

MARLBORO TOWNSHIP ZONING BOARD

June 12, 2018

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD ACTING CHAIRMAN MATTHEW WEILHEIMER AT THE MARLBORO TOWNSHIP TOWN HALL, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30 P.M.

SALUTE THE FLAG

ACTING CHAIRMAN MATTHEW WEILHEIMER 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. VERDI, MR. WEILHEIMER, MS. DiGRANDE,
 DR. ADLER, and MR. POWERS**

**ABSENT... {4} MR. SOLON, MR. ZWERIN, CHAIRMAN SHAPIRO, and
 MR. YOZZO**

PROFESSIONALS PRESENT... MS. NEUMANN, P.P., MR. CUCCHIARO, ESQ.

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

Z.B. 18-6646 GHM Properties, LLC - Public Hearing for a Use variance for FAR and building height and not meeting the conditions of the conditional use, located at 55 Willow Lane, Block 269, Lot(s) 14 & 15 in the C-3 zone.

*Application to be carried to July 24, 2018 without further notice to property owners.
(Board didn't have a full complement of seven members)*

Z.B. 17-6621 AALKB 8M, LLC II - Continued Public Hearing for a Bulk Variance to build a new two-story single family dwelling on undersized lot, located at 8 Wicker Place, Block 108, Lot 20 in the R-30/20 zone.

Dante Alfieri, Esq. (Applicant's Attorney) gave a brief synopsis of the application. Mr. Alfieri stated that the Applicant is seeking to construct a new home on the newly vacant lot, with a paved driveway along Wicker Place. The dwelling is to be serviced by municipal water and sanitary sewer systems via connection to existing mains within Wicker Place.

Bruce Jacobs, P.E., P.P. (Applicant's Engineer and Planner) was sworn in and gave testimony. Mr. Jacobs characterized the site as being located on the south side of Wicker Place approximately 40 feet west of the Thomas Lane intersection. Mr. Jacobs stated that the Applicant was proposing to construct a new two-story dwelling which he described as being slightly larger than the previous dwelling on the site. Mr. Jacobs noted that the new dwelling would be located in the same footprint as the prior dwelling and contain 828 square feet. Mr. Jacobs stated that the following are existing non-compliant conditions on the subject site: Section 220-54C (Table II) — The minimum required lot area is 20,000 square feet; 6,000 square feet is provided. Section 220-54C (Table II) — The minimum required lot frontage is 100 feet; 40 feet is provided along Wicker Place. Section 220-54C (Table II) — The minimum required lot width is 100 feet; 40 feet is provided. Section 220-165C — Each lot must front upon an approved public street at least 50 feet in width; 40 feet is provided for Wicker Place along the site frontage. Mr. Jacobs then stated that the Applicant was also requesting the following bulk variance relief: Section 220-54 (Table II) - The minimum required side yard setback is 10 feet; 8.5 feet is proposed along both side property lines. Section 220-54C (Table II) - The minimum required ground floor area is 1,000 square feet; 828 square feet is proposed constituting an approximate 282 square feet increase above existing. Section 220-140D (Table III) - The maximum building coverage permitted for a principal building (R-30/20) is 11%; approximately 14.5% is proposed. Section 220-140D (Table III) - The maximum permitted total building coverage (R-30/20) is 14%; approximately 14.5% is proposed. Mr. Jacobs then further stated that the Applicant was also requesting the following design waiver relief: Section 220-169A (3) – The upper driveway pavement course shall consist of 2 inches minimum of FABC Mix 1-5 Asphalt and the lower driveway course shall consist of a minimum of 3 inches bituminous stabilized base course Mix 1-2 Asphalt; a 6 inch dense aggregate sub-base is proposed. Section 220-184O(1) – For local and/or rural streets, a 2 inch thick bituminous concrete surface course (FABC) and a 5 inch bituminous stabilized base course is required; proposed pavement reconstruction is indicated with a 1-1/2 inch surface course and a 3 inch base course.

In response to further questions, Mr. Jacobs stated that the existing chain linked fence would be completely removed from the site. He further stated that the Applicant would confirm the absence of any underground storage tanks on the property. Mr. Jacobs also stated that the existing drywell would be abandoned and a drywell would be installed.

The Board also questioned the apparent illogical address assigned to the property. The Applicant agreed to apply for a new address within thirty days of the memorialization of this Resolution.

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

A motion in the affirmative as requested

Offered:	Acting Chairman Weilheimer	Ayes: 5 (Mr. Viridi, Mr. Weilheimer, Ms. DiGrande, Dr. Adler, & Mr. Powers)
		Nays: 0
Second:	Ms. DiGrande	Absent: 4 (Mr. Solon, Mr. Zwerin, Chairman Shapiro, & Mr. Yozzo)
		Recused: 0

Z.B. 17-6620 AALKB 8M, LLC I - Continued Public Hearing for a Bulk Variance to build a new two-story single family dwelling on undersized lot on unimproved streets, located at 4 Thomas Lane, Block 104, Lot 8 in the R-30/20 zone.

