

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

PHONE: (732) 536-0200 EXT. 509 FAX: (732) 617-7225

web: www.marlboro-nj.gov e-mail: zoning@marlboro-nj.gov

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Glenn Malysz

Vice-Chairperson

Robert Knight

Secretary

Lewis Wildman

Members

Michael Mahon

Jennifer Bajar

Matthew Weilheimer

Michael Shapiro

Paul Schlaflin - Alt. #1

Zoning Board Clerk

Yvonne Cautillo

Attorney

Michael Steib, Esq.

Engineer

Gravatt Consulting Group

David Thesing, P.E., P.P.

Planner

Planning Design Collaborative, LLC

Thomas Scangarello, P.P.

Administrative Officer

Zoning Officer

Sarah Paris

MINUTES

ZONING BOARD OF ADJUSTMENT

March 3, 2009

SALUTE TO FLAG

SUNSHINE LAW READ

ROLL CALL

PRESENT: Glenn Malysz, Robert Knight, Lewis Wildman,
Michael Mahon, Matthew Weilheimer, Jennifer Bajar,
Paul Schlaflin

ALSO PRESENT: Michael Steib, Esq.,
Sarah Paris, Administrative Officer,
David Thesing, P.E., and Thomas Scangarello, P.P.

ABSENT: Michael Shapiro
Glenn Malysz left early not hearing the Outdoor Media
Application

The Board approved the minutes of February 17, 2009.

Offered:	Glenn Malysz	Second:	Robert Knight
Ayes:	6	Nays:	0
Absent:	1	Abstain:	1

No Citizens Voice.

Mr. Malysz stated three proposals for a Traffic Engineer were received and reviewed.

Motion to Approve Medina Consultants, PC, as Traffic Engineer, 3379 Quakerbridge Road, Suite 350, Hamilton, New Jersey 07746.

Offered by:	Glen Malysz	Seconded by:	Lewis Wildman
Ayes:	7	Nays:	0
Absent:	1	Abstain:	0

Motion Carried.

ZB 09- 6353 – Red Hill, Inc. d/b/a Marlboro Veterinary Hospital

Public Hearing for approval of a free standing sign on property known as 26 North Main Street, Marlboro, Block 218, Lot 1, located in the C-1 Village Commercial zone.

The Board took jurisdiction. The following evidence was entered.

- A – 1 **Petition on Appeal**
- A – 2 **Denial by Zoning Officer**
- A – 3 **Indemnification and Hold Harmless Agreement**
- A – 4 **Disclosure Statement**
- A – 5 **W 9**
- A – 6 **Tax Collector's Certification**
- A – 7 **Notice To Adjoining Property Owners**
- A – 8 **Adjacent Property Listing**
- A – 9 **Certified White Receipts and Green Cards**
- A – 10 **Affidavit of Service**
- A – 11 **Affidavit of Publication**
- A – 12 **Affirmation of Local Pay To Play Ordinance dated 3/6/08**
- A – 13 **Owners Affidavit of Authorization and Consent**
- A - 14 **Application Affidavit of Completeness**
- A – 15 **Michael R. Silberstein, Esq. Correspondence, 3 Scott Drive, Morganville, NJ dated January 29, 2009.**
- A – 16 **Correspondence from Sarah Paris, Zoning Board of Adjustment, Township of Marlboro, 1979 Township Drive, Marlboro, NJ to Michael Silberstein, Esq., dated January 30, 2009.**
- A – 17 **Original Drawing designed by ADSI, 113 Maple Point Drive, Langhorne, PA.**
- A – 18 **Copy of Survey prepared by Frank J. Ernst, Seneca Survey Co., Inc., 1314 Hooper Avenue, Suite 3, Toms River, NJ, Dated 3/1/00.**
- A – 19 **Minor Site Plan, prepared by John J. Ploskonka, PE, Concept Engineering Consultants, PA, Broadway, South Amboy, NJ, Revised 9/26/83.**
- A – 20 **Marlboro Township Planning Board Resolution PB 245-83, Marlboro Village Veterinarians Application for Site Plan & Variances, Block 95, Lot 1 dated September 14, 1983.**
- A – 21 **Marlboro Township Planning Board Memorialization of Resolution Granting Amended Site Plan PB 245-83A, dated June 20, 1990.**
- A – 22 **Marlboro Township Planning Board Corrective Resolution Marlboro Village Veterinary Clinic PB 245-83A, dated March 20, 1991.**

