

**MANCHESTER TOWNSHIP ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
Thursday, November 20, 2025**

**Manchester Township
1 Colonial Drive
Manchester, NJ**

MINUTES OF MEETING

1. The special meeting of the Manchester Township Zoning Board of Adjustment was called to order at 6:40 p.m. by Cjairwoman Linda Fazio
2. This meeting had been duly advertised, filed and posted in accordance with the Open Public Meetings Act.
3. A Pledge of Allegiance and Salute to the Flag.
4. Roll Call: Members Present: L. Fazio, W. Cook, S. Galbreath, G. Georgiano, D. Tedeschi, B. Hay, G. Apgar, J. Markowski,
Members Absent: none

Also Present: Chris Reid, Board Attorney, Jason Worth, Board Engineer, Nick Dickerson, Township Planner,

Memorializations:

Memorialization of a variance to construct a 26x30 detached garage within front yard along Mackenzie Court, where no accessory structures are permitted within the front yard setback. Applicant: Daniel Watters 3 Mackenzie Court Block 111 Lot 11.06. Approved at the October 23rd meeting. Case 25-04.

Motion to approved made by G. Georgiano and seconded by G. Apgar. Roll Call- G. Georgiano- yes, G. Apgar- yes, S. Galbreath-yes, D. Tedeschi-yes, L. Fazio- yes.

Memorialization of a variance to construct a single family home where 11,200sf are required for improvable lot area and 3450sf is provided, for front yard setback where 40 feet is required and 27.5 is provided and a minimum rear setback where 40 feet is required and 27.5 feet is provided. Applicant: Arya Properties, LLC 3051 Brentwood Avenue Block 21 Lot 1747. Approved at the October 23rd meeting. Case 25-06.

Motion to approve made by D. Tedeschi and seconded by G. Georgiano. Roll Call: D. Tedeschi- yes, G. Georgiano- yes, G. Apgar- yes, S. Galbreath-yes, L. Fazio- yes.

Chairwoman Fazio advised those in attendance that recording, photography, and the use of social media were permitted provided such activities did not interfere with the orderly conduct of the meeting. She requested that all cell phones and electronic devices be silenced and reminded those present that any recording must be conducted quietly without obstructing the proceedings.

Mr. Reid then addressed the audience regarding the procedures governing the hearing. He emphasized that the proceeding was a quasi-judicial hearing and reminded everyone that demonstrations of approval or disapproval, including applause, shouting, jeering, or similar interruptions, would not be permitted. Participants were instructed to speak clearly and deliberately so that the official record could be accurately transcribed.

Mr. Reid explained that the Board's decision must be based solely upon competent evidence admitted into the record through sworn testimony and properly authenticated exhibits. He advised that comments appearing on social media or other online platforms constituted hearsay, were not given under oath, were not subject to cross-examination, and therefore could not be considered by the Board. Likewise, opinions or statements made outside the hearing process would not become part of the evidentiary record. He reminded both the Board and the public that the Board's responsibility was to apply the Municipal Land Use Law together with the applicable municipal ordinances and to base its decision exclusively upon the sworn testimony and exhibits presented during the hearing.

APPLICATION

Case 24-48	Congregation Mikvah of PLP	1209 Ninth Avenue
	1209 Ninth Avenue	Block 1.186 Lot 39
	Manchester, NJ	Zone R10

Chairwoman Fazio - Case No. 24-48, Congregation Mikvah of PLP, Block 1.186, Lot 39, located at 1209 Ninth Avenue- the applicant sought minor site plan approval together with D(1) use variance relief to permit construction and operation of a mikvah within the R-10 Residential Zone, where the proposed use was not otherwise permitted. The application also included numerous bulk variances relating to principal building setbacks, lot coverage, parking setbacks and dimensions, accessory structure setbacks, improvable lot area, and landscaping buffer requirements, together with recognition of certain existing nonconforming conditions proposed to remain.

Donna Jennings, Esq., appearing on behalf of the applicant, stated that this represented the third hearing on the application. She advised that revised plans had been submitted following the previous hearing and that the applicant had received updated review letters from the Board Engineer dated November 17, 2025, and from the Board Planner dated November 18, 2025. Ms. Jennings explained that the purpose of the evening's testimony was to address the revisions made in response to prior comments and to present those revisions through the applicant's professional engineer, Mr. Portnoy.

Mr. Portnoy, sworn in, confirmed his office had prepared and submitted revised site plans dated November 5, 2025, following the previous hearing, he introduced an updated color site plan depicting the revisions made to the proposal. (Exhibit A-13) consisting of a colorized site plan last revised November 19, 2025. Mr. Reid again reminded the witness to speak slowly for the benefit of the court reporter and the official record.

Mr. Portnoy utilized Exhibit A-13 to explain the revisions incorporated into the applicant's site plan since the previous hearing. He testified that, in response to comments received from the Board and its professionals, one employee parking space had been eliminated. The revised layout now provided a total of six parking spaces consisting of two employee spaces located nearest the building, three standard parking spaces, and one ADA-compliant space. Although the number of parking spaces had been reduced, the modification resulted in a slight decrease in overall lot coverage. Mr. Portnoy testified that the revised plan reflected total lot coverage of 42.37 percent when porous pavers were included and 34.68 percent when the porous paver area was excluded from the calculation.

Mr. Portnoy further testified that the applicant had incorporated a proposed dry well at the northeast corner of the property to address the Board Engineer's concerns regarding roof runoff, the dry well was designed exclusively to collect runoff from the building roof rather than yard drainage. All roof leaders would be connected and piped directly to the proposed dry well so that roof water would no longer discharge across the property. He stated that the dry well had been designed in accordance with the Township's residential plot plan standards and provided more than the required two-foot separation above the seasonal high-water table.

Mr. Portnoy testified additional plantings had been added along the north and east property lines. Whereas earlier plans provided evergreen screening only along the western property boundary, the revised plan proposed evergreen landscaping adjacent to all neighboring residential properties. He also described a revised lighting plan prepared in response to comments from the Board professionals. The plan demonstrated that proposed lighting would not spill onto adjoining properties. Decorative wall-mounted sconces were proposed at each entrance together with limited perimeter security lighting. An expanded photometric analysis had been submitted showing that illumination would terminate at the property line and would be further screened by the proposed fencing.

Mr. Portnoy next discussed revisions to the site's fencing. He testified that the applicant continued to propose vinyl fencing along the western property line. Along the northern property boundary, where an adjacent vinyl fence and an existing chain-link fence were already present, the applicant proposed retaining the existing fencing while adding privacy slats. Similar privacy slats would be installed along the eastern property line, and the existing chain-link fence would be extended toward the front of the property with matching privacy slats to enhance screening for neighboring residences.

Mr. Portnoy explained that the trash enclosure had also been reconfigured. The enclosure was rotated and resized to accommodate three containers, consisting of two refuse containers and one recycling container. He further testified that none of the plan revisions created any new variance or design waiver requirements and that the slight reduction in lot coverage actually reduced the extent of the existing coverage variance.

Ms. Jennings then questioned Mr. Portnoy concerning the Board Engineer's review letter dated November 17, 2025. Mr. Portnoy testified that he had reviewed the letter and believed the revised plans addressed substantially all of the Engineer's comments. He acknowledged that certain remaining comments involved construction details and plan coordination rather than substantive design changes, and he confirmed that the applicant agreed to comply with those requirements. He further testified that the applicant intended to comply fully with every comment contained in both the Board Engineer's review letter and the Board Planner's review letter.

