

**Township of Manalapan**  
120 Route 522 & Taylors Mills Road  
Manalapan, NJ 07726  
(732) 446-8367

## **Planning Board Minutes**

**July 14, 2022**

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m., followed by the salute to the flag.

**Roll Call:** Lisa Urso-Nosseir, Recording Secretary

In attendance at the meeting: Barry Fisher, Todd Brown, John Castronovo, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Steve Kastell, Brian Shorr

Absent from meeting: Richard Hogan, Daria D'Agostino

Also present: Ronald D. Cucchiaro, Planning Board Attorney  
James Winckowski, Planning Board Engineer  
Christine Bell, Planning Board Planner  
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in James Winckowski, Professional Engineer and Christine Bell, Professional Planner.

### **Minutes:**

Chairman Kwaak announced that the Minutes of June 9, 2022 would be carried to the next meeting.

**Ordinance:** **Ordinance 2022-12: An Ordinance Further Amending Chapter 96, "Gaitway Redevelopment Area", Section 96-2, "Adoption of Redevelopment Plan", of the Code of the Township of Manalapan, Amending and Supplementing Section 2.6.4 of the Gaitway Redevelopment Plan**

Ms. Bell stated that in reviewing this Ordinance, she found it to be substantially consistent with the Township's Master Plan. In particular, the objective to encourage the most appropriate use of land, consistent with the

suitability for development, and to provide sufficient space and appropriate locations for residential, commercial, recreational, agricultural and light industrial use. This Ordinance is basically just amending the already adopted Redevelopment Area to follow the New Jersey State Flood Hazard Control Act rules superseding the Township's Stream Corridor regulations.

The Board did not have additional questions or comments regarding this Ordinance.

A Motion was made by Mr. Fisher, Seconded by Mr. Brown, that Ordinance 2022-12 is substantially consistent with the Master Plan.

Yes:	Brown, Fisher, Castronovo, Kwaak, McNaboe, Jacobson, Kastell, Shorr
No:	None
Absent:	Hogan, D'Agostino
Abstain:	None
Not Eligible:	None

**Resolutions:** PMS2201 ~ Mary Sulikowski  
360 Pine Brook Road ~ Block 4.04 / Lot 12.02  
Preliminary Major Subdivision  
Approved March 24, 2022

A Motion was made by Mr. Fisher, Seconded by Mr. Castronovo to approve the Preliminary Major Subdivision Resolution for PMS2201 as written.

Yes:	Brown, Fisher, Castronovo, Kwaak, McNaboe, Jacobson
No:	None
Absent:	Hogan, D'Agostino
Abstain:	None
Not Eligible:	Kastell, Shorr

PMS2061A ~ Anthony Mazzei (Denial)  
314 Tennent Road ~ Block 19 / Lot 40.01  
Preliminary Major Subdivision -  
Denied January 27, 2022

A Motion was made by Mr. Jacobson, Seconded by Mr. Fisher to approve the Resolution of Denial for PMS2061A as written.

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

**PFS1507-C ~ Stacar Properties - Kitchen & Bath  
Showroom  
330 Hwy 9 ~ Block 8/ Lot 3.01  
Amended Site Plan – Approved March 24, 2022**

The applicant's attorney, Stuart Moskowitz, was present this evening. Mr. McNaboe stated he would like to make a couple of changes to the Resolution. On page 4, there is a misprint in the first line; it should be 'site' instead of 'sire'. On page 10, number 2, we are going to shorten that to say we are specifically modifying in the terms of this Resolution. On page 12, replace 'Mayor' with Jack.

Mr. Moskowitz said he is agreeable to the statements made by Mr. McNaboe.

A Motion was made by Mr. McNaboe, Seconded by Mr. Jacobson to approve Resolution PFS1507-C, as written and amended.

Yes: Brown, Castronovo, Kwaak, McNaboe, Jacobson, Kastell  
No: None  
Absent: Hogan, D'Agostino  
Abstain: None  
Not Eligible: Fisher, Shorr

**Application: PMS2201 ~ Mary Sulikowski**  
360 Pine Brook Road ~ Block 4.04 / Lot 12.02  
Final Major Subdivision

Peter Licata, Esq. appeared on behalf the applicant, Mary Sulikowski, who is present this evening. Mr. Licata said Mr. Ploskonka and Mr. Halari are the engineers for the project.

