

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726

Planning Board Minutes
Public Meeting
June 12, 2025

Chairwoman Kathryn Kwaak called the meeting to order at **7:00pm** with the reading of the Open Public Meetings Act. The salute to the flag followed.

Mr. Castronovo read the TV Disclosure Statement and took the Roll Call of the Board.

In attendance at the meeting:	Barry Fisher, Todd Brown, John Castronovo, Barry Jacobson Chairwoman Kwaak, Jack McNaboe, Chief Hogan, Steve Kastell (7:17pm), Mayor Eric Nelson, Nunzio Pollifrone, Pat Givelekian
Absent from meeting:	None
Also present:	Richard Brigliadoro, Esq., Planning Board Attorney Christine Bell, PP, Board Planner Jordan Rizzo, PE, Planning Board Engineer Nancy McGrath, Board Secretary

Resolutions

PPM2046 American Properties at Manalapan, LLC

"Heritage at Manalapan"
Sawgrass Drive and Route 33 | Block 7200 / Lot 3.02
Final Site Plan
(63) Single Family Homes; (2) three-story AH buildings w/ 30 dwelling units; (1) 15,000 Sq Ft
retail building

A Motion was made by Mr. Jacobson and Seconded by Mr. Brown to memorialize the Resolution for American Properties at Manalapan, LLC.

Yes:	Brown, Castronovo, Jacobson, Kwaak, McNaboe, Hogan, Pollifrone
No:	None
Absent:	Kastell
Abstain:	None
Not Eligible:	Fisher, Nelson, Givelekian

PBE2442 - MSK Manalapan LLC

Amended Preliminary and Final Site Plan
Block 66, Lot 18.01 – 150 Woodward Road
Expand parking lot and additional stormwater management
Existing parking 395 + 162 additional

A motion was made by Mr. McNaboe, seconded by Mr. Jacobson, to memorialize the resolution for MSK Manalapan, LLC, incorporating the correction as outlined by Chief Hogan.

"Page 30 condition #11- should read "The applicant shall submit a facilities occupancy compliance report, subject to the review and approval by the Fire Official."

Yes:	Fisher, Brown, Castronovo, Jacobson, Kwaak, McNaboe, Nelson Givelekian
No:	None
Absent:	Kastell
Abstain:	None
Not Eligible:	Hogan, Pollifrone

Applications

PMS2314A - Vincent Tornatore

Block 339 Lot 12.03 - 1 Robin Court – Amended Subdivision
Minor Subdivision Approved 1/11/24 Memorialized 2/8/24- 45 Saupe

Chairwoman Kwaak announced that this application, originally carried from the April 24, 2025 Planning Board meeting, is now being transferred to the Zoning Board of Adjustment, and the applicant will have to re-notice for the Zoning Board meeting.

PMS1931A/PMS1931TS

Cardinale & Manalapan Crossing Associates

Amended Preliminary & Final Major Site Plan

Minor Technical Subdivision

Block 66 Lot 8.03 / 162 HWY 33 (Shoprite)

The amended plan is proposing to eliminate buildings B, C, and D and replace with a New Building B. No Change to Build A, E, F, and G. Previous Meetings: 11/14/25, 1/23/25, 2/13/25, 2/27/25, 4/24/25, Hearing #6

Mr. Briigliodoro informed the Board that he spoke to the applicant's counsel and the objectors' counsel. They are working to resolve their issues and have requested that the matter be carried to the July 10th meeting without further notice to the public.

PPM2036 – Toll NJ I, LLC – Canter Square Phase II

Whispering Wood Hearing

Adopt Amended Phase II approval

Block 72, Lot 11.07, Block 72.06, Lot 27, Block 72.07, Lot 59, Block 72.10, Lots 110 and 112 – Hwy 33, Iron Ore Road, La Valley Drive

Mr. Briigliodoro stated he reviewed the noticing from the applicant and everything is in order and complies with the Municipal Land Use Law, thereby the Board does have jurisdiction to proceed with the Whispering Woods Hearing.