Mr. Portnoy also addressed one recommendation contained in the Board Planner's November 18, 2025 review letter concerning exterior lighting color temperature. He testified that while the Planner recommended reducing the proposed lighting from 3,000 Kelvin to 2,700 Kelvin, the applicant preferred to retain the originally proposed 3,000 Kelvin fixtures. He explained that the proposed lighting temperature remained residential in character, was consistent with lighting found throughout the surrounding neighborhood, and that no ordinance prescribed a specific lighting temperature. Ms. Jennings clarified for the record that the discussion related specifically to Item 11 appearing on page 18 of the Planner's nineteen-page review letter. Ms. Jennings concluded her redirect examination of the witness.

Mr. Worth, Board Engineer, addressing the applicant's proposed stormwater improvements. Referring to the dry well planned for the northeast corner of the property, Mr. Worth asked whether soil borings had been performed to verify groundwater conditions. Mr. Portnoy testified that soil borings had been completed and submitted with the applicant's prior filing and indicated that the seasonal high-water table was more than thirteen feet below grade, confirming the site's suitability for the proposed dry well.

Mr. Worth next questioned the relationship between the proposed fire lane and the septic system. Mr. Portnoy clarified that the feature identified as a fire lane was not intended for vehicular access but rather as a pedestrian pathway requested by the fire official to provide a clear route for firefighters to advance hoses or equipment. Because the pathway would function solely as a walking path constructed with pavers, he testified that it was permissible within the proposed septic area and had been reviewed with the Health Department.

Mr. Worth observed that the plans depicted chain-link fencing with privacy slats around much of the property while the applicant also proposed solid vinyl fencing along the western property line adjacent to the nearest residence. He questioned whether a single fencing style throughout the site would better reflect neighborhood character. Ms. Jennings responded that varying fence

styles among adjoining residential properties were common and that nothing within the zoning ordinance prohibited different fencing materials on the same property. She stated that the applicant wished to retain the existing chain-link fencing where practical while enhancing it with privacy slats.

Chairwoman Fazio- would the applicant consider installing vinyl fencing around the entire property rather than combining fencing styles. Ms. Jennings- the existing fencing would already be substantially improved through the addition of privacy slats and did not believe complete replacement with vinyl fencing was necessary.

Nick Dickerson, Board Planner, referring to several items contained in his November 18, 2025 review letter. Mr. Dickerson asked whether the proposed lighting would remain illuminated throughout the night. Mr. Portnoy explained that the fixtures were intended to function primarily as residential-style security lighting surrounding the building rather than decorative or high-intensity lighting. He further explained that the revised photometric analysis demonstrated that lighting would not spill onto adjoining residential properties despite one wall-mounted sconce facing toward a neighboring lot. The purpose of that fixture, he testified, was simply to illuminate the side of the building while remaining confined within the property boundaries.

Mr. Dickerson also questioned discrepancies between the landscape schedule and the planting quantities illustrated on the plans. Mr. Portnoy testified that the graphical depiction on the plans represented the correct planting quantities and that the accompanying tables would be revised to conform to those figures. He acknowledged that certain remaining items identified in the Planner's review letter would be addressed by the project architect or during later operational testimony. The discussion concluded with additional confirmation that the proposed 3,000 Kelvin lighting remained consistent with surrounding residential lighting conditions.

Mr. Hay- questioned whether any engineering requirements or applicable ordinances imposed burdens on the proposed development. Ms. Jennings objected that the inquiry extended beyond engineering testimony, Mr. Reid assisted in refining the question to focus specifically on engineering-related ordinance requirements. Mr. Portnoy testified that his role as an engineer was to review applicable ordinances and design projects to comply with them whenever possible. He acknowledged that the applicant was requesting certain design waivers and variances applicable to the site but stated that those requests arose from the property's design constraints rather than from an inability to understand or apply the governing engineering standards.

Ms. Apgar asked whether the proposed building would include a sprinkler system because the architectural plans appeared to show limited window openings within portions of the mikvah, concerned with fire and exiting the building. Mr. Reid clarified that her concern related to occupant safety and emergency egress rather than site engineering. Ms. Jennings indicated that the matter would be more appropriately addressed during the testimony of the project architect, and Ms. Apgar agreed to reserve the question for that witness.

Mr. Worth discussed compliance with the standards governing minor site plan approval. He noted that site disturbance for a minor site plan could not exceed 5,000 square feet and questioned whether the applicant's disturbance calculations fully accounted for demolition of the existing patio, relocation of septic facilities, removal of the existing septic field, and disturbance associated with tree work. He observed that these additional activities appeared capable of increasing the total disturbed area beyond the 5,000-square-foot threshold. Mr. Portnoy responded that the septic improvements would be relocated so they remained within the approved disturbance limits and stated that the referenced patio had either already been removed or would be removed independently of the proposed development. He agreed to submit revised disturbance calculations confirming that the project would remain below the 5,000-square-foot limit required to qualify as a minor site plan.

Chairwoman Fazio determined that the Board had no further questions and opened the hearing to questions from the public concerning Mr. Portnoy's redirect testimony.

Mr. Reid reminded those in attendance that Mr. Portnoy's redirect testimony had been limited to revisions made since the previous hearing. Accordingly, he instructed that public questions should likewise be confined to those revisions rather than broader issues that would be addressed through later witnesses.

Jeffrey D. Cheney, Esq., appearing on behalf of objector Thomas Hardell, asked where the relocated septic system would be situated on the revised site plan. Mr. Portnoy testified that the septic system would be relocated to the front yard on the right-hand side of the property, approximately ten feet from the front property line.

Kirk Goebel, advised that he had prepared an exhibit concerning the project's calculated disturbance area. Ms. Jennings objected, arguing that Mr. Goebel's exhibit had not been prepared by a qualified expert, had not been disclosed to the applicant for review, and therefore could not properly be used during cross-examination of the applicant's witness. Mr. Reid questioned Mr. Goebel regarding the nature of the exhibit, and Mr. Goebel explained that it consisted of an overlay he had prepared using the applicant's engineering plans to illustrate areas of site disturbance that he believed had been omitted from the applicant's calculations. According to Mr. Goebel, inclusion of any one of those omitted areas would result in disturbance exceeding the 5,000-square-foot threshold applicable to a minor site plan.

After hearing argument from Ms. Jennings, Mr. Reid ruled that Mr. Goebel could not utilize his independently prepared exhibit during cross-examination of the applicant's engineer. He explained that if Mr. Goebel wished to rely upon the exhibit, he could introduce it during his own direct testimony later in the public portion of the hearing, where the exhibit could be explained, subjected to questioning, and evaluated as part of the record. Mr. Goebel acknowledged the ruling and indicated that he would be satisfied with presenting the exhibit during his own testimony if necessary.

Michelle Manzella- questioned the applicant regarding the proposed dry well. She observed that testimony indicated the dry well had been designed in accordance with residential standards and asked whether it also satisfied stormwater requirements applicable to commercial development. Mr. Portnoy testified that the project did not meet the statutory thresholds that would require compliance with the State's or Township's stormwater management regulations. Nevertheless, at the request of the Board Engineer, the applicant voluntarily incorporated a dry well to capture all roof runoff even though such an improvement was not otherwise mandated. Mr. Worth confirmed that testimony, explaining that the project involved neither one acre of disturbance nor the amount of new impervious coverage necessary to trigger formal stormwater management requirements. He stated that, despite the exemption, the Board had requested installation of the dry well because of the increase in impervious coverage, and the applicant had agreed to provide it to collect roof runoff before it discharged toward the street.

Kim Holland – asked how the applicant could be considered compliant when the proposal involved a commercial use within an R-10 residential zone. She also attempted to discuss parking conditions she had personally observed at another nearby religious facility, expressing concern that similar parking impacts would occur in the surrounding neighborhood. Chairwoman Fazio interrupted to explain that the proceeding at that stage was limited to questions concerning the engineer's recent testimony rather than general public comments or personal observations. Ms. Jennings likewise noted that the applicant had never claimed the proposed use was a permitted commercial use, emphasizing that the purpose of the application was to obtain a D(1) use variance for a use not otherwise permitted in the residential zone.

