

# TOWNSHIP OF MARLBORO

## ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

PHONE: (732) 536-0200 EXT. 1809 FAX: (732) 536-7784

web: [www.marlboro-nj.gov](http://www.marlboro-nj.gov) e-mail: [zoning@marlboro-nj.gov](mailto:zoning@marlboro-nj.gov)

### Chairperson

Michael Shapiro

### Vice-Chairperson

Matthew Weilheimer

### Secretary

Alan Zwerin

Ira Levin

Alon Solon

Michael Adler, Dr.

Stacey DiGrande

Kamalpreet Singh Virdi Alt #1

Joseph Nappi - Alt #2

### Zoning Board Clerk

Jennifer Bajar

### Attorney

Ronald D. Cucchiaro, Esq.

### Engineer

CME Engineering

Laura Neumann, P.E.

### Planner

CME Engineering

Laura Neumann, P.E.

### Traffic Consultant

French & Parrello

Francis Miskovich, P.E.

### Administrative Officer

### Zoning Officer

Sarah Paris

## APPLICATION FOR HEARING

Application ZB#: \_\_\_\_\_ (office use only)

Date Received: \_\_\_\_\_ (office use only)

(\*18 COPIES OF PLANS \*4 COPIES OF APPLICATION \*MAPS MUST BE FOLDED)

1. Please check the appropriate request(s).

- Concept Plan       Site Plan       Use Variance       Bulk Variance(s)  
 Minor Subdivision       Major Subdivision       Interpretation       Appeal of Zoning Officer's Decision

2. APPLICANT'S NAME: \_\_\_\_\_  
*(If Corporation, State of Incorporation and Registered Agent)*

ADDRESS: \_\_\_\_\_

PHONE #: \_\_\_\_\_ CELL #: \_\_\_\_\_

3. State Applicant's relationship to Owner: \_\_\_\_\_

4. Represented by (Attorney): \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax#: \_\_\_\_\_

5. Name of Proposed Development: \_\_\_\_\_

6. Purpose of this Application: \_\_\_\_\_

7. If Commercial or Industrial: State the Sq.Ft. of New Building: \_\_\_\_\_ # of Parking Spaces: \_\_\_\_\_

8. Use of any existing building on premises: \_\_\_\_\_

9. # of existing lots: \_\_\_\_\_ # of proposed new lots: \_\_\_\_\_

10. Use of the proposed building or premises:  Residential       Commercial       Industrial  
 Mixed Residential/Commercial       Other \_\_\_\_\_

11. Location of premises: \_\_\_\_\_

12. \_\_\_\_\_  
TAX MAP BLOCK      LOT(S) NUMBER(S)      TAX SHEET PAGE

13. Area of entire tract: \_\_\_\_\_

14. If there has been a previous appeal or application involving these premises, give details:  
\_\_\_\_\_  
\_\_\_\_\_

**TOWNSHIP OF MARLBORO**

Zoning Board of Adjustment

**- PETITION ON APPEAL -**

ZB#: \_\_\_\_\_

THE ZONING BOARD OF ADJUSTMENT OF MARLBORO TOWNSHIP:

Petition of \_\_\_\_\_ Respectfully shows that

- a. \_\_\_\_\_ Applicant is owner of the property described below
- b. \_\_\_\_\_ Applicant is \_\_\_\_\_ and is duly authorized by \_\_\_\_\_, the owner of said property, to prosecute the within appeal. The affidavit of said owner is attached hereto.

The property affected by this appeal is known as \_\_\_\_\_

Block \_\_\_\_\_, Lot(s) \_\_\_\_\_, as shown on the latest tax map of the Township. Said property is located in a \_\_\_\_\_ zone. As designated by the Zoning Map and Zoning Ordinance of the Township of Marlboro currently in effect.

