

**MARLBORO TOWNSHIP ZONING BOARD**  
**November 1, 2016**

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**THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE TEMPORARY CHAIRMAN MR. RONALD D. CUCCHIARO, ESQ. AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30P.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 ... {6} MR. SOLON, MR. ZWERIN, MR. WEILHEIMER,  
MS. DI GRANDE, DR. ADLER, and MR. VERDI**

**ABSENT... {2} MR. LEVIN, and CHAIRMAN SHAPIRO**

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO,  
and MS. SARAH PARIS**

**SALUTE THE FLAG**

**PUBLIC SESSION** – *No one from the public signed up to speak.*

**Z.B. 16-6597 Gary & Debra Riker** – Continued Public Hearing for a Use Variance for Expansion of an intensification of an existing non-conformities, and a Minor Subdivision with Insufficient lot

frontage, width and front yard setback, located at 157 Ticetown Road, Block 119, Lots 11 & 11QFARM in the LC zone.

*Application to be carried to December 13, 2016 without further notice to property owners.*

**Z.B. 16-6585 Amboy Avenue Partners, LLC.** - Continued Public Hearing for a Bulk Variance to construct an outdoor sports field with an inflatable dome and a 20' x 30' storage shed, and a Use Variance for an expansion of a non-conforming use, located at 185 Amboy Road, Block 178, Lot 291 in the IOR zone

*Application to be carried to November 22, 2016 without further notice to property owners.*

**Z.B. 16-6601 Michael Sapoznik** – Public Hearing for a Bulk Variance to keep a 6' fence and a patio with a sitting wall in the buffer easement, located at 30 Hummingbird Court, Block 412, Lot 213 in the PAC-II zone.

Michael Sapoznik was sworn in and gave testimony. Mr. Sapoznik testified that he became aware of the existing violation when he received the violation notice subsequent to a complaint by a neighboring property owner. Mr. Sapoznik stated that he is seeking bulk variance relief in order to retain the existing rear yard patio and fencing which encroach upon an existing buffer area. Mr. Sapoznik noted that the contractor who installed the patio was also responsible for obtaining all necessary permits. Mr. Sapoznik argued that the existing fence creates privacy and that most neighbors in the neighborhood have similar fences.

**PUBLIC** - *There were no members of the public expressing an interest in this application.*

***A motion in the affirmative***

Offered:	Chairman Shapiro	Ayes:	4 (Solon, Zwerin, Weilheimer, & DiGrande)
		Recused:	0
		Nays:	2 (Adler & Verdi)
Second:	Mr. Zwerin	Absent:	2 (Levin, & Chairman Shapiro)
		Abstain:	0

**Z.B. 16-6599 Maksim Lazarev** – Public Hearing for a Bulk Variance to construct a 547 sq. ft. addition to existing residential dwelling, located at 50 School Road West, Block 230, Lot 17 in the

R-30/20 zone.

Dante Alfieri, Esq., was sworn in and gave testimony. Mr. Alfieri stated that the subject property contains 18,758 square feet with 103 feet of frontage along the north side of School Road West opposite the Jacata Road intersection within the R-30/20 (Residential) Zone. The site is currently improved with a two-story dwelling, associated walks, rear patio, in-ground swimming pool with patio, a shed within the perimeter rear yard fencing and access via a paved drive along School Road West. Mr. Alfieri stated that the Applicant was seeking to construct a two-story building addition (approximately 547 square feet footprint) along the rear of the existing dwelling, as well as a second floor building addition above the existing garage area of the dwelling. Mr. Alfieri also confirmed that the Applicant would be removing the existing shed which would eliminate the need for several originally contemplated variances.

Marc Leber, P.E., P.P. was sworn in and gave testimony. Mr. Leber testified that the Applicant was seeking to construct a two-story building addition which would have an approximately 547 square foot footprint along the rear of the existing dwelling. Mr. Leber further confirmed that the Applicant would be eliminating the existing shed on the property which would obviate the need for several variances. Mr. Leber further noted that the Applicant would have 10.99% lot coverage which complied with ordinance requirements and therefore, also did not require variance relief. Mr. Leber, therefore, stated that the following variances remain necessary: Section 220-77 (Table II)– The minimum required lot area is 20,000 square foot; 18,758 square foot is provided. Section 220-77 (Table II) – The maximum permitted density is 1.16 lots per acre where 2.32 lots per acre is provided which is 11,242 square feet short of compliance. Mr. Leber testified that both of the variances were pre-existing conditions. In response to questions from the Board, he stated that despite the addition the Applicant would still retain four (4) bedrooms as the foyer would now be two-stories tall.

The hearing was then opened to the public at which time Caren Alexander of 6 Ardmore Road, confirmed that the house will remain a single-family house. In response to further questions, the Applicant further stated that the current house contains 2,007 square feet of habitable area and the addition would create 2,941 square feet with habitable area.

**PUBLIC** - *Debra Tierny of 54 School House Road further sought confirmation that the single-family dwelling would remain as such.*

*James Tierny of 54 School House Road who sought clarification on the nature of the density variance relief on the site.*

***A motion in the affirmative***

Offered: Chairman Shapiro

Ayes: 4 (Solon, Zwerin, Weilheimer,

& DiGrande)  
Recused: 0  
Nays: 2 (Adler & Verdi)  
Absent: 2 (Levin, & Chairman Shapiro)

Second: Mr. Zwerin

Abstain: 0

## **RESOLUTIONS**

**Z.B. 16-6600 Charles Nurnberg** - Memorialization of Resolution granting to keep hot tub constructed too close to house where Ten feet is required and Seven feet is existing, located at 25 Whitman Road, Block 278, Lot 13 in the R-20 zone

*A motion in the affirmative*

Offered: Chairman Shapiro

Ayes: 7 (Levin, Zwerin, Weilheimer,  
Chairman Shapiro, DiGrande, &  
Verdi)  
Recused: 0  
Nays: 0  
Absent: 2 (Solon, & Adler)

Second: Mr. Zwerin

Abstain: 0

*A motion to adjourn was offered by Chairman Shapiro, seconded by Dr. Adler.*

Respectfully submitted

Jennifer Bajar