

MARLBORO TOWNSHIP PLANNING BOARD

=====
JULY 2, 2014
=====

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 7:30P.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. GUPTA,
MR. PARGAMENT, MR. JOSEPHS, MR. MESSINGER,
MR. ROSENWALD**

**ABSENT... MR. CHERBINI, COUNCILMAN LA ROCCA, MAYOR HORNIK,
MR. ELMANSOURY**

PROFESSIONALS PRESENT... MS. NEUMANN, MR. GOODELL

SALUTE THE FLAG

A motion to approve/amend the minutes of June 4, 2014 was offered by Mr. Bergh, seconded by Mr. Pargament. In favor: Mr. Barenburg, Mr. Bergh, Mr. Betoff, Mr. Pargament, Mr. Josephs, Mr. Messinger.

CITIZENS VOICE

No one from the public spoke

**P.B. 1093-12 NET COST MARKET – CONTINUED PUBLIC HEARING –
PRELIMINARY & FINAL SITE PLAN**

Salvatore Alfieri, Esq. represented the applicant. The subject 7.3 acre properties contain 877 feet of frontage along the west side of Route 9 and associated jug handle turn around opposite the southerly Clayton Road intersection, Block 288 Lots 374 & 375, within a C-3 zone.

Currently the site contain a 28,845 s.f. multi tenant retail building and a 33,662 s.f. furniture store with associated parking for 240 vehicles throughout the site.

The applicant is proposing to convert the existing 33,662 s.f. furniture store into a supermarket use with an associate outdoor seating area at the southwest corner of the building. Additional improvements include the construction of a 576 s.f. receiving/loading dock along the north side of the building with an associated loading space and a refuse compactor unit on a concrete pad along the north side. The parking areas along the east façade of the proposed supermarket building and west of same, are proposed to be reconfigured to provide 235 parking spaces. Existing access to the site and stormwater management are to remain as exists.

Ron Gasiorowski, Esq. for an objector completed his direct examination of his planner, Andrew Thomas. Mr. Thomas testified that there was no change in circumstance to warrant relief from the 1986 resolution that prohibited food stores in the shopping center. He stated that the main purpose for the restriction was to control traffic. The furniture store had less need for parking than a food store. He stated that the Net Cost Market is equivalent to a supermarket store and is a more intense use than a retail use.

Mr. Goodell, Esq. advised the Board members that just because the objector owned a competing business in another town it should not be relevant to their decision.

Ms. Neumann, P.E., P.P. reviewed her report with the Board and answered questions.

PUBLIC HEARING OPENED

No one from the public spoke.

PUBLIC HEARING CLOSED

The applicant agreed to the following requests of the Board members:

1. All outside agency approvals
2. Comply with the Township backfill and silt fence ordinances
3. Site grading to be reviewed by Board Engineer
4. All drainage and flooding issues shall be corrected immediately, during and after construction
5. Construct a guardrail along Route 9 so that no one in the parking lot could drive out onto Route 9
6. One tractor trailer per day
7. No tractor trailer at the site larger than WB-50
8. Carts must be able to leave the store and roll into the parking area and not be held back by bollards
9. The tractor must stay at the site while the trailer is being unloaded, then remove the trailer from the site the same day

10. No subsequent tenant is allowed that would have a more intense use of the site than the tenants currently on the site without Board approval
11. Board Engineer shall review and approve protective block wall around The outdoor seating
12. Board Engineer shall review and approve all signs and banners.
13. Mr. Betoff and Mr. Messinger expressed opposition to the project. They believed the site would not work because of the proposed uses and layout.

A motion in the affirmative was offered by Mr. Barenburg, seconded by Mr. Gupta. In favor: Mr. Barenburg, Mr. Bergh, Mr. Gupta, Mr. Josephs. Opposed: Mr. Betoff, Mr. Pargament, Mr. Messinger.

A motion to adjourn was offered by Mr. Gupta, seconded by Mr. Bergh. One vote was cast.

Respectfully submitted

Donna Pignatelli