

**MARLBORO TOWNSHIP ZONING BOARD**  
**OCTOBER 13, 2015**

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**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. LEVIN, MR. ZWERIN, MR. WEILHEIMER  
CHAIRMAN SHAPIRO, MS. DI GRANDE, MR. VIRDI, MR. NAPPI**

**JOINED MEETING WHILE IN SESSION... DR. ADLER {7:32PM} MR. LEVIN &  
MR. ZWERIN {7:34PM}**

**ABSENT ... MR. SOLON**

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

**SALUTE THE FLAG**

**Z.B 15-6548 VLADIMIR CHERTOG** – Continued Public Hearing for Bulk Variance to construct an in-ground pool and patio and to keep shed in existing location, exceeding permitted lot coverage, insufficient side yard setback, and insufficient distance between structures, located at 24 Amagansett Drive, Block 193 Lot 9, in the R-20 zone.

Vladimir Chertog was sworn in and gave testimony. Mr. Chertog stated that he purchased the property that had certain non-conformities when it was purchased in or around 2006, including, in particular, an accessory shed located only one foot off the principal residence. Mr. Chertog further testified that he seeks a variance to allow for the construction of an in-ground pool. Mr. Chertog testified that he purchased the property with the shed, and was unaware that the

shed was non-conforming or not previously approved. The Board expressed concern that the shed did not comply with the ordinance or building code, and posed a potential threat to the dwelling structure. Mr. Chertog stipulated to a condition whereby that shed would either be removed or relocated elsewhere on the property to a more conforming location to be subject to review and approval by the Board Engineer.

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

***In workshop***

Offered: Chairman Shapiro

Second: Mr. Nappi

Mr. Levin would like to see the shed moved. Mr. Verdi would also like to see the shed moved. Mr. Zwerin has no issues with the application. Mr. Nappi has no issues with the application, but would like the shed moved. Ms. DiGrande she's in favor of the applicant as long as the shed is relocated. Dr. Adler would like to see the shed moved. Chairman Shapiro said he in favor of the application as well provided that the shed is moved.

***Out of Workshop***

Offered: Chairman Shapiro

Second: Ms. DiGrande

***A motion in the affirmative***

Offered: Chairman Shapiro                      Ayes: 6 Mr. Levin, Mr. Zwerin,  
Chairman Shapiro, Ms. DiGrande  
Dr. Adler, Mr. Verdi, Mr. Nappi

Second: Mr. Levin                      Absent: 1 Mr. Solon  
Nays: 0  
Abstained:

**Z.B. 15-6552 PETER & ELISE BROPHY**- Public Hearing for Bulk to keep existing driveway, insufficient side yard setback located at 12 Leonard Drive, Block 305 Lot 25, in the R-20 zone.

Elise Brophy was sworn in and gave testimony. Mrs. Brophy stated The original existing driveway constructed by the developer extended to the property line, resulting in an encroachment upon her neighbor's lot. Upon learning of this encroachment, the Applicant removed the encroaching portion of the asphalt driveway, and has placed sod to restore the neighbor's lawn. Mrs. Brophy testified that compliance with the ordinance was not possible because the reduced driveway radius would be too tight to allow for safe vehicular movements and it would eliminate usage of the side entrance door. A variance is now required to allow the driveway to remain at this location only two feet set back from the adjacent lot, which is less than the five feet required.

***In workshop***

Offered: Chairman Shapiro

Second: Ms. DiGrande

Mr. Levin is in favor of the application. Mr. Verdi has no issue with this application. Mr. Zwerin has no issues with the application. Mr. Weilheimer has no issue with this application. Mr. Nappi has no issues with the application, but would like the shed moved. Ms. DiGrande she's in favor of the applicant. Dr. Adler is in favor of this application. Chairman Shapiro said he in favor of the application as well.

***Out of Workshop***

Offered: Chairman Shapiro

Second: Ms. DiGrande

***A motion in the affirmative***

Offered: Chairman Shapiro

Ayes: 8 Mr. Levin, Mr. Zwerin,  
Mr. Weilheimer  
Chairman Shapiro, Ms. DiGrande  
Dr. Adler, Mr. Verdi, Mr. Nappi

Second: Mr. Levin

Absent: 1 Mr. Solon

Nays: 0

Abstained:

**Z.B. 15-6553 JOSEPH & TAMARA BURDGE** – Public Hearing for Bulk Variance to construct a one story, 21’7” x 29’9” garage addition and a 2<sup>nd</sup> story addition to a home with insufficient lot area, side yard setback for principal structure, insufficient lot width and insufficient side yard setback for an accessory structure located at 217 Spring Valley Road, Block 172 Lot 5 in the LC zone

Joseph Burdge was sworn in and gave testimony. Tamara Burdge was sworn in and gave testimony.

