

**MARLBORO TOWNSHIP ZONING BOARD**

**March 26, 2019**

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**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 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... MR. SOLON, MR. VERDI, MR. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO, MS. DiGRANDE, MR. POWERS, and MR. YOZZO**

**PRESENT ... {7} MR. SOLON, MR. VERDI, MR. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO, MS. DiGRANDE, and MR. POWERS**

**ABSENT... {1} MR. YOZZO**

**PROFESSIONALS PRESENT... MS. LAURA NEUMANN, P.E., ROBERT NASH P.E., & MR. CUCCHIARO, ESQ.,**

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

**Z.B. 16-6583 Marlboro Muslim Cemetery, Inc.** – Continued 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

*Application carried to April 30, 2019 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.

*The Board received notice this application has been withdrawn.*

**Z.B. 19-6678 Alice & Samuel Rein** - Public Hearing for Bulk Variance to keep amenities (patio and walks) built during the construction of an in-ground pool which require a variance for exceeding principal building, and total lot coverage, located at 145 Micki Drive, Block 306, Lot 2, in the R-20 zone.

Samuel Rein was sworn in and gave testimony. Mr. Rein testified through the process of selling his home, it was brought to his attention that he exceed the permitted lot coverage. Mr. Rein stated the following improvements were made, an in-ground swimming pool with patio, and a deck. Mr. Rein stated the footprint of the house and the circular paved driveway were completed by the builder of the home. At the time the house was built, the property was almost at maximum allowance.

Laura Neumann P.E., P.P., (Board Engineer) stated she has reviewed the application and takes no exception to the relief request

**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: 7 (Mr. Solon, Mr. Viridi, Mr. Zwerin, Mr. Weilheimer, Chairman Shapiro, Ms. DiGrande, & Mr. Powers)
		Nays: 0
Second:	Ms. DiGrande	Absent: 0

**Z.B. 19-6674 Paul Triolo** - Public Hearing for Bulk Variance to construct a 2,767 sq. ft., two story residential home on an undersized, flag lot., located at Greenwood Road (Morganville), Block 111, Lot 31, in the R-60 zone.

Salvatore Alfieri Esq. introduced the application to the board. Mr. Alfieri testified he sent Buy Sell letters via certified mail to the neighboring properties and haven't received any responses.

Mr. Alfieri stated the Applicant is seeking Bulk Variance approval to construct a 2-story dwelling with associated patio(s)/deck(s), and a 20 foot wide paved driveway along the Greenwood Road site frontage within the staff portion of the flag lot. The subject property is to be serviced by municipal water and sanitary sewer systems within Greenwood Road.

Marc Leber, P.E., P.P. (Applicant's engineer and planner) was sworn in and gave testimony. Mr. Leber stated that the subject property is undersized. Mr. Leber described the parcel as being vacant and wooded and explained that the Applicant was seeking to construct a single-family dwelling. He stated that the following variance relief was required: Section 84-49C(*Table I*) – The minimum required lot area is 60,000 s.f.; 36,633 s.f. is indicated as provided. Section 84-49C(*Table I*) – The minimum required lot frontage is 225 feet; 50 feet is provided along Greenwood Road. Section 84-49C(*Table I*) – The minimum required lot width is 225 feet; approximately 84 feet is provided within the rear, non-staff portion of the property. Section 220-165B – Insofar as is practical, side lot lines shall not deviate more than 10 degrees from the right angle to a straight street; the existing side property lines along the staff portion of the property deviate more than 10 degrees from perpendicular to the Greenwood Road right-of-way line. Section 220-165C – Each lot must front upon an approved public street at least 50 feet in width; a 41.5 foot wide right-of-way appears provided at the Greenwood Road site frontage. We note also that a 10 foot wide right-of-way, indicated as Mackey Lane, borders the rear portion of the property along the northerly property line.

Section 84-49C(*Table I*) – The minimum required side yard is 50 feet; 20.3 feet is proposed to each side property line. Section 84-49C(*Table I*) – The maximum percentage of total lot coverage permitted is 15%; approximately 23.9% is proposed. Section 84-140D(*Table I*) – The maximum percentage of lot coverage permitted for a principal building within an R-60 Zone shall be 6%; approximately 7.5% is proposed. Mr. Leber then stated that there was a slight incursion from a neighboring property onto the subject property which provided access to a side entrance on that property.

