

MARLBORO TOWNSHIP ZONING BOARD
DECEMBER 8, 2015

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN SHAPIRO AT THE MARLBORO TOWNSHIP TOWN HALL, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30 P.M.

CHAIRMAN SHAPIRO READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE TOWNSHIP CLERK'S OFFICE AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

**PRESENT ... MR. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO
MS. DI GRANDE, DR. ADLER**

ABSENT ... MR. SOLON, MR. LEVIN, MR. VIRDI, MR. NAPPI

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO ESQ. AND
MS. PARIS (Admin. Officer)**

SALUTE THE FLAG

APPROVAL OF THE JULY 14, 2015 ZONING BOARD OF ADJUSTMENT MINUTES

Z.B. 15-6559 JIN WANG d/b/a Lin's HVAC - Public Hearing for a Mixed Use Variance and a Preliminary and Final Site Plan to construct a pole barn for storage of business equipment located at 98 Tennent Road, Block 120 Lot 43 in the C-2 zone

This application is being carried to the meeting of January 12, 2016, without further notice

Z.B. 15-6543 TRI STATE RESTORATION, INC. – Continued Public Hearing for a Use Variance to continue auto body repair in the LI zone, located at 238 Boundary Road, Block 360 Lot 5 in the LI zone

This application is being carried to the meeting of January 12, 2016, without further notice

Z.B. 15-6536 ANTISELL - Continued Public Hearing for Use Variance and approval of a major 5 lot subdivision with bulk variances that is located on Reids Hill Road, Block 154 Lots 17 & 18 in a split zone (C-3 and LC)

This application is being carried to the meeting of January 12, 2016, without further notice

Z.B. 15-6558 PETTY - Continued Public Hearing for Bulk Variance to keep in-ground pool and patio which was built in violation of building permit and exceeds permitted lot coverage located at 409 Georgetown Drive, Block 159 Lots 3.12 in the R-20AH-2 zone

The Applicant proposes to construct a two (2) story covered and enclosed deck area with a balcony along the rear of the dwelling.

Paul Mirabella, Esq. introduced the application to the Board.

Mr. Cucchiaro asked Laura Neumann for clarification with regards to the total lot coverage. Ms. Neumann stated that the total maximum lot coverage is 28% what is existing is 31.56% and as proposed it is 33.5% . Mr. Mirabella stated that the Applicant is willing to re-grout the pavers with sand. Mr. Mirabella stated that the Applicant will modified the plan from its original submission so as to eliminate a variance for maximum percentage of total of coverage.

Chester DiLorenzo, P.E., P.P., P.L.S., was sworn in and gave testimony. Mr. DiLorenzo stated the Applicant had completed an as-built survey. Mr. DiLorenzo stated that the Applicant would not be using polymetric sand and, therefore, would be compliant with the maximum permissible percentage of lot coverage. Mr. DiLorenzo stated, the Applicant would still require variance relief from Section 220-140D for maximum building coverage for a principal building where 11% is required and 13.2% is proposed. Mr. DiLorenzo also noted that the Applicant will be removing the shed as part of the application process. Mr. DiLorenzo then explained that the Applicant's enclosure of the subject deck created the variance condition. Mr. DiLorenzo confirmed there would be no adverse impact to drainage.

PUBLIC- *No one spoke on behalf of this application*

In workshop

Offered: Chairman Shapiro

Second: Mr. Zwerin

Mr. Weilheimer is in favor of the application, but would like the pavers reinstall the pavers in sand. Ms. DiGrande would also like the pavers reinstalled in sand. Dr. Adler is in favor of the applicant reinstalling the pavers. Mr. Zwerin would like the pavers reinstalled in sand as well. Chairman Shapiro is in favor of the application as long as the pavers are reinstalled in sand.

Out of Workshop

Offered: Chairman Shapiro

Second: Ms. DiGrande

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 5 Mr. Zwerin, Mr. Weilheimer,
Chairman Shapiro
Ms. DiGrande, Dr. Adler

Absent: 4 Mr. Solon, Mr. Levin, Mr. Verdi,
Mr. Nappi

Second: Ms. DiGrande

Nays: 0
Abstained: 0

Z.B. 15-6563 JOSEPH HANNA - Public Hearing for Bulk Variance to construct a pole barn and horse stalls which exceeds permitted lot coverage located at 115 Dutch Lane Road, Block 362 Lots 32 in the R-80 zone

Salvatore Alfieri Esq. introduced the application to the Board.

Joseph Hanna was sworn in and gave testimony. Mr. Hanna stated that he was proposing to construct a pole barn of 2,400 sq. ft. to store his collectable cars, as well as horse stalls. Mr. Alfieri asked Mr. Hanna the purpose of the stalls. Mr. Hanna stated he would like to have one horses, possibly goats. Mr. Alfieri asked the number of animals Mr. Hanna intends to have. Mr. Hanna stated he would like to have two. Mr. Alfieri asked if a fence would be installed, Mr. Hanna replied “yes”. Ms. Paris stated that if Mr. Hanna wants to have goats, he would have to get a Use variance for farm animals. Mr. Alfieri asked Mr. Hanna if he was interested in applying for the Use variance for the goats, Mr. Hanna said “no”. Mr. Alfieri stated that Mr. Hanna would come back to the board in the future if he’s interested in having goats. Ms. Paris stated that Mr. Hanna would be required to provide 40,000 sq. ft. area per horse to run around in and that has to be fenced. Ms. Paris suggested that the applicant come back to the Board with a detailed plan showing the location of the proposed fence.

Mr. Alfieri requested to bifurcate the application and come back with a detailed site plan.

PUBLIC- *No one spoke on behalf of this application*

In workshop

Offered: Chairman Shapiro

Second: Ms. DiGrande

Dr. Adler is in favor of the Pole Barn but not the stalls. Ms. DiGrande has no issue with the Pole Barn. Mr. Weilheimer is not in favor of the application. Mr. Zwerin has no issues with the Pole Barn. Chairman Shapiro would like to see the Pole Barn down sized.

Out of Workshop

Offered: Chairman Shapiro

Second: Dr. Adler

Mr. Cucchiaro asked Ms. Paris if the applicant needs to seek an additional variance for the encroachment of the golf course on the applicant's property. Ms. Paris asked if the applicant legally grant an easement. Mr. Cucchiaro stated that it doesn't matter, the fact is, it is an additional use on the property. Ms. Paris stated that it is a commercial use, Mr. Cucchiaro agrees. Mr. Alfieri said that they will come back and notice for the encroachment. Mr. Alfieri feels that the encroachment doesn't impact this property.

This application is being carried to the meeting of January 12, 2016, without further notice

MEMORIALIZATIONS

Z.B. 15-6529 LITTLE MILL REALTY – Denial of Use Variance to permit Medical/Dental office in a residential zone, located at 2 East Frances Avenue, Block 176 Lot 102, in the R-20 zone

Offered:	Chairman Shapiro	Ayes:	7	Mr. Zwerin, Mr. Weilheimer, Chairman Shapiro Ms. DiGrande, Dr. Adler,
		Absent:	2	Mr. Solon, Mr. Levin, Mr. Verdi, Mr. Nappi
Second:	Mr. Zwerin	Nays:	0	
		Abstained:	0	

A motion to adjourn was offered by Acting Chairman Weilheimer, seconded by Dr. Adler.

Respectfully submitted
Jennifer Bajar