

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

Planning Board Minutes
Public Meeting
April 23, 2026

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. Jacobson 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, Mayor McNaboe, Chief Hogan, Eric Nelson, Nunzio Pollifrone, Pat Givelekian

Absent from the meeting: Steve Kastell

Also present: Richard Brigliadoro Esq, Board Attorney
Jennifer Beahm PP, Board Planner
Jordon Rizzo PE, Board Engineer
Nancy McGrath, Recording Secretary

Minutes:

A Motion was made by Chief Hogan and Seconded by Barry Jacobson to approve the March 12, 2026 minutes as written.

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

A Motion was made by Mayor McNaboe and Seconded by Chief Hogan to approve the March 26, 2026 minutes as written.

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

Resolutions

PMS2323EX - Marta Tyminski (Sajdak)

63 Tracy Station Road ~ Block 51 / Lot 3.02
Final Major Subdivision / Two-lot subdivision
Final subdivision approved 8/28/25
Extension of Time approved March 26, 2026

A Motion was made by Chief Hogan and Seconded by Mr. Jacobson to memorialize the extension of time resolution for the two-lot subdivision at 63 Tracy Station Road.

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

PFM2342A - 91 Sweetmans Ln LLC

Amended Preliminary and Final Major Subdivision Plan
91 Sweetmans Lane ~ Block 8301 / Lot 24
(*6-lot subdivision approved in July 2024, memorialized Oct. 2024)
Change in Stormwater Basin discharge
Approved on March 26, 2026

A motion was made by Mr. Jacobson and seconded by Mayor McNaboe to memorialize the resolution for Amended Preliminary and Final Major Subdivision.

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

PFM2431- Mike Shore Builders, LLC

Preliminary/Final Major Subdivision
Woodward Road / Block 76.03 / Lot 11.01
3-lot subdivision - **carried from March 12, 2026**

<Please see the transcript provided by the applicant's attorney for details of the testimony. >
[Please note that the transcript does not reflect Mayor McNaboe's attendance; however, he was present at the meeting]

A motion was made by Mr. Brown and seconded by Mr. Jacobson to approve the 2-Lot subdivision with all the conditions outlined by the Board Attorney, Mr. Briigliodoro.

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

PBE1909A – Elton Point Partnership

Amended Preliminary and Final Subdivision – 5-Lot Subdivision

Elton Point Partnership
Block 84.01, Lot 9.03 | County Road 537 AKA Monmouth Road

Mr. Peter Licata, of the firm Sonnenblick, Mehr, & Licata, appeared on behalf of the applicant. He stated that the purpose of the application was to present revisions to a previously approved subdivision plan. The revisions primarily involve the relocation of a driveway based on county input, which removes the need for a retaining-wall variance. Additional updates were made to the stormwater management design to comply with more stringent regulations adopted since the original approval.

Mr. Briigliodoro confirmed that the Board has jurisdiction to hear and proceed with the application.

Mr. Licata introduced Mr. Bhaskar Halari, a professional engineer with Concept Engineering in Manalapan as his first witness. Mr. Halari was sworn in and his credentials were deemed sufficient by Chairwoman Kwaak.

Mr. Halari testified that the project received preliminary approval in 2022. After submitting permit applications to the NJDEP, updated stormwater regulations required changes to the stormwater management design. These updates, along with two related adjustments, make up the revisions to the plan. He explained that the original plan showed the shared driveway for Lots 1 and 2 crossing a portion of wetlands within a conservation easement. During DEP review, the agency required the driveway to be relocated outside the wetland area. The revised plan now places the driveway in the buffer area instead of within the wetlands.

Mr. Halari explained that the previous plan included two stormwater basins: an infiltration basin in front of Lot 2 and a smaller basin on Lot 5 along Shira Lane. The revised plan now includes

three basins. A larger basin behind Lot 1 will serve Lots 1 and 2; a new smaller basin on the right side of Lot 4 will serve Lots 3 and 4; and the basin on Lot 5 remains essentially unchanged from the prior approval.

Mr. Halari reported that the third plan revision relates to an existing historic cemetery located on Lot 5. As part of the NJDEP review, the agency required an archaeological study. The study indicated the possible presence of an old structure near the intersection of Route 537 and Shira Lane, and a conservation easement was added to address the concern.

Mr. Halari stated that these three items represent the primary revisions to the prior design. Relocating the driveway between Lots 1 and 2 eliminated the need for a previously proposed retaining wall over four feet in height; the new driveway requires only a small two-foot wall, removing the variance request. He confirmed that no lot lines, lot areas, or buildable areas have been altered.

Mr. Licata asked Mr. Halari to review the design waivers the applicant is requesting.

