

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

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MINUTES

ZONING BOARD OF ADJUSTMENT

MARCH 16, 2010

SALUTE TO FLAG

SUNSHINE LAW READ

ROLL CALL

PRESENT:

Alan Zwerin, Jennifer Bajar

Michael Mahon, Ira Levin,

Matthew Weilheimer, Frank Yozzo

ALSO PRESENT:

Ronald Cucchiaro, Esq. Board Attorney

Al Hilla, P.E., Board Engineer

Richard Cramer, P.P., Board Planner

ABSENT:

Michael Shapiro, Mark Ellenberg,

Sarah Paris, Paul Schlaflin

Public Session.

ZB 05-6198A – Marlboro Grande aka Royal Pines at Marlboro

Continuation of a Public Hearing for permission to modify approved site plan to remove from same an offsite sidewalk area extending northerly from the site at 362 Route 9 North, Marlboro, NJ, Block 299, Lot 3, located in the C-3 Zone.

Due to the past month's inclement weather, Crest Engineering has been unable to perform necessary field work to present the necessary survey for the March 16, 2010 meeting. The Board accepted Mr. Edward Kay's request and it will be carried to April 20, 2010.

ZB 06- 6262A – Croddick Real Estate Holdings, LLC (Mannion Manor)

Continuation of Hearing for approval of Final Major Subdivision (Mannion Manor) located at Buckley Road, Marlboro, NJ, Block 417, Lot 7 in the R-80 Zone.

The Board accepted Mr. Sonnenblick's request to schedule the Mannion Manor application for May 5, 2010.

ZB 10- 6380 – Anil & Rupali Jain

Public Hearing approval to keep two residential structures requiring both existing and proposed front yard setbacks located at 9 Station Road, Morganville, NJ, Block 171, Lot 73 in the LC Zone.

The application was read into the record. The Board took jurisdiction and the following evidence was entered:

- 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 Application Affidavit of Completeness
- A -15 Plot Plan for 9 Station Road, Morganville, Block 171, Lot 73, Lindstrom, Diessner & Carr, PC, 136 Drum Point Road, Suite 6, Brick, NJ dated 2/2/10.
- A – 16 Report prepared by Alan P Hilla, Jr., PE, PP, CME, Birdsall Engineering, Inc., 611 Industrial Way West, Eatontown, NJ, Dated 3/9/10.
- A – 17 Correspondence from Salvatore Alfieri, regarding the Jain application regarding withdrawing the use aspect of the application received 3/11/10.
- A – 18 Correspondence from Richard S. Cramer, PP, AICP, Planning Consultant, T&M Associates. Eleven Tindal Road, Middletown, NJ, Dated 3/15/2010.
- A – 19 NJDEP submitted a LOI letter dated 9/23/06.
- A – 20 Elevations shown.
- A – 21 Color aerial depicting also showing views of neighbors setback.

- P – 1 Public 1 - Photos submitted showing area homes.

Sal Alfieri, Esq., 5 Ravine Drive, Matawan, NJ stated the applicant will be withdrawing the use variance. Per Mr. Alfieri's correspondence of March 11, 2010 they will be demolishing one of the residential buildings, eliminating the use variance. They are now seeking bulk variance approval for the front yard setback.

Mr. and Mrs. Jain, the owners of 9 Station Road sworn in.

The LOI line is not on the plan. There is no side entry garage, will have to do front and a horseshoe driveway. The stockade fence will be removed. The asphalt driveway apron will also be removed. A survey will be provided and architectural elevations submitted. The house will have basement, five bedrooms, three bathrooms which they will reside in.

Color aerial provided showing Route 79. The existing structure near the road is not inconsistent with the other area homes. The applicant went to subdivide at the Planning Board. The zoning was changed and he was not able to subdivide.

Mr. Weilheimer asked how many square feet is the house. Mr. Jain stated the proposed will be 4,500 square feet. The backyard is about 20 feet from the house and includes the deck. The Jains are not proposing a fence; if the board requires a fence they will put one.

Mr. Weilheimer also inquired as to the size of the neighboring homes. Mr. Jain said they are about 4,000 – 5,000 square foot.

Ms. Bajar asked how high the finished structure will be. Mr. Jain said about thirty-five feet which is three stories.

There were no further questions.

Public Questions:

Cherly Vota, 8 Station Road, is sworn in. She stated her main concern is the smaller structure on the property; now this house will be razed. She said her house is 2,400 square feet. The house next to Mr. Jain is 1,600 square feet. There are four new houses on Station Road; they are about 3,000 square feet. The homes between Route 79 and Lisa Lane are older homes. They are proposing a much larger house.

The water table there is all wet lands and there have been water problems. Curbs were put in, but there is underground water. The house should really be in the same context of the area.

Public 1 (P1) submitted showing area homes.

Gloria Janwich, 12 Station Road is sworn in. She resides next to the Vota house and feels the same. The house will be out of place if it is built the way it is now.

Mr. Weilheimer asked if there is anything below ground.

Mrs. Rupali Jain is sworn in. She answered the house is on a slab. There is no basement.

Mr. Ronald Cucchiaro stated that per the ordinance, this is not a basement. They may use it as a basement.

Any other questions.

Mr. Alfieri stated the house is larger; we will be removing this substandard condition. We are asking to get rid of this substandard with something in line of the neighbors. The applicant wants everything timed together with the demolition.

Mrs. Jain stated that Route 79 is already widened per the master plan.

Motion for approval to construct a 25'x 30' sports court at 15 Blake Drive.

Offered By:	Ira Levin	Seconded by:	Mark Ellenberg
Ayes:	5	Nays:	2
Absent:	2	Abstain:	0

Motion Approved.

MEMORIALIZATIONS

ZB 09- 6373 – Richard and Carol Champagne

Memorialization of a resolution for approval for a use variance to construct a 3,600 square foot one story medical office at 480 Route 79, Morganville, Block 126, Lot 33 in the R-30/20 residential zone.

ZB 09- 6371 – TDA Capital, LLC

Memorialization of a resolution for approval to construct a warehouse and office at 114 Tennent Road, Morganville, Block 147, Lot 28.02 in the C-2 Neighborhood Commercial Zone.

ZB 09-6376 – Land Baron, LLC

Memorialization of a resolution for approval to use the site as a landscape supply yard. Applicant proposes to keep the house on Block 172, Lot 42 as an office. The existing house on Block 172, Lot 43 will be demolished and replaced with a proposed 45' x 70' pole barn at 308 and 312 Tennent Road, Morganville, NJ, located in the IOR Zone.

Meeting adjourned at 10:45 pm.

Respectfully submitted,