Ms. Holland continued to discuss anticipated neighborhood impacts, Chairwoman Fazio again advised that her remarks constituted comments rather than questions directed to the engineer's testimony. Mr. Reid acknowledged the public's interest in the issues being discussed and explained the distinction between cross-examination and later public testimony. He advised that members of the public would have a full opportunity to offer opinions, photographs, and other evidence during the appropriate portion of the hearing, but that questions during cross-examination should focus on the testimony that had just been presented. Mr. Reid further suggested that concerns regarding compliance with applicable design standards could appropriately be framed by asking what ordinances or standards governed the applicant's engineering design rather than by offering personal conclusions regarding parking, lighting, or neighborhood impacts. Ms. Holland indicated that she understood the distinction, and the Chair assured her that she would later have the opportunity to place all of her concerns on the record.

Al Damato- questioned the applicant's lighting proposal. He suggested that, rather than maintaining exterior lighting at full intensity throughout the night, the applicant consider fixtures incorporating built-in motion-sensitive controls that would operate at reduced illumination until activated by movement. Mr. Portnoy responded that such a proposal would require further review because the facility would operate in accordance with Jewish Sabbath observances, during which motion-activated controls could present religious concerns. Mr. Damato clarified

that the type of fixture he envisioned contained an internal sensor that automatically adjusted brightness without requiring users to activate or deactivate the lighting manually. Mr. Portnoy agreed that the suggestion could be reviewed with the applicant but reiterated that any evaluation would have to consider the religious practices associated with the facility's operation.

Christopher Lawrence- inquired whether accepted engineering standards required evergreen landscaping to be planted a minimum distance from the proposed fencing. Mr. Portnoy testified that such standards did exist, although he did not have the specific measurements immediately available. He confirmed that all proposed landscaping would be installed using appropriate spacing between the fencing and the individual plantings to ensure healthy growth and proper screening.

Cecelia Ward – repeated concerns about lighting by noting that a prior speaker had suggested motion-sensitive fixtures as a means of reducing nighttime illumination. Chairwoman Fazio advised that the applicant had already agreed to evaluate that suggestion. Ms. Ward then inquired about the proposed landscape buffer, asking about the initial height of the evergreen plantings and whether they would provide immediate screening. Mr. Portnoy testified that the applicant proposed installing Green Giant arborvitae measuring approximately six to seven feet in height at the time of planting. He explained that the evergreen species would continue to mature over time and provide increasingly effective screening for neighboring residential properties and the landscaping would be maintained by the applicant.

Pinchus Braun questioned the proposed exterior lighting, asking whether any ordinance prescribed a required Kelvin color temperature. Mr. Portnoy confirmed that no such standard existed. Discussion followed regarding the range of commercially available lighting temperatures and whether Kelvin ratings distinguished residential from commercial lighting. Mr. Portnoy indicated that while numerous lighting temperatures were available, he was unaware of any distinction based solely on Kelvin color temperature and reiterated that no ordinance established a required lighting color for the proposed development.

Mr. Braun continued his questioning regarding exterior lighting, asking whether the Township regulated light spill beyond property lines or established maximum wattage standards for residential lighting fixtures. Mr. Portnoy responded that he was unaware of any ordinance establishing specific light spread or wattage limits, although the Township's general lighting standards addressed impacts on adjoining properties.

Chairwoman Fazio closed the public questioning portion of Mr. Portnoy's testimony and returned the matter to the Board, Board members had no further questions.

Miriam Davis- architect- sworn in and credentials accepted and confirmed that she had previously testified during the May hearing on the application. Ms. Jennings explained that since Ms. Davis's prior appearance, revised architectural floor plans and elevations had been prepared in response to comments received from the Board and its professionals. Ms. Davis identified the

revised architectural plans as Exhibit A-14, consisting of the floor plans, and Exhibit A-15, consisting of the building elevations. She testified that both exhibits reflected revisions dated November 5, 2025.

Ms. Davis described revisions to the architectural plans, including roof overhangs added at each of the building's three entrances at the request of the Fire Marshal. She also explained that the building elevations had been revised to reflect the residence's as-built exterior conditions resulting from previously approved residential improvements. The revised plans proposed stucco finishes on the front and side elevations, while the rear elevation would remain sided to match the existing condition.

Ms. Davis next addressed revisions made in response to comments from prior hearings. The plans were revised to include the proposed exterior lighting layout, consisting of decorative sconces at the front and side entrances, wall-mounted security fixtures along the sides and rear of the building, and two wall packs on the front elevation.

She also reviewed the proposed building signage discussed at the previous hearing. The sign measured approximately 23 inches by 8 inches (approximately 1.20 square feet), complying with the Township ordinance limiting such signs to less than two square feet. The applicant proposed a backlit sign, which was also permitted by ordinance.

Ms. Davis reviewed additional architectural revisions, explaining that the rear accessibility ramp had been shifted to accommodate the as-built location of the rear entrance. The plans were also revised to include an additional rear window and a new front window in response to comments from the Board Planner, improving the building's appearance and reinforcing its compatibility with the surrounding residential neighborhood. She noted that the Board Planner would further address neighborhood character during subsequent testimony.

Addressing the existing accessory shed, Ms. Davis explained that it would remain and continue to complement the principal structure. The shed's tan vinyl siding closely matched the proposed stucco finish, and its roof design and overall appearance were consistent with the principal building, maintaining a unified architectural character.

Ms. Jennings concluded her redirect examination of Ms. Davis.

Chairwoman Fazio- questions from the Board.

Ms. Apgar returned to concerns previously raised regarding fire safety. Referring to the revised architectural plans, she acknowledged the addition of a rear window but questioned whether the absence of windows within the interior mikvah and bathroom areas could affect occupant safety during a fire. She also asked whether the applicant would voluntarily install a fire sprinkler system despite no apparent code requirement.

Ms. Davis responded that the building code did not require an automatic sprinkler system based on the building's size, occupancy classification, and travel distances. She explained that the code

required only a single means of egress, whereas the proposed design provided three exits. With approximately 1,800 square feet of floor area and short travel distances to the nearest exit, she concluded that the building exceeded applicable life-safety requirements. Although a sprinkler system could be installed voluntarily, it was not required under the building code.

Ms. Apgar then questioned the facility's proposed staffing, referencing earlier testimony that operations would be staffed by two attendants rather than the three originally discussed. She expressed concern that a single attendant might be unable to assist a handicapped patron or another individual requiring assistance during an emergency and asked whether additional staffing would be provided when needed.

Ms. Jennings objected, stating that the question concerned operational procedures rather than architectural design. She advised that the applicant's operational witness, who would testify next, would address staffing, supervision, and operational procedures. Ms. Apgar agreed to reserve those questions for the subsequent witness.

Mr. Hay questioned Ms. Davis regarding the preparation of the architectural plans, asking whether she encountered any requirements she considered burdensome in designing the project to satisfy the applicable ordinances and the Board's requests.

Ms. Jennings objected, stating that Ms. Davis was appearing solely as the project architect and was qualified to testify regarding architectural design and building code compliance, not legal issues concerning the validity or discriminatory effect of municipal ordinances. When Mr. Hay rephrased the question, Ms. Jennings renewed her objection and maintained that any claim regarding the Township's zoning ordinance was a legal issue outside the witness's expertise. During the discussion, Ms. Jennings asserted that the ordinance was discriminatory because it did not permit a mikvah anywhere within Manchester Township.

Chairwoman Fazio called the meeting to order and requested a five-minute recess.

