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MEETING IS CALLED TO ORDER:

MR. LEVITON: Then I will call the meeting to order and ask you all to stand for the pledge.

SALUTE TO THE FLAG

MR. LEVITON: 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 is and 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 please.

ROLL CALL

MS. MOENCH: Mr. DiTota?

MR. DITOTA: Here.

MS. MOENCH: Mr. Gregowicz?

MR. GREGOWICZ: Here.

MS. MOENCH: Mr. Rosenthal's not with us. Mr. Schertz?

MR. SCHERTZ: Here.

MS. MOENCH: Mr. Shalikar is not with us. Mr. Weiss is not with us. Mr. Mantagas?

MR. MANTAGAS: Here.

MS. MOENCH: Mr. Pochopin?

MR. POCHOPIN: Here.

MS. MOENCH: Mr. Wechsler?

MR. WECHSLER: Here.

MS. MOENCH: Chair Leviton?

1 decided that she did not want to purchase or sell land. The
2 board voted to approve the variance relief for the construction
3 of the home.

4

5 MR. LEVITON: Thank you counselor and for the board
6 members who don't know Mr. Cucchiaro, he is from the Weiner
7 firm as well.

8

9 MR. CUCCHIARO: I also serve as the planning board
10 attorney here in town so you may see me on public access TV.

11

12 MR. LEVITON: Its Joshua give me a second. He'll be
13 here in ten minutes. I forget where we left off. Can I get a
14 motion and a second? Thank you Mr. Cucchiaro.

15

16 MS. MOENCH: I'm sorry who made the motion? I didn't
17 hear.

18

19 MR. GREGOWICZ: I'll make the motion.

20

21 MR. LEVITON: Bob and?

22

23 MR. WECHSLER: I'll second.

24

25 MR. LEVITON: Michael seconds it. Thank you
26 gentlemen.

27

28 MS. MOENCH: Thank you okay.

29

30 **ROLL CALL**

31

32 MS. MOENCH: Mr. DiTota?

33

34 MR. DITOTA: Yes.

35

36 MS. MOENCH: Mr. Gregowicz?

37

38 MR. GREGOWICZ: Yes.

39

40 MS. MOENCH: Mr. Schertz?

41

42 MR. SCHERTZ: Yes.

43

44 MS. MOENCH: Mr. Mantagas?

45

46 MR. MANTAGAS: Yes.

47

48 MS. MOENCH: Mr. Wechsler?

1 MS. MOENCH: Chair Leviton?

2

3 MR. LEVITON: Yes. The last application for
4 memorialization is ZBE2248.

5

6 MR. CUCCHIARO: I think you have one before that.

7

8 MR. LEVITON: My mistake. There are two more, 2249
9 strike one.

10

11 MR. CUCCHIARO: Mr. Chairman this is the Khader
12 application and it is block 19 lot 24.08. The applicant in
13 this application was seeking to construct a pavilion and a
14 shed in the backyard that would have violated the required lot
15 coverage requirements. The board voted to grant the variance
16 relief.

17

18 MR. LEVITON: We did, thank you sir. Motion and
19 second please.

20

21 MR. MANTAGAS: I'll make a motion.

22

23 MR. WECHSLER: I'll second.

24

25 MR. LEVITON: Thank you Basil. Thank you Dan.

26

27 **ROLL CALL**

28

29 MS. MOENCH: Mr. DiTota?

30

31 MR. DITOTA: Yes.

32

33 MS. MOENCH: Mr. Gregowicz?

34

35 MR. GREGOWICZ: Yes.

36

37 MS. MOENCH: Mr. Schertz?

38

39 MR. SCHERTZ: Yes.

40

41 MS. MOENCH: Mr. Mantagas?

42

43 MR. MANTAGAS: Yes.

44

45 MS. MOENCH: Mr. Wechsler?

46

47 MR. WECHSLER: Yes.

48

1 MR. LEVITON: And Michael will you second it?

2
3 MR. WECHSLER: I will second.

4
5 MR. LEVITON: Thank you gentlemen.

6
7 **ROLL CALL**

8
9 MS. MOENCH: Mr. DiTota?

10
11 MR. DITOTA: Yes.

12
13 MS. MOENCH: Mr. Gregowicz?

14
15 MR. GREGOWICZ: Yes.

16
17 MS. MOENCH: Mr. Schertz?