- A – 23 **Resolution of the Planning Board of the Township of Marlboro Granting Amended Site Plan Approval Planning Board No. 727-98 dated January 15, 1999.**
- A – 24 **Pictures of signs submitted on 2/11/09.**
- A – 25 **Copy of 84-50.C-1 Village Commercial District, Township of Marlboro, PC/Codebook.**
- A – 26 **Correspondence from Michael Silberstein, Esq. to Chief of Police, Marlboro Township, 1979 Township Drive, Marlboro, dated 2/10/09.**
- A – 27 **Report prepared by Sgt Joseph Lenge, Traffic & Safety, Township of Marlboro, 1979 Township Drive, Marlboro, NJ, dated 2-26-09.**
- A – 28 **Amended Site Plan prepared by John J. Ploskonka, PE., Concept Engineering Consultants, PA, date 116 North Broadway, South Amboy, NJ dated 5-23-90.**
- A – 29 **Report prepared by David Thesing, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ, dated 2-26-09.**
- A – 30 **Diagram prepared by Dr. Bach,**
- A – 31 **Four Photos on four pages showing signage in the vicinity of the subject property**

Michael Silberstein, Esq. spoke for the applicant saying they would like to replace the current sign to advertise the boarding of dogs. He referenced his letter to the chief of police and stated there were no traffic and safety concerns regarding the sign. Mr. Silberstein stated the issue was adequately covered by the police; any vehicle must stop at the stop sign anyway. Mr. Schalfin asked if their report was binding; Mr. Steib said it is advisory.

Dr. Johnathan Bach is sworn in as witness. He resides at 25 Overhill Drive, Marlboro. He is a Doctor of Veterinary medicine in the state of New Jersey. He is making application for a new sign and presented a diagram showing average size of signs in the vicinity. He would like customers to be able to view his location.

Mr. Malysz asked if there were questions from the Board. There were no questions.

Dr. Bach said the sign will be very similar. There will be additional bulbs and it will be on a timer. The sign is on at 5:30 p.m. until about 9:30 p.m. The sign is also low to ground.

Mr. Thesing stated the 1983 survey shows the sign beyond the street line. Mr. Malysz would like to go with the survey dated 5/23/90 as being the closest to what exists out in the field now. Ms. Paris stated that Sgt. Lenge said it is their intention to move the site triangle, and there would be no problem with location of the sign.

Mr. Wildman asked if Dr. Bach had any objection to moving it further back; and Ms. Bajar asked if he could conform to the other signs in the area. Dr. Bach said he did not want his sign looking like the others, but he is not opposed to moving it back and changing the style of sign.

Mr. Malysz asked if there were any questions from the public.

Workshop:

Offered by: Glenn Malysz

Seconded by: Lewis Wildman

Paul Schalfin feels the sign is too close to the road and would like to see time settings on the sign changed. Ms. Bajar had concerns about the lighting. Would like to see the sign being lit up or down, and not lit internally with the sign at least three feet back from where it is presently. The Board agreed

they were in favor of the sign, but would like it to be parallel with the Grange. It is an historic area and he would like it kept with the neighborhood.

Mr. Malysz agreed it would be correct to move it back ten feet from the right-of-way line.

No other comments.

Out of Workshop:

Offered by: Glenn Malysz

Seconded by: Lewis Wildman

Dr. Bach would like the lighting time from 4:00 p.m. to 11:00 p.m. He is there after 9:00 p.m. three nights a week, with at least one night for emergencies.

Comments from the Public:

Ms. Adrienne Spota, 8 Vanderburg Road, Marlboro, New Jersey is sworn in. She stated as a neighbor for eleven years there has never been a problem with this business. Historically, the buildings in the area should be encouraged towards specific architectural and remain harmonious with the area. The signs should be in non-glass muted tones and not illuminated from within according to the historic commission.

Mr. Patrick Pentland, Chairperson of the Marlboro Historic Commission, 395 Route 520, Marlboro, was sworn in. Mr. Pentland stated that anything that goes in this historic area should go through the commission. The intention is to keep in character with this historic area.