Dante Alfieri, Esq. (Applicant’s Attorney) gave a brief synopsis of the application. Mr. Alfieri stated the Applicant proposes to construct a two-story dwelling on the property with a paved driveway along Thomas Lane. The proposed dwelling is to be serviced by municipal water and sanitary sewer systems via connection to existing mains within Thomas Lane. The subject site is an undersized lot.

Anna Safonous (Applicant’s Realtor) was sworn in and provided a brief background of the property.

Bruce Jacobs, P.E., P.P. (Applicant’s Engineer and Planner) was sworn in and gave testimony. Mr. Jacobs stated that the Applicant was seeking to construct a new two-story single family home without a basement. Mr. Jacobs stated that the Applicant did not intend to pave any of the unimproved roads in the area. Mr. Jacobs noted that the Applicant would execute a Deed stating that the Township would not have any responsibility for the unimproved road area. Mr. Jacobs further noted that the Applicant would perform soil borings to provide to the Board Engineer.

PUBLIC - Charlie Wilsokow of 12 Thomas Lane, stated that he has drainage issues on his property which he suspects are associated with the subject property.

The Board also specifically discussed a report issued by Chris Weltner, who is the Fire Official for the Township of Marlboro. The report is dated September 28, 2017 and states in its “requirements” section that the Applicant should install and maintain approved Fire Lanes on Thomas Lane, for emergency service access per Fire Bureau requirements, Section 503.1. Mr. Alfieri stated that the Applicant would decline to follow the statements contained in the requirements section of the Fire Official’s Report. Mr. Jacobs stated that the following existing non-compliant conditions exist on the subject site:

Section 220-54C (Table II) — The minimum required lot area is 20,000 square feet; 15,849 square feet is provided. Section 220-54C (Table II) — The minimum required lot depth is 150 feet for a corner property; 84.1 feet is indicated as provided. Section 220-54C (Table II) — The maximum density permitted is 1.16 lots per acre; 4.20 lots per acre is existing and proposed utilizing the upland area only for the property. Section 220-54C (Table II) — The minimum required lot frontage is 150 feet for a corner property; 18.4 feet is provided along Elizabeth Street. Section 220-165C — Each lot must front upon an approved public street at least 50 feet in width; 40 feet right-of-way is provided for Elizabeth Street and 20 feet is provided for Thomas Lane and both roadways are unimproved. Mr. Jacobs then stated that the Applicant was also requesting the following bulk variance relief: Section 220-54 (Table II) - The minimum required front yard setback is 30 feet; 24.4 feet is proposed along Thomas Lane to the dwelling. Section 220-54C (Table II) - The minimum required rear yard setback is 50 feet; 41.5 feet is proposed along the easterly property line. Mr. Jacobs then further stated that the Applicant was also requesting the following design waiver relief: Section 220-169A (3) – The upper driveway pavement course shall consist of 2 inches minimum of FABC Mix 1-5 Asphalt and the lower driveway course shall consist of a minimum of 3 inches bituminous stabilized base course Mix 1-2 Asphalt; a 6 inch dense aggregate sub-base is proposed.

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

A motion to deny as requested

Offered:	Acting Chairman Weilheimer	Ayes: 5 (Mr. Viridi, Mr. Weilheimer, Ms. DiGrande, Dr. Adler, & Mr. Powers)
		Nays: 0
Second:	Ms. DiGrande	Absent: 4 (Mr. Solon, Mr. Zwerin, Chairman Shapiro, & Mr. Yozzo)
		Recused: 0

RESOLUTIONS

Z.B. 18-6647 Eugene Shvartsburd - Memorialization of Resolution granting a Bulk variance to construct a pool code fence in second front yard set-back seven feet from property line, where a setback of 20 feet from property line is required, located at 3 Baldwin Ave, Block 125, Lot 4.01 in the R-30/20 zone

A motion in the affirmative

Offered:	Dr. Adler	Ayes: 2 (Dr. Adler, & Mr. Powers)
		Nays: 0

Second: Mr. Powers Absent: 2 (Mr. Zwerin, Chairman Shapiro, & Mr. Yozzo)
Recused: 0

Z.B. 18-6649 Srinivasa Rao Guddeti - Memorialization of Resolution granting a Bulk Variance to construct a two story addition to a one story 1,387 sq. ft. house, to have a total proposed dwelling area of 4,676 sq. ft., located at 5 Laurel Lane, Block 268 Lot 31, in the R-80 zone

A motion in the affirmative

Offered: Dr. Adler Ayes: 3 (Ms. DiGrande, Dr. Adler, & Mr. Powers)
Nays: 0
Second: Mr. Powers Absent: 2 (Mr. Zwerin, Chairman Shapiro, & Mr. Yozzo)
Recused: 0

APPROVAL OF THE SEPTEMBER 12, 2017 ZONING BOARD OF ADJUSTMENT MINUTES

A motion in the affirmative as requested

Offered: Dr. Adler Ayes: 3 (Mr. Viridi, Dr. Adler, & Mr. Powers)
Nays: 0
Second: Mr. Viridi Absent: 2 (Mr. Zwerin, & Chairman Shapiro)
Recused: 0

A motion to adjourn was offered by Acting Chairman Weilheimer, seconded by Dr. Adler.

*Respectfully submitted
Jennifer Bajar*