

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

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Chairperson

Michael Shapiro

Vice-Chairperson

Matthew Weilheimer

Secretary

Alan Zwerin

Members

Frank Yozzo

Ira Levin

Jennifer Bajar

Ibrahim El-Naboulsi - Alt #1

Stacey DiGrande - Alt # 2

Zoning Board Clerk

Yvonne Cautillo

Attorney

Weiner Lesniak

Ronald D. Cucchiaro, Esq.

Engineer

Birdsall Engineering

James Priolo, P.E.,

Planner

T & M Associates

Richard Cramer, P.P.

Traffic Engineer

French & Parrello

Mark Kataryniak, PE, PTOE

Administrative Officer

Zoning Officer

Sarah Paris

MINUTES

ZONING BOARD OF ADJUSTMENT

OCTOBER 2, 2012

8:00 p.m.

SALUTE TO FLAG

SUNSHINE LAW READ

PRESENT: Michael Shapiro, Jennifer Bajar,
Alan Zwerin, Frank Yozzo,
Stacey Di Grande

ALSO PRESENT: Ron Cucchiaro, Esq, Board Attorney
James Priolo, P.E., Birdsall Engineering, Inc.
Richard Cramer, P.P., T&M Associates
Mark Kataryniak, PE

ABSENT: Matthew Weilheimer, Ibrahim El Naboulsi,
Ira Levin

The minutes of September 4, 2012 meeting were approved:

Offered:	Michael Shapiro	Ayes:	5
Seconded:	Alan Zwerin	Nays:	0
		Absent:	3

No one signed up for Public Session.

Public Hearing for approval of a professional use of an orthodontist's office in a residential zone, where use is not permitted and which exceeds permitted, total lot coverage, at 19 County Route 520, Block 270, Lot 8, in the R-30/20 zone.

Correspondence from Mr. Papora requesting the application be carried to December 18, 2012; they are unable to have their professional here. Carried without notice to December 18, 2012.

The Board took jurisdiction. 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 List of Property Owners within 200 feet
- A - 9 Certified White Receipts and Green Cards
- A - 10 Affidavit of Publication
- A - 11 Affidavit of Service
- 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 Site Plan Little Mill Realty, for Block 270, Lot 8, Including Site Plan, Aerial Map and Landscape Plan, prepared by J.A. Palus, Dynamic Engineering, 1904 Main Street, Lake Como, NJ and Dated 8/15/12.
- A - 16 Report prepared by John W. Borden, Fire Sub-Code Official, Marlboro Township, 1979 Township Drive, Marlboro, NJ, Dated 9/19/12.
- A - 17 Report prepared by Richard Cramer, PP, T&M Associates, Eleven Tindal Road, Middletown, NJ and Dated 9/27/12.
- A - 18 Report prepared by Mark Kataryniak, PP, French & Parrello, 1800 Route 34, Suite 101, Wall, NJ, Dated 9-28-12.

ZB12-6453 – MILENA MURRAY

Public Hearing for approval to construct a 3' x 8' front porch on a new single family dwelling with insufficient front yard setback and insufficient lot depth at 34 Baldwin Avenue, Block 127, Lot 2, in the R-30/20 zone.

The Board took jurisdiction. 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 List of Property Owners within 200 feet
- A - 9 Certified White Receipts and Green Cards
- A - 10 Affidavit of Publication
- A - 11 Affidavit of Service
- 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 Survey of Property for Block
- A – 16 Topographic Boundary Survey prepared for 34 Baldwin Avenue, Block 127, Lot 2, By Mark EV Daniels, Careaga Engineering Inc., 382 Route 46 West, Equity Plaza, Suite 5, Budd Lake, NJ and Dated 4/25/12.
- A – 17 Grading Plan and Soil Erosion & Sediment Control Plan, Prepared for 34 Baldwin Avenue, Block 127, Lot 2, By Jeffrey J. Careaga, PE, Careaga Engineering Inc., 382 Route 46 West, Equity Plaza, Suite 5, Budd Lake, NJ and Dated 5/10/12.
- A – 18 Architectural prepared for 34 Baldwin Avenue, Block 127, Lot 2, By Professional Building Systems, Inc., 72 East Market Street, PO Box 219, Middleburg, PA, and Dated 6/01/12.
- A – 19 Modified Acceptance/Compliance Certificate/Checklist for Modular home for 34 Baldwin Avenue, Block 127, Lot 2, Prepared by PFS Corporation, 2877 Skatetown Road, Bloomsburg, PA, and dated 6/01/12.
- A – 20 Report prepared for Block 127, Lot 2, by James Priolo, Birdsall Services Group, 611 Industrial Way West, Eatontown, NJ, Dated 9/25/12.
- a-o Pictures submitted of October 2, 2012.

