

MARLBORO TOWNSHIP ZONING BOARD

December 13, 2016

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 ... {5} MR. SOLON, MR. VERDI, CHAIRMAN SHAPIRO,
MS. DI GRANDE, and MR. POWERS**

ABSENT... {3} MR. ZWERIN, MR. WEILHEIMER, and DR. ADLER

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO,
MR. ANGELASTRO 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 a non-conforming use, 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 January 10, 2017 without further notice to property owners.

Z.B. 16-6584 Tuhap Holdings, LLC. - Continued Public Hearing for a Use variance to use existing single family home in front of site as two family home and to use a trailer as office and the rear building for storage of vehicles and equipment for an Industrial Steam Cleaning Company, located at 168 Tennent Road, Block 147, Lot 35 in the C-2 zone

Application to be carried to January 10, 2017 without further notice to property owners.

Z.B. 16-6606 David Stone – Public Hearing for a Bulk variance to approve an existing 6’ (six foot) aluminum fence constructed in the front yard, located at 212 Walnut Drive, Block 153, Lots 62.11 in the R-80 zone.

The Applicant is seeking bulk variance approval to retain existing Jerith aluminum fencing installed along the roadway site frontage and side yard areas.

David Stone was sworn in and gave testimony. Mr. Stone stated that the fencing was installed approximately 10 years ago and he learned of the violation after applying for a Continued Certificate of Occupancy in conjunction with the sale of the property. Mr. Stone further stated the fence is approximately 6 feet high and that it is used for privacy purposes. Mr. Stone testified that it is not out of character with other fences in the neighborhood.

The following variance was required: Section 220-95A – Fences shall be open fences not to exceed 3 feet in height when located within a front yard area; the existing fence along the front yard area appears to exceed 3 feet in height, which should be verified with the Board.

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, Chairman Shapiro, DiGrande, & Powers)

Recused: 1 (Virdi)

Nays: 0

Second: Mr. Powers

Absent: 3 (Zwerin, Weilheimer, & Adler)

Z.B. 16-6605 Thomas Cronin – Public Hearing for a Bulk variance for accessory structure exceeding 15’ (fifteen feet), and a Use Variance to keep a free standing garage that has 1½ bathrooms, a kitchen, & finished living space on second floor, located at 24 Marlboro Street, Block 125, Lots 1 in the R-30/20 zone.

The subject property is a 1.2-acre corner lot within an R-30/20 Zone District with 250 feet of road frontage along Marlboro Street to the west and 225 feet of frontage along Roosevelt Avenue to the north. The property currently contains a two-story dwelling with associated walks and rear deck, a detached garage structure with patio area, an accessory shed structure and a fence enclosed in-ground swimming pool. Access to the property is provided via a semi-circular paved drive along Marlboro Street with a paved extension to the detached garage structure. The Applicant initially sought use variance relief in order to retain the existing detached garage structure which contains a kitchen and bathroom facilities associated with a second floor residential use.

Mr. Cronin was sworn in and gave testimony. Mr. Cronin testified that the residential portion of the garage was used and will continue to be used by family members. Mr. Cronin added that the residential portion of the garage will not be rented or leased to non-family member tenants. Mr. Cronin stated that the garage would not have its own mailbox or electric meter. Mr. Cronin also testified that the structure existed at the time he purchased the property.

the following bulk variance relief was required: Section 220—54C (Table I) – Maximum building height permitted for an accessory building shall be 15 feet; the detached accessory garage structure is greater than 15 feet in height. Section 220-171- No lot shall have erected upon it more than one residential building and no more than one principal use shall be permitted on one (1) lot; the use of the garage structure to include a residential unit would constitute two (2) residential buildings on the subject lot.

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

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 5 (Solon, Chairman Shapiro, DiGrande, Viridi & Powers)

Recused: 0

Nays: 0

Second: Mr. Solon

Absent: 3 (Zwerin, Weilheimer, & Adler)

Z.B. 16-6604 Joseph & Veronica Januszkiewicz – Public Hearing for a Bulk variance to keep two oversized sheds that are too close to side property line and each other, located at 109 Buckley Road, Block 420.01, Lots 2 in the R-80 zone.

The subject site contains 1.1-acres and is a corner lot with 327 feet of road frontage along Buckley Road to the west and 190 feet of frontage along Moore Road to the north within the R-80 (Residential) Zone. The subject site is currently improved with a one-story dwelling with associated walks, rear deck and a patio, and two (2) accessory shed structures. Access to the subject site is provided via Buckley Road on a paved driveway. The Applicants are seeking bulk variance relief in order to retain the two (2) accessory shed structures currently located on the property.

The following variances were required in order to retain the two (2) sheds:

Section 220-48C (Table 1) – Minimum side yard setback required for an accessory structure is 25 feet; approximately 2 feet is provided to the two (2) accessory shed structures along the easterly side property line. Section 220-140C– The minimum distance between an accessory building or structure and any other buildings on the same lot shall be 20 feet; approximately 11 feet appears provided between the two (2) accessory shed structures. Section 220-140E (2)(c) – Sheds shall not be larger than 200 square feet, not taller than 11 feet in height and shall be setback a minimum of 5 feet from side and rear yard property lines on lots greater than 40,000 square feet; the accessory shed structures are indicated to be 220 square feet and 288 square feet in area, with each having an approximate 2 foot setback from the easterly side property line. Section 220-140E(2)(d) – Not more than one (1) shed shall be permitted to be placed on the property; two (2) shed structures are indicated as existing on-site.

Veronica Januszkiewicz was sworn in and gave testimony. Mrs. Januszkiewicz testified that she discovered the non-conformities when applying for a permit for a deck. Mrs. Januszkiewicz noted that the sheds are used exclusively for storage.

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

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 5 (Solon, Chairman Shapiro, DiGrande, Viridi & Powers)

Recused: 0

Nays: 0

Second: Mr. Solon

Absent: 3 (Zwerin, Weilheimer, & Adler)

Z.B. 16-6596 Amerco Real Estate Company d/b/a U-Haul – Public Hearing to Amend Site Plan to construct a canopy to one of the existing buildings, and to construct a loading dock, located at 409 Route 9 South, Block 288, Lots 372 & 373 in the C-3 zone.

No testimony given at this hearing.

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

A motion in the affirmative

Offered:	Chairman Shapiro	Ayes:	5 (Solon, Chairman Shapiro, DiGrande, Viridi & Powers)
		Recused:	0
		Nays:	0
Second:	Mr. Solon	Absent:	3 (Zwerin, Weilheimer, & Adler)

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

Respectfully submitted

Jennifer Bajar