Mannington Township Planning Board
Regular Meeting
August 13, 2026

Present:
Michael Colletti, Richard Eber, Donald Richman, John Sakewicz, Andrew Carpenter, Larry Pompper, Jr., Joanne Wright, Gaynel Schneeman, Cory Gaskill, Robert Casella, Esquire, David Cadwallader

Absent:
Michael Sullivan, Neal Sheppard, Dory Emel, Justin White, Esquire, Nicholas Culver, Robert DiGregorio

The meeting was called to order at 7:00 pm by John Sakewicz, Chairman.
The Sunshine Law Statement was read.
The Pledge of Allegiance to the Flag of the United States of America was recited.
Roll Call was taken to justify that there was a quorum in attendance.
The secretary of the planning board has given adequate notice of the meeting.

Richard Eber made a motion to approve the June Regular Meeting minutes. Andrew Carpenter seconded the motion. All in favor.

Block 63, Lot 23
Ish Real Estate, LLC
139 Route 45
Resolution 2026-16

The applicants escrow check was returned to the township for insufficient funds. The applicants submitted a new payment.

Gaynel Schneeman made a motion to approve the resolution. Andrew Carpenter seconded the motion.

Eligible to Vote: D.R., J.S., G.S. & A.C.

Roll Call
YES: D.R., J.S., G.S. & A.C.
NO:
ABSTAIN:

(Resolution to immediately follow.)

RESOLUTION NO. 2026-16

MANNINGTON TOWNSHIP PLANNING / ZONING BOARD

USE VARIANCE APPLICATION of ISH REAL ESTATE, LLC
139 ROUTE 45
BLOCK 63, LOT 23

WHEREAS, Ish Real Estate, LLC (the "Applicant") has made application before the Planning / Zoning Board of Mannington Township in Salem County, New Jersey (the "Board"), seeking a use / "D" variance pursuant to N.J.S.A. 40:55D-70(d)(1) and Chapter 70 of the Township Code, for property Applicant owns at 139 Route 45, Block 63 Lot 23 (the "Property"); and,

WHEREAS, the Property is a corner lot located at Route 45 and Tide Mill Road and is within the Township's General Commercial / "GC" zone; and,

WHEREAS, the Applicant's application for a use variance is described as a request to allow an existing building on the Property to be used as a private garage for the repair and storage of automobiles owned by the Applicant and/or the Applicants' principals. The existing building was formerly used as a commercial automobile repair facility. Applicant proposes to retire the building from commercial use; and,

WHEREAS, while the GC Zone allows for commercial automobile repair and service facilities, purely private automobile repair and service facilities are not allowed as of right; and,

WHEREAS, the GC Zone requires: (i) a minimum lot depth of 175.0'; (ii) a minimum front setback of 50.0'; (iii) a minimum side yard setback of 20.0'; and (iv) a maximum impervious coverage of 35%; and,

WHEREAS, the Property is presently non-conforming as to the aforesaid bulk standards as it has: (i) a lot depth of 59.0'; (ii) front setback of 25.3' from Route 45 and 9.65' from Tide Mill Road; (iii) a side yard setback of 19.0'; and (iv) impervious coverage of 35.8%; and,

WHEREAS, the relief sought by the Applicant requires a use variance pursuant to N.J.S.A. 40:55D-70(d)(1); and,

WHEREAS, the Applicant's Development Application included:

A. A completed Application for Development Review Form dated April 22, 2026;

B. A completed Application for Variance Form dated April 22, 2026;

C. A completed Schedule "A" Mannington Township Land Development Application Checklist;

D. A Request for Certified List of Names;

E. The contact information for Applicant's professionals;

F. An entity disclosure statement for Ish Real Estate, LLC dated April 22, 2026;

G. The current deed for the Property dated January 23, 2014;

H. A completed IRS Form W-9 (undated);

I. A Variance Plan for the Property prepared by Samuel J. Agresta, P.E., P.P., C.M.E. of AEP Agresta, consisting of one (1) sheet and dated February 13, 2026;