Milena Murray, owner and applicant of 34 Baldwin Avenue, was sworn in. She stated that the property has insufficient front yard setback where they wish to build a porch at the 3’ x 8’ entrance.

Jennifer Bajar inquired about the flatbed trailers on the property. Mrs. Murray said they are from transporting the modular pieces and are temporary due to the construction. A variance for the one foot is required.

Mr. Yozzo joined the dais at 8:15 pm.

Mrs. Carlson, 31 Baldwin Avenue, presented photographs taken during the construction process to illustrate her objection. She inquired if Mrs. Murray was planning to subdivide. Mrs. Murray answered “no”.

Judith Burlew, 25 Baldwin stated she had signed a petition objecting. This petition could not be submitted as evidence. She asked why she did not center the house on the property. Mrs. Murray said it was their dream to have a large garden on the side of the property.

David Burlew, 25 Baldwin, inquired about the actual approved plan stating they were different from the original.

After discussion, the Board carried to November 20, 2012. Mr. Priolo, the Board’s Engineer, will visit the site to check on the dimensions further.

ZB12-6456 – PETROUTSAS, MICHAEL & SANDRA

Public Hearing for approval to construct a 6’ x 9’ portico over existing steps having insufficient front yard setback at 4 Pine Lane, Block 399, Lot 6, in the PAC Planned Adult Community zone.

The Board took jurisdiction. 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 List of Property Owners within 200 feet
- A – 9 Certified White Receipts and Green Card
- A - 10 Affidavit of Publication
- A – 11 Affidavit of Service
- 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 Block 399, Lot 6 plan of foundation, front and side elevation.
- A – 16 Survey Map of Block 399, Lot 6, prepared by Joseph L. Lagok, PLS, Acre Survey Company, Inc., 806 Highway 71, Spring Lake Heights, NJ, and Dated 11/09/01.
- A – 17 Report prepared for Block 399, Lot 6, by James Priolo, PE, Birdsall Engineering, 611 Industrial Way, Eatontown, NJ, Dated 9/27/12.

Mrs. Petroustas, applicant and resident of 4 Pine Lane was sworn in. They are replacing the front door which has rotted from the weather. She would like to put a 6' x 9' portico to protect it in the future. They were no questions from the Board and a Motion to Approve was made.

Motion to Approve

Offered:	Michael Shapiro	Seconded:	Alan Zwerin
Ayes:	5	Nays:	0
Absent:	3	Recused:	0

MEMORIALIZATIONS

ZB12-6450 – Royal Pines at Marlboro, LLC

Memorialization of a resolution for approval to construct a 300 square foot utility shed where an accessory structure requires setbacks to be a minimum of twice the distance from any street line on property located at 362 US Highway 9, Englishtown, Block 299, Lot 3 in a C-3 Zone.

ZB12-6451 – Patel, Sandip & Binjan

Memorialization of a resolution for approval to construct a six foot high fence in second front yard less than twenty feet from property line having insufficient room for required double row of evergreens at 310 Deerfield Road, Morganville, Block 180.01, Lot 29, in a R-40/30 Zone

Motion to Adjourn at 9:30 p.m.

Offered:	Michael Shapiro
Seconded:	Alan Zwerin

Respectfully submitted.

