

MARLBORO TOWNSHIP ZONING BOARD
AUGUST 25, 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 ... CHAIRMAN SHAPIRO, MR. SOLON, MR. LEVIN,
 MS. DI GRANDE, DR. ADLER, MR. VERDI, MR. NAPPI**

ABSENT ... 2) MR. ZWERIN, MR. WEILHEIMER

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

SALUTE THE FLAG

APPROVAL OF THE JUNE 9, 2015 ZONING BOARD OF AJUSTMENT MINUTES

PUBLIC SESSION - No one signed up to speak.

Z.B. 15-6536 ANTISELL - 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 Lot 17 & 18 in a split zone (C-3 and LC)

This application is being carried to the meeting of September 29, 2015, without further notice

Z.B. 15-6545 CHRISTOPHER CLEARY - Public Hearing for mixed residential/commercial farming Use Variance and Bulk Variance for insufficient lot area, frontage, width, front and side yard setback for principal structure, located at 278 Spring Valley Road, Block 146 Lot 43 in the LC zone

Christopher W. Cleary was sworn in and gave testimony. Mr. Cleary stated that he was seeking to erect the pole barn 54' x 72' in order to store hay, vehicles and other equipment associated with the farming use. Mr. Cleary stated that roof leaders would be installed for drainage and that there would be no plumbing on the site.

PUBLIC - No one from the public spoke

In workshop

Offered: Chairman Shapiro

Second: Mr. Levin

Mr. Solon has concerns with the size of the proposed structure. Mr. Levin also has concerns with the size of the pole barn. Ms. DiGrande is in favor of the application as long as all equipment and farming materials are stored within the pole barn. Dr. Adler has no issues with the application. Chairman Shapiro said he has no issue with the application as long as proposed.

Out of Workshop

Offered: Chairman Shapiro

Second: Dr. Adler

Mr. Cleary stated that he has no intention in having farm animals on his property, other than his one horse.

A motion in the affirmative

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

Z.B. 15-6547 PAUL RAYBIN - Public Hearing for Continuation of a residential use with an addition and pool which exceeds permitted lot coverage for the principal structure, total building and total lot coverage and to keep driveway in its original location, located at 22 Chagall Road, Block 413.03 Lot 4, in the R-20 zone

Mr. Paul Raybin was sworn in and gave testimony. Mr. Raybin stated that he was seeking bulk variance relief in order to retain the existing non-conformities on the property. He explained that he had not created any of the non-conformities, but rather bought the property in its present condition.

Ms. Neumann Board's Engineer/Planner stated that the violations were de minimus in nature and not visually perceptible.

PUBLIC - No one from the public spoke

A motion in the affirmative

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

Z.B. 15-6543 TRI STATE RESTORATION, INC. – 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.

Salvatore Alfieri, Esq. was sworn in and introduced the application to the board. Mr. Eugene Chillemi was sworn in and gave testimony. Mr. Chillemi stated that his company rebuilds classic and collectable cars. Mr. Chillemi stated that the cars are sent out for priming and panting. His company will do auto body repairs on the vehicles. Mr. Alfieri asked if Mr. Chillemi if they have any safety measure in-place incase of a spill. Mr. Chillemi stated that they do have safety practices. Mr. Cucchiaro, Esq. asked if those practices are state regulated. Mr. Chillemi stated that they don't have major spills like that. The DEP doesn't go to his shop, they just do restoration. Mr. Cucchiaro, Esq. asked if he has any regulations that apply to his business? Mr. Chillemi answered, "not to my knowledge." Mr. Levin referred to the plan submitted in regards to a proposed spry booth. Chairman Shapiro asked what prompted OSHA to do an inspection? Mr. Chillemi responded that his neighbor called them in. Mr. Chillemi stated that OSHA did an air quality test. Chairman Shapiro asked if he had a report from that inspection, Mr. Chillemi said he was in receipt of a report. A-22 9 Color photos of a spray booth located at Sin-Tru Tool Co., were entered into evidence. Kenneth Kalawunn Principal of Sin-Tru Tool Co. was sworn in and gave testimony. Mr. Kalawunn stated that he is presently occupying building #4 in the same complex as Mr. Chillemi. Mr. Kalawunn stated that he paints the cars for Mr. Chillemi's business. John Leoncavallo P.P was sworn in and gave testimony. Mr. Leoncavallo gave his opinion with regards to the positive criteria of Mr. Chillemi having a spry booth on site.

This application is being carried to the meeting of October 27, 2015, without further notice

MEMORIALIZATIONS

Z.B. 14-6520 NEW YORK SMSA LP d/b/a VERIZON WIRELESS – Memorialization of Resolution granting Use Variance approval to construct 125 foot high monopole with associated equipment shelter, cabinet and 8 foot high chain link fence at 251 Spring Valley Road, Block 172 Lot 14, in the LC zone

Offered: Chairman Shapiro

Ayes: 7 (Mr. Solon, Mr. Levin,
Chairman Shapiro, Ms. DiGrande
Dr. Adler)

Second: Dr. Adler

Absent: 2 (Mr. Zwerin, Mr. Weilheimer)

Nays:

A motion to adjourn was offered by Chairman Shapiro, seconded by Ms. DiGrande

Respectfully submitted
Jennifer Bajar