\_\_\_\_\_ Applicant applied for a building permit to construct (make alterations to the following building or structure) for the following use: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ Applicant applied to the Zoning Officer for permission to: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The Zoning Officer declined to issue such permit on the \_\_\_\_\_ day of \_\_\_\_\_, for the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Front Yard Setback \_\_\_\_\_ Rear Yard Setback \_\_\_\_\_  
Side Yard Setback \_\_\_\_\_ and \_\_\_\_\_  
Height of Building \_\_\_\_\_ # of Stories \_\_\_\_\_  
Other Information \_\_\_\_\_

Applicant requested that appropriate relief (variance), (recommendation of variance), (special use permit) be granted for the following: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

There has been no prior application to this Board for any relief relating to the property affected by this appeal except \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

The following fees are submitted to support this petition:

- a. Filing (Application Fee) of \$ \_\_\_\_\_ b. (Escrow) \$ \_\_\_\_\_  
c. \_\_\_\_\_ d. \_\_\_\_\_

Applicant requests that a day be fixed for the holding of a Public Hearing on this Appeal. Applicant shall, in compliance with statutory requirements, cause the required Notices of the Public Hearing to be served upon all owners of property situated within two hundred (200) feet of the above described property affected by this appeal (if property is located within 22 feet of an adjacent municipality or abuts a county road or proposed county road) upon the \_\_\_\_\_ County Zoning Board and Municipality of \_\_\_\_\_ whereof Applicant respectfully states that your Zoning Board, after Public Hearing, grant the relief requested.

DATED: \_\_\_\_\_  
\_\_\_\_\_  
*Applicant's Signature*

**TOWNSHIP OF MARLBORO**

Zoning Board of Adjustment

**- VARIANCE APPLICATION -**

1. Identification of all sections of zoning ordinances from which relief is sought.

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2. Statement of reasons why variance(s) is/are needed.

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INDEMNIFICATION AND HOLD HARMLESS AGREEMENT

WHEREAS, THE APPLICANT, \_\_\_\_\_  
HEREINAFTER REFERRED TO AS THE APPLICANT/DEVELOPER, HAS  
FILED AS APPLICATION FOR \_\_\_\_\_ VARIANCES AND  
WAIVER FOR THE CONSTRUCTION OF \_\_\_\_\_  
LOCATED ON BLOCK \_\_\_\_\_ LOT \_\_\_\_\_ IN THE  
TOWNSHIP OF MARLBORO, AND WHEREAS, THE APPLICANT'S/  
DEVELOPER'S APPLICATION ZBA \_\_\_\_\_ FOR SUCH RELIEF  
WAS GRANTED APPROVAL BY THE MARLBORO TOWNSHIP ZONING  
BOARD OF ADJUSTMENT DATED \_\_\_\_\_

WHEREAS, THAT RESOLUTION REQUIERED THE  
APPLICANT/DEVELOPER TO INDEMNIFY AND HOLD HARMLESS THE  
TOWNSHIP OF MARLBORO, ITS OFFICIALS, EMPLOYEES AND  
CONSULTANTS.

NOW THEREFORE, IN ACCORDANCE WITH THE PROVISIONS AND  
REQUIREMENTS OF SAID RESOLUTION, THE APPLICANT/DEVELOPER,  
HEREBY AGREES TO INDEMNIFY AND HOLD HARMLESS THE  
TOWNSHIP OF MARLBORO, ITS OFFICIALS, EMPLOYEES AND  
CONSULTANTS, FROM ANY AND ALL CLAIMS OF DAMAGE SUFFERED  
OR ALLEDGED TO BE SUFFERED BY ANY PERSON ARISING FROM THE  
ACTS OF APPLICANTS/DEVELOPERS NOTWITHSTANDING THE  
APPROVAL OF THE DEVELOPER'S PLANS BY THE TOWNSHIP AND OR  
OF ITS BOARDS OR AGENCIES WHETHER SAID DAMAGES ARE  
SUSTAINED PRIOR TO, DURING OR AFTER CONSTRUCTION OF  
APPLICANT'S/DEVELOPER'S PROJECT.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

WITNESS \_\_\_\_\_

OWNER'S AFFIDAVIT OF AUTHORIZATION AND CONSENT

In the matter of \_\_\_\_\_ ZB# \_\_\_\_\_

*Applicant*

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH

\_\_\_\_\_ of full age, being duly sworn according

*Name of property owner*

to law and oath deposes and says:

I reside at \_\_\_\_\_

and am the owner in fee of \_\_\_\_\_

*Name of company if applicable*

Which company is the owner in fee of property located at \_\_\_\_\_

Marlboro Township, NJ. designated as Block \_\_\_\_\_ Lot \_\_\_\_\_

on the latest Tax Map of Marlboro Township.

