

MEETING IS CALLED TO ORDER:

MR. SHALIKAR: Okay good evening. I'm going to call the Manalapan Township Zoning Board meeting to order and ask that we stand for the flag salute followed by the reading of the Open Public Meetings Act notice.

SALUTE TO THE FLAG

MR. SHALIKAR: Pursuant to section five of the Open Public Meetings Act, notice of this meeting 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 in the municipal building. In addition, a copy of this notice has been available to the public and is on file in the office of the municipal clerk. Accordingly this meeting is deemed to be in compliance with the Open Public Meetings Act. Roll call.

ROLL CALL

MS. MOENCH: Mr. Shalikar?

MR. SHALIKAR: Yes.

MS. MOENCH: Mr. Weiss is not with us tonight. Mr. Harrington?

MR. HARRINGTON: Yes.

MS. MOENCH: Ms. Klompus? Mr. Mantagas? Mr. Wechsler?

MR. WECHSLER: Here.

MS. MOENCH: Mr. Pochopin?

MR. POCHOPIN: Here.

MS. MOENCH: Ms. Levenson?

MS. LEVENSON: Here.

MS. MOENCH: Ms. Latilla?

MS. LATILLA: Here.

MS. MOENCH: Mr. Hughes?

1 MR. HUGHES: Here.

2
3 MS. MOENCH: And Chair Leviton is not here.

4
5 MR. SHALIKAR: And now I'll be looking to accept the minutes
6 from May 15th. Can I get a motion?

7
8 MR. WECHSLER: I'll make a motion to accept the minutes from
9 May 15th.

10
11 MR. HARRINGTON: And I'll second that.

12
13 MR. SHALIKAR: Thank you Mr. Wechsler. Thank you Mr.
14 Harrington.

15
16 **ROLL CALL**

17
18 MS. MOENCH: Mr. Harrington?

19
20 MR. HARRINGTON: Yes.

21
22 MS. MOENCH: Mr. Wechsler?

23
24 MR. WECHSLER: Yes.

25
26 MS. MOENCH: Mr. Pochopin?

27
28 MR. POCHOPIN: Yes.

29
30 MS. MOENCH: Ms. Levenson?

31
32 MS. LEVENSON: Yes.

33
34 MS. MOENCH: Mr. Hughes?

35
36 MR. HUGHES: Yes.

37
38 MS. MOENCH: I didn't even call you. Did I ---

39
40 MR. SHALIKAR: Okay, now we're going to memorialize the
41 resolutions from our previous meeting. The first and only is ZBE2514
42 for the six foot fence. Mr. Marmero, can you please give us a quick
43 summary?

44
45 MR. MARMERO: Sure, absolutely. This was a variance that was
46 in connection with a two-family home - - and what the applicant was
47 looking to do was construct a fence that required height variance and
48 also a setback variance.

1
2 MR. SHALIKAR: Thank you. Can I get a motion please?

3
4 MR. WECHSLER: I make a motion to accept ZBE2514.

5
6 MR. SHALIKAR: Second?

7
8 MR. POCHOPIN: I'll second.

9
10 MR. SHALIKAR: Thank you.

11
12 **ROLL CALL**

13
14 MS. MOENCH: Mr. Harrington?

15
16 MR. HARRINGTON: Yes.

17
18 MS. MOENCH: Mr. Wechsler?

19
20 MR. WECHSLER: Yes.

21
22 MS. MOENCH: Mr. Pochopin?

23
24 MR. POCHOPIN: Yes.

25
26 MS. MOENCH: Ms. Levenson?

27
28 MS. LEVENSON: Yes.

29
30 MR. SHALIKAR: Great, now we're going to move to the public
31 hearing portion of our meeting. I'm going to call our first number
32 ZBE2314 representing One Robin Court and 45 Saupe Drive for a design
33 waiver for an improved subdivision. We're not that scary, I promise.
34 Come on up. We'll I'm not, him you have to watch out for. And before
35 we begin let me just swear you in. If you're going to testify, we'll
36 have to swear you in. Thank you Mr. Marmero.