Attorney John Sarto of the law firm Giordano, Halleran, and Ciesla represents the applicant. He provided background on the development and explained the circumstances leading to the need for a Whispering Woods Hearing. Tonight's hearing is to consider certain amendments to the resolution and approvals as outlined in the settlement agreement.

- Inclusionary residential development - total of 320 units with 30% set aside for 96 units of affordable housing
- Development was approved in 2 phases.
- Planning Board granted preliminary and final subdivision and site plan approval for Phase I and preliminary and subdivision approval for Phase II by resolution adopted October 14 2021.
- The Board subsequently adopted a resolution granting final subdivision approval on November 14 of 2024 which included condition #5 - requiring removal of existing billboards in order to proceed with Phase II of the development
- These billboards are located along the Route 33 frontage, on the east side of Mustang Driv which is the new access road leading into the development
- After the resolution was adopted, Toll filed a prerogative writ challenging the condition to remove the billboards
- After some cooperative discussion, a settlement agreement was reached and provides for the removal of the billboards and completion of occupancy for the Phase II of the development.
- Planning Board to adopt an amended resolution memorializing the final subdivision approval for the Phase II removing condition #5.
- Amended resolution to be revised to include the following terms:
 - o The billboards may remain on the property for a maximum of two years from the effective date of the agreement, a timeframe referred to in the settlement as the "sunset period."
 - o Within 30 days prior to the expiration of the sunset period, Toll will notify the Township with its intention to demolish the billboards and apply for any of the required permits to complete the removal of the billboards.

- Following the removal of the billboards, Toll shall grade, seed, and restore the surrounding area to its natural condition, in a manner consistent with the immediate environment.
- The billboard owner is Outfront Media, who has executed this agreement to confirm that the billboards will be removed within the two-year sunset period.
- Outfront and Toll agree that to the extent the billboards are not removed before the expiration of the sunset period, that the Township will have the right to demolish the billboards.
- Toll is obligated to post a reasonable demolition bond addressing its obligation under the agreement.
- Township and the Board agree and acknowledge that Toll can perfect Phase II of the approval and obtain certificate of occupancies for both phases of the project during this two-year sunset period.
- Finally, should the settlement be approved, Toll will dismiss the prerogative writ within 7 days of the effective date of the agreement.

Mr. Briigliodoro explained that under the law, when a land use application is involved and the Board seeks to reach a settlement with the applicant, a formal procedure known as the Whispering Woods process must be followed, as previously referenced by Mr. Sarto.

As part of this process, the applicant is required to return to the Board for a publicly noticed hearing, similar to a regular application. This includes fulfilling all procedural obligations such as publishing a notice in the newspaper, obtaining a list of property owners within 200 feet, and sending certified letters to notify them of the Whispering Woods hearing and its purpose.

In this case, the applicant is requesting an amendment to the previously granted final major subdivision approval by removing the condition requiring the billboards to be taken down. However, the settlement agreement includes specific provisions, including the posting of a bond, defined timeframes for compliance, and clauses—highlighted by Mr. Sarto—that permit the issuance of certificates of occupancy.

Mr. Briigliodoro further clarified the Board is voting to adopt both the settlement and the amended approval as indicated on the record. If approved, the agreement will be incorporated into the amended resolution. Mr. Sarto added there are no changes to the site plans that were previously presented to the Board.

Mr. Briigliodoro also noted that, coincidentally, earlier today the court convened a status conference regarding the ongoing litigation. He participated alongside Mr. Sarto’s partner and informed the court that a fully executed settlement agreement had been reached, and that the applicant would be appearing before the Board this evening to seek approval. The presiding judge expressed her appreciation and asked that Mr. Briigliodoro convey her thanks to both the Board and the applicant for their collaborative efforts in resolving the matter.