The applicant above named is the (my) \_\_\_\_\_

*Relationship to owner*

I (or said company) authorizes said Applicant to appeal to the Zoning Board of Adjustment of Marlboro Township for such relief as the applicant may seek relating to said property and consent(s) to such appeal and agree(s) that any decision of the Zoning Board of Marlboro Township on such appeal be binding upon me (said company) as if said appeal has been brought and prosecuted directly, by me as owner.

SUBSCRIBED AND SWORN TO BEFORE ME

This \_\_\_\_\_ Day of \_\_\_\_\_

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Owner's Signature

**Township of Marlboro**  
1979 Township Drive  
Marlboro, New Jersey 07746  
(732) 536-0200 FAX: (732) 536-7784

*Renee Frotton*  
Tax Assessor  
732-536-0200 Ext 1803

***REQUEST FOR 200 FT. PROPERTY OWNERS LIST***

PROPERTY KNOWN AS BLOCK \_\_\_\_\_ LOT \_\_\_\_\_

ADDRESS OF PROPERTY \_\_\_\_\_  
\_\_\_\_\_

REQUIRED FEE \$10.00 PER BLOCK & LOT

\_\_\_\_\_  
*Applicant's Signature*

DATE: \_\_\_\_\_

TO BE MAILED TO:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE #(\_\_\_\_\_) \_\_\_\_\_

Exhibit No. \_\_\_\_\_

# TOWNSHIP OF MARLBORO

## ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE  
MARLBORO, NEW JERSEY 07746

## TAX COLLECTOR'S CERTIFICATION

I, Kelly Hahn Tax Collector for the Township of Marlboro, do hereby certify and affirm that no taxes or assessment for local improvements are due or delinquent on Block \_\_\_\_\_, Lot(s) \_\_\_\_\_, as shown on the Tax Map of the Township of Marlboro.

Taxes paid thru \_\_\_\_\_

Taxes unpaid for \_\_\_\_\_

Print Name \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

**TOWNSHIP OF MARLBORO  
ZONING BOARD OF ADJUSTMENT**

**DISCLOSURE STATEMENT**

Application Number ZB \_\_\_\_\_ Date \_\_\_\_\_

Applicant Name \_\_\_\_\_

Received by \_\_\_\_\_ Date received \_\_\_\_\_

Disclosure Pursuant to N.J.S.A. 40:55D-48.1

To: The Township of Marlboro Zoning Board of Adjustment

Pursuant to N.J.S.A. 40:55D-48.1 \_\_\_\_\_  
*Applicant Name*

Is a Corporation or Partnership, which has applied to the Township of Marlboro Zoning Board of Adjustment for permission to subdivide a parcel of land into six or more lots, or is applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes under Zoning Board Application Number \_\_\_\_\_ and, therefore, discloses the names and addresses of all stockholders or individual partners who own ten percent (10%) or more of it's stock or of ten percent (10%) or greater interest in the partnership as the case may be:

Name of Stockholder	Address	Percentage of Interest
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

\_\_\_\_\_  
*Applicant Name (Print)*

\_\_\_\_\_  
*Applicant Signature*

**MARLBORO TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
AFFIDAVIT OF SERVICE**

In the manner of

Applicant \_\_\_\_\_

State of New Jersey  
County of Monmouth

Name of Party Making Application \_\_\_\_\_  
of full age, being according to law, deposes and says:

1. I reside at \_\_\_\_\_  
County of \_\_\_\_\_ and State of New Jersey.
2. I am the applicant, his or her agent or attorney in a proceeding before the Marlboro Township Board of Adjustment.
3. At least 10 (ten) days prior to the time appointed for hearing I served notice of this proceeding upon each and all of the owners of property affected by one of the following methods:
  - A) Certified mail, return receipts attached to this affidavit
  - B) Personally, by handing a copy of the Notice to the owner
4. A true copy of this notice and a list of the names and addresses of all persons notified indicating the date and manner of services are attached to this affidavit.

Applicant's Signature \_\_\_\_\_

Sworn and Subscribed by me before this \_\_\_\_\_ day of \_\_\_\_\_  
2015.

\_\_\_\_\_  
*Notary*

**NOTICE OF PUBLIC HEARING TO ADJOINING PROPERTY OWNERS**

FILE #ZB \_\_\_\_\_

IN THE MATTER OF: \_\_\_\_\_

TO: \_\_\_\_\_  
*(OWNER OF ADJOINING PROPERTY)*

PLEASE TAKE NOTICE.....