Mr. Burdge stated that the house was originally built in 1965 and includes a one car garage. The family has outgrown both the size of the house and the garage, so it is their desire to add a two car garage, as well as a second story addition to provide living space. The lot is fairly irregular shape and results in a hardship with respect to compliance with lot width and side yard setbacks. Also, since the dwelling is built atop a slab, it lacks basement storage and utility space. Mr. Burdge stipulated and agreed that certain of these features could be removed or modified in order to lessen the potential impacts resulting from the requested variance, as follows; remove what is denoted as the existing “concrete pad” on the property survey; remove what is denoted as the existing “firewood shed” on the property survey; removed what is denoted as the existing “RR (railroad) ties” on the property survey; and remove the “frame enclosure” feature of the existing frame garage (garage itself to be maintained), but which enclosure structure is depicted has having a 0.2 foot off-set from the property line with adjacent lot 6. In addition to the stipulations set forth in the preceding paragraph, Mr. Burdge also stipulated and agreed to dedicate an easement to allow for the future widening of Spring Valley Road.

***In workshop***

Offered: Chairman Shapiro

Second: Ms. DiGrande

Mr. Levin is in favor of the application. Mr. Verdi has no issue with this application. Mr. Zwerin has no issues with the application. Mr. Weilheimer has no issue with this application. Mr. Nappi has no issues with the application, but would like the shed moved. Ms. DiGrande she’s in favor of the applicant. Dr. Adler is in favor of this application. Chairman Shapiro said he in favor of the application as well.

***Out of Workshop***

Offered: Chairman Shapiro

Second: Ms. DiGrande

*A motion in the affirmative*

Offered: Chairman Shapiro

Ayes: 8 Mr. Levin, Mr. Zwerin,  
Mr. Weilheimer  
Chairman Shapiro, Ms. DiGrande  
Dr. Adler, Mr. Verdi, Mr. Nappi

Second: Ms. DiGrande

Absent: 1 Mr. Solon  
Nays: 0  
Abstained:

**MEMORIALIZATIONS**

**Z.B. 15-6544 TUNIT** – Memorialization of Resolution granting Bulk Variance for existing non-conformities, lot coverage, and side and rear setbacks for accessory structures, located at 30 Boundary Road, Block 214 Lot 31, in the LC zone

Offered: Chairman Shapiro

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

Second: Ms. DiGrande

Absent: 3 Mr. Solon, Mr. Verdi, Mr. Nappi  
Nays: 0  
Abstained: 1 Mr. Weilheimer

**Z.B. 15-6549 DANIEL PRZYGODA** - Memorialization of Resolution granting Bulk Variance to remove existing one story house and in-ground pool, and to build a new two story home. Bulk Variance for insufficient lot area, frontage, width, front and side yard setback for principal structure and exceeds permitted lot coverage for principal, total building coverage and total impervious coverage, , located at 3 Bauers Lane, Block 299 Lot 127, in the R-80 zone.

Offered: Chairman Shapiro Ayes: 7 Mr. Levin, Mr. Zwerin,  
Mr. Weilheimer, Chairman Shapiro,  
Ms. DiGrande,  
Mr. Verdi, Mr. Nappi

Second: Ms. DiGrande Absent: 2 Dr. Adler, Mr. Solon  
Nays: 0  
Abstained:

The Board voted on canceling the December 22, 2015 meeting.

Offered: Chairman Shapiro Ayes: 7 Mr. Levin, Mr. Zwerin,  
Mr. Weilheimer, Chairman Shapiro,  
Ms. DiGrande, Dr. Adler,  
Mr. Verdi, Mr. Nappi

Second: Ms. DiGrande Absent: 1 Mr. Solon  
Nays: 0  
Abstained:

A motion to adjourn was offered by Chairman Shapiro, seconded by Mr. Levin.

Respectfully submitted  
Jennifer Bajar