

# TOWNSHIP OF MARLBORO

## ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

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### Chairperson

Glenn Malysz

### Vice-Chairperson

Michael Fishman

### Secretary

Robert Knight

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Matthew Weilheimer

Adrienne Spota

Lewis Wildman

Michael Mahon

Joseph Sparacio - Alt.#1

Steven Pitchon - Alt.#2

### Zoning Board Clerk

Yvonne Cautillo

### Attorney

Michael Steib, Esq.

### Engineer

Gravatt Consulting Group

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

### Planner

Thomas J. Scangarello, P.P.

Planning Design Collaborative, LLC

### Administrative Officer

### Zoning Officer

Sarah Paris

## MINUTES

### ZONING BOARD OF ADJUSTMENT

August 5, 2008

### REGULAR MEETING

### SALUTE TO FLAG

### SUNSHINE LAW READ

### ROLL CALL

PRESENT: Adrienne Spota, Michael Fishman, Jennifer Bajar, Matthew Weilheimer, Lewis Wildman, Robert Knight

ABSENT: Glenn Malysz, Michael Mahon, Steven Pitchon

ALSO PRESENT: Michael Steib, Esq. Board Attorney  
Sarah Paris, Administrative Officer  
David Thesing, Engineer  
Thomas Scangarello, Board Planner

The Board accepted the minutes of July 15, 2008.

### MINUTES APPROVED:

Offered:	Michael Fishman	Second:	Jennifer Bajar
Ayes:	6	Nays:	0
Absent:	3	Abstain:	0

No Public Session.

**07-6291 Retamozo**

Continuation of Public Hearing for approval to construct a two story addition, front porch and deck to an existing house exceeding the permitted lot coverage located at 575 Route 520, Marlboro, Block 214, Lot 17 in the LC – Land Conservation zone.

The Board took jurisdiction. Mr. Steib read the additional evidence entered A-32–A-38:

- A – 32 Site Plan prepared by Carr Engineering Associates, PA, PO B0x 679, Perth Amboy, NJ
- A – 33 Color Rendering
- A – 34 Series of 4 Photographs (a – d)
- A – 35 Seepage Pit Calculations prepared by Concept Engineering Consultants, P.A., 227 Route 33, Building #2, Unit #7, Manalapan, NJ 07726, Dated June 30, 2008.
- A – 36 Survey prepared by Carr Engineering Associates, P.A., P.O. Box 679, Perth Amboy, NJ 08862.
- A – 37 Proposed Architectural Plans prepared by Michael V. Testa, 710 Tennent Road, Building 4, Manalapan, NJ 07726. Dated 7/07/06.
- A – 38 Report prepared by David A. Thesing, P.E., Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ, dated July 29, 2008.

Peter Klausner, Esq., Heilbrunn Pape and Goldstein, 516 State Route 33, Millstone Township, NJ, representing the Applicant introduced John Ploskonka, P.E., Concept Engineering Consultants, PA, 227 Route 33, Manalapan, NJ, who was sworn in and accepted as expert. Mr. Ploskonka presented the new final lot coverage calculations. David Thesing, the Board’s Engineer, stated that the architectural plans do reflect the changes requested.

Technical revisions are shown along with total building and total lot coverage, roof drains and soil log. There will be an easement in lieu of dedication. The garage will be eliminated and there will be parking in back of the building and with ten feet on the left side. The rear patio will be set with sand and pavers.

Mr. Klausner states that all fine tuning will be done according to David Thesing’s list.

There were no public comments.

Workshop

Offered By: Michael Fishman Second: Lewis Wildman

The Board is in agreement that all requirements were filled and the seepage pit meets code.

Out of Workshop:

Motion to approve Mr. Retamozo’s application along with approval of the patio.

Offered By:	Michael Fishman	Second:	Adrienne Spota
Ayes:	5	Nays:	0
Absent:	3	Abstain:	1

**ZB 07-6314 – Bonura, Dominick J.**

Continuation of a Public hearing for an approval to construct an addition to existing home on an undersized lot with excessive lot coverage, insufficient lot area, frontage, width, depth and setbacks, located at 122 Dutch Lane Road, Block 363.01, Lot 4 in the R-80 zone.

The applicant wanted to delay hearing. He did not submit a written statement, nor was he present. The Board would like to dismiss this application without prejudice due to the fact they have rescheduled so many times. They will have to re-apply and re-notice.

Motion to dismiss without prejudice.

Offered by: Michael Fishman

Seconded by: Lewis Wildman

Ayes: 6

Nays: 0

Absent: 3

Abstain: 0

**ZB 06-6241A – Beacon Hill Self Storage, LLC**

Continuation of a public hearing for an approval of a Site Plan for a self-storage facility with five self-storage buildings of varying sizes, located on the corner of Tennent and Greenwood Roads, Block 122, Lot 39, in the C-2 zone.

Salvatore Alfieri, Cleary Alfieri & Jones, 5 Ravine Drive, P.O. Box 533, Matawan, New Jersey on behalf of the applicant. The EPA just emailed a Notice that needs to be reviewed. He is requesting to carry.

Motion to carry to September 16, 2008 without further notice.

Offered by: Robert Knight

Seconded by: Jennifer Bajar

Ayes: 6

Nays:

Absent: 3

Abstain: 1

**ZB 08-6333 - Maller, Simone**

Public Hearing for approval of a Preliminary and Final Subdivision Use Variance and to build two single family dwellings with circular driveways, decks and inground pools exceeding F.A.R and lot coverage for principal structure and total building coverage located at 29 Robertsville Road, Block 332, Lot 12 in the R-20 zone.

