

MARLBORO TOWNSHIP ZONING BOARD

July 24, 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

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 ... {8} MR. SOLON, MR. VERDI, MR. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO, DR. ADLER, MR. POWERS and MR. YOZZO

ABSENT... {1}, MS. DiGRANDE,

MR. SOLON arrived at 7:48 pm.

PROFESSIONALS PRESENT...MR. JOHN MILLER, ESQ. AND LAURA NEUMANN, P.E.

A motion to approve the minutes of April 10, 2018 was offered by Chairman Shapiro, seconded by Dr. Adler. In favor: Mr. Weilheimer, Chairman Shapiro, Dr. Adler, Mr. Powers, & Mr. Yozzo.

A motion to approve the minutes of May 8, 2018 was offered by Chairman Shapiro, seconded by Mr. Powers. In favor: Mr. Zwerin, Chairman Shapiro, Dr. Adler, Mr. Powers, & Mr. Yozzo.

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

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 at applicant's request, to October 23, 2018 without further notice to property owners.

Z.B. 18-6646 GHM Properties, LLC - Public Hearing for a Bifurcated 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 October 9, 2018 due to improper notice. Applicant will re-notice property owners.

Z.B. 18-6657 Eric & Janine Zaslavsky - Public Hearing for a Bulk variance to construct a 512 sq. ft. in-ground pool, associated pool patio and fence within 100 feet of the top of bank of stream and to keep spa/hot tub in existing location, located at 24 Goshawk Court, Block 171.02, Lot 7 in the RSCS zone.

The Applicants are seeking bulk variance relief to construct a fence-enclosed in-ground swimming pool with a concrete walk/patio within the rear yard area and to retain the existing hot tub/spa facility.

Eric Zaslavsky (Applicant) was sworn in and gave testimony. Mr. Zaslavsky stated that he wishes to construct an in-ground swimming pool with a concrete walk/patio surround. Mr. Zaslavsky also sought to legitimize the existing spa/hot tub. Mr. Zaslavsky, therefore, requested the following variance relief: Section 220-35D(1)(a) - No structure shall be built within 100 feet of the top of bank of a stream or other body of water; the proposed in-ground swimming pool is indicated as proposed within 100 feet of a top of bank. Section 220-140C - The minimum distance between an accessory building or structure and any other building(s) on the same lot shall be 20 feet; zero feet appears provided as an existing condition between the spa/hot tub facility and the dwelling.

Laura Neumann, P.E., P.P., Board Engineer and Planner stated that a lot line adjustment was previously approved by the Township Planning Board but that the subdivision plan had yet to be filed with the Monmouth County Clerk. Ms. Neumann added that permit(s) application pertaining to the proposed swimming pool & patio, could not be issued until the subdivision plan is filed and recorded, Mr. Zaslavsky agreed.

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

A motion in the affirmative as requested

Offered: Chairman Shapiro Ayes: 5 (Mr. Verdi, Mr. Zwerin, Mr. Weilheimer,
Chairman Shapiro, & Dr. Adler)
Nays: 0
Second: Mr. Zwerin Absent: 1 (Ms. DiGrande)
Recused: 1 (Mr. Solon)

Z.B. 16-6583 Marlboro Muslim Cemetery, Inc. - Public Hearing for Use Variance and Amended Site Plan approval requesting to construct a 20' x 30' equipment shed and to utilize a separate section for smaller graves for babies where sixty-five already exist and where another one hundred and thirty-five plots are proposed, located at 340 Spring Valley Road, Block 146 Lot 48, in the LC zone

Salvatore Alfieri, Esq. introduced the application to the board. Mr. Alfieri explained that the Applicant is seeking approval to keep sixty-five plots for the babies with one hundred additional plots for future use, and to construct a 20'x30' shed to store the necessary equipment for the site.

Michael Geller, P.E., P.P., was sworn in and gave testimony. Mr. Geller gave a brief description of the subject property. Mr. Geller submitted into evidence, a series of two color photos of subject property, taken by Mr. Geller on 7/24/18, marked in as A-25.

Laura Neumann, P.E., Boards Engineer, asked why the Applicant expanded on the burial location without permission of the board, and why is that area appropriate for graves?

Mr. Geller couldn't answer as to why the Applicant didn't come back to the board for approvals to expand of the burial site. Mr. Geller stated that no additional trees will be removed

Mr. Alfieri stated the operations will not change; time, location, employees will not change from the original approval.

Mr. Geller stated an architectural plans was submitted for the equipment shed, which shows a 20'x30' shed, 20' high to the peak, a gable shed. He also stated that no utilities are proposed except electrical service. The type of equipment will be that of what is associated with the operation of the cemetery.

Chairman Shapiro asked for clarification that the Applicant is seeking approval for the additional burial locations for the infants to be located within the area that was previously approved. Mr. Alfieri replied, "understood".

Mohammad Mosaad was sworn in and gave testimony. Mr. Alfieri asked what the shed would be

used for. Mr. Mosaad stated that the lawn equipment and excavator would be stored within the shed. Mr. Alfieri asked if the trailer has been removed. Mr. Mosaad stated that it has been removed. Mr. Alfieri asked why the 65 infants were buried in the unapproved section. Mr. Mosaad stated, it's what has been done in other cemeteries. Mr. Alfieri asked Mr. Mosaad if he would comply with all the conditions moving forward, Mr. Mosaad stated he would. Mr. Mosaad agreed to only bury within the approved locations on the site.

Chairman Shapiro expressed his concerns with the Applicant not following the conditions of the Resolution. Mr. Alfieri asked to carry the application.

Application to be carried to October 23, 2018 without further notice to property owners.

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

Respectfully submitted
Jennifer Bajar