

MARLBORO TOWNSHIP ZONING BOARD

May 28, 2019

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

SALUTE THE FLAG

CHAIRMAN MICHAEL 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: MS. DiGRANDE, MR. SOLON, MR. WEILHEIMER, MR. POWERS and CHAIRMAN SHAPIRO

ABSENT: MR. VERDI, MR. ZWERIN and MR. YOZZO

PROFESSIONALS PRESENT: MS. LAURA NEUMANN, P.E., & MR. CUCCHIARO, ESQ.

A motion to approve/amend the minutes of January 8, 2019 Reorganization Minutes was offered by Chairman Shapiro, seconded by Mr. Powers. In favor: Ms. DiGrande, Mr. Powers Mr. Solon, Mr. Weilheimer, and Chairman Shapiro. Absent: Mr. Viridi, Mr. Yozzo, Mr. Zwerin.

PUBLIC SESSION - There was no one who wished to speak

Z.B. 19-6676 Cornell Developers, LLC - Continued Public Hearing - Bulk Variance.

The Board took jurisdiction and entered evidence A-1 through A-22.

The Applicant proposes to raze and remove all existing site improvements in order to construct a new two-story dwelling with

a basement and front porch/walk having access via a 12 ft. wide paved drive along the Harbor Road site frontage.

Salvatore Alfieri, Esq. represented the Applicant stated that the Applicant was seeking to remove all existing structures and to construct a new two-story single-family home on an existing undersized lot. Furthermore, the Applicant provided buy/sell letters to adjoining property owners and did not receive interest.

The Applicant's Engineer, Walter Hopkin, P.E., P.P. testified that the Applicant sought variance relief to construct a new single-family home on the undersized lot consisting of 1.6 acres. Additionally, all setback requirements were satisfied. He stated that bulk variance relief was required for existing conditions and new variance relief was also being requested for the proposed development and that a design waiver relief was also required.

Furthermore, a new septic system would be installed and a roof leader recharge system would be utilized. The design waiver relief for the side entry garage would be eliminated. He said that the Applicant would revise the grading plan to comply with ordinance requirements and all building height requirements would be satisfied. Moreover, the Applicant satisfied the hardship variance requirements due to the undersized nature of the lot.

Public Hearing opened.

Dennis Holick and Fred Kock of 489 Harbor Road were concerned about run off to their property. It was agreed that the Applicant would install Belgian block curbing along the driveway which would re-direct discharge to the rear of the property.

There was no one else who wished to speak.

Public Hearing closed.

The applicant agreed to comply with all of the conditions proposed by the resolution.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Solon. In favor: Ms. DiGrande, Mr. Powers Mr. Solon, Mr. Weilheimer, and Chairman Shapiro. Absent: Mr. Viridi,

Z.B. 18-6683 Buckdale, LLC. - Public Hearing - Preliminary and Final Site Plan

The Board took jurisdiction and entered evidence A-1 through A-23.

The Applicant was previously granted bifurcated use variance relief on December 11, 2018 for the removal of all existing site improvements and for the construction of 26 single-family residential lots and 19 townhome lots. Nine affordable townhouse units were included with the 19 townhouse lots.

The Applicant entered into a settlement agreement with the Township of Marlboro for the development of an inclusionary community with the maximum of 45 units; including 20% set aside for low and moderate income units.

The Applicant sought approval for a bifurcated preliminary and final major subdivision permitting the removal of all existing site improvements and for the construction of 26 single-family residential lots and 19 townhouse lots. Nine affordable townhouse units were included with the 19 townhouse lots.

Salvatore Alfieri, Esq., representing the Applicant stated that the prior bifurcated use variance relief for the proposed development assisted the Township of Marlboro with satisfying it's constitutionally mandated affordable housing obligations and that the proposed development was consistent with the settlement agreement.

Carolyn Feigin, P.E., testified that Applicant was proposing to construct an inclusionary development on a tract of land containing 11.3 acres within the C-2 Zone. The Applicant was proposing to construct 26 single-family 4,000sq.ft. homes. The 19 townhouse units proposed would be located within four separate buildings and each lot would be at least 3,458 sq. ft. The 9 of the townhouse units would be deed restricted for low and moderate income housing. Also, the development would have two entrances off of Buckley Road and two cul-de-sacs. The Route 79 cul-de-sac would have an emergency access.

Ms. Feigin said that the Residential Site Improvement Standards (RSIS) for parking requirements have been satisfied. In response to the Board's questions, Ms. Feigin stated that the Uniform Housing Affordability Controls (UHAC) requirements will be

satisfied concerning the bedroom distribution of the affordable housing units.

Ms. Feigin stated that the Applicant would comply with all recommendations contained in the reports issued by the Board Engineer, Planner, Traffic Engineer and Fire Bureau. Also, one lot would be dedicated to the Township as open space which could be used as a tot lot or a sports court.

Christine Cofone, P.P., AICP, the Applicant's Planner testified that the negative criteria remained satisfied regarding the request for preliminary and final major subdivision approval. Additionally, the development was identical to the use variance previously granted. The relief sought was due to inconsistencies with the Township's ordinance and the RSIS. The Applicant agreed with the Board to provide driveways for all units, eliminating dumpsters. One car garages would be for all units. Furthermore, Ms. Cofone reiterated that the development would be consistent with the settlement agreement providing units and credits toward affordable housing obligations.

Public Hearing opened.

There was no one who wished to speak.

Public Hearing closed.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Solon. In favor: Ms. DiGrande, Mr. Powers Mr. Solon, Mr. Weilheimer, and Chairman Shapiro. Absent: Mr. Viridi, Mr. Yozzo, Mr. Zwerin.

Z.B. 19-6684 Marilyn Rocco - MEMORIALIZATION OF RESOLUTION GRANTING A BULK VARIANCE

A motion in the affirmative was offered by Chairman Shapiro, seconded by Ms. DiGrande. In favor: Ms. DiGrande, Mr. Powers Mr. Solon, Mr. Weilheimer, and Chairman Shapiro. Absent: Mr. Viridi, Mr. Yozzo, Mr. Zwerin.

A motion to adjourn was offered by Chairman Shapiro, seconded by Mr. Solon. One vote was cast.

Respectfully submitted
Susan A. Branagan