

MARLBORO TOWNSHIP ZONING BOARD
September 26, 2023

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY Chairman Shapiro AT 7:32 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. WEILHEIMER, MR. ROYCE, MS. DENTON AND MR. RENNER, MR. MANKES ARRIVED AT 7:52PM, CHAIRMAN SHAPIRO

ABSENT: MR. SOLON, MR. VIRDI, AND MS. ADELE SIMON-EHLIN.

PROFESSIONALS PRESENT: LAURA NEUMANN, AND RON CUCCHIARO.

PUBLIC SESSION -- NO ONE SPOKE

Chairman Shapiro, moved that the minutes of September 12, 2023, be adopted with a change requested. This was seconded by Board Member Royce, and passed on a roll call vote of 3 - 0 in favor.

Z.B. 23-6318 Caliskan- Public Hearing seeking a Bulk Variance to construct a 2nd floor addition to existing dwelling located at 196 Greenwood Avenue block 104 lot 2 in the R30/20 zone.

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

Mr. and Mrs. Caliskan were sworn in. The applicant is looking to add a second floor addition to the present home. The present home is a 2 bedroom home. The applicant will be adding bedrooms and bathrooms for family members only. There will be no rental of any rooms. The lot is undersize causing the need for the variance. The applicant is looking to add a shed with electric

for storage only. Parking at this time is sufficient. The applicant will agree to move the shed so that specific variance can be removed.

Open Public Forum opened.
No one wished to speak
Open Public Forum closed.

Motion to approve was offered by Chairman Shapiro, 2nd by Kevin Royce

Approve: Ms. Denton, Mr. Royce, Mr. Weilheimer, and Mr. Renna and Chairman Shapiro.

Z.B. 23-6818 Andriy Beltman-Public hearing seeking Bulk Variance approval for the construction of an attached garage and second floor addition, located at 183 Route 79, block 206, lot 29 within the LC zone.

The Board took Jurisdiction and entered exhibits A1- A-26

Peter Licata represented the applicant.

Patrick Laudisi, Engineer was sworn in. The applicant is looking to partially tear down the present home and add a 2 story addition with attached garage. The lot is a non-confirming site within the zone, and is undersized. A new septic system to accommodate the new size home will be installed. A paved driveway of 40 feet will be installed balance of 90 feet driveway will stone. Emergency service vehicles will be able to traverse the driveway. No stormwater management plan is in place, but if the Board decides it is needed they will install a drywell. The property has no water issues and is naturally graded. Parking is compliant with the ordinance. No tree removals needed for the house but will be needed for the driveway. Agrees to get DEP wetland delineation. There are no changes to utilities and they will all comply with all technical comments.

Mckinley Mertz, Planner was sworn in. The planner reviewed all the application, township Master Plans and Ordinances as well as did a site visit. The lot is undersize for the zone. The area is zoned for 5 acres, this lot is 1.25 acres. Adding a 2 car garage will adhere to a Township requirement of SFD. The

building will enhance the area, there are no detriments to the community.

Open Public Forum opened.
No one wished to speak
Open Public Forum closed.

Motion to approve was offered by Chairman Shapiro, 2nd by Kevin Royce

Approve: Ms. Denton, Mr. Royce, Mr. Weilheimer, and Mr. Renna and Chairman Shapiro.

Z.B. 23-6819 David & Janice Yim-Public hearing seeking Bulk Variance approval to rebuild a two story dwelling with attached garage and asphalt driveway located at 3 Hillside Terrace block 171 lot 66 in the LC zone.

The Board took Jurisdiction and entered exhibits A1 - A21

Mr. and Mrs. Yim were sworn in. The applicants purchased the home and shortly after the purchase, they had a fire in the home. At this time they have a one car attached garage and a two car unattached garage. The attached garage was severely damaged in the fire.

Jason Peist, Architect was sworn in. The applicant is in the LC zone which requires a 2 car garage, which is what they are proposing. The applicant will use the same foot print of the home when building the addition. There will be no tree removal, and are using preexisting utilities. The home has sufficient parking. A plot plan will be submitted, there is no basement, and they will adhere to all technical comments. A 20 foot wide instead of an 18 foot driveway will be installed at the Boards request to eliminate a variance.

Open Public Forum opened.
No one wished to speak
Open Public Forum closed.

Motion to approve was offered by Chairman Shapiro 2nd by Saul Mankes.

Approve: Ms. Denton, Mr. Royce, Mr. Weilheimer, Mr.Mankes, Mr. Renna and Chairman Shapiro.

Z.B. 22-6794 Outfront Media, LLC- Continued public hearing seeking a use variance to replace both faces of the existing billboard located at 1 Route 9 block 175, lot 1 within the C-4 Zone. Louis D'Arminio representing the applicant. Applicant has been before the Board for hearings and is looking to present one more expert and do a summation.

