

**MARLBORO TOWNSHIP PLANNING BOARD**

=====  
**AUGUST 5, 2009**  
=====

**THE MEETING OF THE MARLBORO TOWNSHIP PLANNING BOARD WAS CALLED TO ORDER BY THE PLANNING BOARD CHAIRMAN LARRY JOSEPHS AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 8:00P.M.**

**MR. JOSEPHS 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 AND FILED IN THE TOWNSHIP CLERK'S OFFICE.**

**ROLL CALL**

**PRESENT ... MR. BARENBURG, MR. BERGH, MR. BETOFF, MR. GUPTA, MR. HUSAIN, MR. POLLAK, MR. JOSEPHS, COUNCILMAN LA ROCCA, MR. HEGT, MR. PARGAMENT**

**ABSENT... MAYOR HORNIK**

**PROFESSIONALS PRESENT... MR. PETERS, MR. CRAMER, MR. HERBERT**

**SALUTE THE FLAG**

Mr. Hegt will be sitting in for Mayor Hornik.

**CITIZENS VOICE**

**PAT KORBIAK**

Spoke on behalf of the Environmental Commission

A motion to approve/amend the minutes of July 15, 2009 was offered by Mr. Husain, seconded by Mr. Pollak. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Husain, Mr. Pollak, Mr. Josephs, Mr. Hegt, Mr. Pargament.

**P.B. 929-05 BAYFIELD PROPERTIES/OLD MILL ESTATES – MEMORIALIZATION OF RESOLUTION GRANTING FINAL MAJOR SUBDIVISION APPROVAL**

A motion in the affirmative was offered by Mr. Husain, seconded by Mr. Bergh. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Husain, Mr. Pollak, Mr. Josephs, Mr. Pargament.

**P.B. 1041-09 BOARD OF EDUCATION – DEFINO CENTRAL SCHOOL – REVIEW & RECOMMENDATION**

Dean Staknys, Assistant Township Engineer reviewed this application. The application is for the construction of a 1,938 s.f. addition to the existing building, consisting of offices to be constructed in the front of the school near the main entrance. A roof drain collection system will be constructed for the addition and part of the existing building. The system will discharge into an existing onsite storm drain.

A motion in the affirmative was offered by Mr. Pollak, seconded by Mr. Bergh. In favor: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Gupta, Mr. Husain, Mr. Pollak, Mr. Josephs, Councilman LaRocca, Mr. Hegt.

A motion for Memorialization of Resolution was offered by Mr. Hegt, seconded by Mr. Barenburg. In favor: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Gupta, Mr. Husain, Mr. Pollak, Mr. Josephs, Councilman LaRocca, Mr. Hegt.

**REDEVELOPMENT STUDY - PUBLIC HEARING FOR THE ENTRON INDUSTRIES SITE AS AN AREA IN NEED OF REDEVELOPMENT**

The Township Council authorized the Planning Board to undertake a preliminary investigation to determine if Block 132 Lot 18 is an area in need of redevelopment.

The site is located in the northern portion of the Township at the northeastern intersection of Route 79 and Beacon Hill Road. The site is approximately 18.3 acres and it is split zoned. The Commercial Service District encompasses the western portion of the property that fronts along Route 79, while the Light Industrial zone covers the rest of the site. There are a total of 10 buildings on the site located on the southern half of the property. The northern portion of the property is wooded.

Fred Heyer of Heyer Gruel & Associates prepared the report and testified as the Township's planner. He stated that there were three factors to determine whether an area is in need of redevelopment. First, the Board members must review the study prepared. Second, the members must take into account their personal knowledge of the area. Third, members must take into account public testimony.

He then testified that the buildings on the property are in a current state of deterioration, and several have deteriorated to the point in which they cannot be utilized. Rainwater has penetrated many of the buildings, damaging both the building and the equipment within it.

As provided by the Township Fire Department the property has been cited for fire code violations. A concrete reservoir that fed the fire protection for the entire complex was demolished and this left the facility without a water supply for the sprinkler system and fire hydrants on the site.

Investigations have found the presence of a variety of environmental contaminants associated

with prior industrial activities. In addition, investigations included possible groundwater contamination on the property.

#### PUBLIC HEARING OPENED

John Turi – 119 Beacon Hill Road

He agreed that the site was polluted and in need of redevelopment. He also complained that Beacon Hill Road, which runs along the side of the redevelopment property, is a very narrow road that needs to be either upgraded or buffered from the site.

#### PUBLIC HEARING CLOSED

The Board members were generally in favor of the redevelopment of the site.