Michael Fishman was concerned that the planner did not review as per the density. Tom Scangarello needs to review this application with six board members needed to vote.

Michael Steib received the applicant's list of homeowners from the tax office. The third page, including a list of utilities, was submitted. The second page was missing. The applicant was attempting to canvas the neighborhood with the additional list of homeowners. The applicant provided the updated list of homeowners notified and the notices were in order.

Richard Tilton, Esq. 516 Route 33, Millstone, NJ asks if they can present application and then carry.

The Board took jurisdiction and Mr. Steib read the evidence:

- 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 Owners Affidavit of Authorization and Consent
- A - 13 Contribution Disclosure Statement
- A - 14 Affirmation of Local Pay To Play Ordinance dated 3/6/08
- A - 15 Application Affidavit of Completeness

- A – 16 Resolution PB 715-98 Granting Preliminary Major Subdivision Approval
- A – 17 Resolution PB 715-98 Granting Final Major Subdivision Approval for Phase 1
- A - 18 Resolution PB 715-989 Granting Amended Preliminary Major Subdivision Approval
- A - 19 Resolution PB 715-98 Granting Final Major Subdivision Approval for Phases II and III
- A - 20 Manual for the Operation and Maintenance of a Class IV Dam a.k.a. The Detention Basin prepared by Crest Engineering for PB 715-98 Application dated February 22, 1999
- A - 21 Stormwater Management Plan and associated Drainage Area Maps 1,2,3 prepared by Crest Engineering for PB 715-98 for Triangle Ridge Phase II
- A - 22 Statement of Negligible Environmental Impact for Triangle Ridge – Phase V, prepared by Crest Engineering, dated June 5, 2008
- A - 23 Operation and Maintenance Manual for Underground Drywells at Triangle Ridge Phase V, prepared by Crest Engineering, dated June 5, 2008
- A - 24 Stormwater Management Plan for Triangle Ridge Phase V, prepared by Crest Engineering, dated June 5, 2008
- A - 25 Preliminary and Final Major Subdivision Plan for Triangle Ridge Phase V prepared by Crest Engineering, dated 5/29/08
- A – 26 Report prepared by David Thesing, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ, dated August 1, 2008.

Richard Tilton, Esq., on behalf of the applicant, presents Lorali E. Totten, P. E., Crest Engineering Associates, 100 Rike Drive, Millstone Township, NJ. She is accepted as a Professional Planner, State of New Jersey.

Bulk variance relief also needs to be addressed; it is slightly under what is required. The applicant wants to subdivide into two lots—depth setback. There is a need for density variance

Ms. Totten gave her report and will also provide a written report before the next meeting.

She also stated that Triangle Ridge Phases 1, 2, 3, and 4 were all before the Planning Board. The property is located on Robertsville Road, with the two farms owned by Mr. Yoncak. The eastern portion originally contained 20 acres and was subdivided to 14 homes, with the current remaining tract now being proposed for a subdivision.

The applicant would like to include these two lots into the creeping major. Drainage will not be increased as drainage is less with the existing homes already there. There will be a drywell for roof runoff—even though technically not required. Sidewalks were waived in 1999, and they would like also to waive now. Sidewalk on Robertsville will be guided by the board and town. There will be decks and circular drives. The total building coverage of 15.5% is larger than the 13% permitted. The applicant would like to build with the style of home surrounding it. Houses were built prior to being part of ordinance. The two homes will be in keeping with neighborhood.

The applicant, Simone Maller, who resides at 15 Hemingway Court is sworn in. Mrs. Maller said that all the notices are were initialed and submitted today. She stated she went door-to-door and told them she was there to ask them to waive the time period.

Simone Maller identified her lot as the “North” lot stating she is not sure about the other lots and maybe she will sell.

The dates for the Maller continuation were set for September 16, 2008 and October 7, 2008.

## MEMORIALIZATIONS

### **ZB 08-6315 – Marlboro Auto Wreckers**

Demoralization of a Resolution finding scrap metal recycling not to be a pre-existing non-conforming use, but one which would require a Use Variance at 153 Tenant Road, Block 170, Lot 3, in the LC zone.

### **ZB 08-6316 – Morganville Auto Wreckers**

Demoralization of a Resolution finding scrap metal recycling not to be a pre-existing non-conforming use, but one which would require a Use Variance at 249 Spring Valley Road, Block 172, Lot 13 in the LC Zone.

### **ZB 08-6317 – Schechter Enterprises**

Memorialization of a Resolution finding scrap metal recycling not to be a pre-existing non-conforming use, but one which would require a Use Variance at 158 Tennent Road, Block 147, Lot 34, in the C-2 Zone.

### **ZB 08-6331 – Godek, Mark**

Memorialization of a Resolution for approval to construct an otherwise conforming 18' x 22' rear deck. The house is an existing non-conforming residential dwelling at 100 South Main Street, Marlboro, NJ, Block 413 Lot 33 in the C-5 Community Commercial 11 zone.

### **ZB 08-6332 – Spatola, Michael & Michelle**

Memorialization of a Resolution for approval to construct two additions, which exceeds lot coverage for principal structure at 4 Graversham Drive, Block 299 Lot 120 in the R-25 zone.

Meeting adjourned.

Respectfully,

Yvonne M. Cautillo

