

MARLBORO TOWNSHIP ZONING BOARD

August 8, 2017

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE TEMPORARY CHAIRMAN MR. RONALD D. CUCCHIARO, ESQ. AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30P.M.

CHAIRMAN 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 ... {6} MR. SOLON, MR. VERDI, MR, ZWERIN, CHAIRMAN SHAPIRO, MS. DI GRANDE, and MR. POWERS

ABSENT... {2} MR. WEILHEIMER, and DR. ADLER

PROFESSIONALS PRESENT... MS. NEUMANN, P.E., and MR. CUCCHIARO ESQ. MS. PARIS, ADMINISTRATIVE OFFICER

SALUTE THE FLAG

APPROVAL OF THE MAY 9, 2017 & JUNE 13, 2017 ZONING BOARD OF ADJUSTMENT MINUTES

RESOLUTIONS

Z.B. 16-6570 Collier Services, Inc. - Memorialization of Resolution granting a Use Variance and associated Site Plan for placement and hook-up of one additional classroom trailer and a five year extension to allow this new trailer and existing temporary classroom trailers to remain until the end June, 2023, located at 160 Conover Road, Block 153, Lots 38 & 47 in the LC zone.

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 4 (Mr. Solon, Mr. Zwerin,
Ms. DiGrande, & Mr. Powers)

Second: Mr. Zwerin

Nays: 0
Absent: 2 (Mr. Weilheimer, & Dr. Adler)

Abstain: 0

Z.B. 17-6622 Debra Curran - Memorialization of Resolution granting a Bulk Variance to keep portions of shed, pool, pool patio and driveway that were built within a drainage easement by a former owner, located at 8 Alison Ct., Block 339, Lot 66 in the R-30/20 zone.

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 3 (Mr. Zwerin, Ms. DiGrande,
& Mr. Powers)

Second: Mr. Zwerin

Nays: 0
Absent: 2 (Mr. Weilheimer, & Dr. Adler)

Abstain: 0

PUBLIC SESSION – *No one from the public signed up to speak.*

Z.B. 17-6618 Mara Kraushaar – Public Hearing for a Bulk Variance to construct a 12’ x 16’ shed in second front yard with insufficient front yard setback for an accessory structure, a new one story addition and some new paved areas, located at 2 Topaz Ct., Block 420.02, Lot 7 in the R-80 zone.

The subject property contains 80,577 square feet and is a corner lot with 159 feet of frontage along Diamond Hill Road to the west and 230 feet of frontage along Topaz Court to the north within the R-80 (Residential) Zone. The subject site is currently improved with a two-story dwelling with associated paver walks and a patio, a one-story detached garage, an in-ground swimming pool with a one-story cabana, a paved patio and a sports court within perimeter rear yard fencing, as well as a paved drive along Diamond Hill Road.

The Applicant proposes to construct a one-story 66 square foot building addition (5.6 feet x 11.6 feet) to connect the existing dwelling to the existing detached garage, as well as to locate a new accessory shed within the front yard area along Diamond Hill Road. The Applicant also proposes to increase the front yard paver walkway and the rear yard patio area.

Counsel for the Applicant, Dante Alfieri, Esq., stated the Applicant was seeking bulk variance relief in order to construct a 66 square foot addition in order to connect certain improvements on the property. He specifically stated that several existing non-compliant conditions exist on the site which include: **Section 220-43A** - A tennis or sports court shall not be erected within the front yard setback of the Zone District in which it is located; the existing sports court is located within the front yard setback area along Diamond Hill Road. **Section 220-48C (Table 1)** - The minimum required lot frontage is 250 feet; 179.6 feet is provided along Diamond Hill Road.

Mr. Alfieri further stated that the following variance relief was being requested: **Section 220-48C (Table I)** - The maximum percentage of total impervious lot coverage permitted is 15%; 18.5% is indicated as proposed, and we note an existing lot coverage of 17.1% indicated, as currently provided on-site. **Section 220-140D(1)(Table 1)** — The maximum permitted total building coverage for a principal building with an R-80 Zone shall be 5%; 5.8% is indicated as proposed with the subject building addition connecting the dwelling and garage structure. **Section 220-140D(1)(Table 1)** - The maximum total building coverage permitted within a R-80 Zone District is 6%; 6.7% is proposed with the subject shed and building addition and we note an existing total building coverage of 6.4% currently indicated as provided on-site. **Section 220-140E(1)(Table J)** - Accessory structures in second front yards shall be setback the same distance from the street line as the principal structure is required to setback, whereby 50 feet would be required; 30.5 feet is proposed along Diamond Hill Road to the proposed shed structure. Mr. Alfieri went on to explain that several previously granted variances were being eliminated by virtue of the application. This included maximum building height for an accessory structure as the previously detached garage would now be part of the principal dwelling; minimum distance between an accessory structure and any other buildings on the same lot which also relates to the detached garage, as well as the permitted lot coverage for accessory structures also relating to the garage.

Testimony was taken from Steven Miele who identified himself as an employee of Home Project Management which is the contractor for the site. Mr. Miele stated that the Applicant wishes to have the

storage shed served with electric utilities. He further stated that an updated survey would be submitted for review and approval by the Board Engineer.