THE UNDERSIGNED HAS APPEALED TO THE ZONING BOARD OF ADJUSTMENT OF MARLBORO TOWNSHIP FOR A USE VARIANCE, REQUESTING RELIEF FROM SECTION(S) \_\_\_\_\_, AND ANY AND ALL VARIANCES THAT MIGHT BE DEEMED NECESSARY DURING THE COURSE OF THE HEARING, BY THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF MARLBORO SO AS TO PERMIT THE:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ON PREMISES KNOWN AS \_\_\_\_\_

BLOCK \_\_\_\_\_, LOT(S) \_\_\_\_\_

WHICH IS WITHIN 200 FEET OF PROPERTY OWNED BY YOU. THIS APPEAL IS NOW ON THE CALENDAR AND A PUBLIC HEARING HAS BEEN SCHEDULED FOR \_\_\_\_\_, 2015 AT 7:30 P.M. IN THE MUNICIPAL BUILDING 1979 TOWNSHIP DRIVE, MARLBORO, NEW JERSEY AT WHICH TIME YOU MAY APPEAR IN PERSON, OR BY AN ATTORNEY AND PRESENT ANY OBJECTIONS YOU MAY HAVE TO THE GRANTING OF THIS APPEAL OR EVIDENCE RELATING THERETO. ALL PROPOSED EXHIBITS ARE ON FILE WITH THE ZONING BOARD CLERK AND ARE AVAILABLE FOR INSPECTION AT REGULAR BUSINESS HOURS.

THIS NOTICE IS SERVED UPON YOU BY THE APPLICANT BY DIRECTION OF THE ZONING BOARD OF ADJUSTMENT PURSUANT TO STATUTE.

\_\_\_\_\_  
*APPLICANT'S SIGNATURE* *DATE*

**TOWNSHIP OF MARLBORO**

**AFFIRMATION OF LOCAL PAY TO PLAY ORDINANCE**

This form must be completed by all parties seeking a land use approval from the Township which if approved, will result in having to execute a Developer's Agreement, Amended Developer's Agreement or Redevelopment Agreement with the Township of Marlboro.

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that \_\_\_\_\_ (insert name of business entity) has reviewed Chapter 18 of the Code of the Township of Marlboro (revised September, 2007) and certifies that it has not solicited or made, and will not solicit or make, any contributions in violation of the terms of said Chapter.

Chapter 18 of the Code of the Township of Marlboro prohibits developers and/or redevelopers, as defined further in said Chapter, from soliciting or making contributions of money, or pledges of contributions, including in-kind contributions, in excess of certain thresholds specified in said Chapter, within one calendar year immediately preceding the date of entering into a developer's agreement, redevelopment agreement, amended agreement, or contract to:

- Any Township candidate or holder of public office having ultimate responsibility for the award of the contract, or
- Any campaign committee of such candidate or holder of public office, or
- Any Township of Marlboro political party, or
- Any county party committee within the State of New Jersey, or
- Any candidate committee, state or Township political party committee, legislative leadership committee, continuing political committee or political action committee (PAC) organized under Section 572 of the Internal Revenue Code, that is organized for the purpose of promoting or supporting Township candidates or Township officeholders and/or that has within the last calendar year provided financial or in-kind support to Township of Marlboro municipal elections and/or to Township of Marlboro municipal or Township parties.

To review this Chapter and the important definitions and thresholds set forth therein, vendors may view the Township Code by going to the Township's website - [www.marlboro-nj.gov](http://www.marlboro-nj.gov).

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Subscribed and sworn before me this \_\_\_\_ day of \_\_\_\_\_,  
2015.

\_\_\_\_\_  
*(Affiant)*

My Commission expires:

\_\_\_\_\_  
*(Print name & title of affiant) (Corporate Seal)*

**TOWNSHIP OF MARLBORO**  
Zoning Board of Adjustment

**- CONFLICT & CONTRIBUTION DISCLOSURE STATEMENTS -**

This form must be completed by all applicants for a variance, waiver or exception in conjunction with any application for a subdivision, not considered a minor subdivision, or a site plan, not considered a minor site plan. All applicants have a continuing obligation while their application is pending before the Zoning Board of Adjustment to amend this form to disclose all contributions and relationships that fall within the scope of the disclosure requirements. The information disclosed on this form shall not be used in any manner as evidence relevant to the decision-making criteria for granting the subject application.

