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MEETING IS CALLED TO ORDER:

MR. LEVITON: I'm going to call this meeting to order and ask you all to stand for the pledge to the flag.

SALUTE TO THE FLAG

MR. LEVITON: Pursuant to section five of the Open Public Meetings Act notice of this meeting of the Manalapan Township Zoning Board of Adjustment 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 in compliance with the Open Public Meetings Act. Ms. Moench if you'll take the roll.

ROLL CALL

MS. MOENCH: Mr. Gregowicz?

MR. GREGOWICZ: Here.

MS. MOENCH: Mr. Rosenthal?

MR. ROSENTHAL: Here.

MS. MOENCH: Mr. Schertz?

MR. SCHERTZ: Here.

MS. MOENCH: Mr. Shalika?

MR. SHALIKAR: Here.

MS. MOENCH: Mr. Weiss?

MR. WEISS: Here.

MS. MOENCH: Mr. Mantagas is not present. Mr. Pochopin?

MR. POCHOPIN: Here.

MS. MOENCH: Mr. Wechsler?

1 MR. WECHSLER: Here.

2

3 MS. MOENCH: Chair Leviton?

4

5 MR. LEVITON: I am here. Sir thank you for coming,
6 Janice?

7

8 MS. MOENCH: I just want so Mr. Pochopin will be
9 voting tonight ---

10

11 MR. LEVITON: Mr. Pochopin your vote will count this
12 evening.

13

14 MR. POCHOPIN: Thank you.

15

16 MR. LEVITON: You're welcome. So application number
17 ZBE2315, the Cibelli application will not be heard this
18 evening. It is being carried to August 3rd. There will be no
19 further notification. Mr. Marmero is that correct?

20

21 MR. MARMERO: Correct, yes so they --- certified mail
22 in notices were correct. We advertised in the newspaper, it
23 was off by a day. Those who have interest received the
24 certified mail so the application will be carried to 8/3/23.

25

26 MR. LEVITON: Thank you Mr. Marmero. Okay our next
27 order of business will be to memorialize, I'm sorry, will be
28 to accept the minutes from July 6th. Will someone make that
29 motion?

30

31 MR. WEISS: So moved.

32

33 MR. LEVITON: Thank you Adam and will someone second
34 it?

35

36 MR. SHALIKAR: I'll second that.

37

38 MR. LEVITON: Thank you Joshua.

39

40 **ROLL CALL**

41

42 MS. MOENCH: Mr. Gregowicz?

43

44 MR. GREGOWICZ: Yes.

45

46 MS. MOENCH: Mr. Rosenthal?

47

48 MR. ROSENTHAL: Yes.

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MS. MOENCH: Mr. Shalika?

MR. SHALIKAR: Yes.

MS. MOENCH: Mr. Weiss?

MR. WEISS: Yes.

MS. MOENCH: Mr. Pochopin?

MR. POCHOPIN: Yes.

MS. MOENCH: Chair Leviton?

MR. LEVITON: Yes and now we are going to memorialize application 2313, Albert.

MR. MARMERO: Yes Mr. Chairman and members of the board will remember this was the applicant Gordons Corner Water Company. This was a use variance for approval for a structure that would house the infrastructure for this interconnect for the water utility. There was associated bulk variances related to the setbacks because the easement was relatively small and then of course there was relief related to the fence as well.

MR. LEVITON: Thank you Mr. Marmero.

MR. MARMERO: Sure.

MR. LEVITON: Will someone move to memorialize?

MR. WEISS: So moved.

MR. LEVITON: Thank you Mr. Weiss and will someone second that please?

MR. SHALIKAR: I'll second.

MR. LEVITON: Thank you Mr. Shalika.

ROLL CALL

MS. MOENCH: Mr. Gregowicz?

MR. GREGOWICZ: Yes.