Mr. Rizzo mentioned that the applicant recently resubmitted materials for resolution compliance related to the project. In his May 30 letter, he identified two outstanding comments, including Condition 5 concerning the removal of the existing billboard. The plans submitted to Mr. Rizzo’s office included a note stating 'existing billboard to be removed.' He requested that this note be revised to clarify that the billboard will be removed in accordance with the settlement agreement or include similar language referencing the agreement. Mr. Sarto confirmed that the applicant would comply with this request.

Mr. McNaboe expressed his appreciation to the applicant for working with their neighbor, Local 9, to extend the sewer line to the property and the easement for the water and bringing it to the property line.

A Motion was made by Mr. Hogan and Seconded by Mr. Fisher to approve the amended Final Major Subdivision - Phase II.

Yes:	Fisher, Castronovo, Jacobson, Kwaak, McNaboe, Hogan, Nelson
No:	None
Absent:	Kastell
Abstain:	None
Not Eligible:	Pollifrone, Givelekian, Brown

Housing Element and Fair Share Plan Presentation

Chairwoman Kwaak introduced the Board Planner, Ms. Christine Bell to review the Housing Element and Fair Share Plan (Fourth Round) that will be adopted at tonight’s meeting.

Ms. Bell explained she is here for the public hearing on the Housing Element and Fair Share Plan. As a reminder, the Housing Element is a required component of the Municipal Master Plan, as mandated by the Municipal Land Use Law and Fair Housing Act. The first half of the document includes analysis and data on population trends, an inventory and projection of housing stock, demographic information such as household size and income, and a review of infrastructure, environmental and historic constraints, and existing land uses.

The second half is the Fair Share Plan, addresses Manalapan’s affordable housing obligations for the new fourth round, as well as for all prior rounds. Manalapan has participated in this process throughout all previous rounds and continues its participation in this current round.

At the previous meeting, Ms. Beahm presented an overview of the housing projects designated to fulfill affordable housing obligations. For the public hearing held this evening, Ms. Bell offered a summary of the fourth-round figures.

- It is projected that 62 units will need rehabilitation for affordable housing purposes between July 1, 2025 through June 30, 2035.
- The Township’s total obligation for the fourth round is 252 units which includes:
 - Extension of affordability controls on 194 units, including:
 - 66 units in *New Beginnings*
 - 28 units in *Tracy Village*
 - 100 units in *Knob Hill*
 - Phase 2 of Woodward Estates will contribute 51 credits, with an additional 4 bonus credits for senior housing—totaling 55 credits
 - Two assisted living facilities that have Medicare beds—*Accela Rehab and Care Center* and *Mira Vie*—will provide a total of 20 credits

Altogether, this yields 269 credits, exceeding Manalapan’s obligation by 17 surplus units, which may be used for future affordable housing obligations.

There were no further questions from the Board. Chairwoman Kwaak asked if there were any questions or comments from the public regarding the housing element. No members of the public came forward and the public portion of the meeting was closed.

Chairwoman Kwaak asked for a Motion to approve and adopt the Housing Element and Fair Share Plan as an element of the Master plan. Mr. Hogan made the Motion and Mr. Fisher seconded the Motion.

Yes:	Fisher, Brown, Castronovo, Jacobson, Kwaak, McNaboe, Hogan, Kastell, Nelson
No:	None
Absent:	None
Abstain:	None
Not Eligible:	Pollifrone, Givelekian

Chairwoman Kwaak asked for a Motion to approve and memorialize the resolution for the Housing Element and Fair Share Plan. Mr. Jacobson made the Motion and Mr. Fisher seconded the Motion.

Yes:	Fisher, Brown, Castronovo, Jacobson, Kwaak, McNaboe, Hogan, Kastell, Nelson
No:	None
Absent:	None
Abstain:	None
Not Eligible:	Pollifrone, Givelekian

As no members of the public came forward to speak on non-agenda items, Chairwoman Kwaak closed the public portion of the meeting and announced that the next Planning Board meeting will be held on June 26th at 7:30 PM. Mr. Hogan then moved to adjourn the meeting.