procedures and activities
19 shaping land development with the view of lessening the cost of such
20 development and in this case by utilizing a building that's already
21 approved and I believe it's under construction at this point in time
22 rather than constructing an entirely new building does lessen the cost
23 of development and advances that purpose. With regard to the negative
24 impact I don't see any substantial negative impact to either the zone
25 plan of Manalapan or to surrounding properties. I think the nearest
26 residential uses to this building are over three hundred feet away and
27 in fact this use is much less intensive than if it were a flex space
28 or a light industrial use. So I don't think it has any substantial
29 impact on surrounding properties and as far as the zone plan this site
30 is already re-zoned basically. It's designated for a use that's not a
31 residential use which is what the zoning is. It's designated for light
32 industrial use and quite frankly should this use abandon the site,
33 abandon the site at some point in the future the building would be
34 clearly suitable for a light industrial use or flex space so there's
35 no substantial negative impact on either the approved use of the site
36 or on the zone plan. So when I look at that I think there are special
37 reasons for granting the variance and I don't see any substantial
38 negative impact.

39
40 MR. LEVITON: Thank you Mr. Higgins.

41
42 MR. LICATA: Thank you Jim. Mr. Chairman that would
43 complete our affirmative presentation.

44
45 MR. LEVITON: Mr. Higgins why don't you sit there for a
46 minute because I'm going to go to our professionals now and I'm going
47 to start with Ms. Rodriguez our planner and ask her before she begins,
48 do you take exception to anything that Mr. Higgins testified to?

1
2 MS. RODRIGUEZ: No, we agree with the testimony provided.
3 Just wanted to point out that while the use is not permitted it is a
4 typical reuse of this space so it's not something that we're looking
5 to exclude so it makes sense in the site.

6
7 MR. LEVITON: Thank you Ms. Rodriguez and Mr. Boccanfuso?
8

9 MR. BOCCANFUSO: Thank you Mr. Chairman. A couple of
10 questions I don't think any of them are for Mr. Higgins so maybe I'll
11 just ask them, let Pete decide who's the best person to answer them. I
12 think the first two questions are probably going to be best answered
13 by Mr. Walker. The architectural plans that were presented as well as
14 there was a colored floor plan rendering that was submitted with the
15 application package both depict multiple doorways in the front and
16 rear of the building. So I guess the question is are there any outdoor
17 activities whatsoever associated with the operation?
18

19 MR. WALKER: No.
20

21 MR. BOCCANFUSO: So all training is conducted inside?
22

23 MR. WALKER: Inside.
24

25 MR. BOCCANFUSO: Obviously the coming and going of your
26 customers, but aside from that there's never a day hey it's nice
27 outside let's do some training outside always indoors?
28

29 MR. WALKER: Everything inside.
30

31 MR. BOCCANFUSO: Excellent okay.
32

33 MR. LICATA: And to your point Brian I think I can
34 stipulate for the board based on a prior TRC meeting that we would be
35 if the project was approved, revising the plans to eliminate a number
36 of those doors. It's just being superfluous because they were
37 typically shown on a building in the abstract not knowing its specific
38 use. Given that this use does not need and frankly would not want to
39 have multiple ingress and egress points we would be removing those
40 extraneous doors.
41

42 MR. BOCCANFUSO: And that's fine I mean obviously you need
43 some doors for egress to comply with the building codes and such.
44

45 MR. LICATA: Yeah I think Mr. Halari would weigh in on that
46 too.
47

1 MR. HALARI: Basically what it is because it was designed
2 as a flex space we had a unit which are twenty-five feet wide so there
3 was one door for each of those units. So this actually they're taking
4 four units that's why show it as four door there. They will not be
5 using all of those doors. We will either lock them because they're not
6 going to use it except for emergency exit as you just mentioned. It is
7 required.

8
9 MR. BOCCANFUSO: Great. Similarly, windows and/or HVAC
10 units? Is it comparable to equivalent or perhaps equivalent to the
11 previously approved industrial uses? Is there something different
12 here? I mean with the athletic facility do they need enhanced air
13 conditioning or anything of that nature?

14
15 MR. HALARI: Yes that's correct. So when we planned
16 originated obviously on a flex space you have a very small office in
17 the front. So we'd have window PTAC unit because the office is only
18 two hundred square feet, but now given this space will be used for
19 athletic they will have to have a heating and air conditioning ---
20 space because everything will be air conditioned. So in that case what
21 we would be doing is we will be using a split system like you normally
22 have in the house and you'll have a condenser that will have to be
23 placed behind the building and the air handler unit will be suspended
24 from the ceiling. So that is how we will provide heating and air
25 conditioning for this place.