Mr. Malysz agreed we should have the advice of the Historic Commission. Mr. Steib said we do have a procedural violation here. It was recommended that Mr. Silberstein or Dr. Bach have a conversation with the Commission before coming back to the Board.

Mr. Malysz agreed stating that he keeps in mind that no fluorescent or neon be used.

Mr. Silberstein signed an extension of time and agreed to come back before the Board on April 21, 2009. No further notice will be needed.

ZB 08-6342 – KEA Design, Inc. LLC

Continuation of a Public Hearing for approval of a use variance and associated bulk variances to construct two buildings (1,760 square foot and 3,520 square foot) with associated parking and outdoor storage area for a landscape contractor's business at 120 Tennent Road, Morganville, Block 120, Lots 15 and 17, located in the C-2 zone.

Read into record.

- A – 1 Petition on Appeal
- A – 2 Denial by Zoning Officer
- A – 3 Indemnification and Hold Harmless Agreement
- A – 4 Disclosure Statement
- A – 5 Tax Collector's Certification

- A – 6 W9
- A – 7 **Notice To Adjoining Property Owners**
- A – 8 **Adjacent Property Listing**
- A – 9 **Certified White Receipts and Green Cards**
- A – 10 **Affidavit of Service**
- A – 11 **Affidavit of Publication**
- A – 12 **Affirmation of Local Pay To Play Ordinance dated 3/6/08**
- A - 13 **Owners Affidavit of Authorization and Consent**
- A – 14 **Application Affidavit of Completeness**
- A – 15 **Preliminary & Final Major Site Plan prepared by Lindstrom, Diessner & Carr, P.C., 136 Drum Point Road, Suite 6, Brick, NJ dated 7/23/08.**
- A – 16 **Request for Additional Information for KEA Commercial Site Plan application to Monmouth Country Planning Board, Hall of Records Annex, One East Main Street, Freehold, NJ dated 9/22/08.**
- A – 17 **Stormwater Management Report prepared by Lindstrom, Diessner & Carr, P.C., 136 Drum Point Road, Suite 6, PO Box 579, Brick, NJ dated 7/28/08.**
- A – 18 **Report prepared by Robert C. Holmes, Sr., Chief of Police, Division of Police, 1979 Township Drive, Marlboro, NJ dated 10/08/2008.**
- A – 19 **Report prepared by David Gravatt, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ 08731, dated October 15, 2008.**
- A – 20 **Report prepared by Thomas J. Scangarello, P.P., Planning Design Collaborative, LLC, 150 Himmelein Road, Medford, NJ, dated October 27, 2008.**
- A – 21 **Report prepared by Marlboro Township Environmental Commission, dated October 20, 2008**
- A – 22 **Amended plans prepared by Lindstrom, Diessner & Carr, P.C., 136 Drum Point Road, Suite 6, PO Box 579, Brick, NJ dated December 30, 2009.**
- A – 23 **Report prepared by Lindstrom, Diessner & Carr, P.C., 136 drum Point Road, Suite 6, PO Box 579, Brick, NJ dated January 5, 2009.**
- A – 24 **Report prepared by David Gravatt, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ 08731, dated January 7, 2008.**
- A – 25 **Report prepared by John W. Borden, Fire Sub-Code Official/Fire Inspector, Marlboro Township, Dated January 2, 2009.**
- A – 26 **Report prepared by Thomas Scangarello, P.P., Planning Design Collaborative, LLC, 150 Himmelein Road, Medford, NJ 08055, dated 1-26-09.**
- A – 27 **Notice To Adjoining Property Owners**
- A – 28 **Certified White Receipts and Green Cards**
- A – 29 **Affidavit of Service**
- A – 30 **Affidavit of Publication**
- A – 31 **Colored site plan version of Sheet 3 of Sit Plan. Revised copy, dated January 20, 2009, prepared by Jeffrey J. Carr, PE, Lindstrom, Diessner & Carr, PC, 136 Drum Point Road, Ste 6, Brick, NJ.**
- A – 32 **Site Plan - Aerial Map depicting shape of property prepared by Lindstrom, Diessner & Carr, PC, 136 Drum Point Road, Ste 6, Brick, NJ.**

Richard Pepsny, Esq., 240 Maple Avenue, Red Bank, NJ said his client would like to develop property to operate their business from.

Edward Karol, 18 Tuscan Drive, Freehold, NJ is the president of KEA Desgins Inc., LLC and contractor purchaser, is sworn in.