J. A survey of the Property prepared by Albert N. Floyd & Son Land Surveyors, dated May 24, 2019;

K. Proof of paid taxes dated April 21, 2026;

L. A 200' property owners list dated April 29, 2026;

M. Proof of Publication, thereby confirming the Applicant's compliance with the requirements of N.J.S.A. 40:55D-12(a);

N. An Affidavit of Proof of Service, thereby confirming the Applicant's compliance with the requirements of N.J.S.A. 40:55D-12(i);

WHEREAS, at a public hearing conducted on May 14, 2026, the Applicant appeared and was represented by counsel, Kevin Diduch, Esq. and offered the following proofs and/or elicited the following in support of Applicant's application:

1. Items A-N of the Application, such items described above, were received and considered by the Board.

2. Applicant's counsel introduced the Application. The Property has frontage on Route 45. The Property is presently developed with a commercial garage of masonry construction and with three garage bays.

3. The Application was deemed as complete by a unanimous vote, with seven (7) Board members in favor and zero (0) opposed.

4. **Lauren Boisvert**, was sworn and gave testimony on behalf of the Applicant.

5. Ms. Boisvert's husband is Ihor Stephen Hryckowian, the principal of Ish Real Estate.

6. Ms. Boisvert and her husband are car enthusiasts. They acquired the Property (through Ish Real Estate) for the purpose of working on and storing their personal vehicles and auto-related projects.

7. The Property is well suited for this proposed use. The Property already features the garage. Commercial auto repair facilities are allowed in the GC zone. The Applicant proposes the less intensive use of using the Property for purely personal purposes.

8. Applicant estimates that about 7-10 vehicles are parked / stored in the front and the rear of the garage. Applicant does not expect this number to increase.

9. Ms. Boisvert was asked about the nature of the work she and her husband will be doing on their vehicles. Boisvert confirmed that there would be no loud noises or other disruptions caused by their work on their vehicles. The nature of the work at the garage will be the same as if the Applicant's principals were working on cars at their personal residence.

10. There will not be used motor oil or other potential contaminants stored on site.

11. Applicant has begun to clean up the junk, scrap and debris at the rear of the Property. Such efforts will continue.

12. There will be no commercial activities conducted on site. Applicant and/or Applicant's principals will not be performing auto repair services for others at the Property.

13. Applicant's engineer and planner, **Sam Agresta, P.E., P.P., C.M.E.**, was sworn and provided both engineering and planning testimony.

14. The Variance Plan (item "I", above) was marked as Exhibit A1.

15. No changes are proposed to the existing footprint of the garage structure. No additional paving is proposed.

16. Applicant plans to install fencing at the Property's frontage along Tide Mill Road, as more fully set forth in the Variance Plan.

17. Mr. Agresta offered his opinion that the Applicant has carried its burden of satisfying the so-called "positive criteria" and "negative criteria."

18. According to Mr. Agresta, the proposed use of the Property will advance several of the stated purposes of the Municipal Land Use Law. An underutilized structure will be repurposed. The Property and structure will be maintained. This is more desirable than a dilapidated and vacant building. The proposed use does not conflict with the goas set forth in the Master Plan, including its 2024 Reexamination.

19. Mr. Agresta submits that the proposed use will cause no detriment to the public.

20. The non-conforming nature of the Property's lot and its structure are pre-existing. The non-conformities will not be exacerbated by the proposed use of the Property as a private garage.

21. The Board's engineer, Cory Gaskill, P.E., P.L.S., C.M.E. & C.F.M, observed that the survey for the Property is several years old. He recommended that a new and current survey be provided by the Applicant as a condition of approval.

22. The Applicant agreed providing a new and updated survey as a condition of approval. Applicant will provide same to the Board within 120 days.