26
27 MR. BOCCANFUSO: So none of that equipment will be on the
28 exterior of the roof? It's either on the ground or mounted inside the
29 building?

30
31 MR. HALARI: Correct and nothing on the roof yes.

32
33 MR. BOCCANFUSO: Great and you can get that as I'm sure
34 you'll recall there was some stream corridor buffer relief associated
35 with the previous application you can get that condenser unit or units
36 what have you within that area without further encroaching on that
37 regulated area?

38
39 MR. HALARI: Correct yeah because we have a real emergency
40 exit door also so this will be basically right next to them in between
41 the exits.

42
43 MR. BOCCANFUSO: Great next question I think may also be
44 for Mr. Walker. Mr. Walker you indicated that expected hours of
45 operation perhaps this is a question for our attorney and board
46 members as well, anticipated hours of operation are 3:00 to 8:00
47 during the week, 8:00 to 1:00 on Saturday, not open on Sunday I assume
48 the truncated hours on Monday through Friday are due to the fact that

1 you have school children so they have school during the day, in the
2 morning?

3
4 MR. WALKER: Correct.

5
6 MR. BOCCANFUSO: Let's say and I think we all hope you're
7 wildly successful I mean if you wanted to extend your hours to say
8 10:00PM or perhaps operate on weekends or Saturday evenings. I mean is
9 that something they would be precluded from doing as part of this
10 approval or?

11
12 MR. MARMERO: No, I mean only if the hours were a condition
13 that the board attached to the approval. I mean as long as the hours
14 fit in with all of our other ordinance requirements I mean they'd be
15 fine. So they'd only be pigeon holed to what Mr. Walker said if you
16 guys made that a condition of approval.

17
18 MR. BOCCANFUSO: Understood and I mean it's not really an
19 engineering question I don't think. I can't see any way that that
20 pertains to engineering I just wanted to make sure the record's clear
21 because if the application is approved I think that everyone would
22 want Mr. Walker and his operation to be successful so it would be a
23 shame that if he couldn't extend his hours because of a condition that
24 the board inadvertently imposed on him so I just want to make sure
25 that's clear.

26
27 MR. MARMERO: Yeah it wouldn't be locked in unless it
28 appears as a condition in our resolution which locks him in.

29
30 MR. BOCCANFUSO: Understood. I have two more questions I
31 think they're both going to be for Mr. Rea.

32
33 MR. LEVITON: Just a second, just a second so to be clear
34 as long as we don't stipulate that it's a condition.

35
36 MR. MARMERO: Right I think that Mr. Licata was illicit in
37 the testimony I think you were trying to get the expected hours I
38 guess the typical hours. Sometimes if hours of operation let's say
39 there's some kind of noisy use that is appearing before you sometimes
40 as a condition you may allow that use, you may grant them relief
41 condition upon them only operating under certain hours. I think you
42 were just trying to kind of give the board an idea of what the hours
43 would be.

44
45
46 MR. LICATA: That's correct. We were trying to give you a
47 typical picture. We would prefer not to have it be a strict limitation
48 or condition.

1
2 MR. LEVITON: Okay because like Mr. Boccanfuso stated we
3 don't, we want to see you successful and if the board was so inclined
4 to approve the variance relief that you need we don't want to pigeon-
5 toe hold you. If you want to extend your hours or operate on Sundays I
6 wouldn't have a problem so long as Mr. Rea would indicate that there
7 would be no harmful impacts on the surrounding businesses or
8 community.

9
10 MR. REA: Definitely not on a Sunday or extended hours on a
11 Saturday when most of the other tenants in the industrial park are not
12 very active at all.

13
14 MR. LEVITON: Then we're not going to make it a condition
15 and let's just check with Ms. Rodriguez. Do you have any objection?

16
17 MS. RODRIGUEZ: No.

18
19 MR. LEVITON: Okay then. We won't make it a condition of
20 approval so you'll operate your business as you see fit. Going forward
21 should we grant you the relief that you need, gentlemen while we're
22 talking about it does anybody object?

23
24 MR. POCHOPIN: No objections.

25
26 MR. LEVITON: Okay, Brian back to you.

27
28 MR. BOCCANFUSO: Great thank you and just for your
29 information board members the typical ordinance requirement that
30 applies to every business in the town, but for liquor-serving
31 establishments, if you invite members of the public which this one
32 albeit by appointment this one does it's 11:00PM to 7:00AM you're not
33 permitted to operate. So those would be the hours required by zoning
34 if you don't stipulate any other requirements.

35
36 MR. LEVITON: Thank you sir.

37
38 MR. BOCCANFUSO: Yup. Mr. Rea welcome back. You performed
39 an assessment of the parking, provided some testimony on it I'm not
40 sure if I caught it was there any assessment performed on the
41 anticipated or known uses within building two itself?