Motion to Recess made by Mr. Cook and seconded by Mr. Galbreath Roll Call: All in Favor.

Motion to return from recess made by Mr. Cook and seconded by Mr. Tedeschi. Roll Call: All in Favor.

Chairwoman Fazio reminded those in attendance that public participation was welcome but must be conducted in an orderly and respectful manner. She reiterated that interruptions and disruptive conduct would not be tolerated and warned that continued disruptions could result in another recess or the removal of individuals from the meeting.

Returning to the pending matter, Chairwoman Fazio invited Mr. Hay to continue. Mr. Hay stated that his question had been answered and that he had no further questions for the witness.

Mr. Worth confirmed that, if the Building Subcode Official determined that a fire sprinkler system was required during the permitting process, the applicant would install one. Ms. Davis agreed.

Mr. Worth also reviewed the proposed interior renovations. Ms. Davis explained that the project primarily consisted of new interior partitions within the existing structure and that the existing private mikvah had previously been constructed and permitted as part of the residence. The architectural plans distinguished existing construction from proposed improvements, with existing walls remaining and new partitions added to complete the proposed layout, including modifications to the ADA room while retaining the existing waiting room, attendant area, and bridal room.

Mr. Worth noted that the previously approved private mikvah was permitted as an accessory use to a single-family residence, distinguishing it from the present application. Ms. Jennings agreed but emphasized that the application sought approval for a standalone religious mikvah, which was not otherwise permitted under the Township's zoning ordinance. She further stated that the applicant did not characterize the proposal as a commercial use, maintaining instead that it constituted a religious use and noting that the reference to a commercial use originated in the Board Engineer's review letter.

Mr. Dickerson reviewed the remaining architectural comments in his report. Ms. Davis advised that, in response to the Planner's recommendations, the revised plans incorporated an additional rear window and retained the existing windows and rear entrance, improving the building's exterior appearance without eliminating any existing windows.

Mr. Dickerson also confirmed that no changes were proposed to the existing accessory shed, which would remain unmodified.

Addressing neighborhood character, Ms. Davis testified that the building would retain the appearance of a typical single-family residence through the use of residential materials, window design, and rooflines consistent with surrounding homes. In her professional opinion, the proposed improvements were compatible with the character of the neighborhood. Mr. Dickerson indicated that his remaining architectural concerns had been addressed.

Mr. Cook asked about the age of the existing residence and whether the electrical system had been inspected in connection with the proposed project. Ms. Davis stated that she did not know the age of the home and was unaware of any electrical inspection.

Ms. Apgar questioned whether the proposed parking layout, including six parking spaces and accessible parking signage, was consistent with the residential character of the project. Ms. Davis responded that her testimony was limited to the building's architectural design and that questions regarding parking and site layout were within the expertise of the site engineer.

Mr. Cook then asked whether the proposed facility constituted a place of public assembly under the building code. Ms. Davis responded that it did not, explaining that an assembly occupancy generally required an occupant load exceeding 50 persons, while the proposed occupancy remained below that threshold.

Finding that Board members had no further questions for the witness, Chairwoman Fazio invited cross-examination by counsel for the objector.

Mr. Cheney questioned Ms. Davis regarding the proposed illuminated sign. Ms. Davis testified that the applicant proposed a backlit LED sign, which she considered comparable to illuminated residential address signs commonly used to assist emergency responders. She confirmed, however, that the Fire Department had not specifically requested a backlit sign for the project.

Chairwoman Fazio opened the hearing to questions from the public concerning Ms. Davis's architectural testimony. She encouraged members of the public to ask questions related to the architect's testimony.

Ms. Manzella questioned Ms. Davis regarding her testimony that the building would retain the appearance of a typical residence, noting that a residence ordinarily contains kitchens, bedrooms, living areas, and other customary residential spaces. Ms. Davis clarified that her testimony addressed only the building's exterior architectural appearance, not its interior layout or use. She explained that, although the proposed use differed from that of a residence, the building would remain architecturally consistent with the surrounding neighborhood.

Mr. Hunsinger questioned Ms. Davis regarding the existing mikvah's dimensions, water capacity, and operation. Ms. Davis explained that the mikvah was an existing feature rather than part of the proposed architectural modifications and therefore did not have its exact dimensions available. She testified that the basin had an approximate capacity of 1,800 gallons, was approximately five feet deep, and normally maintained a water depth of 40 to 51 inches.

Discussion also addressed the facility's water usage and filtration system. Ms. Davis explained that the mikvah utilized rainwater collected through the roof gutter system to maintain the required water level and that the basin was not routinely drained or refilled. She further testified that the system used disposable cartridge filters rather than sand filters, eliminating the need for backwashing.

Following public questioning, Ms. Jennings reminded the Chair that questions should be limited to matters addressed during Ms. Davis's testimony at the current hearing rather than testimony presented at prior hearings. Mr. Reid concurred, advising that public questioning at that stage was confined to the witness's testimony presented during the current hearing.

Kirk Goebel, who first asked whether Ms. Davis had testified that evening regarding the building's water service. Ms. Jennings responded that no testimony concerning the water service

had been presented during Ms. Davis's redirect examination that evening. Mr. Goebel acknowledged the response and did not pursue further questions.

Dolly Yannacci asked about the anticipated operation of the facility, including expected occupancy and frequency of use. Chairwoman Fazio advised that those questions concerned operational matters beyond the scope of the architect's testimony and explained that the applicant's operations witness would address them later in the hearing. Ms. Yannacci concluded her questioning.

Mr. Reid acknowledged that some members of the public were having difficulty hearing portions of the testimony. He emphasized that public participation would be permitted throughout the hearing but reminded those in attendance that questions must remain within the scope of each witness's testimony. He assured the public that operational and other remaining issues would be addressed through the appropriate witnesses.

Ms. Moustafa questioned Ms. Davis regarding her testimony that the mikvah would utilize rainwater, asking how that testimony related to prior discussions concerning the use of municipal water and the operation of the rainwater collection system.

Ms. Jennings objected, stating that the questions concerned testimony presented during prior hearings and were outside the scope of Ms. Davis's redirect testimony. Chairwoman Fazio noted that the issue had arisen only because rainwater had been mentioned in response to an earlier public question. Ms. Jennings acknowledged that point but stated that she did not intend to reopen testimony previously presented.

As audience members began speaking simultaneously, Mr. Reid restored order and reminded those in attendance that questioning must remain within the scope of the witness's testimony. Although recognizing the public's continued interest in the facility's water system, he explained that the Board could not repeatedly revisit testimony from prior hearings and advised that operational issues could be addressed through the appropriate witness later in the hearing.

Ms. Moustafa explained that her question arose from Ms. Davis's reference to rainwater and that she had not attended the earlier hearings. Ms. Jennings responded that those hearings had been properly noticed. Mr. Reid again directed that questioning remain within the scope of the architect's testimony, and Ms. Moustafa agreed to reserve her operational questions.

Chairwoman Fazio closed the public questioning portion of the architect's testimony and invited any final questions from the Board before the applicant proceeded with its next witness.

Ms. Jennings recalled Mr. Bloch for limited redirect testimony regarding the proposed operation of the mikvah. After being sworn, Mr. Bloch confirmed that he had testified during the May hearing and had assisted in preparing the applicant's revised Statement of Operations, which was submitted in response to questions raised during the October hearing.

Mr. Bloch clarified that the building would contain a single mikvah—the same ritual pool previously approved and constructed as part of the existing single-family residence. The facility would include seven preparation rooms consisting of five standard rooms, one ADA-accessible room, and one private bridal suite, the latter intended solely for the bride and not for group gatherings or bridal parties.