37
38 MR. MARMERO: Do you either of you plan on testifying this
39 evening I'll get you both sworn in. So if you want to raise your right
40 hand each of you. Do you swear that the testimony you will provide
41 tonight will be the truth, the whole truth, and nothing but the truth?
42 Go ahead.

43
44 MS. KIM: Good evening. My name is Katherine Kim. I'm from
45 Cleary, Alfieri, Giacobbe --- sorry Cleary, Giacobbe, Alfieri, &
46 Jacobs on behalf of the applicant. I'm here tonight with both the
47 applicants here and I was hoping we could make an opening remark
48 before the board if the board doesn't mind.

1
2 MR. SHALIKAR: Sure.

3
4 MS. KIM: Alright, want to go ahead? You just state your
5 name.

6
7 MRS. TORNATORE: My name is Elsa Tornatore.

8
9 MR. SHALIKAR: Hello.

10
11 MRS. TORNATORE: Good evening. We appreciate the continued
12 technical reviews and comments provided by your team and consultants.
13 Sorry I'm reading. I suffer from anxiety.

14
15 MR. SHALIKAR: That's okay.

16
17 MRS. TORNATORE: Our goal in this subdivision and the
18 building of the new home is to be able to have my daughter and her
19 family live close to my husband and I. They live in a very, very small
20 house with three children right now and it's very tight. Both my
21 daughter and son-in-law were raised in Manalapan and it would be a
22 dream come true for them to raise their children here as well. We are
23 an extremely close family. We see each other multiple days a week and
24 I babysit our three grandchildren while my daughter and her husband
25 work full time. As we look towards the future the ability to live so
26 close to each other would be such a benefit for all of us. While for
27 now we can help our daughter and her children, there will be a time in
28 the future, hopefully not, when my daughter will be able to help me
29 and my husband. Living close to each other would be such a gift to our
30 family. You can finish that.

31
32 MR. TORNATORE: Thank you. I'm Vincent Tornatore. I'm Elsa's
33 husband and we've been living here for over thirty, thirty-five years
34 and we enjoyed the area. So just a quick summary the board has granted
35 a minor subdivision on the lot on January 11th and we've begun the
36 design phase of the new lot and the construction. Through the
37 assessment character, topography, and water observation obtained from
38 the GeoTech drawings, so our plan has always been to develop a lot and
39 build a home that would be consistent and blend in nicely with the
40 surrounding lots and homes, be safe, and have a value to the
41 neighborhood. All the other homes in the surrounding areas are similar
42 to what we want to build. We want thirty thousand square feet, two
43 stories in the basement, a nice backyard, and that's what we're
44 planning to do. So, we're here today to request the zoning board to
45 grant two design variances, two design waivers, as exception in the
46 application. My engineer Anthony will provide any technical details,
47 thank you.

1 MR. SHALIKAR: Thank you Vincent. Thank you, Elsa.

2
3 MS. KIM: And if the board doesn't have any questions for
4 Elsa and Vincent, I'd like to call up our engineer so he can go over
5 the most recently revised plans for the subdivision.

6
7 MR. SHALIKAR: Sure, any questions guys? I have no
8 questions. Okay please proceed. I'm just going to have to swear you in
9 if you don't mind, thank you.

10
11 MR. MALTESE: Sure, good evening everyone.

12
13 MR. MARMERO: Please state your name for the record sir and
14 I'll get you sworn in.

15
16 MR. MALTESE: Anthony Maltese, M-A-L-T-E-S-E.

17
18 MR. MARMERO: M-A-L-T-E-S-E?

19
20 MR. MALTESE: Correct.

21
22 MR. MARMERO: Okay and could you raise your right hand. I'll
23 get you sworn in. Do you swear the testimony you will provide tonight
24 will be the whole truth, and nothing but the truth?

25
26 MR. MALTESE: I do.

