

**MARLBORO TOWNSHIP ZONING BOARD**

=====

**OCTOBER 22, 2013**

=====

**THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN MICHAEL SHAPIRO AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 8:00P.M.**

**MR. SHAPIRO 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, FILED IN THE TOWNSHIP CLERK'S OFFICE AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.**

**ROLL CALL**

**PRESENT ... MR. LEVIN, MR. SHAPIRO, MR. WEILHEIMER, MR. ZWERIN, DR. ADLER, MR. SOLON, MS. DI GRANDE**

**ABSENT... NONE**

**PROFESSIONALS PRESENT... MS. NEUMANN, MR. KATARYNIAK, MR. CUCCHIARO, MS. PARIS (Admin.Officer)**

**SALUTE THE FLAG**

**PUBLIC SESSION**

On one from the public spoke.

A motion to approve/amend the minutes of September 10, 2013 was offered by Mr. Shapiro, seconded by Mr. Levin. In favor: Mr. Levin, Mr.Shapiro, Mr.Weilheimer, Mr.Zwerin, Dr. Adler, Mr. Solon, Ms. DiGrande.

**Z.B. 13-6486 TMC MARLBORO, LLC – PUBLIC HEARING USE VARIANCE**

Kenneth Pape, Esq. represented the applicant. The site contains 32.3 acres with frontage along Route 520 to the south as well as Hartman Road and Route 18 to the east, Block 118.01 Lot 176, within the IOR zone.

The applicant is requesting an interpretation of the zoning ordinance so as to determine whether “medical offices” are permitted with this zone.

Richard Cramer, P.P. testified that the applicant was taking a wide interpretation of the term “professional office”. He agreed that a doctor’s office would meet the definition of a “professional office”, but other uses were beyond the definition.

A motion issuing an interpretation was offered by Mr. Shapiro, seconded by Mr. Weilheimer. In favor: Mr. Levin, Mr. Shapiro, Mr. Weilheimer, Mr. Zwerin, Dr. Adler, Mr. Solon, Ms. DiGrande.

This application for a use variance is being carried to the meeting of November 12, 2013, without further notice.

**Z.B. 13-6486 SHELDON ROGERS – CONTINUED PUBLIC HEARING – USE VARIANCE**

Salvatore Alfieri, Esq. represented the applicant. The site contains 210 feet of frontage along the east side of Route 9, Block 176 Lot 12, within the C-4 zone. The property currently contains a multi-tenant, 1 story retail/warehouse building, a billboard and paved parking to accommodate 30 vehicles.

The applicant is proposing to convert the existing warehouse portion of the rear of the building to auto repair use.

At the meeting of September 10, 2013, Board members had concerns with the parking and traffic circulation.

John Rea, Traffic expert testified that the applicant initially proposed 52 parking spaces for the entire site, which fell short of the required number. The revised proposal included 55 parking spaces, which will remove the need for a parking variance. Mr. Rea stated that the traffic studies that were conducted showed Saturdays as the busiest day for the center. He feels that there is enough parking for the site.

John Ploskonka, P.E. testified on behalf of the applicant. Entered into evidence were the following exhibits:

A-29 Colored rendering of the site

A-30 Rider to lease agreement

Mr. Ploskonka stated that the nail salon agreed to use no more than six chairs in the salon.

Laura Neumann, Board Engineer stated that the vacant units in the strip mall are considered to be retail uses that demand more intense parking requirements and the applicant would have to come back to the Board if a tenant proposes a more demanding use.

The applicant agreed to keep the gate to the fenced in area open during the day and closed at night, with a lockbox available for emergency services. The applicant also agreed to abide by operational hours and standards previously lodged with the Board. That includes the provision that all repairs will be performed inside the garage.

Workshop  
Offered: Shapiro  
Second: Adler

Board members all agreed that they were satisfied with the parking concerns.

Out of workshop  
Offered: Shapiro  
Second: Zwerin

A motion in the affirmative was offered by Mr. Shapiro, seconded by Mr. Zwerin. In favor: Mr. Levin, Mr. Shapiro, Mr. Weilheimer, Mr. Zwerin, Dr. Adler, Mr. Solon, Ms. DiGrande.