23. Mr. Gaskill also pointed out that the existing garage structure encroaches into the right-of-way of Tide Mill Road. Applicant was also reminded that the existing structure cannot be modified without addressing this issue.

24. The meeting was opened for public comment. No members of the public appeared to oppose the Application or to otherwise offer comment.

WHEREAS, the Board considered the testimony offered by the Applicant's witness to be credible; and,

WHEREAS, in addition to the conclusions set forth above the Applicant has fulfilled the procedural requirements of the use variance request; and,

WHEREAS, the Mannington Township Planning / Zoning Board finds that the proposed use variance can be approved pursuant to N.J.S.A. 40:55D-70(d)(1). The Board is satisfied that there exists in this particular case special reasons to allow departure from the Township's Land Use Ordinance, and that departure from same in this particular case will not be detrimental to the public good, but rather will promote the general welfare and the overall intent and purpose of the Master Plan and the Land Use Ordinance; and,

NOW, THEREFORE, BE IT RESOLVED by the Mannington Township Planning / Zoning Board, as follows:

1. The Application of Ish Real Estate, LLC, as aforesaid, is deemed to be complete.

2. The Applicant has offered sufficient proof to establish cause for receiving a use variance to allow a private automobile garage. Applicant has carried its burden of showing that the benefits of granting a use variance from the Land Use Ordinance outweigh any detriment that may result from granting the variance.

3. The use variance pursuant to N.J.S.A. 40:55D-70(d)(1) requested by Ish Real Estate, LLC, upon the property located at 139 Route 45, Block 63, Lot 23, be and hereby is **GRANTED**, subject to the following conditions:

a. The Board relied upon the testimony of the Applicant and factual finding discussed above in this Resolution, and such testimony and findings are incorporated as conditions of this approval as though set forth herein.

b. Compliance with all federal, state, county and local laws, rules, regulations and other governmental approvals which may be required in implementation of this development, including but not limited to: (i) the Township of Mannington Construction Office; (ii) the Local / Regional Code Enforcement Office of the Department of Community Affairs; (iii) the Salem County Planning Board; and (iv) the Salem County Soil Conservation District.

c. If another governmental agency grants a waiver or variance of a regulation, affecting this approval or the conditions attached to it, then this Board shall have the right to review that issue as it relates to this approval and these conditions and modify or amend same.

d. The Applicant shall pursue with good faith and due diligence any and all additional approvals as may be required and shall provide the Board with copies of all reports and approval from same, including copies of any and all applications filed.

e. The Applicant shall pay all escrows, costs and professional fees associated with this Application pursuant to the Township's Ordinances and the MLUL within thirty (30) days of notice of said fees and costs, absent any challenge by the Applicant as to the correctness or amounts of such fees and costs.

f. The Applicant will not park / store a greater number of vehicles upon the Property than it does currently (approximately 7-10 vehicles).

g. Applicant shall supply the Board with a new and updated survey of the Property within one hundred twenty (120) days of this Resolution.

4. The conditions of this approval shall run with the land and be binding on all successors in interest, purchasers and assignees. In the event that the Applicant does not perfect this approval should § 70-22E of the Ordinance be applicable, this approval shall be void, unless, for good cause shown, the Applicant seeks extension thereof.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be provided to the Applicant's attorney, and that notice of the actions recited herein shall be published in accordance with prevailing law.

The vote upon the Motion made to grant the Applicant's request for a use variance was recorded, as follows:

	MOVED	SECOND	AYES	NAYS	ABSTAIN	RECUSE	ABSENT
John Sakewicz			X				
David Cadwallader							X

Nicholas Culver							X
Michael Colleti							X
Donald Richman			X				
Gaynell Schneerman	X						
Neal Sheppard (II)							X
Richard A. Eber, Jr. (I)						X	
Robert DiGregorio (III)							X
Dory Emel, Alt 1							X
Andr. Carpenter, Alt 2		X					
Joanne Wright, Alt 3						X	
Lry. Pompper, Jr., Alt 4						X	

AND BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Applicant and to all who request a copy for a reasonable fee. In addition, a copy of this Resolution shall be filed in the Office of the Clerk of the Township of Mannington.