Addressing operations, Mr. Bloch testified that nightly attendance would typically range from three to eight patrons, with eight patrons representing the anticipated maximum occupancy. The facility would generally operate two to four hours after sunset, although actual patron use would occupy only a portion of that period, with the remaining time devoted to opening, preparation, and cleaning. Because operations were tied to sunset, opening hours would vary seasonally.

Mr. Bloch further testified that appointments would be scheduled through a private, access-controlled system available only to authorized users and would require advance scheduling. Access to the building would be limited to patrons with scheduled appointments and an entry code, and walk-in use would not be permitted.

Use of the mikvah would be limited to adult women participating in the intended religious practice. Maintenance personnel or contractors could enter the building only as necessary to perform repairs or maintenance. Mr. Bloch further testified that patrons would not be permitted to wait inside or outside the building while another patron was present, that loitering on the property would not be permitted, and that young children would not be allowed to accompany patrons.

During the testimony, Mr. Reid requested that counsel and the witness slow the pace of questioning and responses to assist the court reporter.

Mr. Bloch also testified that no use other than the mikvah was proposed for the property. The existing accessory shed would remain for the storage of ordinary landscaping equipment and maintenance tools. He further testified that no final decision had been made regarding laundry services, which could be performed either on-site or through an outside service depending upon operational needs.

Ms. Jennings then concluded her redirect examination.

Mr. Worth questioned Mr. Bloch regarding the facility's proposed hours of operation and appointment scheduling. Mr. Bloch confirmed that patrons would typically occupy the mikvah for one to two hours, while the broader two-to-four-hour operating period included staff arrival, preparation, cleaning, and closing activities. He explained that operating hours were intentionally expressed as a range to avoid identifying specific arrival and departure times, thereby preserving patron privacy and security.

Mr. Bloch further testified that cleaning occurred before, after, and between appointments as needed. The facility's reservation system scheduled appointments at 10-minute intervals, with

each reservation allowing approximately 40 minutes for patron use followed by 10 minutes for cleaning and room preparation. The scheduling software automatically staggered appointments, prevented overlapping room assignments, and maintained the required cleaning intervals and patron privacy.

Addressing the need for five preparation rooms, Mr. Bloch explained that multiple rooms were necessary to accommodate staggered appointments while rooms were being cleaned and prepared for subsequent patrons. Although the reservation system could accommodate up to eight patrons during an evening, it was designed so that no more than approximately three patrons would ordinarily be in the facility at one time, thereby limiting parking demand and preserving privacy. He added that reducing the number of preparation rooms would require larger scheduling gaps and diminish the facility's operational efficiency.

Mr. Worth also questioned the operation of the bridal suite. Mr. Bloch testified that, although a bride might occasionally be accompanied by her mother or another individual, bridal appointments were scheduled exclusively so that no other patrons would be using the facility at the same time. Mr. Worth concluded his questioning.

Chairwoman Fazio questioned whether the number of preparation rooms could be reduced to lessen parking demand. Mr. Bloch explained that preparation rooms remained occupied throughout a patron's appointment because patrons moved between the preparation room and the mikvah before returning to the preparation room prior to departure. As a result, rooms could not be cleaned and immediately reassigned after a patron entered the mikvah. He further clarified that only five preparation rooms were used during normal operations, while the ADA-accessible room remained available for patrons requiring accessible accommodations and the bridal suite was reserved exclusively for bridal appointments.

Chairwoman Fazio also confirmed that the facility was intended exclusively for adult women, and Mr. Bloch agreed.

Mr. Reid summarized the proposed operations, confirming that the facility would ordinarily be occupied by three patrons and two employees, one attendant and one employee responsible for cleaning and maintenance. Mr. Bloch agreed, explaining that staff would arrive before patrons and remain after closing, and that although up to eight patrons could use the facility during an evening, appointments were scheduled sequentially rather than simultaneously.

Chairwoman Fazio also asked whether patrons could shorten their appointments by completing preparations at home. Mr. Bloch testified that, while some preliminary preparations could occur beforehand, the essential religious preparation was intended to take place within the mikvah using the facility's bathing and preparation areas. Accordingly, the 40-minute appointment remained necessary to accommodate the religious process while preserving patron privacy.

Ms. Apgar continued her questioning regarding the facility's cleaning procedures and accommodations for patrons with disabilities. She asked whether more efficient cleaning

methods, including steam cleaning, would be used during the week to reduce cleaning time and potentially increase patron capacity.

Mr. Bloch responded that cleaning involved more than sanitizing the rooms and depended upon the various materials and fixtures within the facility, including the acrylic immersion tub. He testified that the applicant intended to use the most efficient cleaning methods appropriate to the facility while maintaining proper sanitation standards. The 10-minute interval between appointments was intended to provide sufficient time for cleaning, with additional cleaning performed before opening and after closing each evening. He agreed that steam cleaning would be used where appropriate and permissible.

Ms. Apgar next questioned how patrons with physical disabilities would be assisted if they were unable to exit the mikvah independently and asked whether mechanical lifting equipment could be used. Mr. Bloch testified that accommodations varied among Orthodox communities and individual facilities but confirmed that two employees would be on site during operations and could assist patrons when necessary. He further confirmed that the employee responsible for cleaning could assist the attendant if needed.

Ms. Apgar also returned to the subject of bridal appointments, expressing concern that accompanying family members could increase parking demand. Mr. Bloch testified that practices varied among Orthodox communities but stated that, within the applicant's congregation, brides typically arrived either alone or accompanied only by their mothers.

Ms. Georgiano questioned Mr. Bloch regarding his earlier references to "membership," asking whether use of the mikvah required monthly or annual dues or was otherwise limited to members of a defined organization.

Mr. Bloch clarified that "membership" referred only to eligibility to use the facility and not to a financial arrangement. He testified that prospective users were required to complete a vetting and educational process before being authorized to use the mikvah. No membership dues or similar financial obligation existed. Access would be limited to approved members of the Pine Lake Park community and would not extend to individuals from other communities.

Ms. Georgiano also referred to prior testimony concerning husbands accompanying women to the mikvah and questioned whether this would increase pedestrian activity near the site. Mr. Bloch testified that, although a husband might accompany his wife for part of her walk, particularly on Friday evenings, men would not accompany patrons onto the property and would leave them before they reached the facility.

Mr. Dickerson concluded the Board's questioning by addressing the proposed exterior lighting. Mr. Bloch testified that continuous exterior lighting was necessary to provide security for the building and its occupants, particularly because the facility operated after dark and contained valuable equipment. He further explained that motion-activated lighting was not a practical alternative during Sabbath observance. He added that the photometric analysis demonstrated the

proposed lighting would remain confined to the property without spilling onto neighboring properties while providing appropriate site security.

Mr. Hay sought clarification regarding the applicant's earlier testimony that the proposed mikvah would be open to the public. Mr. Bloch explained that the facility would be available only to individuals who successfully completed the required religious education, certification, and vetting process. He testified that this operational procedure was unchanged from his prior testimony.

Mr. Hay next questioned how prospective users obtained the required information and whether it was available through the applicant's website. Mr. Bloch testified that the applicant did not maintain a public website and that appointments were scheduled through a private, access-controlled system available only to authorized users. He explained that religious instruction and certification were provided through the community rather than through publicly available materials.

Mr. Hay then questioned the selection of the proposed site and whether alternative locations had been considered. Mr. Bloch testified that he did not personally select the property but became involved after learning of the owner's proposal. He stated that the site was appropriate because it was centrally located within the Pine Lake Park community, could accommodate the necessary improvements and parking, and served residents within walking distance.