Mr. Cucchiaro swore in John Ploskonka and Bhaskar Halari, engineers from Concept Engineering and their credentials were acceptable. Mr. Halari wanted to enter a google earth aerial photograph of the site and hereinafter will be known as Exhibit A1 and it was displayed on the TVs in the courtroom.

Mr. Ploskonka reviewed the status of the application with the Board. Ms. Sulikowski is present this evening. She has been maintaining this property for over 50 years. She would like to sell the property and she needs to downsize. Mr. Ploskonka said that between Preliminary and Final, he had to go to the WMUA and ask them if they had any issues with not having sewer for this property. The WMUA did write back to Mr. Ploskonka and the letter has been uploaded to the google drive for the Board's review. The WMUA looked at the plans and as Mr. Ploskonka testified to last time, he looked at running a sewer down the middle of Arrowwood Drive to serve the two lots. However the street has a 36" pipe running back and forth across the street and there is a conflict with that pipe and you cannot go through there with a gravity sewer coming up the street. Mr. Ploskonka spoke with Mr. Boccanfuso and he asked how about taking the sewer between the curb line on the east side of Arrowwood and the property line. Mr. Ploskonka looked at that and he thought that might work. Mr. Ploskonka went back to talk to the WMUA and he said if you did that, you'd have to get easements from the property owners on that side of the road, which would be two homes and the Association of Covered Bridge. There would be another 10' easement in case there was a problem with the sewer in 10-20 years from now so they would easily get into that sewer. The existing 8" sewer would require the easement and the destruction of trees and WMUA had no objection to these lots being serviced by septic and they also said that there was no violation to their requirements to have septic on this property.

Mr. Ploskonka said he would like to try to avoid any sewer extension that would be extremely costly for my client and would require him to go get easements from these three property owners. Therefore, we are trying to stay with the two septics. Ms. Sulikowski has had the same septic system for 50 years and it works well. Mr. Ploskonka said we will replace Ms. Sulikowski's septic and install a new one for the new home. Mr. Licata asked Mr. Ploskonka if he tested the soils and he did. The Board of Health found the soil to be satisfactory.

Mr. Ploskonka said other issues we discussed previously were to eliminate the flag lot configuration, which is no longer there. We will remove the rear walkway, shed and dumpster. We will make a monetary contribution for the sidewalk on both streets, or the client will put in the sidewalk if the Board wants sidewalk. We will record the deed restriction to ensure dry wells are maintained in accordance with the plans. We had a pesticide report done that showed that we didn't exceed the standards for lead, arsenic or pesticides that were submitted to the Board. We put house plans on the plan which was submitted to the Board which shows a two story colonial type house facing Pine Brook Road with the driveway facing Arrowwood Drive which the Board asked us to do. We do have to do a new curb cut. We will have a Shade Tree easement and will speak with Ms. Spero, who has been at the site picking out

the trees she wants to save, and the trees she intends to take down. We have CME's latest report and we will comply with their recommendations.

Mr. Winckowski asked about the driveway curb cut on Arrowwood. A conditional of Preliminary approval was to use the existing curb cut, but you now want to relocate that. Mr. Ploskonka said that is correct. Mr. Winckowski said typically you don't want the driveway too close to an intersection, but it is still far enough away. Mr. Winckowski said that condition in the resolution will need to be amended. Mr. Winckowski said they are not compelled to connect via the State DEP regulations; they can get approval for a septic system. Whether or not you can extend sewer from where it is existing gravity up to the proposed lot, you probably can do it - but at what cost? It would consist of easements, removal of trees, relocating drainage systems, relocating water mains, reconstructing the entire road - this could be hundreds of thousands of dollars.

Ms. Bell stated there really isn't anything from a planning perspective for this matter. There was the one existing non-conformity that this Board granted approval for, otherwise the subdivision is conforming.

