

MARLBORO TOWNSHIP ZONING BOARD

August 11, 2020

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD HELD REMOTELY WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN MICHAEL SHAPIRO AT 7:30 P.M.

SALUTE THE FLAG

CHAIRMAN MICHAEL SHAPIRO OPENED UP THE MEETING AND ANNOUNCED THAT PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, NOTICE OF THIS REGULARLY SCHEDULED MEETING OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF MARLBORO WAS SENT TO THE ASBURY PARK PRESS, THE STAR LEDGER, NEWS TRANSCRIPT ON MAY 8, 2020; PUBLISHED IN THE ASBURY PARK PRESS ON May 11, 2020; POSTED IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE OFFICE OF THE MUNICIPAL CLERK AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

PRESENT: MS. DIGRANDE, Mr. LEVIN, MR. POWERS,
Mr. WEILHEIMER, MR. ZWERIN AND CHAIRMAN SHAPIRO

ABSENT: MR. SOLON, MR. VIRDI, MR. Yozzo

PROFESSIONALS PRESENT: MS. LAURA NEUMANN, P.E., & RONALD D. CUCCHIARO, ESQ.

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

Chairman Shapiro moved that the minutes of June 9, 2020 be adopted. This was seconded by Board member Levin, and passed on a roll call vote of 6 - 0 in favor.

Chairman Shapiro moved that the minutes of July 14, 2020 be adopted. This was seconded by Board member Zwerin, and passed on a roll call vote of 6 - 0 in favor.

ZB: 20-6712 Jennifer Bajar- Public Hearing for applicant seeking to amend the Use Variance, specifically Condition #4 of the August 14, 2002 Resolution stipulating operator of business is required to reside in residence on property. The applicant also requests approval to reconstruct the existing 30 foot by 63 foot outbuilding located 282 Tennent Road, Block 172, Lot 45.

The Board took jurisdiction and entered evidence A-1 through A-26.

The Applicant is seeking an amended Use Variance to have condition # 4 lifted. The #4 requirement is that the house located on the property be owner occupied. Presently on the property are businesses that are allowed within the IOR Zone. The Applicant was sworn in, and testified she will in the future possibly look to sell the property or lease it if the owner occupancy restriction is lifted. The Applicant is looking to reconstruct an existing 30 foot by 63 foot out building. The building will have electricity but no water and will not be used for residency. The applicant would like to ensure that the business can operate within the hours of 7:00a.m.-7:00p.m. There will be no change to the signage at the property.

Public Hearing opened.

There was no one who wished to speak.

Public Hearing closed.

The Board received, reviewed, and considered various exhibits and reports with regard to this application.

The applicant agreed to comply with all of the conditions proposed by the resolution.

A motion was offered by Chairman Shapiro and 2nd by Mr. Zwerin, to grant an Amended Use Variance, and passed with a roll call of 6-0. Approve: Ms. DiGrande, Mr. Powers, Mr. Weilheimer, Mr. Zwerin and Chairman Shapiro.

ZB: 09-6371A TDA Capital, LLC. - Public Hearing of Applicant seeking an amended Site Plan approval to widen the driveway/parking area aisle along the front of the building from previously approved 28 foot wide to 38 foot wide, located at 144 Tennent Road, Block 147, Lot 28.02, within the C2 Zone.

The Board took jurisdiction and entered evidence A-1 through A-24.

Appearing for the Applicant, Dante Alfieri, Esq., William Trochiano, owner and Jose Betances. All were sworn in. Mr. Alfieri testified that the Applicant is seeking an Amended Site Plan to widen the driveway from 28 feet to 38 feet.

Mr Trochiano, testified that this request is to accommodate an ability for trucks to have more maneuverability within the property. As per the owner there will be no impact on grading or landscaping. Jose Betances, Engineer testified that there is no impact to grading, impervious lot coverage is below the 60% allowed, no impact to basin spillage or to the buffer. There will be no negative impact to the community. There will be nothing stored outside on this driveway.

Public Hearing opened.

There was no one who wished to speak.

Public Hearing closed.

The Board received, reviewed, and considered various exhibits and reports with regard to this application.

The applicant agreed to comply with all of the conditions proposed by the resolution.

A motion was offered by Chairman Shapiro and 2nd by Mr. Zwerin, to grant a Bulk Variance Relief, and passed with a roll call of 6-0. Approve: Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Weilheimer, Mr. Zwerin and Chairman Shapiro.

ZB: 20-6704 MDLN Corporation "Smart Start Academy" -Public Hearing of Applicant seeking a Use Variance to operate a school within the existing complex, located at 165 Amboy Road, Block 178, Lots 293 & 294 within the IOR Zone.

The Board took jurisdiction and entered evidence A-1 through A-27.

Dante Alfieri, Esq. represented the client with Ms. Christine Nazzarro- Cofone and Applicant Inna Kotsubey testifying. All were sworn in.

The applicant is requesting a Use Variance to permit operation of a school that serves K-5. Presently the site operates a licensed Day Care that serves children from 18 months to 5 years. The NJ State license permits children from ages 0-13. They presently have 10 children in day care and 40 in day camp. The site is licensed to have up to 127 children. There is no aftercare, the hours of operation are 6:30 a.m.-8:00 p.m. Monday- Friday. The facility provides meals, has an outdoor play area and has parking for parents to drop off and pick up their

children. There will be no additional signage. There are presently 10 staff members but license permits up to 15. Ms. Christine Nazzarro-Cofone testified that in her opinion there is no detrimental impact to the community, there is a security system, adequate parking and will be an asset to the community.

There was no one who wished to speak.

Public Hearing closed.

The Board received, reviewed, and considered various exhibits and reports with regard to this application.

The applicant agreed to comply with all of the conditions proposed by the resolution.

A motion was offered by Chairman Shapiro and 2nd by Mr. Levin, to grant a Use Variance, and passed with a roll call of 5-0. Approve: Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Zwerin and Chairman Shapiro.

Mr. Weilheimer recused himself from the hearing

ZB: 19-6702 Ashkhen Tadevosyan- Memorialization of a Resolution for a Bulk Variance

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Powers. In favor: Ms. DiGrande, Mr. Powers, Mr. Levin, Mr. Zwerin and Chairman Shapiro.

ZB: 19-6698 Bubble Works Auto Spa - Memorialization of a Resolution for an Amended Site Plan Use Variance relief.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Levin. In favor: Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Zwerin, and Chairman Shapiro.

ZB: 18-6670 Tennent Wash & Lube, LLC -Memorialization of a Resolution for a Preliminary and Final Site Plan and Bulk Variance.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Levin. In favor: Ms. DiGrande, Mr. Levin, Mr. Zwerin, and Chairman Shapiro.

A motion to adjourn at 8:58 p.m. was offered by Chairman Shapiro, seconded by Mr. Levin. One vote was cast.

Respectfully submitted,

Suzanne Rubinstein