27
28 MR. MARMERO: Okay.

29
30 MR. MALTESE: So as the applicant stated we got approval
31 from the planning board some time ago for a minor subdivision turning
32 this one lot into two lots. We went ahead and began doing the design,
33 the plot plan, and unfortunately our seasonal high water table that
34 was a couple feet below existing grade. With that, everything comes
35 out of the ground. The basement elevation has to be at least two feet
36 above the highest seasonal water table. We originally had some bulk
37 variances we were up against which was the back paver patio area was
38 raised and we had a staircase coming down from the first level. So now
39 this is completely a walk out to the back of the house and we
40 eliminated the two bulk variances. So right now it is just with the
41 two design waivers that we're requesting. I have no issues with
42 anything in the engineer's report. There was one thing we need to
43 clarify which was the floor area ratio. I have an exhibit if you don't
44 mind me passing it out of the calculations for the floor area ratio
45 that will be below the fifteen percent.

46
47 MR. SHALIKAR: Sure, we'll just have to get that marked.
48 Thank you.

1
2 MR. MARMERO: We're going to label this A1, applicant one.
3 We can call it floor area ratio exhibit.
4

5 MR. SHALIKAR: Thank you.
6

7 MR. MALTESE: The project architect put this together and
8 that's the calculation, 0.148 for the total floor area ratio which is
9 below the required maximum of .15.
10

11 MR. SHALIKAR: Excellent, thank you. Is there additional
12 testimony on your behalf, or no?
13

14 MR. MALTESE: Also, there's no other issue with the other
15 comments. I do know that there's a concern with the swale and upon the
16 as-built we will show a sufficient amount of information on the swale
17 that was constructed correctly.
18

19 MR. SHALIKAR: So, I'd imagine you'd have to make that a
20 condition of approval if that's the case? Okay, very good. Brian did
21 you have any other concerns that you wanted to address or anything to
22 raise?
23

24 MR. BOCCANFUSO: Thank you Mr. Chairman. Thank you, Mr.
25 Maltese, Mr. and Mrs. Tornatore. I know it's been a long road to get
26 here. I think we're moving forward here. Not really, just a couple of
27 comments. First of all, with regard to the floor area calculation, I
28 appreciate this being brought in. Obviously, I'm just looking at it
29 for the first time. If there is an approval here tonight when the
30 permit application is submitted, we may need something a little more
31 detailed than this just to show what was included, what was excluded.
32

33 MR. MALTESE: Sure.
34

35 MR. BOCCANFUSO: Your testimony here and representation that
36 it will comply is sufficient. I don't think we need to get into the
37 weeds on it now. You're on the hook for compliance so we can address
38 those details with you and your architect as you move forward. Also,
39 with regard to the plot plan approval, I know that that was originally
40 submitted in December or January, there was only one plot plan review
41 from our consulting engineer, CME Associates, then it was determined
42 that the variance relief was needed and we went to the planning board
43 and we all know how it went from there. If there is an approval here
44 tonight, you will still need that plot plan approval from CME. I've
45 spoken to the guys from CME. I would encourage you to reach out to
46 them just to try to tie up any loose ends while we're waiting for the
47 resolution to get memorialized.
48

1 MR. MALTESE: Sure.

2
3 MR. BOCCANFUSO: Usually they await a resolution before they
4 move forward. In this case, given that we may not have another meeting
5 on the third, it may be some time so I've given them the okay to work
6 with you and work out any technical details that may still be
7 outstanding.

8
9 MR. MALTESE: Appreciate that.

10
11 MR. BOCCANFUSO: And the last item I have just a question.
12 There was a condition in the planning board approval for the
13 subdivision relative to a dry well on the existing lot. Do you have a
14 status update on that?

15
16 MR. MALTESE: Yes, sorry I didn't bring that up. It was
17 designed, approved by CME. It will be constructed at the same time the
18 home is being constructed next door and you can make that a condition
19 of any kind of CO to make sure that they have those installed on their
20 property on Lot 12.02.

