

**MARLBORO TOWNSHIP PLANNING BOARD**

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**JANUARY 20, 2010**  
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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. BARENBURG, MR. BERGH, MR. BETOFF, MR. POLLAK(Arr.8:20), MR. JOSEPHS, COUNCILMAN LA ROCCA, MAYOR HORNIK, MR. ROSENWALD, MR. PARGAMENT**

**ABSENT... MR. GUPTA, MR. HUSAIN, MR. HEGT**

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

**SALUTE THE FLAG**

**CITIZENS VOICE**

No one from the public spoke.

Mr. Rosenwald will be sitting in for Mr. Husain and Mr. Pargament will be sitting in for Mr. Gupta.

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

Salvatore Alfieri, Esq. represented the applicant. This is the 5<sup>th</sup> meeting seeking approval for subdivision and site plan. The site consists of 14 acres and contains approximately 697 feet of frontage along Route 9 to the east and 55 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 as 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 proposing the construction of a 65,015 s.f. supermarket with an attached 51,500 s.f.

two story retail building and a 1,000 s.f. retail building. A separate 14,742 s.f. building will also be built on the site.

Christine Cofone, Planner representing the applicant, testified that the proposed restaurant use has reduced the number of seats from 700 to 400. This will also reduce the required parking by 200 spaces

Gordon Gemma, Esq. representing a Serpentine resident argued that the restaurant space is large enough to be considered a banquet hall.

The applicant referred to the space as a restaurant not a banquet hall.

A major concern for the residents who live on Serpentine Drive is the size of the buffer that will separate their homes from the rear of the proposed retail space and the site's driveway. The applicant is seeking a variance from the ordinance which requires a 250 foot buffer between a commercial zone and a residential zone.

The applicant agreed to a meeting with their professionals, the Board's professionals and the residents in order to design a proper buffer. At minimum there will be a double row of 12 foot high evergreens between the two lots.

The resident also asked the Board to consider requesting from the applicant an 8 foot high fence along with the plantings.

The residents also had concerns with noise from the rear of the buildings. The Board, in the resolution, will put restrictions for the operation of compactors and deliveries to the site.

James Lott, Esq. representing Marlboro Plaza asked the Board to delay their vote until the NJDOT could respond to the possibility of installing a traffic signal on Route 520 at the intersection of a driveway for the site and a driveway for the existing Lowes.

The following residents spoke:

Mr. Chen 101 Serpentine Drive  
Mr. Dresher 107 Serpentine Drive  
Robert Lehan 103 Serpentine Drive  
Maria Lehan 103 Serpentine Drive  
Karli Choy 115 Serpentine Drive  
Mr. Wong 109 Serpentine Drive  
Mr. Feldman 102 Serpentine Drive

**PUBLIC HEARING CLOSED**

Gordon Gemma, Esq. stated he has an engineering witness that will testify on behalf of his client. Sam Gershwin was sworn in and stated that he was retained to evaluate the proposed site and offer

an assessment of the potential impact to the surrounding development.

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

Transcript available in the Planning Board office.

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

This application is being carried to the meeting of February 3, 2010, without further notice

Motion to adjourn was offered by Mr. Pargament, seconded by Mr. Rosenwald. One vote was cast.

Respectfully submitted

Donna Pignatelli