1 MS. MOENCH: Mr. Rosenthal?

2

3 MR. ROSENTHAL: Yes.

4

5 MS. MOENCH: Mr. Shalikar?

6

7 MR. SHALIKAR: Yes.

8

9 MS. MOENCH: Mr. Weiss?

10

11 MR. WEISS: Yes.

12

13 MS. MOENCH: Mr. Pochopin?

14

15 MR. POCHOPIN: Yes.

16

17 MS. MOENCH: Chair Leviton?

18

19 MR. LEVITON: Yes. Joshua --- over the fact that I
20 got your first and last name right.

21

22 MR. SHALIKAR: Both times, yes phenomenal.

23

24 MR. LEVITON: Okay there is only one application on
25 the --- there is only one hearing on our agenda this evening
26 so I will call 2320 Mr. and Mrs. Gutch. I see you standing,
27 sitting out there come on up and before you sit just raise
28 your right hand and Mr. Marmero will swear you in.

29

30 MR. MARMERO: Do you both plan to testify tonight?

31

32 MR. GUTCH: I do.

33

34 MRS. GUTCH: Yes.

35

36 MR. MARMERO: Okay so yeah so both get your right
37 hands up as you do. So do you swear the testimony you provide
38 tonight will be the truth, the whole truth and nothing but the
39 truth?

40

41 MRS. GUTCH: Yes.

42

43 MR. MARMERO: Okay and we have it on the application,
44 but could you state your name and address for the record
45 please?

46

47 MRS. GUTCH: Robert and Carolyn Gutch.

48

1 MR. MARMERO: Okay.

2

3 MR. LEVITON: Good enough. Why don't you sit down,
4 get comfortable. Notice how closely I speak into the
5 microphone. It picks up everything and then no you need to
6 pull it close because it's going to be transcribed. The
7 proceedings here are going to be given to a court reporter and
8 everything that we say is going to be written down for
9 posterity sake. So Mr. and Mrs. Gutch, you're here about your
10 proposed covered porch. Tell the board about your project and
11 why you need their help tonight.

12

13 MR. GUTCH: I didn't get all that, I'm sorry.

14

15 MR. LEVITON: So if you could tell the board about
16 your proposed covered porch and the variance relief that you
17 seek.

18

19 MR. GUTCH: Okay.

20

21 MR. LEVITON: Okay.

22

23 MR. GUTCH: Well good evening Mr. Chairman and
24 members of the board and thank you for having us here tonight.
25 The front of our house is flat. It was built in 1972; there's
26 been no improvements. If you look at pictures from when the
27 house was built until now it's not aesthetically pleasing, but
28 that's one thing. The first thing I'd say, the house needs
29 protection from the elements. As soon as we get out of our car
30 and walk along the walkway we have no cover neither does
31 anybody visiting us, deliveries, etc. It would enhance the
32 neighborhood like I said the house hasn't changed. It's old
33 style. It would really enhance the look of the neighborhood
34 and we can find no negative impacts on this other than it
35 costs us a few bucks, but other than that there's no negative
36 impacts on the Township of Manalapan that I can see. It can
37 only improve things.

38

39 MR. LEVITON: Thank you Mr. Gutch. Let's go out to
40 the board and start with Mr. Gregowicz, sir?

41

42 MR. GREGOWICZ: Yeah I would just agree with you that
43 it would enhance the look of the home because I saw it a
44 couple days ago and I think that'll be a great improvement for
45 the neighborhood and you as well. No further questions.

46

47 MR. LEVITON: Thank you Robert, Terry?

48

1 MR. ROSENTHAL: Just the question is to why you can't
2 comply?

3
4 MR. GUTCH: I'm sorry?

5
6 MRS. GUTCH: Oh we need to, the setback, we need two
7 extra feet and it's not so much the walkway. It's the covering
8 that's going to come off the house. It goes I think we need
9 sixty and we're going to be fifty-eight or something.

10
11 MR. LEVITON: I believe it's a little more.

12
13 MRS. GUTCH: Yeah.

14
15 MR. LEVITON: But it's about a six and a half foot
16 encroachment into the front setback Terry.

17
18 MR. ROSENTHAL: Okay.

19
20 MR. LEVITON: Okay, Mr. Marmero do you need to
21 quantify it exactly?

