

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

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Michael Steib, Esq.

Engineer

Gravatt Consulting Group

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

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Planning Design Collaborative, LLC

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Sarah Paris

MINUTES

ZONING BOARD OF ADJUSTMENT

September 2, 2008

REGULAR MEETING

SALUTE TO FLAG

SUNSHINE LAW READ

ROLL CALL

PRESENT: Glenn Malysz, Michael Mahon, Adrienne Spota,
Michael Fishman, Jennifer Bajar,
Matthew Weilheimer, Lewis Wildman

ABSENT: Robert Knight, Steven Pitchon

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

The Board accepted the minutes of August 5, 2008

MINUTES APPROVED:

Offered:	Glenn Malysz	Second:	Lewis Wildman
Ayes:	5	Nays:	0
Absent:	2	Abstain:	2

Public Session.

Lane Rosen, 11 Fairview Road, Marlboro, NJ, inquired as to how fees are set, who is responsible for a measurement, who interprets a resolution, and the time it takes after a resolution is memorialized.

Glenn Malysz responded that fees are set by contract and the engineer, if necessary, will measure. Michael Steib, Esq. said he addresses the resolution after a meeting by going through the exhibits and reports. The Board reviews and it is memorialized at the following meeting. The amount of time following memorialization depends on what is required for compliance. After the homeowner fulfills the compliance, it is reviewed by the engineer.

ZB 07-6298 – James Ientile

Continuation of Public Hearing for approval to construct a 40 x 60 square foot garage building, attached to an existing garage on site of a pre-existing, non-conforming use at 28 Vanderburg Road, Marlboro, Block 220, Lot 1 and Block 358, Lot 7.01 in the LI – Light Industrial zone.

Additional evidence was submitted:

- A – 38 Adjacent Property Listing
- A – 39 Certified White Receipts and Green Cards (dated 7/2 and 7/3/2008)
- A – 40 Affidavit of Service
- A – 41 Marlboro Township Environmental Commission Report
- A – 42 Affidavit of Publication Dated July 6, 2008.
- A – 43 Notice To Adjoining Property Owners
- A – 44 Marlboro Township Environmental Commission Report Dated July 28, 2008.

Sal Alfieri, Esq., Cleary Alfieri & Jones, 5 Ravine Drive, Matawan, NJ, representing the applicant, introduced Stephen Kutch, 35B Cambridge Circle, Manchester, NJ. He was accepted as a professional witness.

James Ientile, 84 Crine Road, Colts Neck was also sworn in. His family has operated the business on Boundary Road since 1960. He has been in this building for nineteen years and works with a large industrial segment. Due to the size of equipment being repaired, he uses a warehouse which was made into a shop and has five employees at most. A 40' X 60' garage building attached to existing garage will be matched to look like the original and use to do repairs, not storage. All vehicles that fit inside will be kept inside, with the remainder outside. He also has two tanks that are annually inspected.

Mr. Kutch stated an additional 6 foot fence was installed and it belongs to the neighbor. There are six spaces for employee parking with no visitor parking. There are no loading zones, no wetlands, and no easements on the site. There are fire hydrants.

Items addressed: The building will be a pre-fab building, with metal strips on the inside. There are no ground water wells. Sal Alfieri made a recommendation to have soil testing done. The new building will be able to receive the disabled. They also have taken advantage of catch basins and pipes from the street, with proposing leaders into these. He said the property drained well before the development.

Sal Alfieri said that white pines were planted and if necessary, the parking area can be lighted for safety. Traffic and architectural will be provided. Elevations for a retaining wall and additional landscaping for a buffer will be provided.

There were no additional questions and a date of October 21, 2008 was assigned for continuation.

ZB 08-6334 – Mehra, Salil & Kiran

Public Hearing for approval to demolish existing structure and build new single family dwelling on site with insufficient lot area, frontage, width, depth, front and rear yard setbacks, and exceed permitted lot coverage for principal structure at property known as 84 Pleasant Valley Road, Block 159, Lot 2, in the LC – Land Conservation zone.

The Board took jurisdiction. The following evidence was read into the 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 W 9
- 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
- A – 13 Owners Affidavit of Authorization and Consent
- A – 14 Plan prepared by John J. Ploskonka, P.E.
Concept Engineering Consultants, P.A., 227 Route 33,
Building #2, Unit #7, Manalapan, NJ 07726, Dated May 21, 2008
- A – 15 Report prepared by David Thesing, PE, Gravatt Consult Group, Inc., 414 Lacey Road, Forked River, NJ 08731,
Dated August 18, 2008.
- A – 16 Architectural plans prepared by Feldman & Feldman Architects, PC, 40 County Road, Colts Neck, Dated 8/0/08.