42
43 MR. REA: The new building?

44
45 MR. BOCCANFUSO: Yes.

46

1 MR. REA: This will be the first tenant as I understand it.
2 The balance of the building has been approved for permitted uses,
3 light industrial, flex type uses.
4

5 MR. BOCCANFUSO: So based upon the assumption that those'll
6 be a permitted use your opinion is still that there would be
7 sufficient parking in the immediate vicinity of this building and unit
8 to support the proposed use?
9

10 MR. REA: Yes.
11

12 MR. BOCCANFUSO: Okay and of course just so the board's
13 aware, if it's not a permitted use assuming its going to be in the
14 portion of this building that's in Manalapan they would be back before
15 us and we'd have another opportunity to assess the parking at that
16 time.
17

18 MR. LEVITON: Hold on Brian. Is all of this portion of the
19 building contained within Manalapan?
20

21 MR. REA: Yes.
22

23 MR. LICATA: Yes.
24

25 MR. BOCCANFUSO: All of this portion yes, yes it is. Would
26 you agree that the parking for the other building that's been approved
27 and is currently under construction is far enough away that it would
28 not interfere with the parking at this building?
29

30 MR. REA: I would agree and I'm pretty certain we would
31 never need any of that parking.
32

33 MR. BOCCANFUSO: Understood.
34

35 MR. LEVITON: And for the record Mr. Rea the other building
36 that Mr. Boccanfuso referenced is on display in the courtroom. It is
37 also copper in color correct?
38

39 MR. REA: That is correct and it's on the east side of the
40 property backing up to Manalapan.
41

42 MR. LEVITON: Thank you sir.
43

44 MR. BOCCANFUSO: And the last question I have Mr. Rea I
45 know your report dealt primarily with parking just the parking demand
46 and availability on site, didn't really get into traffic so to speak.
47 Did you perform any assessment or can you provide any opinion as to
48 whether the traffic generated by the proposed use would have any

1 adverse impact on the site or the surrounding area and/or whether the
2 approved building one, the larger building, whether the traffic
3 associated with that building would interfere with the operations at
4 this building?
5

6 MR. REA: Given the off-peak hours that the athletic
7 facility will operate at and the detailed traffic study that we did do
8 for the new buildings that were approved and that application may have
9 been in front of the planning board if I'm not mistaken. We did do a
10 detailed traffic study and all of that traffic as the board members
11 know and I think Mr. Halari testified it all comes through Englishtown
12 Borough. No streets in Manalapan will be impacted. The two major
13 county roads of course are 527 Wilson Avenue and Route 522 that will
14 bring people to the industrial park and we did do a detailed traffic
15 study for the original application. I certainly do not believe that
16 the impacts from this operation will negatively impact any of the
17 roads servicing the site.
18

19 MR. BOCCANFUSO: How about within the site itself? Do you
20 think that there would be any conflicts with the proposed operations
21 versus the other building?
22

23 MR. REA: No I think we agreed to move the crosswalk. I
24 think that was a good suggestion. I think quite frankly parking that
25 will be necessary for this operation will all be probably contained on
26 the north side of Center Street. There'll be no need to have anybody
27 even cross over Center Street based on the operation, the staffing,
28 and the fact that most of the children will be dropped off and picked
29 up by parents and guardians. I don't see there being any need for
30 people to park on the south side of Center Street. The parking is
31 there if it's required, but I don't think it's going to be needed.
32

33 MR. BOCCANFUSO: Great thank you. Mr. Chairman that's all I
34 have. I mean there really isn't anything not really there isn't
35 anything proposed outside the footprint of the building that wasn't
36 previously approved and was reviewed at length by my office and the
37 NJDEP I would point out. So I think the engineering-specific items
38 really pertain to parking and traffic which I don't take any exception
39 to Mr. Rea's testimony.
40

41 MR. LEVITON: Thank you.
42

43 MR. BOCCANFUSO: That's all I have.
44

45 MR. LEVITON: Thank you sir.
46

47 MR. BOCCANFUSO: Sure.
48

1 MR. LEVITON: Mr. Licata can you confirm that the traffic
2 testimony was before this board or the planning board?

3
4 MR. LICATA: I believe it was before this board because
5 we're in a residential zone and we needed a use variance to expand the
6 industrial park.

7
8 MR. LEVITON: Thank you sir. Alright let's go out to the
9 board and see what our members think and we're going to start on your
10 end sir, Michael. Mr. Wechsler you're up.

11
12 MR. WECHSLER: No questions sir.

13
14 MR. LEVITON: Mr. Pochopin?