Jeffrey J. Carr, PE, Lindstrom, Diessner & Carr, P.C., 136 Drum Point Road, Suite 6, Brick, New Jersey is sworn in and recognized as an expert witness.

Mr. Carr presented additional evidence:

A – 31 Colored site plan version of Sheet 3 of Sit Plan. Revised copy, dated January 20, 2009, prepared by Jeffrey J. Carr, PE, Lindstrom, Diessner & Carr, PC, 136 Drum Point Road, Ste 6, Brick, NJ.

He stated this is an odd shaped property. The zone required three acres; it is only 1.65 acres. It is constrained by wetlands and has steeper slopes. They do not have 200 foot frontage; the frontage is 160 feet.

The main building is one story, and will have equipment stored in it. Equipment repairs will also be done on site. The second building will have an office for billing, etc. Mr. Carr explained all work is done offsite. Once a day, a van or truck will go to the site. They will have bulk storage for gravel, paver blocks, and stone that is dropped at the site. They will not receive deliveries there; there may also be excess materials stored in bins on site. The site will be unmanned during the majority of time.

There will be no retail sales on this site; there may be some meetings with customers by appointment only. The rest of the site is gravel; this is better for storm water runoff and additional parking. The trucks usually go home with the employees. There are about two to four vehicle trips a day.

A – 32 Site Plan - Aerial Map depicting shape of property prepared by Lindstrom, Diessner & Carr, PC, 136 Drum Point Road, Ste 6, Brick, NJ.

Mr. Carr answered questions regarding the property. He does not grow nursery stock. Mr. Karol would do a design and then order for that particular job. Extra stone, mulch, etc. may be stored in one of the four bins. This would offer protection from the elements.

Mr. Thesing made reference of the 13½ foot dedication to the County from a letter dated January 7, 2009.

Mr. Pepsny asked Mr. Carr to address the planning criteria. Mr. Carr said there must be a special reason. We provide low intensity use at the site. Given all allowable uses, it would be constrained for other types of business.

Mr. Scangarello stated this is a very aggressive application. This is a use, and preliminary site and final site plan. We need to have applicant clarify according to use. Regarding a special reason, there is no undue hardship. For special reason, there must be a need in the community. We need testimony regarding what is positive for the community, not for owner. The master plan must be satisfied between residential and non-residential. Consistency with the Master Plan must be shown.

Mr. Scangarello is sworn in by Michael Steib. Mr. Scangarello is the Planner for the Board, Planning Design Collaborative, LLC, 150 Himmelein Road, Medford, NJ.

Mr. Scangarello said, "In the review reports, there are many pages of requirements between Mr. Thesing and himself". He recommended bifurcation of the application as this does not come close to satisfying for a use variance.

Mr. Pepsny said they have no problem with bifurcating application; they will focus on use variance first.

What are positive and negative criteria; what is good and what is bad for the community. The Master Plan must be satisfied, along with fifteen items on the list for use. The Board has not heard enough testimony to prove use.

Mr. Carr agrees with bifurcating. What is being proposed speaks specifically to light, air and open space. We are compatible to the other uses. Denial of this use would be less environmentally agreeable, and this would be undue hardship.

Mr. Malysz said when the contract purchaser obtains the property; this would be a self-inflicted hardship. Per Mr. Carr, could this project be developed reasonably?

Mr. Steib said hardship is to do with the property. Because of zoning, you can not develop the property. It is L-shaped; you cannot put many uses on this property.

Mr. Malysz asked what are permitted uses. Mr. Steib read from the ordinance, "one or more variety, restaurants; personal/business services...".

Mr. Carr said there are two buildings, so there will not be any outside storage. The four proposed bins are for leftover materials. The majority is delivered to the job sites. We lean toward the side of business services.

Questions open to Public:

Joanne Denton, 54 Tennent Road, Morganville, NJ asked if KEA did grass cutting.

Mr. Karol answered there is no cutting of grass. Only excess materials from previous jobs will be stored on this property.

Mr. Carr commented that he will have a small display area, with brochures also showing colors.

Mr. Scangarello stated they need to talk about special reasons.

Meeting was adjourned to May 5, 2009. Richard Pepsny, Esq., signed an extension of time. No need for further notice.