Gerald Sonnenblick, Esq., Sonnenblick, Parker & Selvers, 4400 Route 9 South, Freehold, NJ, introduced John Ploskonka, PE, Concept Engineering Consultants, PA, 227 Route 33, Manalapan, NJ. Mr. Ploskonka and Alyson Coffin, Planner, were previously accepted as professionals and sworn in.

Mr. Ploskonka introduced new evidence:

- A – 17 Aerial Color Display Map prepared by John Ploskonka, Concept Engineering Consultants, Dated 8/29/08
- A – 18A Photograph showing view from Georgetown Road to the East.
- A – 18B Photograph showing existing ranch house.

Applicant is proposing to remove home and driveway. The new dwelling will be set back from the road to the center of the lot. Water and Sewer are public; the residence will blend with the rest of Georgetown properties. The applicant is requesting 3% of total coverage of property; it will be increased from 9 to 12%.

Ms. Coffin said the home will be a good utilization of land, in character with the neighborhood, and would enhance the entrance to Georgetown Estates with the additional front yard setback no detriment.

Gerald Sonnenblick said all of David Thesing's Comments will be met. Mr. Ploskonka said this is preferable putting the entrance on the secondary street.

There were no questions from the public or Board.

Workshop:

Offered By: Glenn Malysz Second: Matthew Weilheimer

The Board is in agreement that this is a great use of this corner property, but such a large driveway is not in character with the rest of Georgetown. Mr. Ploskonka said it was acceptable to the applicant to make a 20% reduction in the driveway.

Out of Workshop:

Offered By: Glenn Malysz Second: Lewis Wildman
Ayes: 7 Nays: 0
Absent: 2 Abstain: 0

Motion Approved.

Workshop:
Offered By: Glenn Malysz Second: Jennifer Bajar

Mr. Dijour did not want a vote to take place at this time; he will rethink the pool.

The application is carried to October 21, 2008.

ZB 08-6336 Leibowitz, Robert & Rhonda

Public Hearing for approval to rebuild fire damaged house with a small kitchen addition and a second story addition with principal and accessory structures having insufficient lot depth, and rear yard setbacks at 24 South Foxcroft Drive, Marlboro, Block 331, Lot 15, located in an R-20 residential zone.

The Board took jurisdiction. The following evidence was read into the 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 Variance Plan prepared by Walter Joseph Hopkin, WJH Engineering, 630 Herman Road, Jackson, NJ, Dated July 29, 2008.
- A - 15 Drywell Calculations prepared by WJH Engineering, 630 Herman Road, Jackson, NJ dated July 25, 2008.
- A - 16 Application Affidavit of Completeness
- A - 17 Report prepared by David Thesing, PE, Gravatt Consulting Group, Inc., 414 Lacey Road, Forked River, NJ, Dated August 19, 2008.
- A - 18 Architectural Plans prepared by Sheffmaker, LLC, 262 Redmond Street, New Brunswick, NJ, Dated August 18, 2008.

Walter J. Hopkin, WJH Engineering, 630 Herman Road, Jackson, NJ accepted as professional and sworn in.

Robert & Rhonda Liebowitz, 3 Topaz Court, Marlboro, NJ sworn in. The applicants are owner of 24 South Foxcroft Drive. They are seeking to rebuild fire damaged house with a small kitchen addition and second story addition. The 14,000 square foot house is on a dead end street adjacent to Manalapan and rather than demolish, they want to rebuild. The builder was granted a variance for this house when the development was built; the rear setback was adjusted. The pool will be included and the rear deck will be rebuilt with pavers in sand.

There were no questions from the public.

Workshop:
Offered By: Glenn Malysz Second: Lewis Wildman

The Board is in favor of also extending the kitchen and the changes are minimal.

Out of Workshop:
Offered By: Glenn Malysz Second: Michael Mahon
Ayes: 7 Nays: 0
Absent: 2 Abstain: 0

Motion Approved.

MEMORIALIZATIONS

ZB 07-6314 – Bonura, Dominick J.

Memorialization of a Resolution dismissing the application without prejudice due to Applicant's failure to prosecute this application and the staleness of notice for the development of property located at 122 Dutch Lane Road, Marlboro, Block 363.01, Lot 4.

ZB 07-6291 - Retamozo, Romulo

Memorialization of a Resolution granting approval to construct a two-story addition, front porch and deck to house exceeding permitted lot coverage at 575 Route 520, Marlboro, Block 214, Lot 17 in the LC zone.

Meeting adjourned.

Respectfully,

Yvonne M. Cautillo