Mr. Hay also asked whether the applicant had considered other locations, including sites on opposite sides of Commonwealth Boulevard or within other zoning districts, to improve pedestrian safety. Mr. Bloch responded that the Township's zoning ordinance did not permit a standalone mikvah in any zoning district and that the applicant believed a single centrally located facility best served the community. Ms. Jennings objected that this line of questioning revisited testimony from prior hearings and exceeded the limited scope of Mr. Bloch's redirect testimony.

After rephrasing his question, Mr. Hay asked whether the applicant had worked with the surrounding community to address neighborhood concerns. Ms. Jennings responded that the applicant had worked extensively with both the Board and the community throughout the application process. Mr. Bloch agreed, testifying that the applicant had revised the project by addressing parking, landscaping, fencing, lighting, and other design issues to improve compatibility with the residential neighborhood. He further testified that the proposed mikvah would be a less intensive use than a typical single-family residence because activity would be limited to a few evening hours.

Mr. Hay observed that the applicant was seeking a use variance for what had been described as a relatively low-intensity use. Mr. Bloch responded that the significance of the facility was not measured by the number of patrons present at one time but by its religious necessity to the Orthodox Jewish community. He reiterated that a single centrally located facility was necessary

to serve the community's needs and did not anticipate the need for additional facilities elsewhere in the Township.

Chairwoman Fazio questioned Mr. Bloch regarding the distinction between the proposed facility and a previously approved private residential mikvah within Pine Lake Park. She observed that the present application differed because it proposed a mikvah open to qualified members of the public rather than an accessory residential use.

Mr. Bloch agreed that the proposed facility would be available to qualified members of the public but maintained that it was not a commercial enterprise. He testified that the mikvah would operate as a religious institution, not as a business.

Chairwoman Fazio then questioned how the facility would be financially supported. Mr. Bloch testified that the mikvah would not charge mandatory fees and that operating expenses would be funded through voluntary donations, fundraising, and grants. When the Chair referred to prior testimony regarding fees or a sliding scale, Mr. Bloch reiterated that his testimony had consistently been that any contributions would be voluntary and that no mandatory fee schedule or sliding-scale payment system was proposed.

Ms. Apgar returned to the subject of the mikvah's water supply, asking whether rainwater would be delivered to the site by tanker truck and whether municipal water would be mixed with the collected rainwater. Mr. Bloch testified that rainwater would be collected directly from the building's roof and that the mikvah utilized rainwater only. Ms. Jennings noted that the issue had been addressed during prior testimony.

Mr. Markowski questioned Mr. Bloch regarding the property's operation during daytime hours and emergency procedures. Mr. Bloch testified that the building would ordinarily remain unoccupied during the day, with staff present only during evening operating hours. He further testified that the property would be monitored by security cameras and that he had provided neighboring property owners with his personal contact information in the event of an emergency, such as storm damage. Mr. Markowski thanked the witness and concluded his questioning.

Mr. Cook questioned Mr. Bloch regarding the proposed appointment website and whether it would identify the Pine Lake Park mikvah in a manner that could attract users from outside the community. Mr. Bloch testified that the website would be private and password protected, with access limited to authorized users. He explained that prospective users would be required to verify residency within the Pine Lake Park community before completing the required religious instruction, certification, and authorization process. Individuals residing outside the community would not be permitted to schedule appointments.

Mr. Cook also referred to prior testimony that any member of the public could become eligible to use the facility upon completing the certification process. Mr. Bloch clarified that his earlier testimony referred only to members of the Pine Lake Park community who successfully completed the required religious instruction and certification.

Mr. Cook further questioned how individuals unfamiliar with the religious requirements could become qualified to use the mikvah. Mr. Bloch testified that the necessary instruction was provided through the established educational process and remarked that his wife was more familiar with that aspect of the program than he was. Before further discussion could continue, comments from the audience interrupted the proceedings.

Chairwoman Fazio restored order, reminding those in attendance that only one person could speak at a time so the official record could be accurately maintained.

Mr. Reid questioned Mr. Bloch regarding the circumstances leading to selection of the property for the proposed mikvah. Mr. Bloch testified that the owner originally intended to construct a private residential mikvah as part of renovations to the residence. After learning of those plans and recognizing the property's central location within the Pine Lake Park community, discussions occurred regarding converting the private mikvah into a community facility if the necessary use variance could be obtained. He further testified that the owner expressed a willingness to sell the property for that purpose if the application were approved, leading to the filing of the present application.

As Mr. Reid continued his questioning regarding discussions with the property owner, Ms. Jennings objected on hearsay and relevance grounds, stating that those matters had been addressed during prior hearings and exceeded the limited scope of Mr. Bloch's redirect testimony. Mr. Reid narrowed his inquiry and asked whether discussions concerning a community mikvah occurred before or after the owner's decision to construct a private residential mikvah. Mr. Bloch testified that those discussions occurred after the owner had decided to construct the private mikvah.

Chairwoman Fazio invited cross-examination by Jeffrey D. Cheney, Esq.

Mr. Cheney questioned Mr. Bloch regarding the relationship between the proposed exterior lighting and Sabbath observance. Mr. Bloch testified that the security cameras would operate continuously without human intervention, whereas motion-activated lighting required human movement to activate it and was therefore inconsistent with Sabbath observance.

Mr. Cheney next questioned the facility's anticipated deliveries and property maintenance. Mr. Bloch testified that deliveries would be limited to ordinary residential-type packages and routine cleaning supplies and that lawn care, snow removal, and similar maintenance would be performed by volunteers or individuals associated with the organization, depending upon available resources. He further testified that ordinary landscaping equipment would be stored in the existing accessory shed and that maintenance could be performed by him personally if necessary.

Mr. Cheney also questioned operational access to the property. Mr. Bloch testified that access to the building would be controlled through the appointment and access-code system, while the driveway and parking area would remain open without gates or other physical barriers.

Returning to the subject of patron drop-offs, Mr. Cheney questioned whether the applicant intended to establish formal procedures governing where husbands or other male family members could leave patrons. Mr. Bloch reiterated that men were not permitted on the property during mikvah operations because of the religious privacy requirements governing the facility. Although a husband might accompany his wife part of the way, she would approach the property alone. He further testified that the expectation that men not approach the property was an internal religious practice observed by members of the congregation rather than a restriction imposed upon neighboring property owners or the general public.

Chairwoman Fazio then opened the hearing to public questions concerning Mr. Bloch's operational testimony.

Alice Devito questioned whether the proposed mikvah would operate as a registered business in the State of New Jersey. Mr. Bloch testified that the facility would operate as a nonprofit organization rather than as a commercial business and would not generate profits.

Chairwoman Fazio noted that nonprofit organizations are nevertheless required to register under New Jersey law. Mr. Bloch confirmed that the organization was properly registered, and Ms. Jennings likewise confirmed that the nonprofit entity had been registered. Mr. Bloch reiterated that, although organized as a nonprofit entity, the mikvah would operate solely as a religious facility rather than as a profit-generating commercial enterprise.

Ms. Ward questioned whether the application should properly be characterized as a commercial or religious use, noting that earlier hearings had referred to commercial variances while the current testimony repeatedly described the proposed mikvah as a religious facility.

Mr. Reid requested clarification from Ms. Jennings, who explained that the Board Engineer's review letter had characterized the proposal as a commercial use because it was not residential. She reiterated, however, that the applicant consistently regarded the mikvah as a religious use and maintained that religious uses were permitted within the zoning district. Ms. Ward acknowledged the explanation and stated that she wanted to understand the distinction before the continued hearing.

Ms. Ward next questioned Mr. Bloch regarding the vetting process for prospective users, asking who conducted the process, how individuals became eligible to use the mikvah, and where the governing requirements could be reviewed. Mr. Bloch testified that the process was administered by rabbis through religious instruction and certification, but explained that he was appearing only as the applicant's operations witness and was not qualified to testify regarding the underlying religious requirements. Ms. Jennings likewise advised that Mr. Bloch was not a rabbi and objected to further questioning concerning the details of Orthodox religious practice.