**Z.B. 13-6488 OLD MILL ESTATED – C ONTINUED PUBLIC HEARING – BULK VARIANCE**

Salvatore Alfieri, Esq. represented the applicant. The site is part of a single family residential development, Old Mill Estates, Block 413.02 Lots 38.01, 38.02, 38.08, 38.09, within the R-20 zone.

The applicant is seeking Bulk Variance approval to exceed the permitted building coverage for principal building within the R-20 zone.

William Stevens, P.E.,P.P. testified on behalf of the applicant. Entered into evidence were the following exhibits:

- A-28 Architectural elevation “Magnolia Model”
- A-29 Picture “Salt Box House”

Mr. Stevens testified that the Richmond Model contained 3,950 s.f.; the Sequoia model contained 3,550 s.f. and the Magnolia model contained 3,250 s.f. He testified that the applicant intended to construct either the Richmond or Sequoia models on each lot.

**PUBLIC HEARING OPENED**

The following spoke:

Iris Lurie – Broker for these properties

Stated that several properties were under contract and required construction of certain models

Leslie AnnFury – 4 Miro Circle

Feels enough variance relief has been granted from the previous application

Workshop  
Offered: Shariro  
Second: Weilheimer

Weilheimer – not in favor – size of house  
Levin – applicant needs to address previous issues

Adler – address previous issues,(drainage, trees)  
Solon – address previous issues  
DiGrande – size of house  
Zwerin – build to meet standards  
Shapiro – variances not necessary

Out of workshop  
Offered: Shapiro  
Second: Adler

A motion in the affirmative was offered by Mr.Shapiro, seconded by Mr. Levin. In favor: Mr. Levin, Mr. Shapiro, Dr.Adler, Ms.DiGrande. Opposed: Mr.Weilheimer, Mr.Zwerin, Mr. Solon.

**Z.B. 13-6478 INSURANCE AUTO AUCTIONS CORP. – PUBLIC HEARING – USE VARIANCE**

The Board took jurisdiction and exhibits A-1 thru A- 24 were marked into evidence.

Salvatore Alfieri, Esq. represented the applicant. The site is located at 426 Texas Road,Block 146 Lots 28, 30, 31 & 33, within the LC zone. Currently the property contains an automobile storage use consisting of a one story building containing an office associated with the site, a shed, a temporary tent, and a propane and gasoline fuel tank area. The property also contains a perimeter 10 foot high metal fence enclosing the site. Access to the site is provided by a stone driveway along Texas Road.

The applicant is seeking Use Variance Approval to modify the previously approved hours of operation and to maintain the existing conditions on the site.

This application is being carried to the meeting of November 26, 2013, without further notice.

**Z.B. 12-6463A M & M @ MARLBORO 79, LLC. – MEMORIALIZATION OF RESOLUTION GRANTING PRELIMINARY & FIANL SITE PLAN APPROVAL**

A motion in the affirmative was offered by Mr.Shapiro, seconded by Dr.Adler. In favor: Mr. Levin, Mr. Shapiro, Mr. Zwerin, Dr. Adler, Ms.DiGrande.

**Z.B. 13-6480 REZNIKOV – MEMORAILIAZATION OF RESOLUTION GRANTING BULK VARIANCE APPROVAL**

A motion in the affirmative was offered by Mr.Shapiro, seconded by Mr. Weilheimer. In favor: Mr. Levin, Mr.Shapiro, Mr.Weilheimer, Dr.Adler, Mr. Solon, Ms. DiGrande.

**Z.B. 13-6487 ZHIRONG & HSUNFANG LIANG – MEMORIALIZATION OF RESOLUTION GRANTING BULK VARIANCE APPROVAL**

A motion in the affirmative was offered by Mr.Shapiro, seconded by Mr. Weilheimer. In favor: Mr. Levin, Mr.Shapiro, Mr.Weilheimer, Dr.Adler, Mr.Solon, Ms. DiGrande.

A motion to adjourn was offered by Mr.Shapiro, seconded by Mr.Weilheimer. One vote was cast.

Respectfully submitted

Donna Pignatelli