

Township of Manalapan
120 Route 522 & Taylors Mills Road
Manalapan, NJ 07726

Planning Board Minutes
September 28, 2023

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

Ms. D'Agostino read the TV Disclosure Statement and took the Roll Call of the Board.

In attendance at the meeting: Barry Fisher, Todd Brown, Daria D'Agostino, John Castronovo, Kathryn Kwaak, Jack McNaboe, Chief Richard Hogan, Barry Jacobson, Steve Kastell, Nunzio Pollifrone

Absent from meeting: Brian Shorr

Also present: Ronald Cucchiaro, Planning Board Attorney
Brian Boccanfuso, Planning Board Engineer
Jennifer Beahm, Planning Board Planner
Janice Moench, Zoning Board Secretary
Nancy McGrath, Acting Planning Board Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Jennifer Beahm Professional Planner.

Minutes:

A Motion was made by Chief Richard Hogan and Seconded by Todd Brown to approve the Minutes of August 24, 2023 as written.

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

Resolutions: **2023-13** ~ An Ordinance of the Township of Manalapan Amending Chapter 95, "Development Regulations", Article V, "Zoning District Regulations", Subsection 95-5.6N", "AH-AP Affordable Housing Overlay District", of the Code of the Township of Manalapan

A Motion was made by Chief Hogan and Seconded by Mr. Fisher to approve the Resolution for Ordinance 2023-13, as written.

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

2023-15 ~ An Ordinance of the Township of Manalapan Amending and Supplementing Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-9.2, "Improvement Standards", Subsection 95-9.2B, "Off-Street Parking", Pertaining to Parking Required in Shopping Centers

A Motion was made by Chief Hogan and Seconded by Mr. Fisher to approve the Resolution for Ordinance 2023-15, with revision 2nd Line in Paragraph 2, instead of "more" it should say "less."

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

2023-16 ~ An Ordinance of the Township of Manalapan Amending and Supplementing Chapter 95, "Development Regulations", of the Code of the Township of Manalapan, Section 95-3.4E, "Certificate of Continued Occupancy"

A Motion was made by Mr. Fisher and Seconded by Mr. McNaboe to approve the Resolution for Ordinance 2023-16, as written.

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

**PFM2304 ~ Four Seasons at Manalapan HOA
44 Palomino Drive ~ Block 66.43 / Lot 1
Amended Preliminary and Final Site Plan
Pickel Ball and Shuffle Board Courts**

A Motion was made by Mr. McNaboe and Seconded by Mr. Castronovo to approve the Resolution for PFM2304, as written.

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

2023

Amended Ordinance: **2023-13:** An Ordinance of the Township of Manalapan Amending Chapter 95, "Development Regulations", Article V, "Zoning District Regulations", Subsection 95-5.6N", "AH-AP Affordable Housing Overlay District", of the Code of the Township of Manalapan

Mr Cucchiaro received an email from the township attorney regarding the ordinance that was memorialized at tonight's meeting (9/28/23). The last time the ordinance was reviewed it took out the reference to "warehouse" but there is another minor revision. Ms. Beahm explained this is supplementing the conditional

use standards to allow storage of motor vehicles such as a car collection. This amendment was introduced at the 9/27/23 Township Committee meeting per Mr. McNaboe.

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

A Motion was made by Chief Hogan, Seconded by Mr. Jacobson, that Amended Ordinance 2023-13 is substantially consistent with the Master Plan.

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

Applications: PMS2314~Vincent Tornatore
45 Saupe Drive ~ Block 339 / Lot 12.01
Two-Lot Minor Subdivision

Salvatore Alfieri, Esq. of Cleary, Giacobbe, Alfieri & Jacobs represented the applicant. Mr. Alfieri stated he had a meeting with the Board Professionals prior to this evening and would like to present the engineering comments and hear public comments and then request a later date.

Mr Cucchiaro swore in Licensed Engineer Anthony Maltese and his credentials were accepted by Chairperson Kwaak.

Mr. Maltese said the property is located in the R20 Zone, Single Family Residence on Saupe Drive near intersection with Basswood Drive. He stated it is a single lot that was part of a 1985 and 1994 subdivision. Over time the applicant purchased a nearby lot and the lots were ultimately consolidated to a single lot.