21
22 MR. BOCCANFUSO: Great. Okay and with regard to the proposal
23 specifically Mr. Chair and board members, it really is largely a
24 function of the existing conditions on the lot. The applicant and his
25 professionals did not realize until they performed the soil --- that
26 there was a shallow water table here. Could they have found out
27 sooner? Perhaps, but the reality is it's just something that the
28 applicant really can't do much about. The reason that these design
29 standards are in the ordinance is generally to prevent a house from
30 being unnaturally jacked out of the ground to avoid issues with a
31 water table. In this case, it's mitigated to an extent by the existing
32 topography. Robin Court is kind of the high point. Everything slopes
33 away from Robin Court towards the existing house. So even though this
34 house will be somewhat unnaturally elevated out of the ground to avoid
35 the water table it's still not going to be that much higher than Robin
36 Court because of the existing topographies. So, I think that the board
37 could consider that a mitigating factor if they're comfortable with
38 the relief. The second design standard as far as the changes in the
39 existing topography it's kind of part and parcel with the first. Both
40 of those are sub parts of the same ordinance section. They're intended
41 to prevent kind of an unnatural looking house that's way out of the
42 ground and has slopes that are steeply leading up to it. Again, same
43 answer I think that the existing topography in this case largely
44 mitigates it. Mr. Maltese addressed the swale that I spoke about in my
45 report. It is an important aspect to the design. It absolutely works
46 on paper. It's just something that the contractor's going to have to
47 be careful with during construction and if they don't get it right,
48 they'll have to fix it, but hopefully they get it right so there's no

1 issues. That's all I have, but obviously I'm available for questions
2 if you have any.

3
4 MR. SHALIKAR: Thank you Brian.

5
6 MR. MALTESE: Also, one last comment. The elevation of the
7 top of curb directly in front of the house is only four feet lower
8 than what we proposed for the finished floor elevation. So that's
9 typical what a house with a basement three feet of foundation exposed
10 and one foot to get into the house.

11
12 MR. SHALIKAR: Got it, thank you. I'm going to open up to
13 the board for questioning. Why don't we start with Mr. Hughes? Any
14 questions?

15
16 MR. HUGHES: I don't have any questions.

17
18 MR. SHALIKAR: Thank you, Ms. Latilla?

19
20 MS. LATILLA: I have no questions.

21
22 MR. SHALIKAR: Ms. Baker?

23
24 MS. BAKER: No questions.

25
26 MR. SHALIKAR: Mr. Pochopin?

27
28 MR. POCHOPIN: So yes, thank you. So, if it's a high water
29 table sir, the elevations, the basement, sump pumps and all you'll
30 have?

31
32 MR. MALTESE: Yes absolutely.

33
34 MR. POCHOPIN: They'll be grated out, away to some type of
35 drainage or that's the topography, French drains?

36
37 MR. MALTESE: Yeah, there'll be French drains, yes, yes.

38
39 MR. POCHOPIN: And the house next door is that being built
40 at the same time you stated?

41
42 MR. MALTESE: The house next door is actually existing. So,
43 what we'll do at the same time is the required drywells that they
44 require all the roof drains to be tied into. They made that a
45 condition of the subdivision so we had to add drywells to the existing
46 house and tie in the roof drains into those drywells. That
47 construction is going to take place during this construction. So,

1 they'll have people out there being able to do the same thing for both
2 homes at the same time.

3
4 MR. POCHOPIN: To mitigate that, okay. Thank you.

5
6 MR. MALTESE: Yeah, and then we'll make that, well you guys
7 would make that a condition of getting any kind of TCO or CO upon
8 completion to make sure it gets done.

9
10 MR. POCHOPIN: Very good.

11
12 MR. BOCCANFUSO: Yeah, I don't think we need to get into the
13 weeds on that on the zoning board approval. It's captured in the
14 planning board approval and we can ensure it's a condition of either
15 the engineering approval or the zoning permit. We have the testimony.
16 I don't think you need to. It might be redundant to put another
17 condition in the zoning board approval.