15
16 MR. POCHOPIN: So this is a very, very great concept for
17 Manalapan. In general how would you say this could benefit the
18 community of Manalapan? I know you said you have to make
19 appointments. It's not a walk-in facility.

20
21 MR. WALKER: Correct.

22
23 MR. POCHOPIN: So I mean any positive for the community
24 itself?

25
26 MR. WALKER: For the community itself?

27
28 MR. POCHOPIN: Yeah.

29
30 MR. LEVITON: Mr. Walker I just want to remind Dan that
31 their planner testified to that. The principal, can't testify like
32 the professional planner did. He said that it advanced four I believe
33 he enumerated purposes of the MLUL. That's satisfactory if you'll
34 repeat them for us Mr. Higgins. I know Ms. Rodriguez took no
35 exception, but if you'll just briefly talk about the positive criteria
36 that's already on the record.

37
38 MR. HIGGINS: Yeah the four purposes. The first is to
39 advance the general welfare and the public health and again by having
40 this type of facility clearly it advances the public health by
41 training young athletes and getting them in top physical condition and
42 also I think that advances the general welfare. The second would be to
43 assure that the development on a site does not adversely impact a
44 development in the adjacent municipality and my testimony was by the
45 fact that this was a much lower intensity use. It doesn't involve
46 truck traffic and all the traffic coming into the site comes through
47 Englishtown so if anything it would be a benefit to Englishtown as
48 opposed to having an industrial use in this portion of the building.

1 The other one would be encourage the coordination of various public
2 and private procedures towards lessening the cost of development and
3 again by using a building that's already approved rather than
4 approving and constructing a new building definitely lessens the cost
5 of development and the other one would be for the appropriate,
6 providing sufficient space and appropriate locations for a variety of
7 uses including recreational uses and clearly this site is an
8 appropriate location for a recreational use. So the application does
9 provide sufficient space and an appropriate location for the use.

10
11 MR. LEVITON: And Mr. Higgins I would ask Ms. Beahm the
12 board's regular planner, but in her absence I don't know how familiar
13 Ms. Rodriguez is with our community, can you testify sir to your
14 knowledge about other indoor training facilities here in Manalapan
15 Township?

16
17 MR. HIGGINS: I don't know if there are any others in
18 Manalapan Township or not. I really can't testify to that, but the
19 fact that this is a facility that is somewhat unique in that it is
20 first of all all of the activities are all done by appointment.
21 They're not done by - - - large groups coming in groups and training.
22 You don't have special events. It's really a very professional
23 operation. It's geared towards having the athletes develop their
24 athletic prowess and that is somewhat unique in my experience. So I
25 think that there is a definite benefit to that and again I've got
26 experience with numerous type recreational facilities such that are
27 similar in that they require large open spaces, high roofs, and so on
28 and I think they, this facility is ideally suited for that and will be
29 a benefit not just to the residents of Manalapan, but to the residents
30 of the entire immediate area of the site.

31
32 MR. LEVITON: Thank you sir. Dan back to you.

33
34 MR. POCHOPIN: So thank you for that, appreciate it. We'll
35 leave out the construction end of it like you said our engineer
36 already answered about no condensing units up on the roof or anything
37 like that for noise for the residential area and then I guess our
38 engineering also will look at the fire systems and all everything like
39 that, sprinkler because you have such high ceilings and all for the
40 safety of all the kids inside there and also. No further questions,
41 thank you.

42
43 MR. LEVITON: Thanks Dan and Dan just so you know right
44 probably before you joined our board I think it was May 2022 the
45 applicant, not this applicant, but I believe it was Mr. Halari was
46 before our board and we granted him the use variances to put these
47 buildings up and approve their site plans, Mr. Mantagas.

1 MR. MANTAGAS: My question is for Mr. Walker. Is this
2 specific training, condition training or sports-oriented, each sport
3 individually like you would train a kid or a person?
4

5 MR. WALKER: Not quite so it's basically if you're doing a
6 group session that group session is also going to deal with working
7 that group out and strengthening, agilities, speed for that particular
8 group. So it's not saying you play football, basketball you're going
9 to be training just for football or basketball. Now if you want that
10 that would be a private session or a semi-group session. Right so if
11 we have five let's say football players that come in and they're wide
12 receivers then okay obviously that would be, that training would be
13 geared to them.
14

15 MR. MANTAGAS: I see so you would target specific people
16 for different types of training.
17

18 MR. WALKER: Correct.
19

20 MR. MANTAGAS: In other words if somebody came in for
21 baseball, you would do baseball basketball, hockey, or just football.
22 Just strengthening, but any sport?
23

