

MARLBORO TOWNSHIP ZONING BOARD
October 25, 2022

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY CHAIRMAN SHAPIRO at 7:42 p.m.

SALUTE THE FLAG

CHAIRMAN 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 PUBLISHED IN THE ASBURY PARK PRESS; 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: MR. POWERS, MR. MANKES, MR. ROYCE, Mr. WEILHEIMER, MS. DIGRANDE, MR. LEVIN AND CHAIRMAN SHAPIRO

ABSENT: MR. SOLON, MR. VIRDI

PROFESSIONALS PRESENT: LAURA NEUMANN, RON CUCCHIARO, ESQ.

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

Chairman Shapiro moved that the minutes of October 11, 2022, be adopted. This was seconded by Board Member Mankes, and passed on a roll call vote of 5 - 0 in favor.

Z.B.22-6781 Crusal, LLC.- Continued Public Hearing seeking Preliminary and Final Site Plan and Use Variance to construct a 1000sf commercial building and a 2300 sf addition to a single family home located at 32 Tennent Road, Block 121, Lot 2.01 within the C-2 Zone.

The Board took jurisdiction and entered exhibits A1-A-25

Salvatore Alfieri represents the applicant.
The applicant presented their plans and testimony at the September 13, 2022 meeting.
Mr. Alfieri is calling for a vote this evening.

Mr. Levin and Ms. DiGrande submitted affidavits that they listened to the tape and are eligible to vote.

A motion to approve Preliminary and Final Site Plan and Use Variance was offered by Chairman Shapiro and 2nd by Mr. Mankes.

Approve- Mr. Mankes, Mr. Levin, Mr. Royce, Ms. DiGrande and Chairman Shapiro.
Mr. Powers voted no.

Z.B 22-6785 Gordon's Corner Water- Continued Public Hearing seeking Use Variance approval to construct a new 2 million gallon, 120 foot tall standpipe water storage tank with additional improvements to the site located at 9 Mohawk Drive, Block 362, Lot 4 within the R-80 Zone. Application is being carried to January 24, 2023 with no new noticing.

Z.B. 22-6787 Futerman/Johnson -Public Hearing seeking a Bulk Variance to maintain the existing basketball court located in the rear yard, located at 7 Algonquin Drive, Block 312, and Lot 5 within the R-20 zone

The Board took jurisdiction and entered exhibits A1-A-19

Mr. Levin and Mr. Royce have recused themselves.

Mr. Eric Futerman represented himself. He is requesting a bulk variance for a preexisting basketball court. Mr. Futerman recently bought the home, and it was determined through the CCO process that the basketball court was never permitted. The basketball court is 6 feet from the property line where the requirement is 50 feet. The home backs up to route 18, so there are no neighbors behind them. The lot coverage and total building coverage all comply with Township requirements.

Public comment Opened-
No one from the public spoke.
Public Comment Closed

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

A motion to approve Bulk Variance was offered by Chairman Shapiro and 2nd by Mr. Mankes.

Approve-Mr. Mankes, Ms. DiGrande, Mr. Powers, Mr. Weilheimer and Chairman Shapiro.

Z.B. 21-6754 Vision Marlboro, LLC- Continued Public Hearing seeking Use Variance approval to construct a storage facility consisting of three total buildings. 2, two story buildings, 1, one story office building with a new full movement driveway located at Tennent Road Block 172, Lots 58 & 59 located within the LC Zone.

The Board took jurisdiction and entered exhibits A1-A-43

Mr. Royce and Mr. Levin returned to the meeting, and Mr. Weilheimer has recused himself.

Peter Klouser-Attorney is representing the applicant.

Eric Zaslavsky- 24 Goshawk Court was concerned that he did not receive a notice for the meeting. He thought he should be notified since he spoke at the last meeting and provided videos of various issues. It was determined that he is not on the 200 foot list and is not required to receive notice.

Mr. Klouser told the board that the application has changed dramatically. They have listened to the residents' concerns and had a flood study done to investigate the concerns of the residents. The application is presently a Bi-furcated Use application. The intensity of the application has been reduced.

Loralei Totten, Engineer was still under Oath. Exhibit A-35 showed the subject property. The property is on the north side of Tennent Road across from the Eagles Nest development located at block 172, lots 58 & 59. The property is 28.29 acres. Presently there is a single family dwelling with a garage. The site has trails, Sandy Brook runs through the property to Deep Run. There are wetlands on the property and there is a 50 foot landscaping buffer. They have recently received an LOI. The property has various slopes. The property will have a septic system installed and there are utilities on the property. The property will have 4 detention basins installed, use green technology and impervious coverage for stormwater management. This system will allow the stream to flow at a slower rate than it does presently.

Yousef Portnoy- Engineer, the applicant employed Colliers Engineering to perform inspection and submit a Potential Flooding Analysis Report which is A-41. A-43 marked as Flood Hazard Plan was submitted. The flood plans are from FEMA. Mr. Portnoy conducted site visits to see if there are any

obstruction to prevent the flow into the culvert. An analysis was done of the culverts on the property going through Eagles Nest Development. The culvert under Tennent Road is the one that floods. The culvert is a sizeable one. A culvert analysis was done to see if this application will affect the culvert and present flooding on Tennent Road. The development of this parcel will not affect the flooding on Tennent Road at all. There will be no increase or decrease of flooding on Tennent Road due to this application. The stormwater management system proposed will decrease the flow to the stream. The DEP will review all plans for the site. The culvert on site may be replaced or modified during design phase if use is approved. The southern culvert on the property is not part of the FEMA plan. If approved a request to the County will be made to perform an analysis of the culvert.

Public comment Opened

Beth Bilinski-Dillion- 221 Tennent Road, has concerns regarding the flooding, reviews of culverts and the south side of the subject property.

Nitin Nagrani-2 Perregrine Drive, concerns regarding soil testing, have permits been applied for, Flood Hazard Plan and concerned as storms are getting worse, flooding will increase.

Eric Zaslavsky - 2 Goshawk Court, concerns who maintains the basins and how much water do they hold.

Naveen Sharma-19 Whistler Way, concerns regarding the culverts, will stormwater help the flooding?

Ken Short- 215 Conover Road, this development will not affect the flooding in the area, concerns should be addressed with the County.

Public Comment Closed

This application will be continued on December 13, 2022 with no new noticing.

Z.B.22-6782 Amy & Christopher McClure-Memorialization granting a Bulk Variance to maintain a 452 square foot aboveground pool attached to an existing wooden deck located at 17 Colts Run, Block 408, and Lot 15 within the PAC zone was offered by Chairman Shapiro 2nd by Mr. Mankes.

Approved by: Mr. Mankes, Mr. Royce, Mr. Powers, Mr. Weilheimer and Chairman Shapiro

Z.B. 22-6784 Linda Cruz 20 Wicker Place-Memorialization granting a Bulk Variance to construct a 2, 388 square foot 2 story single family dwelling, located at 20 Wicker Place, Block 108, and Lot 15 within the R-30/20 zone was offered by Chairman Shapiro and Mr. Mankes.

Approved by Mr. Mankes, Mr. Royce, Mr. Weilheimer and Chairman Shapiro.

A motion to adjourn at 10:03 p.m. was offered by Chairman Shapiro, seconded by Mr. Mankes. One vote was cast.

Respectfully submitted,

Suzanne Rubinstein