18
19 MR. SHALIKAR: Thank you. All set?

20
21 MR. HARRINGTON: I have no questions.

22
23 MR. SHALIKAR: John, anything? Mr. Wechsler?

24
25 MR. WECHSLER: Yeah, thank you Mr. Chairman. I have a couple
26 of questions. I passed there this afternoon and I was trying to figure
27 out the exact place on everything. So basically, the house is going to
28 be in the middle of the trees? It's going to be in the middle of the
29 property with the trees around it?

30
31 MR. MALTESE: Yes.

32
33 MR. WECHSLER: So, first question I have is you've spoken to
34 the arborist? You'll be okay with the number of trees you'll be taking
35 down? There won't be an issue to the property?

36
37 MR. BOCCANFUSO: Yeah, they'll be able to get a permit.
38 Generally, the tree clearing permit requirements allow for clearing to
39 develop a single-family residential property such as this.

40
41 MR. WECHSLER: Okay, and then my second question would be
42 how many trees are you taking down? Are you going to have two fronts?
43 A large number of properties you can see the house on both sides. Are
44 you planning on just dropping the house on the center of the property
45 and having trees around it?

46
47 MR. MALTESE: As you're driving, if you're drive up Basswood
48 Drive in the easterly direction you will not. There's going to be

1 woods to your left. So, you won't be able to see the house from the
2 left hand side as you're driving on Basswood which is the left side of
3 the house you will not see. Make a left on Robin Court you will begin
4 to see the house coming up Robin Court, you'll see the house up on
5 your left and same goes for the opposite direction on Robin Court.
6 There are some trees between the two lots which is their property next
7 door, and then the new construction. So, you can only see it from
8 really the front when you're.

9
10 MR. WECHSLER: So basically, the only true access into the
11 property is through the driveway?

12
13 MR. MALTESE: That's correct.

14
15 MR. WECHSLER: There's not going to be anything down to the
16 curb?

17
18 MR. MALTESE: That's correct.

19
20 MR. WECHSLER: I'm just curious because all I saw was trees.
21 I wasn't quite sure exactly where and then when I went for the maps
22 again why you didn't just take it all down and have this beautiful big
23 open area.

24
25 MR. MALTESE: We did take down all the trees on the
26 property, but there's that sliver that's along Basswood Court that's
27 not their property.

28
29 MR. WECHSLER: Okay.

30
31 MR. MALTESE: So that's what will remain still.

32
33 MR. WECHSLER: Okay, that's all I have Mr. Chairman.

34
35 MR. SHALIKAR: Thank you. Anything else to add to the
36 testimony?

37
38 MS. KIM: I believe not. No, that concludes our testimonies
39 for tonight.

40
41 MR. SHALIKAR: Alright, great. Mr. Marmero do you want to
42 summarize?

43
44 MR. MARMERO: Sure, so really what the applicant is seeking
45 tonight is for two separate design waivers and we heard from the
46 applicant and we heard from Brian, and both of these design waivers
47 really tie into the water table issue and grating. Specifically what
48 Brian had pointed out, the zoning certificate. These design waivers

1 are related to section 958.3C subsection two, proposed grade shall not
2 alter the natural contour of the land by more than three feet. Whereas
3 the proposed grade will result in a finished grade elevations that are
4 greater than three feet above the existing elevations and then
5 similarly in subsection five on any lot that is less than 80,000
6 square feet --- cellars and basements --- from the original upgrades
7 to the seasonal high ground water table elevation is greater than six
8 feet. Whereas here the seasonal high water table elevation is less
9 than two feet deep and a cellar or basement is proposed. It's
10 important to note these aren't variances. These are simply design
11 waivers. Typically, you guys are looking at variances where you're
12 looking at the positive and negative criteria and how it's going to
13 affect the surrounding area. Here we're dealing strictly with design
14 waivers and the standard's a little bit different. To grant a design
15 waiver the board must find that one strict adherence to the design
16 standard is not necessary to protect the public interest and number
17 two the waiver does not substantially impair the intent and purpose of
18 the site plan or subdivision ordinance. So, it's a less demanding
19 standard than the variance standard that you're normally dealing with.