24 MR. WALKER: Any sport.
25

26 MR. MANTAGAS: Any sport okay.
27

28 MR. WALKER: Also kids that haven't engaged in sports, but
29 they want to and have the will and want to play right? So now we have
30 to teach them how to throw, how to catch, how to run, how to run
31 properly, how to lift weight properly.
32

33 MR. MANTAGAS: Right, right.
34

35 MR. WALKER: So that would be also something that we engage
36 in.
37

38 MR. MANTAGAS: Great thank you, thank you for clearing that
39 up.
40

41 MR. LEVITON: Thank you Mr. Mantagas, Mr. Shalika?
42

43 MR. SHALIKAR: I have no questions.
44

45 MR. LEVITON: Thank you.
46

47 MR. SHALIKAR: You're welcome.
48

1 MR. LEVITON: Mr. Gregowicz?

2
3 MR. GREGOWICZ: And after hearing testimony from the
4 professionals and applicant I have no questions.

5
6 MR. LEVITON: Thank you Bob. Well Mr. Walker I have, I have
7 to tell you that I'm glad that you spoke to us about the mezzanine
8 having the artificial turf upstairs and its intended purpose for
9 stretching because I had envisioned it up until that point as
10 something like a movie theater's mezzanine with seating to overlook
11 kids training. So there let's just be clear there is no seating up
12 there? There's no place for parents to sit and watch their children
13 train?

14
15 MR. WALKER: No.

16
17 MR. LEVITON: Okay and I'm confident that somebody
18 testified about the flow plan, but I must have zoned out for a minute
19 no pun intended and I'm not sure what the corner in the bottom left.

20
21 MR. WALKER: An office.

22
23 MR. LEVITON: Oh it's just office so there's no coffee bar?
24 There's no juice being sold or water?

25
26 MR. WALKER: No there is a merchandise.

27
28 MR. LICATA: Counter.

29
30 MR. WALKER: Counter that's on the first floor in the lobby
31 area.

32
33 MR. LEVITON: Merchandise, but not refreshments or soft
34 drinks?

35
36 MR. WALKER: No just t-shirts with the franchise logo on
37 it, hoodies, hats that kind of stuff.

38
39 MR. LEVITON: I have nothing further. I'm going to go out
40 to the public. There are folks in attendance and I'm going to invite
41 you at this time to come up and ask any of the professionals who
42 entered testimony on the record tonight questions about their
43 testimony or if you would like you can address the board. Hello sir.
44 Before you speak Mr. Marmero will swear you in and there's a
45 microphone there that you'll take.

46

1 MR. MARMERO: Good evening sir. Raise your right hand. Do
2 you swear the testimony that you will provide tonight will be the
3 truth, the whole truth, and nothing but the truth?
4

5 MR. CATUOGNO: Absolutely.
6

7 MR. MARMERO: Okay and if you could provide your name and
8 address for the board please.
9

10 MR. CATUOGNO: Hi my name is Michael Catuogno. I live at 34
11 Eliot Road. I am one of the residential people that live behind the
12 industrial park. Since they started building that park I had a bad.
13

14 MR. LEVITON: Please spell your name for the record.
15

16 MR. CATUOGNO: C-A-T-U-O-G-N-O.
17

18 MR. LEVITON: Mr. Catuogno please continue.
19

20 MR. CATUOGNO: The environmental impact on the residents in
21 that area directly behind the park has been affected by flooding.
22 Every time it rains now the streets are flooded thirty feet up my
23 driveway and I have roaring rapids going down the side of my house.
24 Something has to be done if you're going to continue building in
25 Manalapan. I don't know if these people here are making arrangements
26 to help clear the area and stop adding more water to the drainage
27 area. McGellairds Brook isn't a brook anymore it's a river. By my
28 house, behind my house it's fifty feet wide and fifty feet deep, but
29 if you go on Eliot Road its like three feet deep and three feet wide.
30 As it goes down further past my house towards the complex it gets
31 smaller so somethings going on down there. Either its clogged up the
32 area or from them building the industrial park they clogged up
33 something with their waste.
34

35 MR. LEVITON: Mr. Catuogno I have heard your concerns.
36

37 MR. CATUOGNO: If you would like to see a video? I have a
38 video here.
39

40 MR. LEVITON: No I understand what you've said. It's not
41 necessary unless you feel compelled to put it on the record, I will
42 allow it.
43

44 MR. CATUOGNO: Sure I'll show you the video.
45

46 MR. LEVITON: Do we have the capacity to do that Ms.
47 Moench?
48

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MR. CATUOGNO: Its on my phone, two minutes.

MR. LEVITON: We don't have the wherewithal to upload it and show it universally so I'm going to stop that, but I have heard you and I hope that you were paying attention I'm going to repeat a few things that were on the record this evening. First, your home is behind building one not building two. Building two is more north and west from building one. It's not approximate to your backyard.