By: Rebecca C. Ferguson
Rebecca Ferguson, Board Secretary

By: John J. Sakewicz
John Sakewicz, Chairman

Block 61, Lot 6
Atlantic City Electric Company
164-180 Route 45
Completeness Hearing and Application for a Use Variance & Site Plan Waivers

Mr. Eber stepped down from the board at this time.

The applicant has requested that the matter be carried to this meeting. New notice was required and provided.

Robert Casella, Esquire provided an overview of the legal requirements of the application.

Mr. McSorley and Mr. Hawk were sworn in.

A copy of proof that taxes are paid will be provided prior to a resolution being issued.

Cory Gaskill reviewed his completeness portion of his letter.

The application was determined to be complete.

Richard Wells presented the application.

Mr. McSorley reviewed Exhibit A2 and the need for lay down yards. Materials are ordered in advance. This job has four to five hundred poles and copper that will be needed for this project. The project will be an 18 mile transmission rebuild. The last time this was rebuilt was approximately 70 years ago, impacting approximately 30k customers.

There will be no land disturbance, no new pavement. They are not using anything outside of the paved area. No hazardous materials are being stored. This is not open to the public. There is no fabrication on site.

There will be 15 to 20 members of the crew. They assemble around 6:30 – 7 am and then head out to the site. Trucks may return to gather new materials. The latest that people return to the site is 5 pm. They clean up and leave. There is no overnight activity on the site. It is very rare to work on night or on the weekend, unless deemed absolutely necessary by outside entities, such as the state police.

There is a security team to ensure that the materials are safe.
The applicant is leasing the site. Once the project is complete, there is no need to continue using this site. There is no activity in the buildings on this site.

Ms. Wright asked about this project in comparison to the previous project.

Mr. McSorley stated that it is about the same. A three-man crew takes one truck. There has been no issue with theft at this time. Construction begins in fall 2027 and the first materials will be received in the summer of 2027.

There have been no issues with the neighbors.
The majority of the poles will be steel. There will be some wood poles.

Ms. Schneeman spoke about concerns with the early start with the neighbors. The applicant offered to push the start time if needed.

The materials will not move until 7 am.

Corey Gaskill asked about the repair of the site if broken. The applicant stated that they would make the repairs.

Robert Casella confirmed that this is a 5-year approval from the date of approval.

Mr. Hawk was qualified as an expert and spoke about the planning of the site plan.

Mr. Hawk spoke about the inherently beneficial use of the project. Site suitability is also a factor. This is also in a business district. There will be structured use during normal business hours, which are less intensive than other used that may have been allowable.
A site plan would have been required originally so the site plan waiver request is appropriate.

The meeting was opened to the public.
The meeting was closed to the public.

Mr. Casella reviewed the application and conditions agreed upon.

Gaynel Schneeman made a motion to deem the application complete. Andrew Carpenter seconded the motion.

Eligible to Vote: D.R., J.S., G.S., A.C., J.W, & L.P.

Roll Call
YES: D.R., J.S., G.S., A.C., J.W, & L.P.
NO:
ABSTAIN:

Andrew Carpenter made a motion to approve the time limited use variance and site plan waiver. Joanne Wright seconded the motion.

Eligible to Vote: D.R., J.S., G.S., A.C., J.W, & L.P.

Roll Call
YES: D.R., J.S., G.S., A.C., J.W, & L.P.
NO:
ABSTAIN:

Mr. Eber returned to the board.

Miscellaneous Business

The meeting was opened to the public.
The meeting was closed to the public.

The meeting was adjourned at 7:44 PM.

Respectfully Submitted,

Rebecca Gower Ferguson
Planning Board Secretary