20
21 MR. SHALIKAR: Thank you sir.

22
23 MR. MARMERO: Sure. Then in terms of conditions that we
24 discussed there was a swale that was pointed out in Brian's report and
25 I think some of the other reports. The applicant indicated that the
26 swale would be provided and that the swale would be shown on the as-
27 built. Brian did ask for a more detailed calculation of the floor area
28 ratio to be provided. We indicated a plot plan approval would be
29 needed. There was some discussion about the dry well --- or two, but
30 it sounds like the condition for that to be constructed at the same
31 time as the new home is captured elsewhere, not necessarily needed
32 here on the record as well. So that's what you have before you this
33 evening. We're good.

34
35 MR. SHALIKAR: Thank you. Alright board, anyone want to make
36 a motion?

37
38 MR. MARMERO: You have to go to public first.

39
40 MR. SHALIKAR: Public, sorry. As I see no one public, board?

41
42 MR. HARRINGTON: I will make a motion to accept what the
43 variance approvals.

44
45 MR. SHALIKAR: And conditions.

46
47 MR. HARRINGTON: And conditions with the plot plan approval
48 I guess is what we need.

1
2 MR. SHALIKAR: Design waiver yes.

3
4 MR. HARRINGTON: Design waiver on that.

5
6 MR. WECHSLER: Design waiver.

7
8 MR. HARRINGTON: And then calculation of the floor area and
9 putting that back together so it's a little more substantial and just
10 a dry well update. ---

11
12 MR. MALTESE: That's correct.

13
14 MR. HARRINGTON: Okay, I'll make that motion.

15
16 MR. SHALIKAR: So motion to accept with the conditions.

17
18 MR. WECHSLER: I will second the motion.

19
20 **ROLL CALL**

21
22 MS. MOENCH: Mr. Shalika?

23
24 MR. SHALIKAR: Yes.

25
26 MS. MOENCH: Mr. Harrington?

27
28 MR. HARRINGTON: Yes.

29
30 MS. MOENCH: Mr. Wechsler?

31
32 MR. WECHSLER: Yes.

33
34 MS. MOENCH: Mr. Pochopin?

35
36 MR. POCHOPIN: Yes.

37
38 MS. MOENCH: Ms. Levenson?

39
40 MS. LEVENSON: Yes.

41
42 MS. MOENCH: Ms. Latilla?

43
44 MS. LATILLA: Yes.

45
46 MS. MOENCH: Mr. Hughes?

47
48 MR. HUGHES: Yes.

1
2 MR. SHALIKAR: Congratulations.

3
4 MR. MALTESE: Thank you everybody.

5
6 MR. SHALIKAR: So your application will be memorialized at
7 the next meeting. You don't have to be here for that. Go forth and
8 prosper.

9
10 MR. TORNATORE: Take care.

11
12 MRS. TORNATORE: Have a good night.

13
14 MR. SHALIKAR: Alright, now we're going to move to the
15 second application, ZBE2522 representing 7 Conover Lane for bulk
16 variance relief as it relates to an extension, existing dwelling, and
17 driveway. Hello.

18
19 MR. RAYMOND: Hi, my name is Greg Raymond. I'm the owner of
20 7 Conover Lane.

21
22 MR. SHALIKAR: Awesome, nice to meet you.

23
24 MR. MARMERO: If you raise your right hand, I'll get you
25 sworn in. Do you swear the testimony that you will provide tonight
26 will be the truth, the whole truth, and nothing but the truth?

27
28 MR. RAYMOND: Yes.

29
30 MR. MARMERO: Okay.

31
32 MR. SHALIKAR: Get comfortable, get comfortable. Have a
33 seat.