MR. CATUOGNO: Okay.

MR. LEVITON: Or to Eliot Road or to your street. Moreover tonight the only thing being considered by this board is whether we're going to allow a use that isn't permitted in the zone and only because the folks who wrote the ordinance didn't think to include it and that's what this board's for. We want here in the township we want to be favorable to business. We want to be sensitive to your needs as well. So what I'm going to do for you since their site plan is not before us this evening only the use I will ask Mr. Boccanfuso to address your concern because he represents Manalapan Township. We pay him to. Last time when the complex was granted a site plan and their use variance we trusted Mr. Boccanfuso that there would be no negative impacts as it related to flooding nearby so Mr. Boccanfuso what can you tell us about that?

MR, CATUOGNO: Can I say one more thing?

MR. LEVITON: Yes.

MR. CATUOGNO: You say where I live is not impacted by them if you go up Farmtree Road and I can see their development. Behind my house off of Farmtree Road that water that's coming down into McGellairds is draining right directly behind my house from that area to the storm drains in the street. The same in front of my house. All the storm drains are connected together through the drain in front of my house. So that water from up there is hitting the back of my house and the one next to my house is hitting behind that so it's overflowing that stream. So it definitely somethings coming from up in that area.

MR. LEVITON: Are you an engineer sir?

MR. CATUOGNO: I'm sorry?

MR. LEVITON: Are you an engineer?

1 MR. CATUOGNO: I really can't hear you I'm sorry.

2
3 MR. LEVITON: Are you an engineer?

4
5 MR. CATUOGNO: You don't mind if I approach you?

6
7 MR. LEVITON: Not at all. I'm asking are you an engineer?

8
9 MR. CATUOGNO: I'm an electrical engineer.

10
11 MR. LEVITON: Electrical. Okay yeah you have to talk into
12 the mic.

13
14 MR. CATUOGNO: I'm an electrical engineer. I'm not a
15 mechanical engineer no.

16
17 MR, LEVITON: Okay and I'm not uncomfortable, but I would
18 like you to step back to where you were.

19
20 MR. CATUOGNO: Sure I'm sorry.

21
22 MR. LEVITON: Just for decorum sake we'll defer now to Mr.
23 Boccanfuso and illicit his thoughts.

24
25 MR. BOCCANFUSO: Of course thank you Mr. Chairman. Thank
26 you, thank you Mr. Catuogno. Certainly I'm sympathetic to the flooding
27 problems experiencing. I can tell you I work both as this board's
28 engineer, the planning board engineer, and also as a representative of
29 the township engineer's office so I wear multiple hats in the town. I
30 can tell you that recently in the past month or so we've had two
31 tremendous storm events that have caused flooding all over town. With
32 regard to this project specifically as the Chairman indicated both my
33 office and the New Jersey Department of Environmental Protection
34 reviewed the stormwater management design for the proposed
35 improvements, it meets all local and state regulations. That requires
36 this applicant to not only manage stormwater, but to in fact reduce
37 peak flows when you analyze stormwater that runs through the site and
38 through the stormwater management facilities. Further in looking at
39 the flood maps it appears that your property is if it's not in a
40 mapped flood zone, a FEMA-mapped flood zone, it is very close to a
41 mapped flood zone. Do you know if you're in a?

42
43 MR. CATUOGNO: It is now.

44
45 MR. BOCCANFUSO: No are you required to have flood
46 insurance?

47
48 MR. CATUOGNO: Yes I am.

1
2 MR. BOCCANFUSO: Okay so you're actually in a flood zone so
3 I mean it's not surprising to me that ---
4

5 MR. LEVITON: Ma'am you have not been invited to ask,
6 you're not sworn in. I need to speak. It's okay.
7

8 MR. BOCCANFUSO: If you'd like to you'll have an
9 opportunity after Mr. Catuogno's done, okay.
10

11 MR. CATUOGNO: Now it's gotten worse.
12

13 MR. BOCCANFUSO: No I'm not talking about the frequency of
14 the flooding. FEMA, the Federal Emergency Management Association,
15 generates maps that actually locate specific areas either in or
16 outside of a flood zone. The DEP does the same and I'm looking at that
17 right now and it appears that your property is pretty much surrounded
18 on three sides by a flood zone a regulated and - - - which would
19 require you to get flood insurance.
20

21 MR. CATUOGNO: We had gone to Freehold to get the map.
22

23 MR. BOCCANFUSO: Okay.
24

25 MR. CATUOGNO: And they showed us that we are in the flood
26 zone and FEMA we had to get our flood insurance through FEMA.
27

