

**MARLBORO TOWNSHIP PLANNING BOARD**

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**NOVEMBER 23, 2009**

**SPECIAL**

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**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. BERGH, MR. BETOFF, MR. GUPTA (ARR.8:30) , MR. POLLAK, MR. JOSEPHS, COUNCILMAN LA ROCCA, MAYOR HORNIK (ARR.8:10), MR. PARGAMENT**

**ABSENT... MR. BARENBURG, MR. HUSAIN, MR. HEGT**

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

**SALUTE THE FLAG**

A motion to approve/amend the minutes of October 7, 2009 was offered by Mr. Bergh, seconded by Mr. Pargament. In favor: Mr. Bergh, Mr. Betoff, Mr. Josephs, Councilman LaRocca, Mr. Pargament.

**CITIZENS VOICE**

No one from the public spoke.

**ORDINANCE 2009-25 – CODIFICATION & REVISIONS OF THE ORDINANCES OF THE TOWNSHIP OF MARLBORO**

Richard Cramer, P.P. said the changes are largely housekeeping in nature and have been introduced by the Council in response to the recommendations of the annual report of the Zoning Board

Mr. Cramer stated that this ordinance is consistent with the Master Plan.

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

A motion to prepare a resolution was offered by Mr. Pollak, seconded by Councilman LaRocca. In favor: Mr. Bergh, Mr. Betoff, Mr. Pollak, Mr. Josephs, Councilman LaRocca, Mr. Pargament.

**P.B. 1043-09 DALLENBACH SAND – MEMORIALIZATION OF RESOLUTION GRANTING PRELIMINARY & FINAL SITE PLAN APPROVAL & PRELIMINARY SUBDIVISION APPROVAL**

A motion in the affirmative was offered by Mr. Betoff, seconded by Mr. Pargament. In favor: Mr. Bergh, Mr. Betoff, Mr. Josephs, Councilman LaRocca, Mr. Pargament.

**P.B.1042-09MARLBORO COMMONS – PUBLIC HEARING – PRELIMINARY & FINAL MAJOR SUBDIVISION & PRELIMINARY & FINAL SITE PLAN**

Michael Herbert, Esq. noted that the affidavit of publication and notice to adjoining property owners have been reviewed and are in order, therefore, the Board has the jurisdiction to hear this matter.

Sal Alfieri, Esq. represented the applicant. The site consists of 14 acres and contains approximately 697 feet of frontage along Route 9 to the east and 558 feet of frontage along Route 520 to the north in the C-3 Zone, Block 270 Lots 9, 10, 11 and part of Lot 12. The property currently contains a one story bank with associated parking area and well as two access drives along Route 9 and one access drive along Route 520. The remainder of the site is mostly cleared with a wooded perimeter to the south and west.

The applicant is seeking approval to construct the following:

Lot “A”

A 65,015 s.f. supermarket, a 51,500s.f. retail building, a 1,000 s.f. retail building and a 2,835s.f. building, all of which will be adjoined. The applicant is proposing associated parking, lighting, landscaping, loading and drainage. The applicant also proposes to acquire a portion of Block 270 Lot 12 and intends to add the portion of this lot to Lot “A”

Lot “B”

The applicant is proposing a 1,150 s.f. addition to an existing bank. The existing three drive thru lanes will remain.

Lot “C”

The applicant is proposing a 14,742 retail building with a drive thru facility

The only tenant to be identified is Walgreens.

The development of the proposed lots will be accessed via a right-in/right-out driveway along Route 9, a right-in only drive along Route 9 and a full movement along Route 520. The

applicant is proposing 572 parking spaces throughout the site. The site will be serviced by public water and sanitary sewer will be extended to the buildings from the existing mains on Route 520.

The Board Professionals were sworn in along with the applicant's expert witnesses.

Charles Dietz – Architect – Dietz Partnership  
Robert Pagano – Pagano Real Estate  
William Lund – P.E. Meridian Engineering  
Christine Confone – P.P. Confone Consultants  
Daniel Disario – Traffic – Langan Engineering

Gordon Gemma, Esq. is representing a resident from Serpentine Drive and James Lott, Esq. is representing Marlboro Plaza.

The biggest concern for residents that live adjacent to this site is a variance being requested that would allow the building to be placed in a 200 foot buffer zone that is supposed to separate commercial and residential zones.

The following exhibits were entered into evidence:

A-1 Colored Site Plan  
A-2 Architectural Rendering

Robert Pagano testified with regard to the overall use of the property, location of the proposed supermarket, hours of operation, delivery times, loading areas, type of retailers to rent space, dumpster locations.

Charles Dietz, Architect testified on behalf of the applicant and described the planned look for the shopping center. He said neutral tones would be used for the building along with materials that would blend with the nearby residential area. To block any heating and cooling equipment that will be placed on the roof of the main building, a wall would extend across the roofline's back to screen the view of the residents of Serpentine Drive. The roof will gradually slope to allow water to run off into the drainage system. Each store in the 51,500 s.f. space is designed to have a 10 foot high glass storefront.

#### PUBLIC HEARING OPENED

The following residents spoke:

Maria Lehan – 103 Serpentine Drive  
Anson Drescher – 107 Serpentine Drive  
Karli Choy – 149 Serpentine Drive

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

**P.B. 1045-09 PAGANO/AMOCO – PUBLIC HEARING PRELIMINARY & FINAL SITE PLAN**

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

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

Respectfully submitted,

Donna Pignatelli