A motion in the affirmative was offered by Councilman LaRocca, seconded by Mr. Pollak. In favor: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Gupta, Mr. Husain, Mr. Pollak, Mr. Josephs, Councilman LaRocca, Mr. Hegt.

#### **P.B. 1028-08 SHAMROCK @ 79/FIRESIDE BAR & GRILL – PUBLIC HEARING PRELIMINARY & FINAL SITE PLAN APPROVAL**

Martin Pflieger, Esq. represented the applicant. The site is 3.6 acres with 530 feet of frontage along Route 79, in the C-5 zone, Block 415 Lot 31. Currently, the site contains a one story tavern with associated walks/patio, an accessory garage, a sports court, and a gravel parking area.

The applicant proposes to remove the existing site improvements and construct a phased development for a restaurant/tavern. The Phase 1 development includes the construction of a 4,775 s.f. one story restaurant and tavern, containing 58 seats with an attached 1,888 s.f. storage area. A 25 foot wide full movement drive is proposed to access the site from Route 79, and parking is proposed to accommodate 68 vehicles. Public water service will be extended from Route 79 to service the restaurant, and on site septic disposal systems are proposed. Two underground detention basins are proposed to handle the increase in stormwater runoff.

The Phase 2 development of the site includes the following: conversion of the 1,888 s.f. storage area to restaurant use thereby providing an additional 154 seats, reconfiguration of the parking area to provide an additional 22 spaces resulting in 90 total parking stalls, abandonment of the septic disposal systems, extension of public sanitary sewer service to the site via connection to an existing main on the adjoining WMUA property.

The application was previously before the Board on June 3, 2009. At that time the Board members had concerns about the parking area, as well as about how the proposed building was situated on the site and whether there would be enough room for emergency vehicles to access the site.

A.J. Garito, P.E. represented the applicant and discussed the changes to the plan which were

made with the help of a subcommittee of Board members.

Eliminated from the plan was a proposed 1,500 s.f. liquor store. If anyone wants to buy liquor they can do so from the bar. The restaurant was also relocated on the property to accommodate the Board's requests.

The seating was reduced from 244 to 222 seats. Parking was changed to include 10x20 foot parking spaces instead of 9x18 foot spaces.

The applicant agreed to install a sidewalk on Route 79 from the restaurant's driveway toward the north end of the property.

Board members were concerned about having the restaurant open while still operating on the septic system. Questions were posed as to how to ensure the outgoing flow would not exceed the capacity.

Sal Barbagallo, one of the owners, said he was confident the septic system will not be needed, as he was told the approval to connect to the sewer line should come before the end of the year.

Then the property is connected to the WMUA's sewer lines, the applicant will have to come back to the Board to receive final approval for Phase II.

#### PUBLIC HEARING OPENED

No one from the public spoke.

#### PUBLIC HEARING CLOSED

A motion to grant Preliminary and Final approval for Phase I and Preliminary approval for Phase II was offered by Mr. Gupta, seconded by Mr. Husain. In favor: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Gupta, Mr. Husain, Mr. Pollak, Mr. Josephs, Councilman LaRocca, Mr. Hegt.

#### **P.B. ENCLAVE @ GLENBROOK – MODIFY CONDITION OF APPROVAL**

Craig Gianetti, Esq. represented the applicant. The Enclave at Glenbrook was granted approval in August 2007 for nine attached patio homes. Two of the nine units were to be affordable units.

Bill Bolton, the developer, is requesting to move the affordable units to another location in Marlboro.

The Board member do not want two additional units built in Marlboro as being requested by the developer.

The developer has proposed the purchasing of two existing market rate homes and converting them to affordable units. They are located at 26 Hudson Street and 59 Tennent Road.

Ken Biedzynski, Esq. who represents Marlboro concerning COAH issues stated that the affordable housing agent has not reviewed the properties being proposed by the developer.

Craig Gianetti, the applicant's attorney, said it was his understanding that the locations for the affordable units would be reviewed after a decision was made by the Board.

PUBLIC HEARING OPENED

Adrienne Spota

She stated that the home at 26 Hudson Street is an existing non-conforming use in the C-1 Zone and that zone does not allow for residential housing

PUBLIC HEARING CLOSED

The Board agreed that they could not make a decision about this latest proposal until the homes the applicant has proposed for conversion to affordable units are approved by Marlboro's affordable housing administrative agent.

This application is being carried to the meeting of September 2, 2009, without further notice.

A motion to adjourn was offered by Mr. Gupta, seconded by Mr. Pollak. One vote was cast.

Respectfully submitted

Donna Pignatelli