28 MR. BOCCANFUSO: Okay.
29

30 MR. CATUOGNO: Actually when we did get flooded back in ---
31 FEMA came and took care of us a little bit.
32

33 MR. BOCCANFUSO: Of course, yup.
34

35 MR. CATUOGNO: Now the time it's gotten worse and worse and
36 now it's even worse.
37

38 MR. BOCCANFUSO: Sure.
39

40 MR. CATUOGNO: And I'm assuming its from the building of
41 the industrial site.
42

43 MR. BOCCANFUSO: Yes what I would tell you is that I mean
44 we're going a little far --- with the flood zone. All I'm telling you
45 is that from what I'm seeing I'm not surprised that you do experience
46 flooding and I believe you that its gotten worse. I've heard that all
47 over the state. Many clients that we work with just by virtue of the
48 fact that weather patterns seem to be changing, but as it pertains

1 specifically to this project what I would tell you is first of all I
2 don't believe that this is having any impact on you for a couple of
3 reasons. First of all it does meet all the requirements. Second of all
4 its downstream from you. The stream behind you flows towards this site
5 not the other way. So it's unlikely that anything that's happening at
6 this site is going to be impacting you. Now listen I believe you that
7 there are issues here. I just don't think that it has anything to do
8 with what's going on at this site.

9

10 MR. CATUOGNO: Thank you.

11

12 MR. BOCCANFUSO: Of course.

13

14 MR. LEVITON: Mr. Boccanfuso thank you. You made that very
15 clear and the board expresses it's condolences to you Catuogno's
16 regarding your flooding issues. Is there anyone else from the public
17 who would like to speak? Mrs. Catuogno would you like to come up?

18

19 MRS. CATUOGNO: No I don't think so, but thank you.

20

21 MR. LEVITON: You're welcome. Anyone else? Okay then at
22 this time I'm going to close public and ask you Mr. Licata for
23 summation.

24

25 MR. LICATA: Thank you. We appreciate the board's time and
26 consideration. We hope that you will agree that this is a particularly
27 well-suited, complementary use in the park that will alleviate some
28 level of intensity downward from what's typically associated with
29 industrial users and that it can be accomplished without doing
30 substantial harm to the neighborhood or the zoning plan and we
31 appreciate your time and consideration.

32

33 MR. LEVITON: Gentlemen it's a use variance and I want to
34 be generous to the applicant. Mr. Walker has put a lot of time into
35 the development of his business and I want to ensure that no one has
36 any concerns that we need to discuss further prior to getting a motion
37 and then voting on it. So let me just survey you quickly. Any
38 concerns?

39

40 MR. GREGOWICZ: No if I had any concerns I would've
41 addressed during the initial testimony.

42

43 MR. LEVITON: I'm going to back him up on that.

44

45 MR. SHALIKAR: Actually I have one more question.

46

47 MR. LEVITON: Joshua?

48

1 MR. SHALIKAR: Yeah birthday parties?

2
3 MR. WALKER: Birthday parties?

4
5 MR. SHALIKAR: Are there going to be birthday parties at
6 the facility?

7
8 MR. WALKER: No.

9
10 MR. SHALIKAR: Okay that was it, no concerns.

11
12 MR. LEVITON: Any major concerns gentlemen? Mr. Licata?

13
14 MR. LICATA: Thank you if I could be indulged just to ask
15 the board to be polled in advance of taking the meeting.

16
17 MR. LEVITON: I'll take a straw poll. Just do me a favor
18 let me know if you're inclined to vote up or down. Give me a ---

19
20 MR. SHALIKAR: You want a hand for an up?

21
22 MR. LEVITON: If you're inclined to say yes raise your
23 hand. Let's just take a quick look.

24
25 MR. LICATA: Thank you.

26
27 MR. LEVITON: Okay so highly unusual not unheard of. Okay
28 Mr. Marmero do you require anything further sir?

29
30 MR. MARMERO: No tonight I mean we really just have one
31 variance we're seeking. A lot of times we have different variances
32 that I sum up. This is simply a use variance. It requires positive and
33 negative criteria. The applicant did get that testimony on the record.
34 So really what you're voting on is whether you're going to grant this
35 D1 use variance. We do have six members tonight. We do need five
36 affirmative votes to grant such relief. In terms of conditions I
37 usually like to make sure we put those on the record too. The only
38 conditions that I've heard and we can discuss it and Mr. Licata if you
39 have anything else you want to add you can let me know, but we did
40 hear that as a condition because I don't think it showed up on the
41 plans that the applicant will move the crosswalk east to coincide with
42 this use and then we heard that the applicant would be willing to
43 revise the plans to eliminate any unnecessary doors if needed. Those
44 were the only conditions I heard you guys discuss.

