

MANALAPAN ZONING BOARD OF ADJUSTMENT  
**MINUTES OF THE REGULAR MEETING**  
**Thursday, April 6, 2023**  
**TOWNSHIP OF MANALAPAN**  
**Manalapan, NJ 07726**  
Public In-Person Meeting

Chairman Leviton called the meeting to order with the reading of the Open Public Meetings Act at 7:30 p.m., followed by the salute to the flag.

Board Secretary, Janice Moench, took the roll call of the Board

In attendance at the meeting: Robert Gregowicz, Terry Rosenthal, Basil Mantagas, Daniel Pochopin, Michael Wechsler, Stephen Leviton

Absent from the meeting: Adam Weiss, Robert DiTota, David Schertz, Joshua Shalika,

Also, present Albert Marmero, Zoning Board Attorney  
Nancy DeFalco, Zoning Officer  
Janice Moench, Recording Secretary

**MINUTES:**

A Motion was made by Mr. Gregowicz, Seconded by Mr. Wechsler to approve the Minutes of March 2, 2023 as written.

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

A Motion was made by Mr. Wechsler, Seconded by Mr. Pochopin to approve the Minutes of March 16, 2023 as written.

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

**RESOLUTIONS:**

A Motion was made by Mr. Gregowicz, Seconded by Mr. Mantagas, to approve the Resolution of memorialization for **Application ZBE2261, George Real Estate, Inc.**

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

A Motion was made by Mr. Wechsler, Seconded by Mr. Pochopin, to approve the Resolution of memorialization for **Application ZBE2301, Gala/Dumay**

Yes: Gregowicz, Leviton, Mantagas, Pochopin, Wechsler  
No: None  
Abstain: None  
Absent: DiTota, Schertz, Shalikar, Weiss  
Not Eligible: Weiss, Rosenthal

A Motion was made by Mr. Mantagas, Seconded by Mr. Wechsler, to approve the Resolution of memorialization for **Application ZBE2305, Ruggiero**

Yes: Gregowicz, Leviton, Mantagas, Pochopin, Wechsler  
No: None  
Abstain: None  
Absent: DiTota, Schertz, Shalikar, Weiss  
Not Eligible: Weiss, Rosenthal

**PUBLIC HEARINGS:**

**Application No. ZBE2264**

Applicant: Steven Truglio  
Proposal: Legitimize stone paver block & driveway  
Request: Side setback relief  
Location: 328 Union Hill Rd  
Block/Lot: 4311/13.01  
Zone: R20

Board Attorney, Albert Marmero, Esq. swore in the Applicant, Steven Truglio. Mr. Truglio explained a few years back he filed for a pool permit in 2018 and at that time, it was brought to his attention that his driveway was less than 10 feet from the property line. Mr. Truglio explained he purchased the home with the existing driveway too close to the property line and Ms. DeFalco advised that he would need to file for variance relief.

Chair Leviton explained the Board reviewed the 2018 pool permit and notarized letter indicating you would file for a variance within two years. Chair Leviton explained the driveway encroaches into the side setback. The ordinance reads the driveway is required to be 10 feet from the side property line and the existing driveway is less than 1 foot. Chair Leviton further explained the Board is empowered to grant exceptions to ordinances in cases where rigid enforcement would result in a hardship. Chair Leviton asked Mr. Truglio if there is a hardship. Mr. Truglio responded the hardship would be extremely costly if he had to rip up the driveway. Chair Leviton explained the Municipal Land Use Law prohibits the Board from considering any monetary issues. Hardships run with the land. Chair Leviton asked Mr. Truglio if he would consider it dangerous to back out of the driveway. Mr. Truglio responded it is dangerous to back out onto Union Hill Road and Union Hill Road is extremely busy. The garage is set further to the back of the property, so if the driveway were to be brought back into conformance, certain vehicles would not be able to access the garage or be able to turn around and face forward exiting the driveway onto Union Hill Road.

Chair Leviton asked if there were any sight line issues. Mr. Truglio responded there are no site lines issues. Chair Leviton explained if the

Board were to act favorably on this application, it would be Mr. Truglio's responsibility to maintain any site line issues from the curb back. There can be no shrubbery, bushes or trees obstructing the site line.

Chair Leviton asked the Board members if they had any questions or comments if the Applicant. The Board had no further questions or comments.

Chair Leviton asked Board Attorney, Mr. Marmero if he had any comments or questions. Mr. Marmero, asked if the neighbor expressed any concern or issue with the driveway being so close to the property line. Mr. Truglio explained there have been no complaints or concerns from the neighbor.

Chair Leviton opened the meeting to the public for questions or comments regarding the Truglio Application. Seeing there was none, Chair Leviton closed public.

Ms. DeFalco asked if the detached garage in the rear was the Applicant's primary garage or was there a garage attached to the house. Mr. Truglio responded the rear garage is his only garage.

A Motion of approval was by made by Mr. Gregowicz, Seconded by Mr. Wechsler for application ZBE2264.

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

Chair Leviton opened the meeting to the public for questions or comments regarding any non-agenda items.

There was a resident present and asked about a Planning Board matter. Ms. DeFalco explained how to navigate the township website to access Planning Board agenda items.

Being there were no other public items, Chair Leviton closed public.

**ADJOURNMENT:**

A Motion was offered by Mr. Wechsler to adjourn the meeting at 7:45 PM. All were in favor and none opposed.

Respectfully Submitted,

Janice Moench  
Recording Secretary

A RECORDING OF THE ZONING BOARD OF ADJUSTMENT IS AVAILABLE FOR REVIEW, IN THE PLANNING/ZONING BOARD OFFICE BY APPOINTMENT.