Mr. Halari stated the first waiver involves grading around the homes, which will exceed three feet due to basement construction. The second waiver requests relief from the planting requirement, as only seven of the 24 acres will be disturbed and homeowners will provide their own landscaping. A curbing waiver is no longer needed. The applicant will install a sidewalk along Route 537 and extend a sidewalk on Shira Lane up to the proposed driveway.

Mr. Halari added that an additional waiver is required for curb depression. The ordinance allows a maximum curb depression of 25 feet, but the proposed shared driveway for Lots 1 and 2 is 30 feet wide at the request of the fire department. The wider driveway, along with the necessary apron, prevents compliance with the 25-foot limit, creating the need for this waiver. Only the shared driveway for Lots 1 and 2 requires the curb-depression waiver; the driveways for Lots 3, 4, and 5 will comply with the ordinance.

Mr. Licata asked Mr. Halari to explain the backyard improvement examples shown on the updated color plan. Mr. Halari stated that the plan includes conceptual features—such as an in-ground pool, deck, patio, and shed—to ensure the stormwater system is designed to accommodate typical future improvements. He noted that not every home will necessarily include these features; they are shown for planning purposes only. He added that the prospective builder, Fleyva Homes, has provided the expected home designs, and the building footprints shown on the plan reflect the likely final layouts. Mr. Halari stated that two home models are proposed: one to be used on Lots 1, 3, and 4, and a second model—featuring a front-facing garage—on Lots 2 and 5, selected based on lot layout and driveway design. He noted that approximately 14.5 acres of the property will be dedicated as a conservation easement, which will be fenced and posted to prevent encroachment. All five homeowners will join a homeowners' association, which will also maintain the stormwater facilities.

Ms. Beahm noted that while split-rail fencing is appropriate for marking the conservation easement, required signage is often removed by homeowners. She stated that the HOA documents should clearly assign responsibility—either to the HOA or the individual homeowner—for maintaining the fence and signage. Mr. Licata agreed, confirming that this requirement would also be reflected on the filed map if approved. He also added that the homeowners' association will be responsible for maintaining both the stormwater management facilities and the conservation-easement fencing.

Mr. Licata also stated that the shared driveways will include cross-access easements, with the affected homeowners jointly responsible for access, maintenance, and repairs. Mr. Halari said that the final plat will show these easements, including the shared driveways for Lots 1 and 2 and for Lots 3 and 4; Lot 5 will have its own driveway.

Mr. Halari stated that no easements or additional right-of-way are needed from the adjacent Case Tractor property to construct the sidewalk. However, the applicant will notify the property owner of the planned sidewalk as a courtesy, even though sufficient right-of-way already exists. Mr. Rizzo asked the applicant to send the Board a copy of the letter and their response.

Mr. Halari reiterated that the project has been in DEP review for nearly three years. During that time, updated stormwater regulations required a full redesign, and County sign-off was needed because a portion of the wetland buffer extends into the Route 537 right-of-way. Coordination with the County was prolonged due to its ongoing design of a new traffic signal at Adelpia–Farmingdale Road and Route 537, requiring multiple plan revisions to stay consistent with the County's updates. Mr. Halari reported that the applicant now has conditional county approval,

allowing the county to sign the DEP application. DEP has completed its review and will issue the permit once the signed application is submitted. All other required approvals and extensions are in place. The primary cause of the delay was the DEP permitting process and the time needed to obtain County sign-off.

Mr. Halari provided an overview of the proposed landscaping. He stated that CME's review requested additional buffering along the Case Tractor property behind Lot 5 and along the side of Lot 4, as well as landscaping along the shared driveway for Lots 1 and 2. Additional plantings will also be added around the stormwater basins and along the conservation-easement boundary. In addition to the split-rail fence, trees will be planted along the easement line to create a long-term visual marker. He confirmed that the applicant will comply with all the landscaping and technical comments in CME's engineering review letter.

Mr. Halari also noted that full right-of-way dedication required for the County's road-widening project will be provided. The applicant will also construct the full length of curbing along the Route 537 frontage, including in front of the Case Tractor property, consistent with the county's signal-improvement plans.

The applicant confirmed that, based on discussions with the prospective builder, the homes are intended to be sold for individual ownership.

Board questions/comments

Mr. Rizzo noted that a new variance is needed because the shared driveway has shifted from the location previously approved. Mr. Halari explained that the driveway for Lots 1 and 2 now meets the required 10-foot setback, so no setback variance is needed—only a curb-opening waiver. However, since another driveway still crosses the property line, new variance relief is required for that lot. Mr. Halari also agreed that the applicant will comply with all conditions of the previous approvals

Mr. Rizzo asked about the County's conditional approval, which mentioned an 8-foot road widening, later reduced to 6 feet, while the applicant's plan showed about 3 feet. Mr. Halari stated they followed the county's instructions exactly and will clarify with the County why the comment appeared. He noted the widening on their plan is variable, generally 3–4 feet, matching what the County showed in its signal improvement plan.