45
46 MR. LEVITON: I don't think we should put the doors as a
47 condition. It's good by me. If they want to lock them I don't care.
48 Whatever they do it didn't matter to me. Brian did it matter to you? I

1 know what you referenced what you were looking at I was able to see
2 you called it an architectural plan. The board was not privy to it. So
3 I didn't want to call it out at the time, but I'll just ask you Brian
4 does it make a difference if we make it a condition?
5

6 MR. BOCCANFUSO: The applicant stated that they have no
7 outdoor activities that's more than sufficient for me. I think more
8 doors would be better. They could a fall day, open it up and get some
9 fresh air and I have no issue with the doors themselves. My concern
10 was relative to the possibility of outdoor operations.
11

12 MR. LEVITON: So we'll leave that off Albert. Is there
13 anything else?
14

15 MR. MARMERO: --- sounds really like any kind of motion
16 would be to grant a use variance for this proposed use condition upon
17 the applicant moving the crosswalk east to accommodate this use and
18 then of course all the other conditions that we attach to all of our
19 normal applications any time. Any kind of outside agencies, anything
20 with the township as for all of that stuff.
21

22 MR. LEVITON: Good enough.
23

24 MR. MARMERO: Anything to add Mr. Licata?
25

26 MR. LICATA: No that sums it up completely thank you.
27

28 MR. LEVITON: And Ms. Rodriguez anything further from you
29 ma'am.
30

31 MS. RODRIGUEZ: No.
32

33 MR. LEVITON: Good stuff. Alright will someone make a
34 motion?
35

36 MR. GREGOWICZ: I'll make the motion to approve the
37 application with the condition in regards to the crosswalk.
38

39 MR. SHALIKAR: I'll second that.
40

41 MR. LEVITON: Thank you Mr. Gregowicz and Mr. Shalikar.
42

43 **ROLL CALL**
44

45 MS. MOENCH: Mr. Gregowicz?
46

47 MR. GREGOWICZ: Yes.
48

1 MS. MOENCH: Mr. Shalika?

2
3 MR. SHALIKAR: Yes.

4
5 MS. MOENCH: Mr. Mantagas?

6
7 MR. MANTAGAS: Yes.

8
9 MS. MOENCH: Mr. Pochopin?

10
11 MR. POCHOPIN: Yes.

12
13 MS. MOENCH: Mr. Wechsler?

14
15 MR. WECHSLER: Yes.

16
17 MS. MOENCH: Chair Leviton?

18
19 MR. LEVITON: Congratulations Mr. Walker, much success sir.

20
21 MR. LICATA: Thank you everybody.

22
23 MR. LEVITON: Thank you Mr. Licata. Thank you board. At
24 this time I'm going to go out to the public and professionals the
25 board thanks you very much. Ms. Rodriguez always a pleasure and Brian
26 always, always a pleasure.

27
28 MR. BOCCANFUSO: Thank you.

29
30 MR. LEVITON: I'm going to go out to the public and ask if
31 there's anyone in attendance who wants to address the board on non-
32 agenda items. Seeing none I'll close public and before we adjourn this
33 evening let's ask Mr. Marmero is there anything new that we need to be
34 updated on?

35
36 MR. MARMERO: Nothing new. My morning is a little freer
37 tomorrow because that's when the motion would've been, but per our
38 discussion I guess two weeks ago we did withdraw the motion. I had a
39 discussion with the township. They did promise there will be better
40 communication now that that motion has been withdrawn the judge will
41 set a briefing schedule and a hearing on the actual case itself. We
42 just don't have that timeline just yet.

43
44 MR. LEVITON: And what about oh never mind you wouldn't.
45 You're carbon copied on things related to Yum and Chill as well. That
46 keeps getting moved back. Why is that?

47
48

1 MR. MARMERO: The materials that we get from that attorney
2 don't say why, but I can tell you just from handling other cases in
3 other areas there is a shortage of judges just like there is in almost
4 any other profession. So a lot of matters are getting moved. Some
5 counties actually have had moratoriums on trial meaning unless it's
6 something emergent or some kind of criminal trial, trials just aren't
7 happening. Some of those moratoriums have been lifted now, but things
8 do continue to get moved. So that could be why, but I don't know for
9 sure because the letters only indicate that it's been moved.

10
11 MR. LEVITON: Thank you Mr. Marmero. I have nothing
12 further. Gentlemen anything else for the good of the order before we
13 adjourn?

14
15 MR. WECHSLER: No sir.

16
17 MR. LEVITON: Someone move to adjourn.

18
19 MR. MANTAGAS: So moved.

20
21 MR. LEVITON: Thank you Basil. Goodnight everyone.

22
23 *****

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