PUBLIC - *There were no members of the public expressing an interest in this application.*

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 6 (Mr. Solon, Mr. Viridi, Mr. Zwerin, Chairman Shapiro, Ms. DiGrande, & Mr. Powers)

Second: Mr. Powers

Nays: 0

Absent: 2 (Mr. Weilheimer, & Dr. Adler)

Abstain: 0

Z.B. 16-6592 Champagne Smiles – Continued Public Hearing for a Use Variance to permit installation of façade signs on three sides of the building, located at 480 Route 79, Block 126, Lot 33 in the R30/20 zone.

Application to be carried to September 12, 2017 without further notice to property owners. (Applicant's professionals were not available to attend hearing)

Z.B. 17-6620 AALKB 8M, LLC I - Public Hearing for a Bulk Variance to build a new two-story single family dwelling on undersized lot on unimproved streets, located at 4 Thomas Lane, Block 104, Lot 8 in the R-30/20 zone.

Donte Alfieri, Esq. introduced the application to the board.

Bruce Jacobs, P.E., P.P., (Applicant's Engineer) was sworn in and gave testimony. Mr. Jacobs gave a description the subject property and the surrounding area.

Laura Neumann, P.E., (Zoning Board's Engineer) testified that the structures have been demolished. Chairman Shapiro asked for clarification as to the timeframe that the structures had been demolished. Mr. Cucchiaro asked that the Applicant testify to the timeframe.

Anna Safonova (Real-estate Agent) was sworn in. Chairman Shapiro asked Ms. Safonova when the structures were demolished. Ms. Safonova stated that the structures were demolished approximately two months ago. Mr. Safonova stated "they took out permits and demo shortly after". Mr. Cucchiaro asked when the zoning application was filed. Mr. Alfieri stated that it was filled at the end of May.

Mr. Jacobs stated that the applicant is proposing to construct a two story modular dwelling. The applicant is proposing to construct the dwelling on a crawl space due to the wetlands on the property. The Applicant proposes to limit the disturbance by installing the dwelling in the same footprint as the former structure.

Mr. Cucchiaro, asked that Mr. Jacobs to respond to Ms. Neumann's report with regards to Thomas Ln. and Elizabeth St. being unimproved. Mr. Jacobs responded "Thomas Ln. is improved and Elizabeth St. is more of a paper street". Ms. Neumann asked Mr. Jacobs for clarification whether or not Thomas Ln. is paved. Mr. Jacobs responded "it's a dirt road/gravel". Mr. Cucchiaro asked if the applicant plans on improving at least one of the streets to Municipal standards?

The Board took a brief recess so that Mr. Jacobs could discuss with the applicant and council. The Board reconvened, Mr. Alfieri stated that as it relates to the road improvement, the Applicant will request relief from the Municipal standard. Mr. Jacobs stated that Thomas Ln. is nearly 200' from the nearest paved road to the subject property. Mr. Alfieri asked the number of homes on Thomas Ln., Mr. Jacobs stated "maximum of three". Chairman Shapiro asked if the homes are abandoned. Mr. Jacobs stated that one is in need of a teardown and the other is a functional home. Mr. Alfieri asked Mr. Jacob if he feels it necessary to pave the road since the only individuals that would be traveling the road, are for the three houses on Thomas Ln., Mr. Jacobs replied "that's correct". Mr. Alfieri stated that the Applicant would record the property Deed stating that the Township of Marlboro has no responsibility with regards to improving the Road.

Alan Zwerin asked if emergency vehicles would have proper access of the road. Mr. Jacobs stated that the road can sustain emergency vehicles. Mr. Cucchiaro asked the weight limit of such vehicle. Mr. Jacobs stated that a fire-truck weighs 28,000 lbs.

Laura Neumann requested that the existing drainage pipe on the property be maintained by the owner of the property, Mr. Alfieri stated that the Applicant will comply.

Ms. DiGrande asked the size of the proposed dwelling. Mr. Jacobs stated that the dwelling will

be 27 wide by 40 deep for a total of 1,080 sq. ft.

Mr. Cucchiaro suggested to carry the application so that the Fire Bureau can review this application with regards to emergency vehicle access to Thomas Ln.

Application to be carried to September 12, 2017 without further notice to property owners.

Z.B. 17-6621 AALKB 8M, LLC II - Public Hearing for a Bulk Variance to build a new two-story single family dwelling on undersized lot, located at 8 Wicker Place, Block 108, Lot 20 in the R-30/20 zone.

Donte Alfieri, Esq. introduced the application to the board.

Bruce Jacobs, P.E., P.P., (Applicant's Engineer) was sworn in and gave testimony. Mr. Jacobs gave a description the subject property and the surrounding area.

Mr. Jacobs stated that the Applicant is seeking a variance for a minimum side-yard setback of 8½ feet were 10 feet is required for both sides. The house will be 23 feet wide with a ground floor area of 828 sq. ft. with a 14.55% building coverage, were 11% is permitted. Mr. Jacobs stated that the subject property would have a paved driveway, and Applicant would comply with pavement specs for the driveway and the pavement restoration in front of the driveway.

Mr. Alfieri stated that the Applicant will provide an easement for lot 19. The existing fence between the subject property and lot 19, encroaches approximately 4" and will remain, until such time the fence is replaced. Mr. Alfieri stated that the existing retaining wall and the chain-link fence at the front of the property will be removed.

Laura Neumann requested proof of a tank sweep, Mr. Alfieri stated that the Applicant will comply.

Mr. Alfieri requested the Application be carried to September 12, 2017 without further notice to property owners.

A motion to adjourn was offered by Chairman Shapiro, seconded by Mr. Solon.

Respectfully submitted
Jennifer Bajar