As used in this form, the following terms shall mean:

**DEVELOPER:** The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

**PROFESSIONAL:** Any person or entity whose principals are required to be licensed by New Jersey law. Professional shall include both the individuals and, if applicable, the firms or entities in which said individuals practice.

**CONTRIBUTION:** Every loan, gift, subscription, advance or transfer of money or other thing of value, including any item of real property or personal property, tangible or intangible (but not including services provided without compensation by individuals volunteering a part or all of their time on behalf of a candidate, committee or organization), made to or on behalf of any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committee and any pledge, promise or other commitment or assumption of liability to make such transfer. For purposes of this form, any such commitment or assumption shall be deemed to have been a contribution upon the date when such commitment is made or liability assumed.

1. **CONTRIBUTION DISCLOSURE STATEMENT:** Please list below all contributions to any candidate, candidate committee, joint candidates committee, political committee, continuing political committee or political party committees of, or pertaining to, the Township of Marlboro made within one (1) year prior to the last municipal election through the time of filing the application with or seeking approval from the Zoning Board of Adjustment by (a) the applicant; (b) any developer involved in the application; (c) any associates (stockholders or individual partners) of said developers who are required to be disclosed pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2; and (d) any professionals who apply for or provide testimony, plans or reports in support of the application or who have an enforceable proprietary interest in the property or development which is the subject of the application or whose fee in whole or part is contingent upon the outcome of the application. Identify the name of the individual or entity who made the contribution, the recipient of the contribution, the amount of the contribution and the date of the contribution (*attach additional pages if necessary*):

APPLICATION ZB#: \_\_\_\_\_ NAME: \_\_\_\_\_

CONTRIBUTOR	RECIPIENT	AMOUNT	DATE

X \_\_\_\_\_  
*Signature* *Date*

2. **CONFLICT DISCLOSURE STATEMENT:** List below any business, financial, social or family relationships between any current member of the Zoning Board of Adjustment and (a) the applicant; (b) any developer involved in the application; (c) all associates (stockholders or individual partners) of said developers who are required to be disclosed pursuant to N.J.S.A. 40:55D-48.1 or 40:55D-48.2; and (d) any professionals who apply for or provide testimony, plans or reports in support of the application or who have an enforceable proprietary interest in the property or development which is the subject of the application or whose fee in whole or part is contingent upon the outcome of the application. Identify the individuals or entities who have such a relationship and the nature of the relationship. (*attach additional pages if necessary*):

APPLICATION ZB#: \_\_\_\_\_

NAME: \_\_\_\_\_

INDIVIDUAL/ENTITIES WITH RELATIONSHIP	NATURE OF RELATIONSHIP

X \_\_\_\_\_  
*Signature* *Date*

# ZONING BOARD VARIANCE APPLICATION

## - I N S T R U C T I O N S -

- √ Bring form to the Tax Assessor with \$10.00.
  - √ He will send you a 200-foot list.
  - √ You must send the notices certified, return receipt to everyone on the list including the utilities. (The Notices must be received a minimum of ten (10) days prior to the hearing.)
  - √ You may have your neighbors sign the list next to their name and date it (to show they received the notice). This must also be received a minimum of ten (10) days prior to the hearing.
  - √ All green cards and certified white receipts and a copy of the 200-foot list must be brought to the Zoning Board Clerk, seven (7) days prior to the hearing.
- 
- √ Send one (1) notice to the Asbury Park Press to be printed one (1) time only in the "Legals" sections, a minimum of ten (10) days prior to the hearing.
  - √ Ask for an Affidavit of Publication to be sent to you. The Affidavit of Publication looks like the actual news cop of the ad.)
  - √ The Affidavit of Publication must be submitted to the Zoning Board Clerk, Seven (7) days prior to the hearing.

Asbury Park Press  
Phone: (888) 516-9220  
Fax: (888) 516 9440  
Email: [Applegals@gannett.com](mailto:Applegals@gannett.com)

**REMEMBER:** You must bring the 200-foot list, the green cards certified white receipts and the Affidavit of Publication into the Zoning Office at least one (1) week prior to your hearing date.