Mr. Rizzo referenced a letter from the Health Department regarding soil concerns. The applicant explained that earlier soil tests from 2017–2018 are no longer valid and that new testing is needed for Lots 3 and 4. The County Board of Health will be invited to observe the new tests. An attempt was made the previous day, but the equipment could not dig deep enough, so testing will be rescheduled so approval can be obtained.

Mr. Rizzo asked whether the Licensed Site Remediation Professional's (LSRP) findings on naturally occurring arsenic would be submitted to the NJDEP. Mr. Halari explained that their LSRP, Matt Leatherwood, prepared a report confirming that the arsenic detected on site is naturally occurring due to the area's glauconitic soils, with levels present even at deeper depths. Because the exceedance is not related to pesticide use, DEP reporting is not required. Mr. Rizzo said that his in-house LSRP would also review the materials and advise if any submission to DEP is necessary.

Other items:

- A full fence will be installed along the rear of the conservation easement and that the homeowner will be responsible for its maintenance.
- The homeowner must maintain the entire property including trees extending into the right-of-way
- The applicant is Elton Point Partnership but the 5-lot subdivision will be referred to as something different so as not to confuse with the existing Elton Point.
- Garages will prewire garages for EV charges.
- Archaeological buffer on Lot 5
 - o historic records suggested a former structure may have existed there, though nothing remains. An investigation found no artifacts.
 - o The DEP still recommended protecting the area, so it will be placed under a conservation easement with fencing, and no construction will occur. The area is currently wooded.
- Septic suitability is evaluated at the start of any project, and if the soil cannot support a system, the project would not move forward
- Health plan for construction needs to keep in mind the naturally occurring arsenic.

Public Comment:

Song Won Chon – 48 Shira Lane

Expressed concern about limited visibility at the corner due to the narrow roadway, tree canopy, and lack of street lighting. Mr. Halari stated that a new streetlight will be added at the intersection. Mr. Licata further stated that the Lot 5 driveway is located approximately 150 feet from the intersection and has adequate sight distance in both directions, allowing drivers to view the full intersection. They believe the driveway design is safe.

Mr. Jan Zachary - 72 Millhurst Road

He stated that, based on his visits to the area as a member of the Historical Committee, he believes the proposed house may be located on or near a historic cemetery, noting that gravestones are not visible because they lie flat or are buried to prevent theft.

Mr. Halari responded that a title search identified the exact cemetery easement and confirmed that the project avoids that area.

After some discussion, Mr. Halari and Mr. Zachary will meet on site to review the location of the Lot 5 house in relation to the cemetery easement. The area of concern appears to fall within the established easement and not within the building footprint.

It was also noted that if a grave is uncovered during excavation, then construction would immediately stop, the finding would be reported, and the area would be investigated. Mr. Halari added that the goal is to identify any such issues before construction begins so the applicant would not have to come back to the Board to modify the plans.

Chairwoman Kwaak asked Mr. Briigliodoro to review the conditions prior to going to the Board for the vote.

Mr. Briigliodoro went over the Board's conditions for the amended preliminary and final major subdivision application. He noted that several variances were granted in the original approval, and one variance requires re-approval for the driveway location. Also the design waivers requested are listed in the Board Engineer's report on page three.

Additional conditions include:

- Establishing a conservation easement over the area of the old cemetery and requiring the applicant to conduct further investigation to ensure no construction occurs within that area.
- Coordinating with the LSRP from CME regarding the arsenic issue.
- Requiring homeowners to maintain the trees at the rear of their properties.
- Incorporating all terms and conditions of the prior resolution, except where satisfied, amended, or inconsistent with the current approval.

Mr. Licata also requested a retroactive one-year extension of the prior approval, along with a current one-year extension, extending the approval from 2024 to 2025 and from 2025 to 2026.

A motion was made by Mr. Castronovo and seconded by Mr. Brown to approve the extension of time and the approval for the amended preliminary and final 5-Lot subdivision with all the conditions outlined by the Board Attorney, Mr. Briigliodoro.

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

No one from the public came forward for any non-agenda items. Chairwoman Kwaak closed public.

Chairwoman Kwaak noted that the next meeting is May 14 at 7pm and asked for a motion to adjourn the meeting before going into Executive Session.

Ms. McGrath read the resolution authorizing an executive session. Mayor McNaboe made the motion for executive session and seconded by Chairwoman Kwaak. All were in favor, none were opposed.

Nancy McGrath
Recording Secretary