

MARLBORO TOWNSHIP ZONING BOARD

October 9, 2018

---

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

SALUTE TO THE FLAG

CHAIRMAN MICHAEL 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: VERDI, ZWERIN, WEILHEIMER, ADLER and CHAIRMAN SHAPIRO,

ABSENT: SOLON, DiGRANDE, POWERS, and YOZZO

PROFESSIONALS PRESENT: LAURA NEUMANN, P.E., & STEVE TOMBALAKIAN, ESQ.

A motion to approve the minutes of April 24, 2018 was offered by Chairman Shapiro, seconded by Mr. Zwerin. In favor: Viridi, Zwerin, Mr. Weilheimer, Adler, and Chairman Shapiro. Absent: Solon, Digrande, Powers, and Yozzo.

PUBLIC SESSION - There was no one who wished to speak.

Z.B. 18-6665 David Jones - Public Hearing requesting Certification of Pre-existing non-conforming use for Davy Jones Paving, an auto repair garage and a residential rental on same lot, and Appeal of Zoning Officer's Decision, located at 184 Texas Road, Block 108, Lot 3 in the LC zone.

Application to be rescheduled to November 27, 2018, Applicant will re-notice to property Owners.

Z.B. 18-6664 Anthony & Jeannine Agositno - Public Hearing to construct an outdoor kitchen with a covered patio and to keep a driveway built within five feet from side property line, located at 64 Devonshire Drive, Block 171, Lot 84 in the LC zone.

Anthony Agositno & Jeannine Agositno were sworn in. Jeannine Agositno testified that her and her husband are seeking variance relief to construct an outdoor kitchen with covered patio and allow the existing driveway to remain in its as-installed location within the five foot setback required by Section 220-35C(4).

The Board discussed various exhibits and reports with regard to this application. In response to the Board's inquiries, Mr. & Mrs. Agositno agreed to modify the proposed improvements to reduce the height of the proposed knee wall to 30-inches for safety reasons, and to submit architectural plans when building permits are sought for these improvements. They agreed to complying with all recommendations provided by the Township Engineer..

Public Hearing opened.

There were no members of the public who wished to speak.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Boardmember Adler. In favor Virdi, Zwerin, Weilheimer, Adler and Chairman Shapiro. Absent: Solon, DiGrande, Powers, and Yozzo.

Z.B. 18-6661 Renee & Aby Buchbinder - Public Hearing to construct a first floor addition and an addition of a raised rear deck with a patio beneath it, located at 15 Bennett Court, Block 331, Lot 62.07 in the R-20 zone.

Mr. Buchbinder testified that they were seeking bulk variance relief in order to construct the described kitchen expansion and second story deck to their existing 2-story single family home. He said that the proposed addition would enlarge their existing kitchen by approximately 61 square feet so that her family could have an improved breakfast area within an eat-in kitchen. The deck would also provide cover for the existing patio.

Donald Passman, R.A., (Applicants' architect) was sworn in testified concerning the design rationales for the proposed addition and deck. The deck would cover an existing walk-out basement that leads to an existing patio space. The home was designed to permit a future deck, but it was never constructed. The deck structure would permit the installation of an outdoor kitchen within the confines of the existing patio space, with stairs provided to connect to the lower level and that the proposed improvements would result in lot coverage exceeding the maximum permitted, requiring a variance. He said that the

proposed revision would open up the proposed barrier wall beneath the deck. He agreed with the Board Engineer that a taller 42" railing would provide a safer and more preferable barrier when compared to the originally proposed 36" railing height, and they would modify the railing height accordingly.

Lorali E. Totten, P.E., (Applicant's engineer) testified that the proposed improvements allowing an exterior kitchen and improved breakfast space were entirely consistent with amenities now enjoyed by neighboring property owners. The proposed improvements were modest in scope and that the additional coverage would not result in any detriment to the neighborhood. In order to mitigate any impact associated with increased runoff caused by the increased lot coverage, drywells are proposed for additional runoff by connecting the newly installed roof leaders. The proposed condition would result in less runoff than the present condition.

Public Hearing opened.

There were no members of the public who wished to speak.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Boardmember Adler. In favor Virdi, Zwerin, Weilheimer, Adler and Chairman Shapiro. Absent: Solon, DiGrande, Powers, and Yozzo.

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.

Salvatore Alfieri, Esq. (Applicant's Attorney) introduced the application to the board.

Joshua Sewald, P.E., (Applicant's Engineer) was sworn in and testified that the plan is conceptually laid-out, and further described the subject property and the surrounding neighborhood. He said that the proposed building will be 13,883 sq. ft., over one hundred rooms, and it meets the setback requirements, other than the porte-cochere that is 31.5' set back facing the route 9 area. Most of the activity will be in the front of the subject property, with a single driveway off Willow Lane. The plan provides 121 parking spaces, where the township ordinance requires 113, and the parking stalls are 10'x 20', and meet township ordinance. The drive aisles are proposed at 24' around three sides, where 25' is required and stated they can comply with the ordinance. Mr. Sewald stated the applicant would need

to return to the board for site plan approval if the application is granted.

