

MANALAPAN ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
Thursday, August 19, 2021
TOWNSHIP OF MANALAPAN
Manalapan, NJ 07726
PUBLIC MEETING~ HD OFFICE SUITES

<https://meeting.windstream.com/j/1126429430?pwd=ZnN5R2RuNFpPSDNJUVdwVzRjOGswZz09>

HD-Office Meeting Number: 112 642 9430

Password: 081921

Open Public Meetings Act: Stephen Leviton

Roll Call: Janice Moench

In attendance at the meeting: Larry Cooper, Robert Gregowicz, Mollie Kamen, Terry Rosenthal, Adam Weiss, Robert DiTota, Joshua Shalika, Stephen Leviton

Absent from the meeting: David Schertz, Basil Mantagas

Also, present John Miller, Zoning Board Attorney
Jennifer Beahm, Board Planner
Brian Boccanfuso, Board Engineer
Nancy DeFalco, Zoning Officer
Janice Moench, Recording Secretary

MINUTES:

A Motion was made by Mr. Cooper, seconded by Mr. Gregowicz, to approve the Minutes of **August 5, 2021** as written.

Yes: Cooper, Gregowicz, Kamen, Rosenthal, Weiss, Leviton
No: None
Abstain: None
Absent: Schertz, Mantagas
Not Eligible: DiTota, Shalika

RESOLUTIONS:

A Motion was made by Ms. Kamen, seconded by Mr. Cooper to approve the Resolution of memorialization for **Application ZBE2114~Farrell/Doronila**

Yes: Cooper, Gregowicz, Kamen, Rosenthal, Leviton
No: None
Abstain: None
Absent: Schertz, Mantagas
Not Eligible: Weiss, DiTota, Shalika

A Motion was made by Mr. Cooper, seconded by Ms. Kamen to approve the Resolution of memorialization for **Application ZBE2127~Polner**

Yes: Cooper, Gregowicz, Kamen, Rosenthal, Weiss, Leviton
No: None
Abstain: None
Absent: Schertz
Not Eligible: DiTota, Mantagas, Shalika

PUBLIC HEARINGS:

Application No. ZBE2011 (Adjourned to 1.7.21)

Applicant: Yum & Chill TB Holdings, LLC
Proposal: Demo service station/Proposed Taco Bell Restaurant
Request: Preliminary & Final Major Site Plan w/Use Variance & FAR
Location: 199 Highway Route 9 South
Block/Lot: 18.01/1.03
Zone: OP3

Lawrence Sachs, Esq. was present on behalf of the Applicant for the conclusion of the Yum & Chill TB Holdings, LLC application. Mr. Sachs asked the Board to make a determination on the application. Mr. Sachs explained the application had been heard at three prior hearings; July 16, 2020, August 20, 2020 and January 21, 2021 and the public portion was closed. After the January 21, 2021, meeting the Applicant made an effort to revise the plan with respect to the Board's comments. The Applicant was unable to execute those plans due to issues with the adjacent property owner. Mr. Sachs asked the Board to vote on the application as it was heard. A freestanding Taco Bell restaurant in the OP3 Zone with a drive-thru. The application requires use and bulk variance relief as well as design waivers. Mr. Sachs reminded the Board there was testimony provided by the Applicant's Engineer, two Planners and a traffic expert.

Mr. Miller reminded the public and the Board that the public had an opportunity to speak at the last meeting and the public portion was closed. The Application has not changed in any way from the last meeting date.

A Motion of approval was by made by Mr. Gregowicz and Seconded by Mr. Cooper for application ZBE2011

YES:	Gregowicz, Cooper, Rosenthal
NO:	Kamen, Weiss, DiTota, Leviton
ABSENT:	Schertz, Mantagas
ABSTAIN:	None
NOT ELIGIBLE:	Shalika

The Application was denied by the Zoning Board of Adjustment.

Chair Leviton opened the meeting to the public for any non-agenda items. Being there were no comments Chair Leviton closed public.

ADJOURNMENT:

A Motion was offered by Mr. Weiss to adjourn the meeting at 7:50 PM. All were in favor and none opposed.

Respectfully Submitted,

Janice Moench
Recording Secretary

RECORDED COMPACT DISCS OF THE ZONING BOARD OF ADJUSTMENT ARE AVAILABLE FOR REVIEW, IN THE PLANNING/ZONING BOARD OFFICE BY APPOINTMENT.