Today, the applicant is seeking to subdivide 45 Saupe Drive into two lots. Mr. Maltese went on to explain the initial submittal was to subdivide as two corner lots. In R20 Zone, corner lots have a minimum 30,000 sq ft for lot area so plan revised to create an interior lot and an irregular corner lot so it would meet the lot area requirements.

The variances that are required are:

Lot depth – 180ft required, lot and only have 120ft

Improvable area Minimum Diameter - requires 60ft and only have 50ft.

Improvable lot area - requires 6000 sq ft – existing lot would have 5800 sq ft and the new lot would be 4700 sq ft.

Mr. Alfieri referred to comments from a 9/25/23 CME report that talked about drainage and sanitary sewer connections. He stated at this time they are not proposing a home on the newly created lot. Mr. Maltese agreed that the applicant would comply with all setbacks, address storm water management, sanitary sewer connections, and provide a plot plan prior to issuance of building permits as a condition of approval.

Mr. Alfieri asked Mr. Maltese if there is drainage infrastructure for the current lot. Mr. Maltese said nothing was proposed for existing but at the request of Ms. Beahm, dry wells will be created for both lots since the subdivision requires variance relief.

Mr. Maltese also agreed to address the 4 technical comments on the CME report to the satisfaction of the board engineer as a condition of approval and will obtain any outside agency approval if required.

Mr. Boccanfuso commented that the revised plan eliminated some of the variances but also created new variances. Board Professionals will review with the applicant's team to make sure everyone is on the same page as far as requirements and determine what variance relief is needed. Mr. Cucchiaro stated this is not an endorsement that the Professionals are giving for any variance relief.

Chief Hogan asked Mr. Maltese if there is a history of flooding on the original lot. Mr. Maltese was not aware of any flooding issues and confirmed no wetlands on the property. Chief Hogan inquired about dry well placement and Mr. Maltese stated it should be about 15ft from house and would need to conduct soil borings to determine best location. Chief Hogan asked if dry well is required under ordinance. Mr. Boccanfuso stated our ordinance has storm water requirements for non-major developments and dry well is one way you can meet the requirement. For the existing house, a dry well would be mitigation for the variance relief referring back to Ms. Beahm's earlier comments about the need for dry wells.

Mr. McNaboe asked if existing home will be variance free if subdivided. Mr. Maltese said as of right now, improvable area would be deficient by about 200 sq ft and most likely a rear setback variance would be needed based on the newly created lot line.

Mr. Maltese confirmed Chairperson Kwaak's question about the new lot being wooded. She said so once the trees are down drainage would be a concern. She referred back to Ms. Beahm's comment and emphasized the need for dry well.

Ms. D'Agostino asked about the area of 50ft circumference (referring to plans) and is that where the house would go on the new lot. Mr. Maltese explained the house would be built there with a footprint of about 2200sq ft max.

Also, Mr. Jacobson questioned if the need for variance will be justified and it was noted the applicant's planner will provide testimony once the plans are finalized.

Mr. Brown brought up the fact that the lots are odd shape so there needs to be discussion around where a pool or patio would go and how much privacy etc. Mr. Cucchiaro said that once the TRC meeting is held, the applicant's team will work out where the property lines will go and hash out what variance relief is needed.

Mr. Kastell asked if there was original documentation of how the lots were initially divided and subsequently consolidated. Mr. Alfieri noted since the two lots had common ownership and were undersized, the tax assessor "operationally" merged them into one lot at some point.

Chairwoman Kwaak opened the meeting to the public for comments/questions regarding this application.

Mr. Scafidi from 2 Robin Court stated he is in the R4020 Zone and wanted to know why the new lot which borders Robin Court is in the R20 zone and not subject to R4020 standards. Mr. Cucchiaro explained that when the rezoning occurred, it did not extend to that lot so the proposed lot is in the R20 zone.

There were no other public comments/questions.

Mr. Cucchiaro put forth that PMS2314 will be carried to the October 26th meeting at 7:30PM and no further noticing is required by the applicant.

Chairperson Kwaak opened the meeting to the public for non-agenda items. Seeing none, the public portion was closed.

Chairperson Kwaak stated the next Planning Board meeting is October, 12, 2023 at 7:30 in the courtroom. Chief Hogan made a Motion to adjourn the meeting at 8:04 pm and it was agreed to by all.

Nancy McGrath
Acting Planning Board Secretary

