

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

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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

MAY 15, 2012

8:00 p.m.

SALUTE TO FLAG

SUNSHINE LAW READ

PRESENT: Matthew Weilheimer, Alan Zwerin,
Ira Levin, Ibrahim El Naboulsi

ALSO PRESENT: Ronald D. Cucchiaro, Esq, Board Attorney
Sarah Paris, Administrative Officer
James Priolo, PE, Birdsall Services Group
Richard Cramer, PP, T&M Associates
Mark Kataryniak, PE, French & Parrello

ABSENT: Michael Shapiro, Jennifer Bajar,
Frank Yozzo, Stacey DiGrande

Matthew Weilheimer is the Acting Chair.

No one signed to speak from the Public.

ZB12-6444 – Gill, Natalie

Public Hearing for approval to construct a 930 square foot addition to existing home having insufficient front yard setback at 10 Stetson Place, Morganville, Block 305, Lot 167. Property is located in an R-20 residential Zone.

Mrs. Gill was sworn in. She is the owner of 10 Stetson Place, Morganville. She stated she now has a family and would like to bring her mother to her home. There is evidence that her mother's dementia is progressing and she has difficulty walking. She would like to do an addition as they are trying to prepare for future needs.

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 10 Stetson Place, Block 305, Lot 167, prepared by Robert Coriell, Decker & Coriell, Inc., 2165 Morris Avenue, NJ, Dated 3/2/02.
- A – 16 Correspondence from Sarah Paris, Zoning/Code Enforcement Officer, Township of Marlboro, NJ, stating a variance is not required to place a structure in the easement, And Dated September 21, 1010.
- A – 17 Drawing prepared and submitted by Natalie Gill for proposed property addition at 10 Stetson Place, Blok 305, Lot 167, April 16, 2012.

Per Mr. Cucchiaro stated they are requesting waivers of architectural and storm water calculations for the meeting.

The Board voted to go forward based on the submission waivers for sealed architectural plans:

Offered by: Ira Levin

Seconded: Ibrahim El Naboulsi

The Board members agreed on going forward.

Mr. Zwerin inquired if the pool is currently in existence; Mr. Levin also inquired if the distance is 20 feet from pool to house.

Mrs. Gill stated there are two front yards and a fence around the pool. A connected fence will reattach to the new addition. She stated that her mother does not recognize how to use the fence and locks.

All of the items on list will be submitted for permits.

There were no questions from the public.

All Board Members agreed on going forward in agreement for the application/

Motion to Approve.

Offered By:	Matthew Weilheimer	Ayes:	4
Seconded By:	Alan Zwerin	Nays:	0

Motion Approved.

ZB12-6438 – FSP–Marlboro, LLC

Continued Public Hearing for approval to construct a three story, eighty-six unit Assisted Living Facility with associated parking where Assisted Living is not a permitted use in the Office Professional Transitional 2 Zone located at 23 Route 520 and 53 Route 520, Marlboro, NJ, Block 176, Lots 38, 39, 40 and 41.

Mark Policastro, Esq., is the attorney for the applicant.

Edward F. Liston, Jr., Esq, 207 Hooper Avenue, Toms River, NJ, on behalf of Mr. and Mrs. Laquinta, 8 Bluffs Court, Morgnville, stated he has objections to the Board's jurisdiction. There are no architectural and the application is not complete for a D variance; it is required they show architectural and the landscape plans.

Mr. Cucchiaro asked how this would deprive the application and jurisdiction; there were no objections to the notice. These matters are not depriving the Board of jurisdiction; they are substantive issues.

Mr. Policastro stated they have satisfied all issues.

Mr. Bozak, Dressner Robbin, is a licensed professional for state of New Jersey. Mr. Bozak said he previously appeared in Marlboro on the Sunrise application and many other assisted living applications (close to twenty) and has appeared for Dressner on other types of commercial, residential and industrial applications (over fifty Boards).

Messrs. Cucchiaro and Weilheimer accepted Mr. Bozak as a professional witness.

Mr. Bozak will address the submission waivers. Mr. Bozak is the project manager. He stated the proposed layout of the site with prepared landscaping will be shown; there will be someone testifying for the buffers. Mr. Liston objected to this.

Mr. Liston stated they should comply with the use variance and feels 40 vs. 50 scale is significant. Nothing could be more important to his clients than the landscaping and buffers. The Board needs to see what the building is going to look like and hearing this application does a disservice to the residents on Bluffs Court.

As there was no quorum, the Memorializations were not approved.

Meeting adjourned at 9:15 pm.

Respectfully submitted,