Public Hearing opened.

Norman Kushner of 31 Willow Lane had concerns with the noise that may come from the subject site.

Howard Churgin of 10 Rosen Drive requested the applicant confirm the height of the proposed building. Mr. Sewald stated the proposed building height will be 49.6' to the top of the parapet.

Dean Mandel of 17 Rosen Drive had concerns with the traffic that will be generated by the proposed application.

Frank Feather of 3 Pin Oak had concerns with the drainage runoff from the subject property.

Mr. Sewald stated the plan provides a fifty foot buffer.

Chairman Shapiro reminded the audience, the application is Bifurcated and the board is only hearing the use, not the site plan. The Applicant would be required to return to the board for site plan approval.

Thomas Cilmi of 4 Willow Lane had concerns with ground water being affected by the subject property, and asked if any studies have been performed.

Mr. Sewald stated that they haven't submitted a drainage plan, and explained to Mr. Cilmi, the application is Bifurcated, and the board is only hearing the use, not the site plan. If the application is approved, a full drainage report will be submitted.

Douglas Gibson of 19 Bartram Road asked if the hotel would have a restaurant or a banquet hall with in the building.

Faith Vidolin of 11 Hoffer Court had concerns with building height and setbacks.

Jim Sullivan of 22 Rosen Drive asked what percentage of the ground will be covered with impermeable surfaces.

Mr. Sewald stated existing impervious 8.13%, proposed 74.7%.

Mr. Sullivan asked about the underground storage tanks to collect water runoff, and would like to know the capacity.

Mr. Sewald reiterated the Applicant is before the board only for the use. Mr. Sewald stated that if the application is approved, a full drainage report will be submitted reflecting the system will be able to maintain the drainage from the subject property.

Jason Brichkin of 8Rosen Drive requested confirmation that the board wasn't voting on this application tonight.

Rich Gandhi 25 Glenn Oaks Ct. Old Bridge, NJ (Principal of GHM Properties, LLC/Applicant) testified that he is the owner/operator of multiple locations from Boston to D.C and that GHM Properties would be in charge of operations. He stated the hotel would not have a restaurant. He stated the hotel will only have one small meeting room that can accommodate ten to twelve people and that the franchises does require a designated meeting room. There would not be a bar but it will have a breakfast area as every brand requires a breakfast area.

Jodi Puma of 5 Hoffer Court asked about the expected capacity of the hotel.

Mr. Gandhi responded approximately 80%.

Michael Vidolin of 11 Hoffer Court asked if the hotel would have a restriction with having alcohol in the breakfast area of the hotel.

Mr. Gandhi responded that the breakfast area is only open during morning hours and it is only available to registered guest.

Judy Kushner 31 Willow Lane had concerns with unsupervised under-aged children staying in the hotel. She asked how the hotel employee would differentiate a hotel guest from any other individual walking in off the street requesting alcohol.

Mr. Gandhi responded the employee would request the registered guest to provide their name and room number prior to selling them alcohol.

Jason Brichkin of 8Rosen Drive asked about the number of hotels Mr. Gandhi operates.

Mr. Gandhi responded six locations. Mr. Brichkin inquired about the security of the hotel. Mr. Gandhi responded that all the doors are locked.

Dean Mandel of 17 Rosen Drive asked about the price point was for

the rooms in the proposed hotel and what limit of time to stay on location.

Mr. Gandhi responded that you can stay for an entire month if you choose, and rooms rent for \$150.00 and up per night.

Sailaja Bommasani of 9 Hoffer Court\_ asked why did they choose this location for the hotel.

Mr. Gandhi responded he liked the site, and it was available for purchase.

Howard Churgin of 10 Rosen Drive had concerns with the traffic cutting through the residential development off Willow Lane.

Jason Brichkin of 8Rosen Drive had concerns with the traffic.

Ken Kaplan of 21 Rosen Drive asked if Mr. Gandhi has done a financial feasibility statement for this location.

Mr. Gandhi responded he did.

Application to be carried to December 11, 2018 without further notice to property owners.

Z.B. 18-6663 Anthony Cioffi & Jennifer Dalcamo - Memorialization of Resolution granting a Bulk Variance.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Boardmember Zwerin. In favor: Zwerin, Adler and Chairman Shapiro. Absent: Weilheimer, DiGrande and Powers.

Z.B. 18-6662 Katherine Hede - Memorialization of Resolution granting a Bulk Variance.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Boardmember Zwerin. In favor: Zwerin, Adler and Chairman Shapiro. Absent: Weilheimer, DiGrande and Powers.

A motion to adjourn was offered by Chairman Shapiro, seconded by Mr. Zwerin.

Respectfully submitted,

Susan A. Branagan