Chairwoman Fazio directed that questioning proceed one question at a time and later asked whether the operational rules governing use of the mikvah would be publicly available. Mr. Bloch testified that the religious rules would not be publicly posted and that questions

concerning those requirements should be directed to the rabbis responsible for administering the religious aspects of the mikvah.

Ms. Ward then asked whether the applicant intended to present testimony from a rabbi at a future hearing. Ms. Jennings responded that no rabbinical testimony was anticipated because the details of Orthodox religious practice were not relevant to the land use approvals before the Board and were not subjects requiring testimony in the zoning proceeding.

Mr. Reid acknowledged Ms. Ward's questions but explained that the Board was not required to make findings regarding the religious certification or vetting process. He stated that testimony concerning vetting had been introduced only to explain anticipated patronage and access controls, whereas the Board's responsibility was to consider the requested land use approvals.

Ms. Ward stated that she believed she should be permitted to question matters introduced through the applicant's testimony but acknowledged that those questions would not be addressed during the zoning hearing.

Linda Chapman questioned whether religious uses existed within the Pine Lake Park neighborhood. Ms. Jennings responded that religious uses were permitted within the zoning district under the Township's zoning ordinance. Mr. Reid advised that the statement was a comment rather than a question and requested that Ms. Chapman direct a question to the witness.

Ms. Chapman then questioned Mr. Bloch regarding responsibility for testing the mikvah water and also asked whether the applicant would pay taxes. Mr. Bloch testified that water testing would be performed by a pool service company. Ms. Jennings objected that questions regarding water testing exceeded the limited scope of Mr. Bloch's redirect testimony, and Mr. Reid agreed, explaining that the witness's testimony concerning water had been limited to its source. He further advised that questions regarding taxation were outside the scope of the application and would be more appropriately directed to the Township Tax Assessor, while broader questions concerning water quality could be raised during public comment.

Ms. Chapman next raised concerns regarding parking operations, vehicle movements, and site supervision based upon testimony that the facility could serve up to eight patrons during an evening. Chairwoman Fazio advised that those remarks constituted comments rather than questions and reminded Ms. Chapman that questioning was limited to matters addressed during Mr. Bloch's testimony.

Ms. Chapman then questioned Mr. Bloch regarding the proposed security cameras. Mr. Bloch testified that he would monitor the exterior surveillance cameras through his mobile phone as needed, that cameras would be installed only on the exterior of the building, and that the facility would remain secured with multiple locks when not in use.

Ms. Chapman also questioned the appointment process, asking who operated the reservation system and how access was limited to eligible users. Mr. Bloch testified that appointments would

be handled through an automated reservation system rather than a call center, that the system did not utilize artificial intelligence to his knowledge, and that users were required to access the private reservation website through a previously registered member account associated with their telephone number. When further questioned regarding the registration process, Chairwoman Fazio noted that the witness had already addressed those matters during his earlier testimony.

Michelle Manzella questioned Mr. Bloch regarding staffing during the Sabbath, asking whether employees would necessarily be non-Orthodox Jews. Mr. Bloch testified that employment decisions were based on qualifications rather than religious affiliation and that either the attendant or the cleaning employee could be Jewish or non-Jewish. In response to further questioning, he explained that the attendant would generally walk to the facility during the Sabbath, while the cleaning employee's method of transportation would depend upon the individual hired.

Ms. Manzella next questioned the anticipated number of registered users and whether future growth within the Pine Lake Park community could increase demand for the facility. Mr. Bloch testified that the total number of future registrants was unknown and that he could not estimate future community growth. In response to Mr. Reid's clarification, he confirmed that the proposed operational limit of eight patrons per evening represented the maximum capacity of the facility and could not be increased without returning to the Board for additional approval.

Ms. Manzella also questioned the financial viability of the facility if voluntary donations proved insufficient to cover operating expenses. Mr. Bloch responded that the organization would continue to rely upon donations and fundraising. Ms. Jennings objected that the question exceeded the scope of Mr. Bloch's limited redirect testimony. During the discussion, Mr. Reid restored order by requesting that audience members refrain from private conversations so the court reporter could accurately preserve the record. Chairwoman Fazio summarized the applicant's earlier testimony, noting that the facility would operate through donations and fundraising without mandatory user fees.

Ms. Manzella then returned to the subject of membership eligibility, questioning how individuals could qualify to use the mikvah and expressing concern that the religious vetting process could be applied in a discriminatory manner. Ms. Jennings responded that the issue had already been addressed. Mr. Reid explained that Mr. Bloch had testified only that rabbis administered the religious certification process and that the specific criteria were outside the witness's knowledge and beyond the Board's jurisdiction. Ms. Jennings added that, if the application were approved, information regarding the membership process would be provided through the normal certification procedures.

Ms. Manzella next questioned the applicant's asserted need for a local mikvah, observing that members of the Orthodox community currently used facilities outside Manchester Township. Mr. Bloch testified that existing facilities did not adequately meet the community's religious needs because Sabbath observance required a mikvah within walking distance of the Pine Lake Park

community. When Ms. Manzella asked what constituted a reasonable walking distance, Ms. Jennings objected that the subject had already been addressed extensively during prior hearings.

Ms. Manzella acknowledged that many of her questions duplicated earlier testimony but explained that numerous residents had not attended the prior hearings because they lived outside the statutory 200-foot notice area and were unaware of the application. Mr. Reid responded that the applicant had complied with all notice requirements under the New Jersey Municipal Land Use Law and noted that the Township had also publicized the proceedings on its website. While acknowledging that some residents had not participated in the earlier hearings, he explained that the Board could not continually revisit previously presented testimony each time new individuals became aware of the application. He encouraged members of the public to present any remaining concerns during the public comment portion of the hearing, where their testimony would become part of the record and remain subject to cross-examination.

Chairwoman Fazio again reminded those in attendance to refrain from holding private conversations inside the meeting room because simultaneous discussions were interfering with the official recording of the proceedings. Mr. Reid echoed that request before continuing.

Ms. Moustafa questioned Mr. Bloch regarding his testimony that men accompanying women to the mikvah would not approach the property. She expressed concern that husbands or other male family members might instead wait elsewhere in the neighborhood during the 40-minute appointment period, creating discomfort for nearby residents. Mr. Bloch testified that the applicant's operational rules prohibited men from approaching the mikvah property to protect patron privacy, but that he had no authority to regulate where individuals waited elsewhere in the community. He added that he believed most individuals would return home or spend the waiting period elsewhere rather than remain outside near the facility.

Ms. Moustafa then questioned why the applicant sought to modify the Township's zoning regulations after locating within a community where no public mikvah existed. Ms. Jennings responded that, because the Township's zoning ordinance did not permit a standalone mikvah anywhere in Manchester Township, denying the requested variance would effectively prevent the Orthodox Jewish community from establishing the religious facility it required. As discussion became increasingly conversational, Mr. Reid and Chairwoman Fazio restored order and directed that only one person speak at a time.

Ms. Moustafa reiterated her question regarding the applicant's justification for the requested zoning relief. Mr. Reid explained that the issue related to the applicant's legal burden of proof under the Municipal Land Use Law and would ultimately be addressed through the applicant's evidence, closing arguments, and the Board's deliberations. He advised that, while Ms. Moustafa could express her views during public comment, the broader legal justification for the application was not a matter Mr. Bloch, as the operations witness, could answer.