Mr. Taylor-Traffic Engineer was reminded he is still under oath. The Board had concerns that there was no fence along the median that would prevent cross walking across Route 9. Mr. Taylor contacted NJ DOT regarding the fence. A-26 was entered as E-mail from Andrew Feller of NJ DOT. Mr. Feller stated they have plans to fix the fence by 2029, but will be ok to have Outfront Media install fence as long as all proper permits are obtained.

Open Public Forum opened.

Harold Zullo 311 Timberhill Drive- concerns regarding distracted drivers.

Open Public Forum closed.

A motion to approve the Use Variance was offered by Chairman Shapiro 2nd by Saul Mankes

Approve-Mr. Mankes, Mr. Royce, and Chairman Shapiro
Deny -Ms. Denton, Mr. Weilheimer and Mr. Renna.

The Board was tied. Mr. D'Arminio offered a summation to the board and the board voted to 4-2 to revisit the application.

Approve to revisit-Mr. Weilheimer, Mr. Mankes, Mr. Royce and Chairman Shapiro
Deny to revisit-Ms. Denton and Mr. Renna.

The application will be carried to 10-24-23 for a vote only.

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.

Board member Weilheimer has recused himself from the meeting.

The Board took Jurisdiction and entered exhibits A1 - A35

Peter Licata appeared on behalf of the applicant. The applicant has appeared before the Board before and there were questions about exploring other options to where the tank could be placed.

Richard Padgitt-Engineer was reminded he was still under oath. A review was done of possible other places for the tank to be installed.

Exhibit A-34 and A-35 were shown. Each exhibit showed the original placement of the tank highlighted in blue and a new possible placement in red and yellow. Placing the tank on the other suggested spots needs extensive amounts of ground disturbance, slope mitigation, retaining walls and driveway additions.

Red Tank	20,000 sq. ft. disturbance	25 trees removed	2400 sq. ft. driveway	Retaining wall
Yellow Tank	24,600 sq. ft. disturbance	10 tree removed	400 sq. ft. driveway	Retaining wall
Blue Tank	8000 Sq. ft disturbance	4 trees removed	1800 sq. ft. driveway	No retaining wall

The Township ordinance states that slopes are to be maintained and disturbance of deep slopes are to be avoided. Engineering best practices would show that the original suggested spot (blue dot) would be the best spot for the tank.

A stormwater system would be needed if they used the red or yellow suggested sites. The blue site will not need a stormwater system.

Feet from surrounding homes:

Lot	Blue	Yellow	Red
5	250	300	200
7	220	470	420
10	280	480	480

A suggestion by the board was made to see if a tank could be built on the footprint of the old removed tank.

David Ern-President of Gordons Corner Water and Eric Olsen COO, spoke about various suggestions. At this time the original suggested site is the best. The additions of retaining walls or mitigating steep slopes or moving the tank will offer more issues to lot 5 and 7.

Eric Olsen, COO of Gordons Corner Water, was reminded he was still under oath. There were questions regarding moving the tank 50 feet further to the south. After reviewing that suggestion it is possible to move the tank 20 feet. Moving it further would impede a water main that is there as well as electrical connections.

Open Public Forum opened.

Harold Zullo 311 Timberhill Drive- concerns regarding stormwater

Marcus Caspento, 36 School Road East has concerns and questions regarding the disturbance of the land and feels no matter where they put the tank it will affect his view and quality of life.

Open Public Forum Closed.

After further discussion, the applicant will reappear on October 10, 2024 for a vote.

Z.B. 23-6814 Alex Papirnik- Memorialization granting a Bulk Variance to construct an in ground swimming pool and cabana, extend existing retaining wall and install recharge trench located at 10 Silver Leaf Drive block 413 lot 38.05 in the R-20 zone was offered by Chairman Shapiro 2nd by Robert Renna.

Approve: Mr. Royce, Mr. Renna and Ms. Denton.

Z.B. 22-6797 Alisa and Arthur Krivoruk-Memorialization granting a Use Variance for a Minor Subdivision to divide the property into two new lots. Each lot to be developed with a two story single family dwelling with attached deck and driveway access from Bucks Lane, located at 11 Bucks Lane Block 213.01 Lot 48 within the LI Zone was offered by Chairman Shapiro 2nd by Kevin Royce.

Approve: Kevin Royce, Ms. Denton and Chairman Shapiro.

Z.B. 23-6811 Building Management Co., LTD- Memorialization granting a Bulk Variance to remove all existing features to construct a 5 bedroom dwelling with paved driveway, three car garage, deck, patio and pool located at 93 Buckley Road Block 417 Lot 10 within the R-80 Zone was offered by Chairman Shapiro and 2nd by Robert Renna.

Approve-Mr. Royce, Mr. Renna and Ms. Denton.

A motion to adjourn at 10:12pm, was offered by Chairman Shapiro.
One vote was cast.

Respectfully submitted,

Suzanne Rubinstein