18
19 MR. SCHERTZ: Yes.

20
21 MS. MOENCH: Mr. Mantagas?

22
23 MR. MANTAGAS: Yes.

24
25 MS. MOENCH: Mr. Wechsler?

26
27 MR. WECHSLER: Yes.

28
29 MS. MOENCH: Chair Leviton?

30
31 MR. LEVITON: Yes. Okay we're now to the public
32 hearings and if you're here tonight for application ZBE2240 it
33 will not be hearing this evening. Its being carried until
34 January 19th and Mr. Cucchiaro if I'm correct that's without
35 further notes?

36
37 MR. CUCCHIARO: Yes sir. The application of ZB2240
38 Gary D'Silva will be carried to the board's Janaury 19, 2023
39 meeting. That's the board's re-organization meeting which was
40 previously noticed this past January. The meeting begins at
41 7:30. There will be no further notice to property owners and
42 if anyone is interested all documents are available for review
43 and inspection in the township planning and zoning department.

44
45 MR. LEVITON: Thank you sir. Okay our first hearing
46 this evening is for an extension of time for application
47 ZBE1822, welcome sir.

48

1 the proofs have been presented certainly or sufficient for
2 municipal land use law purposes for an extension.

3
4 MR. LEVITON: Thank you sir.

5
6 MR. CUCCHIARO: How much of an extension?

7
8 MR. RENTSCHLER: That was a question because I know
9 this got hit with the Covid Toll --- and if I did my
10 calculations correctly it was up September 15th of this year.

11
12 MR. CUCCHIARO: Okay so you're looking for a one-year
13 extension?

14
15 MR. RENTSCHLER: From that period yeah and now its --

16 -
17
18 MR. CUCCHIARO: 2023?

19
20 MR. RENTSCHLER: Yes.

21
22 MR. CUCCHIARO: Okay that's fine Mr. Chairman.

23
24 MR. LEVITON: I have also no problem. We're going to
25 go to the board in a moment, but for my own edification can
26 you tell me about the deal you reached with the developer next
27 door regarding the access way to LaValley Road?

28
29 MR. RENTSCHLER: Well that's the Boy Scout right-of-
30 way that's going to be --- they're going to be constructing
31 that on the property to connect Madison to the Boy Scout I
32 guess through their development. So we had to work out that
33 they were going to construct that house and be constructed
34 who's going to be using it and stuff like that.

35
36 MR. LEVITON: Okay, board any questions for Mr.
37 Rentschler?

38
39 MR. CUCCHIARO: I have no questions. So Madison
40 Avenue will cut into LaValley or to the development?

41
42 MR. RENTSCHLER: No --- put into the property
43 directly was it that east, north?

44
45 MR. CUCCHIARO: East.

46
47 MR. LEVITON: Well I was under the impression that it
48 was going to connect to LaValley Road.

1 MR. RENTSCHLER: So I just know what's between our
2 property lines and I know there has to be a connection because
3 it would just dead end out into a vacant property, but I think
4 if I remember correctly and don't quote me on it. I think the
5 Toll plans has the road corkscrewing around the perimeter of
6 their property.

7
8 MR. LEVITON: Thank you Mr. Rentschler. Will someone
9 make a motion?

10
11 MR. WECHSLER: I'll make a motion.

12
13 MR. LEVITON: Thank you Michael. Will someone second
14 it?

15
16 MR. GREGOWICZ: I'll second it.

17
18 MR. LEVITON: Thank you Bob.

19
20 **ROLL CALL**

21
22 MS. MOENCH: Mr. DiTota?

23
24 MR. DITOTA: Yes.

25
26 MS. MOENCH: Mr. Gregowicz?

27
28 MR. GREGOWICZ: Yes.

29
30 MS. MOENCH: Mr. Schertz?

31
32 MR. SCHERTZ: Yes.

33
34 MS. MOENCH: Mr. Mantagas?

35
36 MR. MANTAGAS: Yes.

37
38 MS. MOENCH: Mr. Pochopin?

39
40 MR. POCHOPIN: Yes.

41
42 MS. MOENCH: Mr. Wechsler?

43
44 MR. WECHSLER: Yes.

45
46 MS. MOENCH: Chair Leviton?

47
48 MR. LEVITON: Yes. Thank you Mr. Rentschler.

