

# 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

SEPTEMBER 4, 2012

8:00 p.m.

### SALUTE TO FLAG

### SUNSHINE LAW READ

**PRESENT:** Michael Shapiro, Alan Zwerin,  
Matthew Weilheimer, Ira Levine,  
Stacey Di Grande

**ALSO PRESENT:** Ron Cucchiaro, Esq, Board Attorney  
James Priolo, P.E., Birdsall Engineering, Inc.

**ABSENT:** Jennifer Bajar, Frank Yozzo,  
Ibrahim El Naboulsi

The minutes of August 21, 2012 meeting were approved:

Offered: Michael Shapiro

Seconded: Alan Zwerin

Ayes: 5

Nays: 0

Absent: 3

No one signed up for Public Session.

**ZB12-6451 – Patel, Sandip & Binjan**

**Public Hearing 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.**

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 Completeness Checklist for Bulk Variance
- A – 16 Final Survey for Block 180.01, Lot 29, 310 Deerfield Road,  
Prepared by Anthon F. Dimauro, Taylor Wiseman & Taylor,  
124 Gather Drive, Suite 150, Mount Laurel, NJ, Dated 5/17/12.
- A – 17 Report prepared by James A. Priolo, Birdsall Engineering, 611 Industrial Way,  
Eatontown, NJ, Dated August 30, 2012.

**Mrs. Binjan Patel, owner applicant of 310 Deerfield Road, Morganville, Block 180.01, Lot 29, was sworn in.**

**Ronald Cucchiaro, Esq. reviewed submission of waivers required. It was determined they do not appear to deprive the Board of a fair hearing and are granted.**

**Mrs. Patel would like to put a six foot high vinyl fence after the tree line, so as not to take any trees down. Mr. Shapiro confirmed that no tree line will be disturbed.**

**Mr. Priolo would like an easement letter executed. Mrs. Patel stated she already signed an easement letter.**

**Mr. Shapiro made a motion to approve what was discussed regarding keeping the tree line and the easement letter.**

**Motion to Approve**

<b>Offered:</b>	<b>Michael Shapiro</b>	<b>Seconded:</b>	<b>Alan Zwerin</b>
<b>Ayes:</b>	<b>5</b>	<b>Nays:</b>	<b>0</b>
<b>Absent:</b>	<b>3</b>	<b>Recused:</b>	<b>0</b>

**The Royal Pines Memorialization will be carried to the next meeting.**

**Mr. Shapiro confirmed the attendance of the Board Members for the September 18, 2012 meeting.**

## **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.

### **ZB12-6452 – Levine, Jeffrey and Marni**

Memorialization of a resolution for approval of accessory structure having insufficient side and rear yard setbacks and retain a paved terrace located in setback on property located at 4 Foursome Drive, Marlboro, Block 360, Lot 31 in an R-80 Zone.