Mr. McNaboe wanted confirmation about the sewers. He stated there are two homes on each side that you would have to get easements from. Are they currently hooked into the sewer system, or are they on septic as well? Mr. Ploskonka said they are on septic. Mr. McNaboe said directly across the street, the last house on the west side of Arrowwood - that house is tied into the sewer? Mr. Ploskonka said yes, that house has sewer. Mr. McNaboe asked him to explain the sewer system that they have. Mr. Ploskonka said they have a connection on that side of the street into a line that was brought up to them somehow years ago. That gentleman was here last time. Between Arrowwood, as you know, you have this 36" pipe that criss-crosses, so there is no way to get sewer from west to east. Mr. McNaboe said if you have a 4" lateral in the ground already, he imagines it is in an easement of some type. Mr. Ploskonka said that is correct. Mr. McNaboe asked is the easement in place? Mr. Winckowski said we don't know if it's in an easement or not. Mr. Ploskonka said he does not have all that information, he just knows that anything on that side, an 8" or a 4", you can't cross Arrowwood without going through the storm sewer systems. Mr. McNaboe said so you won't be able to get under or over that pipe, correct? Mr. Ploskonka said he has looked at it from an engineering standpoint in all ways. Mr. McNaboe said you have looked at every possible situation and why it can't be done. However, we now have four houses that are going to be on septic. Has anybody looked at the three owners and said we can put in sewer where it actually meets our property? Have you talked to the neighbors? Mr. Ploskonka said we have not done a feasibility study including the neighbors. Mr. McNaboe asked other than monetarily, what is the upside of actually subdividing this property? Why wouldn't just be

sold as is? Mr. Ploskonka said Ms. Sulikowski is here and can talk to you about that. But keeping in mind that these are two conforming lots that met every aspect of the Ordinance, there are two variances - one for the driveway to avoid taking down trees, and one for an existing setback for the existing house to the rear lot. These are good soils for a septic. The Board of Health has inspected it. People who want to hook in have to pay \$4,500 for a hook up fee, and then monthly charges to the WMUA. WMUA has said to us in a letter that this is not required and we don't need to do this due to any rules or regulations. This is a fair compromise in this one case.

Mr. Cucchiaro swore in Mary Sulikowski, the applicant. Mr. McNaboe asked Ms. Sulikowski, what is the advantage of splitting this property? He understands the monetary side of it. Ms. Sulikowski said due to her age, she needs to move to a smaller home. Mr. McNaboe said right now, you are eliminating the flag lot that would be the existing home. If we could turn that into an easement, it would allow for the sewer line to be added, at a later point. Mr. Ploskonka said that would not be a problem.

Chairwoman Kwaak stated in the Preliminary resolution it says that you would be submitting the pesticide test results, did we get that? Mr. Licata said it was submitted and a hard copy was marked as Exhibit A2, the April 11, 2022 report from Vincent Creevy, Environmental Consultant and Land Surveyor. Chairwoman Kwaak asked is this going to be public water for both houses? Mr. Ploskonka said yes, public water for both houses.

Mr. Fisher asked if the driveways were going to be on Pine Brook Road? Mr. Ploskonka said the new driveway for the new home will be on Arrowwood. The existing driveway will stay on Pine Brook Road. Mr. Winckowski said the existing driveway does have a turn-around.

Chairwoman Kwaak opened the floor to the public for comments and questions; seeing none, public was closed.

A Motion to approve the Final Major Subdivision application of Mary Sulikowski, including all the stipulations placed on the record and adding sidewalk on both roads, was made by Mr. Fisher, and Seconded by Mr. Castronovo.

Yes:	Brown, Fisher, Castronovo, Kwaak, McNaboe, Jacobson, Kastell, Shorr
No:	None
Absent:	Hogan, D'Agostino
Abstain:	None
Not Eligible:	None

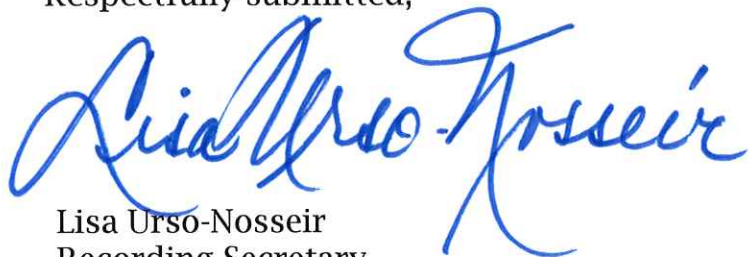
Chairwoman Kwaak opened the floor to the public for questions or comments. Seeing none, the public section was closed. The next meeting is July 28, 2022.

Mr. McNaboe asked Ms. Nosseir if a resignation was received from Alan Ginsberg and she said she would reach out to him. Mr. McNaboe explained that for the remainder of 2022, we would not be replacing Mr. Ginsberg at this time, but certainly will fill his open position at Reorganization in January 2023.

Mr. McNaboe asked Ms. Nosseir to email the Environmental Commission to let them know what applications will be heard by the Planning Board in August.

Mr. McNaboe made a Motion to end the meeting at 8:25 pm and it was agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir  
Recording Secretary