ZB 08-6348 – Outdoor Media Systems, LLC

Continuation of a Public Hearing for approval for a use variance to construct a billboard sign on a commercial property as an additional non-conforming use at 409 Route 9 South, Marlboro, Block 288, Lots 372 & 373, located in the C3 Community Commercial zone.

Mr. Knight stated that Mr. Malysz will receive a tape of tonight's proceedings.

Mr. Knight stated that Mr. Malysz will get a tape of tonight's proceedings.

- A – 1 Petition on Appeal
- A – 2 Denial by Zoning Officer
- A – 3 Indemnification and Hold Harmless Agreement
- A – 4 Disclosure Statement
- A – 5 Tax Collector’s Certification
- A – 6 W9
- A – 7 Notice To Adjoining Property Owners
- A – 8 Adjacent Property Listing
- A – 9 Certified White Receipts and Green Cards
- A – 10 Affidavit of Service
- A – 11 Affidavit of Publication
- A – 12 Affirmation of Local Pay To Play Ordinance dated 9/23/08
- A - 13 Owners Affidavit of Authorization and Consent
- A – 14 Application Affidavit of Completeness
- A – 15 **Statement of Negligible Traffic Impact or Block 288 Lots 372 & 373, prepared by Crest Engineering Associates, Inc., 100 Rike Drive, Millstone Township, NJ dated 9/24/08.**
- A – 16 **Statement of Negligible Environmental Impact or Block 288 Lots 372 & 373, prepared by Crest Engineering Associates, Inc., 100 Rike Drive, Millstone Township, NJ dated 9/24/08.**
- A – 17 **Stormwater Management and Quifer Recharge Report for Block 288 Lots 372 & 373, prepared by Crest Engineering Associates, Inc., 100 Rike Drive, Millstone Township, NJ dated 9/24/08.**
- A – 18 **State of New Jersey Permit No. 7496, Department of Transportation Outdoor Advertising for William Stapleton, 34 Roosevelt Avenue, East Brunswick, NJ dated 5/02/08.**
- A – 19 **Survey prepared by Daniel P. Hundley, Crest Engineering Associates, Inc. 100 Rike Drive, Millstone Township, NJ dated 4/24/07.**
- A – 20 **Variance Sketch for Outdoor Advertising Sign prepared by Lorali Totten, Crest Engineering Associates, Inc. 100 Rike Drive, Millstone Township, NJ dated 9/22/08.**
- A – 21 **Report prepared by Sgt. Joseph Lenge, Division of Police, Township of Marlboro, 1979 Township Drive, Marlboro, NJ 07746, dated 12/12/08.**
- A – 22 **Executed copy of Notice of Appeal prepared by John A. Giunco, Giordano, Halleran & Ciesla, 125 Half Mile Road, Suite 300, Red Bank, NJ, dated 12/15/08.**
- A – 23 **Report prepared by David Thesing, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ, dated 12/16/08.**
- A – 24 **Notice of Appeal withdrawal prepared by Giordano, Halleran & Ciesla, 125 Half Mile Road, Suite 300, Red Bank, NJ, dated 12/22/08.**
- A – 25 **Report prepared by Thomas J. Scangarello, P.P., Planning Design Collaborative, LLC, 150 Himmelein Road, Medford, NJ, dated 1-06-09.**
- A – 26 **Response letter to David Gravatt’s Report, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ, prepared by Lorali Totten, P.E., Crest Engineering Associates, Inc., 100 Rike Drive, Millstone Township, NJ, dated 1-27-09.**
- A – 27 **Report regarding Crest response letter prepared by David Thesing, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ dated 1-30-09.**
- A – 28 **Report prepared by prepared the Environmental Commission, dated 1/26/09.**
- A – 29 **William Stapleton, principal of Outdoor Media Systems, LLC, presented an 11 X 17 booklet demonstrating existing conditions of the applicant property at 409 Route 9, Marlboro, New Jersey.**
- A – 30 **Aerial Photo from 2008 Tele Atlas**

- A - 31** **Five different photos depicting where advertising will be**
- A - 32** **Detail Sheet from plans (Sheet 3 of 3) dated 9/22 (with no revisions).**
- A - 33** **Existing conditions and variance sketch (Sheet 2 of 3).**

John Giunco, Esq. stated that Outdoor Media Systems seeks to place a 49' X 17', exterior illuminated billboard on their property. The ordinance does not permit billboard, a set back and lot coverage variance is required.

