





**Z.B. 16-6585 Amboy Avenue Partners, LLC.** - 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

Salvatore Alfieri, Esq. was sworn in and introduced the application to the Board. Kevin Costello Director of Center Court Properties. Mr. Costello handles all the day to day operations. Mr. Alfieri asked Mr. Costello to describe what it is that they are seeking for this application. Mr. Costello explained that they are trying to expand the use of the facility to incorporate field sports, like soccer and lacrosse. Mr. Alfieri asked Mr. Costello to explain when the dome would be in use. Mr. Costello stated that the dome would be up by Labor Day and down by Memorial Day, but it's really weather dependent. Mr. Alfieri asked if the dome would be used during the summer months. Mr. Costello answered no, once the dome is down, it's packed up on pallets and stored away. Mr. Costello stated that it takes one to two days to take the dome down as well as putting it up. Mr. Alfieri asked if any outdoor lighting is proposed. Mr. Costello testified that their will be no outdoor lighting. As a condition of approval, the Applicant agrees there will be no outdoor lighting on the field even when the dome is down. Mr. Costello testified that the hours of operation will be from 8:00am to 10: 00pm. Chairman Shapiro suggested the application be carried, so the Applicant could provide the Board with further information regarding parking, and to respond to the Sub-Code Officials concerns.

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

**Z.B. 16-6586 Marlboro Muslim Cemetery, Inc.** – Public Hearing for a Bulk Variance to pave existing gravel circulation driveway and adding 2,612 additional plots and a Use Variance for an expansion of a non-conforming use, located at 340 Spring Valley Road, Block 146, Lots 48 in the LC zone.

Salvatore Alfieri, Esq. was sworn in and gave a brief synopsis of the application

The site is surrounded by properties in the LC (Land Conservation) Zone District. Appearing with the Applicant was its representative, Mohamad Mossad, its Counsel, , and Professional Engineer, Michael Geller.

The Board Engineer, Laura Neumann, P.E., P.P. described a potentially emergent need involving the property's on-site driveways and access roads that caused the Board to *sua sponte* bifurcate the application. Following the original and amended approvals received by the Applicant's predecessor in

2012 and 2013, respectively, the originally approved site improvements were installed. Unbeknownst to the Applicant, its contractor appears to have substituted recycled roadway millings in lieu of the specified clean crushed stone for the site's internal access drives and roads. The use of asphalt millings for such a purpose is prohibited by state law and regulation. Ms. Neumann advised the Board that based on these circumstances, the Applicant should be permitted to pave what was originally approved to be a gravel access road, as the act of paving would seal in any hydrocarbon-related contaminants that may be present in such millings, in order to limit these contaminants from leaching out and spreading into the property's soil, surface water and ground water. Although the Applicant continues to seek use variance and amended site plan approval for its proposed cemetery expansion, Ms. Neumann recommended that the Board bifurcate the application and allow such work to proceed as expeditiously as possible given such contamination risks.

Testimony was also taken from the Applicant's Engineer, Michael Geller, P.E. For purposes of this bifurcated application, Mr. Geller explained the location, function and importance of the proposed 360 foot long exfiltration trench that the Applicant proposes to construct to improve the on-site management of stormwater.

Testimony was also taken from a representative of the Applicant, Mohamed Mossad. For purposes of this bifurcated application, Mr. Mossad acknowledged that its contractor had improperly and without the Applicant's knowledge or consent, substituted asphalt millings for clean stone. Mr. Mossad regretted this error by the contractor, and expressed a desire to promptly address/correct such issues forthwith. In responding to the Board's questions, Mr. Mossad further acknowledged that three (3) pre-existing structures on the property that were to have been removed as a condition of the earlier approvals remained on-site.

A neighboring property owner, Daniel Matarese, appeared and asked questions of the Applicant and his expert witness. For purposes of bifurcated application, Mr. Matarese's inquiries were focused on the impropriety of using asphalt millings as a substitute for clean crushed stone, and requested that the Board act expeditiously to correct such issue.

*Application to be carried to September 27, 2016 without further notice to property owners.*

## **RESOLUTIONS**

**Z.B. 16-6579 Eileen Nappi** – Memorialization of Resolution granting a Bulk Variance to keep a 4' chain-link fence and two sheds which are within 100 feet of top-of-bank of stream, with insufficient lot area, frontage, width, depth, and side yard setback for principal structure, and where no structure shall be built within 100 feet of the top of bank of stream, located at 20 Lisa Lane, Block 171, Lot 95 in the LC zone.

*A motion in the affirmative*

Offered: Chairman Shapiro

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

Recused: 0

Nays: 0

Second: Ms. DiGrande

Absent: 0

**Z.B. 16-6581 Beata D. Meszaros** - Memorialization of Resolution granting a Bulk Variance to convert garage to living space, All single family dwellings are required to provide a private garage on the lot large enough to accommodate one full-size American passenger vehicle, located at 3 Marc Drive, Block 299, Lot 4 in the FRD zone

*A motion in the affirmative*

Offered: Chairman Shapiro

Ayes: 7 (Mr. Solon, Mr. Zwerin,  
Mr. Weilheimer, Chairman Shapiro,  
Ms. DiGrande, Dr. Adler, &  
Mr. Verdi)

Recused: 0

Nays: 0

Second: Mr. Zwerin

Absent: 1 (Mr. Levin)

**Z.B. 16-6582 70 Greenwood Road, LLC.** - Memorialization of Resolution granting a Use Variance and Site Plan approval sought to permit additional buildings at a previously approved Self Storage. Expansion of a nonconforming use, self-storage is not permitted in the C-2 zone, with insufficient number of parking spaces provided, located at 70 Greenwood Road, Block 122, Lot 39 in the C-2 zone

*A motion in the affirmative*

Offered: Chairman Shapiro

Ayes: 7 (Mr. Solon, Mr. Zwerin,  
Mr. Weilheimer, Chairman Shapiro,  
Ms. DiGrande, Dr. Adler, &  
Mr. Verdi)

Recused: 0

Nays: 0

Second: Ms. DiGrande

Absent: 1 (Mr. Levin)

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

Respectfully submitted

Jennifer Bajar