34
35 MR. RAYMOND: So basically, the house on 7 Conover Lane is
36 my house, and my daughter, son-in-law, and grandson live there now.
37 It's pre-existing, non-conforming, and it's quite small. I don't know
38 if anybody's familiar with Conover Lane, but it's bungalow or mansion.

39
40 MR. SHALIKAR: It's a good way to put it.

41
42 MR. RAYMOND: So, we're in a bungalow.

43
44 MR. SHALIKAR: That's a good way to put it.

45
46 MR. RAYMOND: So, we thought about adding an additional room
47 on the right hand side, and as my architect started drawing --- ran
48 across where and we're going to need a variance to get it done the

1 right way because if we did it the way we wanted it would be eight
2 feet setback even more from the pre-existing --- not the aesthetically
3 pleasing or anything else. So, what we want to do is just we need a
4 three foot variance from the pre-existing, non-conforming. It's still
5 going to have a setback, but it's going to have a smaller setback and
6 the architect seems to think that'll work fine because at the same
7 time the back of the house will match up. It should be okay. Nobody
8 has a problem. I spoke to some of the neighbors because they all got
9 their letters and they came over and said yeah we have no problem with
10 it. So that's basically what we want to do and I think there really
11 not that much to it. You guys see the blueprints and everything like
12 that. James Polera, well-known architect, and that's basically it. If
13 there's any questions you have for me. It's going to be a full
14 basement and that's it. The house right now is about 900 and change
15 with the end. The other thing is I have one grandson, they're looking
16 to have another child. You can't even fit a kitchen table in that
17 house. They don't have a kitchen table.

18
19 MR. SHALIKAR: So we'll see you next year then.

20
21 MR. RAYMOND: What?

22
23 MR. SHALIKAR: We'll see you next year for another
24 extension. I just want to.

25
26 MR. RAYMOND: So it's grandfather and grandmother night I
27 guess that's the theme.

28
29 MR. SHALIKAR: No, that's fair. Lucky them actually. And
30 just to give the board some background here, driveway, shed, anything
31 pre-existing the purpose of it being on the record is that if it were
32 to ever be destroyed in some natural disaster, he wouldn't have to
33 move it to conform. He can replace it exactly where it stands today.
34 So the shed, driveway, all these things that are pre-existing, non-
35 conforming, we're going to get them on the record. The idea is to get
36 them on the record so he's protected moving forward. Good?

37
38 MR. RAYMOND: Anything else?

39
40 MR. SHALIKAR: No. Brian, before I open up to the board for
41 questioning, anything to add?

42
43 MR. BOCCANFUSO: Not much Mr. Chairman. Thank you very much.
44 I think he summarized that well. The driveway and the shed are
45 existing, non-conforming conditions. Even if the board were to deny
46 that relief they could still remain. The reason I cite them is if
47 you're inclined to grant the relief for them as Jen said, they could
48 be replaced in the future or upgraded. The driveway, it's not likely

1 to be ripped out of the ground by a tornado, but if Mr. Raymond or his
2 family in the future wants to put in pavers or repave it, they
3 wouldn't be able to do it in its existing location. He'd have to bring
4 it into compliance unless the board grants the setback relief
5 necessary. The other variance that's cited in here is a function of
6 the lot itself, an existing condition, the lot depth. One hundred and
7 eighty feet is required, where 161.61 feet is provided. Not a whole
8 lot that could be done about that. The house itself is existing, non-
9 conforming. It's probably many decades old. This is a very, very old
10 part of Manalapan. The houses date back to I think the '50s or '40s
11 maybe. In fact, as part of my review of the application I wasn't even
12 able to find any subdivision map for these properties. They were just
13 kind of, have been bungalows and they've been there forever. So, I'm
14 sure that the existing dwelling at least the guts of it predate the
15 zoning in township and in the zone. It doesn't comply with the current
16 zoning, but I would note that the addition, while it does not comply
17 with the zoning regulations, it is further from the property line than
18 the existing dwelling. So, I think that's a mitigating factor that the
19 board can consider. Really not much to this application. I think there
20 could be a hardship case under the C1 or a C2 variance however the
21 board is willing to look at it. Really pretty straight forward
22 application.