Paul Triolo was sworn in and gave testimony. Mr. Triolo testified the incursion on the subject property were steps to a neighboring house. Mr. Triolo agreed that there would be no access to Mackey Lane and that a plot plan would be submitted concerning drainage.

***PUBLIC*** - Mark Schneider of 52 Greenwood Road stated he had some concern regarding the proposed 20 foot setback to his property line. Mr. Triolo agreed to provide landscaping between the home to be constructed on the subject property and Mr. Schneider's property subject to the review and approval of the Board's professionals. Mr. Triolo further agreed that the entire driveway would be paved.

Ms. DiGrande had concerns whether a firetruck would have proper access. Ms. Neumann stated a 20 foot wide driveway would be sufficient.

***A motion in the affirmative as requested***

Offered: Chairman Shapiro Ayes: 7 (Mr. Solon, Mr. Viridi, Mr. Zwerin,  
Mr. Weilheimer, Chairman Shapiro,  
Ms. DiGrande, & Mr. Powers)  
Nays: 0  
Second: Mr. Zwerin Absent: 0

**Z.B. 18-6670 Tennent Road Wash & Lube, LLC** - Public Hearing for a Use variance to allow a carwash and lube in the C-2 Neighborhood Commercial zone, located at 6 Tennent Road Block 122, Lot(s) 33 in the C-2 zone.

Matthew Weilheimer recused himself from this Application and stepped down.

Mr. Cucchiaro asked if there were any Attorneys in the audience with regard to the application. Marc Cohen on behalf of Howard Heise (22 Tennent Road neighboring property owner)

Martin Powers stated he is the neighbor of Mr. Heise (objector) and asked if he needs to recused himself from this application.

*Chairman Shapiro called a recess to discuss Mr. Powers eligibility.*

Mr. Cucchiaro confirmed, Mr. Power needs to recuse himself from this application.

Marc Policastro Esq. called David Cranmer, P.E. (Applicant's Engineer) up to testify

David Cranmer, P.E. was sworn in and gave testimony. Mr. Cranmer introduce exhibit A-28 colorized rendering of the Variance Plan dated 1/21/19 with landscape added to it, as well as reduced version of the same to distribute to the Board.

Mr. Cucciaro asked if Ms. Neumann had an opportunity to review the landscaping. Mr. Cranmer stated the landscaping is not intended for a full review, that will occur during a future site plan application, if the Board acts favorable.

Mr. Cranmer described the subject property. Mr. Cranmer stated the parcel is irregularly shaped. Situated on the north side of Tennent Road, in the C-2 zone. The lot has an area of 38,084 sq ft. Minimum required lot area in the C-2 zone is 3 acres, where 0.87 acres exists. The subject property 150 feet of frontage, where 300 feet is required. A lot width of 135 feet where 300 feet is required. The parcel is currently vacant. It was formally occupied by a two story residential dwelling, which has been demolished for an office building, previously approved by the Planning Board in 2014. Mr. Cranmer further testified the Applicant is seeking approval for a use variance for an exterior express carwash and lube. No interior detailing, nor extended vehicle maintenance will be performed on premise. Four self-serve vacuum units located along

the easterly property line.

Chairman Shapiro asked Mr. Cranmer if the Applicant is proposing to create a walk path from the subject property to the adjoining lot. Mr. Cranmer testified “that is correct”. Mr. Cucchiaro asked if the anticipation of cars parking on the adjoining lot and walk over. Mr. Cucchiaro further asked if there was an agreement or easement between parties. Mr. Cranmer testified “yes”. Mr. Cucchiaro stated the other lots need to be part of this Application and requires notice.

*Chairman Shapiro called a recess.*

Mr. Cucchiaro has concluded this application requires re-notice to include the additional lots.

*Application carried to April 30, 2019 with notice to property owners.*

## **RESOLUTIONS**

**Z.B. 19-6673 Joseph & Jenna Corrado** - Memorialization of Resolution granting a Bulk Variance to construct a new covered front porch which will go into the front yard setback, located at 306 Clare Court, Block 119.03, Lot 2, in the RSCS zone.

*A motion in the affirmative as requested*

Offered: Chairman Shapiro                      Ayes: 3 (Mr. Zwerin, Ms. DiGrande, & Mr. Powers)

Second: Mr. Zwerin                              Nays: 0  
Absent: 0

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

*Respectfully submitted*  
*Jennifer Bajar*