22
23 MR. MARMERO: So on the denial portion it indicates
24 that he proposed front cover porch as fifty-three feet and six
25 inches from the front yard lot line where sixty feet is
26 required.

27
28 MR. LEVITON: That's six feet and four inches.

29
30 MRS. GUTCH: Okay.

31
32 MR. LEVITON: Okay. Mr. Weiss?

33
34 MR. WEISS: Yes I echo everything that Mr. Gregowicz
35 said. I think it'd be a great improvement so I wish you the
36 best of luck with it.

37
38 MR. GUTCH: Thank you.

39
40 MRS. GUTCH: Thank you.

41
42 MR. LEVITON: And Mr. Shalika?

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44 MR. SHALIKAR: No questions.

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46 MR. LEVITON: And Mr. Schertz?

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48 MR. SCHERTZ: No questions.

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MR. LEVITON: And Mr. Pochopin?

MR. POCHOPIN: I agree very nice asset to the neighborhood and I'm an advocate of safety so it'll be nice to have some shelter especially in that inclement weather.

MR. GUTCH: Thank you.

MRS. GUTCH: Thank you.

MR. LEVITON: And Mr. Wechsler?

MR. WECHSLER: No questions, thank you.

MR. LEVITON: Yes Gutch's the municipal land use law doesn't account for this. It's going to be wonderful to see an aesthetic improvement like the one you're proposing on Gettysburg Drive. I have nothing further, Nancy?

MS. DEFALCO: All good.

MR. LEVITON: Janice?

MS. MOENCH: All good.

MR. LEVITON: Counselor?

MR. MARMERO: All good for now until we do the resolution.

MR. LEVITON: Then let me go out to the public and see if there's anyone in attendance who would like to question the Gutch's or address the board, speak now or forever hold your piece. Seeing none I'm going to close public and ask someone to make a motion.

MR. WEISS: I'll make a motion to approve the application as submitted.

MR. LEVITON: Thank you Mr. Weiss. Will someone second that?

MR. POCHOPIN: I'll second.

MR. LEVITON: Thank you Mr. Pochopin.

ROLL CALL

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MS. MOENCH: Mr. Gregowicz?

MR. GREGOWICZ: Yes.

MS. MOENCH: Mr. Rosenthal?

MR. ROSENTHAL: Yes.

MS. MOENCH: Mr. Schertz?

MR. SCHERTZ: Yes.

MS. MOENCH: Mr. Shalikar?

MR. SHALIKAR: Yes.

MS. MOENCH: Mr. Weiss?

MR. WEISS: Yes.

MS. MOENCH: Mr. Pochopin?

MR. POCHOPIN: Yes.

MS. MOENCH: Chair Leviton?

MR. LEVITON: Good luck folks.

MRS. GUTCH: Thank you.

MR. LEVITON: You're welcome.

MR. GUTCH: Thank you very much.

MRS. GUTCH: We'll invite you over for tea.

MR. LEVITON: Outstanding. I love tea. Okay at this time let me go out to the public and see if there's anyone in attendance who wants to address the board on any items other than agenda items. Seeing none I'll close public. I'd like to ask our good friend Mr. Marmero if he has any news to share.

MR. MARMERO: Sure so as we know the wheels of justice tend to move slowly so this week I had a case management conference scheduled for the matter I'm dealing with, the interpretation that you did. It was a Zoom case management conference so I was there, the planning board

1 attorney was there, and the attorneys for the applicant that
2 evening were there. We waited on Zoom for about ten minutes
3 and then the judge's secretary appeared and said there was an
4 emergent matter and we are now rescheduled until August 1st. So
5 I will have an update for you on August 1st with respect for
6 the matter that the former attorney who's handling did get
7 notice from him that that trial has been adjourned with no new
8 date so holding pattern on both is best I could tell you.

9

10 MR. LEVITON: Thank you for the updates sir.
11 Gentlemen anything further? Then someone move to adjourn.

12

13 MR. WEISS: Motion to adjourn.

14

15 MR. SCHERTZ: Second.

16

17 MR. LEVITON: Thank you all.

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