23
24 MR. SHALIKAR: Thank you.

25
26 MR. BOCCANFUSO: Sure.

27
28 MR. SHALIKAR: Going to open up to board. Mr. Hughes, any
29 questions?

30
31 MR. HUGHES: I do not have any questions.

32
33 MR. SHALIKAR: Ms. Latilla?

34
35 MS. LATILLA: I have no questions.

36
37 MR. SHALIKAR: Ms. Baker?

38
39 MS. BAKER: No questions.

40
41 MR. SHALIKAR: Mr. Pochopin?

42
43 MR. POCHOPIN: No questions.

44
45 MR. SHALIKAR: Mr. Harrington?

46
47 MR. HARRINGTON: No questions.

1 MR. SHALIKAR: Mr. Wechsler?

2
3 MR. WECHSLER: No questions, Your Honor.

4
5 MR. SHALIKAR: Listen, I didn't expect that. Alright,
6 anything you'd like to add before I open to public?

7
8 MR. RAYMOND: I just want to say thank you guys.

9
10 MR. SHALIKAR: Of course. So now I'm going to open it up,
11 I'm sorry? Yeah, she's the best, and now I'm going to open up the
12 meeting to public. Being that there is no public.

13
14 MR. RAYMOND: They didn't stick around?

15
16 MR. SHALIKAR: They didn't find you interesting, sorry.
17 We're going to open up to a motion.

18
19 MR. HARRINGTON: I'll make a motion to accept with the shed
20 and the existing, non-conforming with the driveway.

21
22 MR. SHALIKAR: Got it.

23
24 MR. POCHOPIN: I'll second.

25
26 MR. SHALIKAR: There you go.

27
28 MS. MOENCH: Who was the second? I'm sorry.

29
30 MR. SHALIKAR: Mr. Pochopin.

31
32 MS. MOENCH: Okay.

33
34 **ROLL CALL**

35
36 MS. MOENCH: Mr. Shalika?

37
38 MR. SHALIKAR: Yes.

39
40 MS. MOENCH: Mr. Harrington?

41
42 MR. HARRINGTON: Yes.

43
44 MS. MOENCH: Mr. Wechsler?

45
46 MR. WECHSLER: Yes.

47
48 MS. MOENCH: Mr. Pochopin?

1
2 MR. POCHOPIN: Yes.

3
4 MS. MOENCH: Ms. Levenson?

5
6 MS. LEVENSON: Yes.

7
8 MS. MOENCH: Ms. Latilla?

9
10 MS. LATILLA: Yes.

11
12 MS. MOENCH: Mr. Hughes?

13
14 MR. HUGHES: Yes.

15
16 MR. SHALIKAR: Congratulations and I realize I didn't let
17 Mr. Marmero give us a summary, but I think this is pretty cut and dry.
18 So I didn't give you your shot, I'm sorry.

19
20 MR. MARMERO: - - - and there were no conditions we agreed
21 to so.

22
23 MR. SHALIKAR: Beautiful, great. Your application,
24 congratulations. It will be memorialized at the next meeting. You
25 don't have to be here for it, but you're free to go.

26
27 MR. RAYMOND: Thank you guys. Thank you very much everybody.

28
29 MR. WECHSLER: Good luck.

30
31 MR. SHALIKAR: Good night. I'm going to open it back up to
32 public. No one's here. I'm going to adjourn. So, we're going to wrap
33 up this session. Can I get a motion and a second to adjourn?

34
35 MR. WECHSLER: I make a motion to wrap up this session.

36
37 MR. POCHOPIN: Second.

38
39 MR. SHALIKAR: Mr. Pochopin second.

40
41
42
43 *****
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