Ms. Moustafa then returned to the mikvah's water supply, asking how the facility would operate during extended periods of drought if it relied exclusively on collected rainwater. Mr. Bloch testified that, once the initial rainwater supply was collected, the water would remain continuously filtered and purified rather than routinely replaced. He further testified that the system incorporated reserve storage to compensate for normal evaporation losses, allowing continued operation during prolonged dry periods without the use of municipal water.

Mr. Cavalier questioned Mr. Bloch regarding the operation of the mikvah's water system, asking whether the mikvah was ever drained and how the facility would respond if cleaning chemicals or another contaminant entered the water. Mr. Bloch testified that the mikvah was not drained and reiterated that cleaning personnel would not introduce chemicals into the mikvah itself. He further testified that he did not believe such contamination could occur.

Mr. Hunsinger, identifying himself as an individual employed in the commercial swimming pool industry, questioned Mr. Bloch regarding evaporation, filtration, water replacement, and the long-term adequacy of the proposed rainwater supply. He expressed concern that water would inevitably be lost through evaporation and normal patron use and questioned how the facility would maintain adequate water reserves during prolonged droughts without using municipal water.

Ms. Jennings repeatedly objected that the technical design, filtration, purification, and operation of the water system were outside the scope of Mr. Bloch's operational testimony and had been addressed through other witnesses.

Chairwoman Fazio calls for a brief recess.

Motion to Recess made by Mr. Tedeschi and seconded by Mr. Cook Roll Call: All in Favor.

Motion to return made by Mr. Cook and seconded by Mr. Tedeschi. Roll Call: All in Favor.

Chairwoman Fazio advised that questioning would continue but remain limited to Mr. Bloch's operational testimony. She also reminded those in attendance to avoid conversations near the courtroom doors because the recording equipment continued to capture background noise. Mr. Reid similarly requested that anyone leaving the room refrain from congregating outside the open doorway.

Mr. Hunsinger reiterating his concerns regarding water replenishment, filtration, purification, and routine testing of the mikvah. Mr. Reid suggested limiting the inquiry to whether the applicant would comply with applicable governmental regulations governing operation of the facility. In response, Ms. Jennings represented that the applicant would comply with all applicable local, county, and state laws and regulations. When Mr. Hunsinger continued to inquire about the specific purification methods, Ms. Jennings again objected that those technical matters were beyond Mr. Bloch's expertise, and Mr. Reid agreed that the applicant's commitment to comply

with all applicable regulatory requirements was the extent of the witness's testimony on that subject.

Timothy Apgar- inquired about the applicant's membership verification procedures, expressing support for limiting use of the mikvah to members of the Pine Lake Park community while raising concerns that individuals from outside the community could attempt to gain access using another person's address. Mr. Bloch testified that applicants' identities and addresses were verified before appointments were authorized but declined to describe the specific verification procedures because publicly disclosing them would compromise the effectiveness of the applicant's security measures. He further testified that patrons' identities were verified before access was permitted.

Ms. Jennings objected to further inquiry into the applicant's internal security procedures, asserting that such matters were beyond the Board's jurisdiction. Chairwoman Fazio clarified that the discussion concerned whether identification presented at the facility was compared with the applicant's registration records. Mr. Bloch confirmed that presentation of a driver's license was one method of verification and that the attendant compared identifying information with the membership records before permitting access. He again declined to disclose additional details of the verification process for security reasons.

Chris Lawrence addressed the proposed hours of operation and sought clarification regarding the facility's closing time during periods of the latest annual sunsets. Mr. Bloch testified that appointments would begin shortly after sunset, with attendants arriving beforehand to prepare the facility and remaining afterward to complete cleaning and closing duties. Although operations extended beyond patron appointments, arrivals and departures would generally conclude by approximately 10:30 p.m., after which only a single staff vehicle would typically remain on the property.

Mr. Lawrence also addressed security during Sabbath observance, expressing concern that the exterior security cameras might not be actively monitored. Mr. Bloch testified that the facility would utilize a professional alarm and security system in addition to his own monitoring and emphasized that security measures would remain in place at all times, including during the Sabbath. He further testified that neighboring residents observing suspicious activity should respond as they would for any other property by contacting the police if necessary.

Kim Holland- addressed transportation during Friday evening Sabbath operations, questioning whether patrons arriving by automobile before sunset would be required to leave their vehicles overnight after the Sabbath began. Mr. Bloch testified that appointments were not scheduled in that manner. He explained that patrons arriving by automobile would depart by automobile, while those attending after the onset of the Sabbath would walk to and from the facility in accordance with their religious practices. He further confirmed that the parking lot would ordinarily remain empty during Friday evening Sabbath operations because patrons would arrive on foot.

Mr. Caldarise addressed the applicant's projected operating capacity, expressing concern that the applicant had not identified the total number of potential members while limiting operations to approximately two to four hours per evening and a maximum of eight patrons. Mr. Bloch testified that the proposed operating hours and capacity were based upon the applicant's experience, demographic information, and the design capacity of the facility, with anticipated nightly use ranging from three to eight patrons. Ms. Jennings objected to further questioning on the subject, noting that the issue had already been addressed. Chairwoman Fazio and Mr. Reid reiterated that the applicant's proposed operational limit remained eight patrons per evening and that future demand or additional applications could not be the subject of speculation.

Mr. Caldarise also addressed the applicant's characterization of the proposed mikvah as a noncommercial use, noting that the facility would have employees, parking, and patrons but no permanent residents. Mr. Bloch testified that the mikvah would not operate as a for-profit business and therefore was not a commercial enterprise. He further testified that the building would retain the appearance of a residence and generate less activity than a typical home because there would be no daytime residential use or customary residential gatherings. Ms. Jennings noted that the architect had previously addressed the residential appearance of the structure, and Mr. Reid advised that the applicant's planner would later present expert testimony regarding the distinction between a religious use and a commercial use.

Mr. Caldarise next addressed the proposed exterior security cameras, expressing concern that they could overlook neighboring properties. Mr. Bloch testified that the cameras would be standard residential-style security cameras directed toward the applicant's property for security purposes and were not intended to monitor adjoining yards.

Mr. Caldarise also questioned the applicant's testimony that the community needed a mikvah, observing that Pine Lake Park had existed for many years without one. Mr. Bloch testified that the religious need applied specifically to observant Orthodox Jewish women for whom access to a mikvah was a longstanding religious obligation and acknowledged that the need related only to that segment of the community. Before concluding, Mr. Caldarise expressed concern regarding the manner in which public questioning had been conducted during the hearing.

Chairwoman Fazio closed hearing to public questioning on the operations testimony.

Mr. Reid- it's after 10:00 p.m. suggests that the applicant defer presentation of its remaining planning testimony to a future meeting. Ms. Jennings agreed.

Mr. Reid apologized to those in attendance for not announcing the continuance earlier in the evening and explained that, although formal notice had been properly provided for the present hearing, the Board had not yet established the date for continuation of the application. After consulting with Board Secretary Erin Mathioudakis, who confirmed that January 22, 2026 was the next available regular meeting date with only one other application scheduled, Mr. Reid recommended continuing the matter to that date. The Board expressed no objection, and the

applicant agreed to proceed on that date. It was further confirmed that, because of the continued public attendance, the hearing would again be held in the Manchester Township High School auditorium.

Mr. Reid then formally announced on the record that the application would continue on January 22, 2026, at 6:30 p.m. in the Manchester Township High School auditorium. He advised that no additional public notice would be issued, explaining that the Municipal Land Use Law permits a hearing to be continued without further publication or mailed notice when the adjourned date, time, and location are announced on the record during a properly noticed public meeting.

Adjournment: Motion to adjourn at 10:09pm made by Mr. Cook and seconded by Mr. Galbreath.
Roll Call: All in Favor.

Respectfully submitted,

Erin Mathioudakis
Zoning Board Secretary