William Stapleton, principal of Outdoor Media, 34 Roosevelt Avenue, East Brunswick, New Jersey is sworn in. Outdoor Media competes with national companies and they serve regional clients that have a need corresponding with this. Route 9, both north and southbound, is a good traffic area. The proposed site with sign will have no impact on traffic. Outdoor Media has already built 22 signs in New Jersey. The standard sign is a single sheet of vinyl. The typical advertiser is a local business and sometimes a time sensitive ad will go up.

Mr. Stapleton said the demographic area is the number one commuter state; it is an attractive market. They look at the adjacent properties and draw a 200 foot area around, not to negatively impact these businesses. You light what you are required to; without undue spillage. They are licensed within state of New Jersey and they have obtained a permit from NJDOT for site approval.

Mr. Stapleton presented a prepared 11 x 17 booklet.

- A - 29** **William Stapleton, principal of Outdoor Media Systems, LLC, document presented and prepared and 11X17 booklet demonstrating existing conditions to site plan, aerial and addition photographs of the applicant property prepared for 409 Route 9, Marlboro, New Jersey.**

Questions from Board:

Mr. Wildman asked if this is an easement area. Ms. Bajar inquired if this were a digital board.

Mr. Stapleton said this is not an easement and even though digital boards are coming in the future; they are very costly. If they desire a digital Board, they know they would have to come back before this Board. The State has strict regulations and he does not see anything in the near future. The cost cannot be justified. There has been no occurrence of torn vinyl.

Public Questions: None

Ms. Lorali Totten, Crest Engineering Associates, Inc., 100 Rike Drive, Millstone, NJ is sworn in.

Ms. Totten describes exhibits of the location site with surroundings:

Exhibits presented are enlarged of what was presented in booklet.

- A - 30** **Aerial photograph - location of site with surroundings**
- A - 31** **Five different photographs of area where advertising sign would be**
- A - 32** **Detailed sheet "3" of 3, 9/22/08 (with no revisions)**
- A - 33** **Sheet "2" of plans of existing conditions from variance sketch.**

Ms. Totten acknowledged exhibits as being prepared by herself or her firm. Site A - 30, Route 9 traverses center of exhibit. Property located on western side of Route 9; furniture store, senior

housing, existing commercials with restaurant. There are multiple commercial uses and also a mini storage, commercials, etc.

The photos are showing different views in different directions on the highway. A – 32 steet parking area with berm, only property of subject application.

The billboard location to the parking lot is 4½ feet to curb and about 7 feet from the parking lot end. This will support the cantilever billboard. All the structurals start about 32 feet above ground. There is a 3 foot apron below with catwalk. Attached to the catwalk are five 400 watt lights. They have lenses that are tilted up to the face of the billboard. It is aimed so you only see the spillage if it is raining. Light falls off geometrically, with less and less light towards the ground. Part of the light is that you cannot see the fixture. Technology minimizes light glare.

Mr. Knight inquired if additional shields can be installed? Ms. Totten said this glow is very minimal.

Ms. Totten stated there is a sanitary sewer (30 feet wide) that runs across. They have already gone to the WMUA to put the billboard above. If the town agrees, they will grant permission.

Mr. Schalfin inquired as to who determines the allowed proximity to the power lines? Mr. Stapleton says they work with power companies and they must clear by 13 feet to overhead wires.

Ms. Bajar asked what the exact location is. Ms. Totten stated it is about 30 feet to the edge of the pavement, from the structure it is about 52 feet.

Ms. Totten stated she reviewed Mr. Thesing's letter and Mr. Scangarello's comments. The technical comments can all be addressed. .

From an engineering perspective, Mr. Giunco stated that variances are required because Marlboro does not allow for these signs. Regarding lot coverage, the four foot diameter steel support would have diminimous effect on the runoff. The sign would not have an adverse impact on welfare of community; it is a safe and efficient operation for this site. Ms. Totten will revise dimensions and determine distances.

Mr. Knight asked if there are any additional questions.

Mr. Giunco signed an extension of time and will ask Ms. Totten to return for the scheduled May 5, 2009 hearing.

Meeting adjourned at 11:40 p.m.

Respectfully submitted

Yvonne M. Cautillo