1 resolution. There was certainly no ill intent and to rip out
2 the deck certainly would cause a hardship to current and new
3 owners. --- I appreciate your consideration.
4

5 MR. LEVITON: Let's go out to the board and see what
6 their thoughts are, gentlemen?
7

8 MR. SCHERTZ: When was the property sold?
9

10 MR. UNIGLICHT: The property, is it okay if I sit
11 down?
12

13 MR. LEVITON: Yeah get comfortable, of course.
14

15 MR. UNIGLICHT: The property was sold I believe it
16 was in July ---
17

18 MR. MARK: --- of September.
19

20 MR. UNIGLICHT: September okay, September of 2022.
21

22 MR. SCHERTZ: 2022 so I'm just curious was there a
23 survey done back then 2022 for CCO?
24

25 MS. DEFALCO: Yes.
26

27 MR. UNIGLICHT: But that was?
28

29 MR. LEVITON: We have the survey. We've seen the
30 survey.
31

32 MS. DEFALCO: That's why they're here.
33

34 MR. SCHERTZ: They're here now.
35

36 MS. DEFALCO: Yes.
37

38 MR. LEVITON: We've seen the relief that they were
39 granted, all part of our packet.
40

41 MR. SCHERTZ: Okay so it took a year?
42

43 MS. DEFALCO: Well the board's been very busy.
44

45 MR. SCHERTZ: I know, but okay curious about dates
46 that's all, thank you.
47

48 MS. DEFALCO: That's why we scheduled ---

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MR. WECHSLER: No questions.

MR. POCHOPIN: No questions.

MR. LEVITON: Then will someone make a motion?

MR. SCHERTZ: I make a motion to accept the applications.

MR. SHALIKAR: Second.

MR. LEVITON: Thank you Mr. Schertz and thank you Mr. Shalika for the second.

ROLL CALL

MS. MOENCH: Mr. DiTota?

MR. DITOTA: Yes.

MS. MOENCH: Mr. Gregowicz?

MR. GREGOWICZ: Yes.

MS. MOENCH: Mr. Schertz?

MR. SCHERTZ: Yes.

MS. MOENCH: Mr. Shalika?

MR. SHALIKAR: Yes.

MS. MOENCH: Mr. Mantagas?

MR. MANTAGAS: Yes.

MS. MOENCH: Mr. Pochopin?

MR. POCHOPIN: Yes.

MS. MOENCH: Chair Leviton?

MR. LEVITON: Yes, always a pleasure Mr. Uniglicht. Mr. Mark welcome to the neighborhood, many years of health and happiness.

1 MR. MARK: If I do a deck in the future just so I
2 know.

3
4 MS. MOENCH: I'll send you a copy of the email of the
5 resolution when it's done.

6
7 MR. MARK: Okay.

8
9 MR. LEVITON: Be well sir.

10
11 MR. UNIGLICHT: Thank you very much. Everybody have a
12 happy holiday.

13
14 MR. MANTAGAS: You too.

15
16 MR. LEVITON: Okay whereas New Jersey statute's
17 annotated 10:4-12 provides that a public body may exclude the
18 public from a portion of the meeting at which the public body
19 discusses certain subject matter which is deemed private and
20 whereas it has been determined that it is necessary to hold an
21 executive session to discuss matters which are exempt from the
22 regulation of the Open Public Meetings Act. Now therefore be
23 it resolved by the board of zoning, the zoning board of
24 adjustment, that it hereby approves an executive session
25 during this meeting to discuss resolution enforcement matters.
26 Be it further resolved that executive session is anticipated
27 to last ten minutes and no action will be taken when we return
28 from executive session. Can I get a motion to go into
29 executive session please?

30
31 MR. GREGOWICZ: I'll make the motion.

32
33 MR. LEVITON: Thank you Bob. Will someone second
34 that?

35
36 MR. MANTAGAS: I'll second.

37
38 MR. LEVITON: Thank you Basil.

39
40
41 MR. LEVITON: Let us re-open so I can go out to the
42 public. Janice as we start the thing now I need a
43 motion to come out of executive session.

44
45 MR. GREGOWICZ: I'll make the motion.

46
47 MR. LEVITON: Bob makes the motion. Will someone
48 second?

TOWNSHIP OF MANALAPAN
MINUTES

ZONING BOARD MEETING
DATE DECEMBER 15, 2022

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