

MANALAPAN ZONING BOARD OF ADJUSTMENT  
**MINUTES OF THE REGULAR MEETING**  
**Thursday, February 1, 2023**  
**TOWNSHIP OF MANALAPAN**  
**Manalapan, NJ 07726**  
**Public In-Person Meeting**

Vice Chairman Gregowicz 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, Michael Wechsler, David Schertz, Joshua Shalika, Adam Weiss, Basil Mantagas, Daniel Pochopin, John Harrington, Stacey Klompus

Absent from the meeting: Stephen Leviton

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

**MINUTES:**

A Motion was made by Mr. Schertz, Seconded by Mr. Pochopin to approve the Minutes of **January 18, 2024** as written.

Yes: Gregowicz, Wechsler, Schertz, Shalika, Mantagas, Pochopin, Harrington, Klompus

No: None

Abstain: None

Absent: Leviton

Not Eligible: Weiss

**RESOLUTIONS:**

A Motion was made by Mr. Wechsler, Seconded by Mr. Pochopin, to approve the Resolution of memorialization for **Application ZBE2244A, Kyureghyan.**

Yes: Gregowicz, Wechsler, Schertz, Shalika, Mantagas, Pochopin

No: None

Abstain: None

Absent: Leviton

Not Eligible: Weiss, Klompus, Harrington

Vice Chairman, Gregowicz advised the Board and the public that Application Number ZBE1838 (Christopher & Catherine Colosi & Joann Becker) and Application Number ZBE2402 (Anthony Auriemma) have both been carried to the February 14, 2024 agenda with no further notice to the public.

**PUBLIC HEARINGS:**

**Application No: ZBE2334**

Applicant: Jorge Irizarry  
Proposal: Fence  
Request: Front & street-side setback relief  
Location: 126 Iron Ore Rd. 68/1.05  
Zone: R-AG

Board Attorney, Albert Marmero, Esq. swore in the Applicant, Jorge Irizarry. Mr. Irizarry explained he was looking for bulk relief for a fence and an above-ground pool to the proposed in the front and street side setback.

Vice Chairman Gregowicz opened the meeting to the Board members for questions or concerns.

Mr. Wechsler asked the Applicant what type of fence is proposed. The Applicant advised the proposal was for a split rail fence. Mr. Wechsler explained he visited the site and found the property to be a unique circumstance.

Mr. Schertz asked if the Applicant if he installed the fence or was it there when he purchased the home. The Applicant advised the fence was proposed. The Applicant further advised the prior property owner removed the fence before they closed and took residency.

Mr. Weiss discussed the split rail fence being a safety issue with the pool. Mr. Weiss was concerned that the fence may not be able to keep animals out and children in. Mr. Weiss asked if there was any intention in the future to put an additional fence around the pool. Mr. Weiss' comment was to avoid a future application before the Board. The Applicant explained he was proposing a split rail fence and will have the safety locking ladder/stairs to meet pool safety code. Mr. Weiss confirmed the unique circumstances to the property, he too visited the site.

Ms. DeFalco stated for the record, an above-ground pool will have to be four foot in height and provide something around the ladder for safety.

Mr. Marmero asked the Applicant to provide testimony as to the unique situation of the property. One of the criteria the Applicant needs to meet would be to explain what the hardship would be.

The Applicant explained the property is shaped like a triangle and he feels it is considered a "corner property".

Mr. Harrington and the Applicant discussed fencing for neighboring homes on Mount Vernon.

Mr. Marmero explained the relief to be:

*Fences shall not be erected, altered or reconstructed where located within 25 feet of any street line whereas proposed fence is 5' from Mount Vernon Road lot line. (95-7.24A.) In residential zones, fences shall not exceed three feet in height in a front yard, whereas proposed fence is 4'-3" in height. (95-7.24C.) Minimum front and street-side yard setback in a R-AG Zoning District is 100' whereas proposed above ground pool is 26' from Mount Vernon Road. (95-5.1)*

Vice Chairman Gregowicz opened the meeting to the public for questions or comments regarding the Application on the agenda. Seeing there was none, Vice Chairman Gregowicz closed public.

A Motion of approval was by made by Mr. Weiss, Seconded by Mr. Shalika for application ZBE2334.

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

Vice Chair, thanked Ms. DeFalco for her time and dedication to Manalapan Township and the Board of Adjustment. The Board wished her luck on her retirement.

**ADJOURNMENT:**

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A Motion was offered by Mr. Weiss to adjourn the meeting at 8:00PM. 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.