

MARLBORO TOWNSHIP ZONING BOARD

May 14, 2019

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN MICHAEL SHAPIRO AT THE MARLBORO TOWNSHIP TOWN HALL, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30 P.M.

SALUTE THE FLAG

CHAIRMAN MICHAEL 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: MS. DiGRANDE, MR. POWERS, MR. SOLON, MR. VERDI, MR. WEILHEIMER, MR. YOZZO, MR. ZWERIN and CHAIRMAN SHAPIRO

ABSENT: NONE

PROFESSIONALS PRESENT: MS. LAURA NEUMANN, P.E., & MR. RON CUCCHIARO, ESQ.

PUBLIC SESSION - There was no one who wished to speak.

Z.B. 18-6665 David Jones - Public Hearing requesting Certification of Pre-existing non-conforming use for Davy Jones Paving, an auto repair garage, and a residential rental on same lot, and Appeal of Zoning Officer's Decision, located at 184 Texas Road, Block 108, Lot 3 in the LC zone.

The Application was carried to the June 25, 2019 without further public notice to property owners.

Z.B. 16-6584 Tuhap Holdings, LLC. - Continued Public Hearing for a Use variance to use existing single family home in front of site as two family home and to use a trailer as office and the rear building for storage of vehicles and equipment for an

Industrial Steam Cleaning Company, located at 168 Tennent Road, Block 147, Lot 35 in the C-2 zone.

The Application was carried to the June 11, 2019 without further public notice to property owners.

Z.B. 19-6682 Mark Allen Lefkowitz 2006 Irrevocable Trust

The Board took jurisdiction and entered evidence A-1 through A-19.

The Applicant testified that sought to construct a 625 s.f. building addition for four bedrooms to be used by family members and a 700 s.f. building additional along the rear of the dwelling with an interconnecting covered porch as well as a 130 s.f. covered front porch addition.

Public Hearing opened.

There was no one who wished to speak.

Public Hearing closed.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Solon. In favor: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Virdi, Mr. Weilheimer, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro. Absent: None

Z.B. 19-6684 Marilyn Rocco

The Board took jurisdiction and entered evidence A-1 through A-22.

Counsel for the Applicant, Salvatore Alfieri, Esq., stated that the Applicant was seeking bulk variance relief in order to legitimize existing improvements on the subject property.

Testimony was then taken from Anthony Rocco who stated that his mother is the owner of the subject property but that he had personal knowledge of the application. stated that he personally built the pool house and gazebo. Mr. Rocco also noted that the pool had been was issued a construction permit. Mr. Rocco specifically testified about the variance relief required.

In response to questions from the Board, Mr. Rocco further testified that the inground swimming pool area was fenced in accordance with Section 220-43F(1) and that variance relief was not required. He further stated that he would provide zoning permits for all improvements with regard to compliance with Section 220-43 regarding the tennis court. He further confirmed that the driveway complied with all ornamental landscaping requirements pursuant to Section 220-45. Mr. Rocco also confirmed that the gazebo complies with setback requirements and is permitted pursuant to Section 220-140 of the code. He also agreed to remove the encroaching fence along the westerly side property line.

Public Hearing opened.

There was no one who wished to speak.

Public Hearing closed.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Solon. In favor: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Virdi, Mr. Weilheimer, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro. Absent: None

Z.B. 16-6583 Marlboro Muslim Cemetery, Inc.

The Board took jurisdiction and entered evidence A-1 through A-22.

Counsel for the Applicant, Salvatore Alfieri, Esq., explained the Applicant had previously received several use variances and preliminary and final site plan approvals permitting certain site work to begin. He stated that the Applicant was now seeking amended approval to permit some already completed work.

Testimony was then taken from the Applicant's Engineer, Michael Geller, P.P., P.E., who stated that the Applicant was specifically seeking an amended approval in order to construct an accessory shed (600 s.f.; 20 ft. by 30 ft.) which would be located northeast of the existing caretaker's dwelling. He further explained that the shed would replace a trailer unit which was previously proposed to be relocated on site. Mr. Geller also testified that the Applicant had previously installed approximately 65 burial sites for infants near the southeast corner of the subject property which was not permitted

by the prior approvals. He noted that the Applicant was now also proposing to convert 39 previously approved adult/full-size burial sites to 234 infant/small plots. Mr. Geller noted that the Applicant would install wooden monuments along portions of the previously approved burial plot areas. Mr. Geller discussed that the variance relief had either been previously granted or was subsumed within the grant of previous approvals. In further discussion with the Board, Mr. Geller stated that the Applicant would limit the shed on the property to storage of equipment and prohibit the extension of any utilities to the structure. He also stated that multiple graves would not be buried in a single plot.

Public Hearing opened.

There was no one who wished to speak.

Public Hearing closed.

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Solon. In favor: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Virdi, Mr. Weilheimer, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro. Absent: None

Z.B. 18-6671 Robert & Dana Stein - MEMORIALIZATION OF RESOLUTION GRANTING A BULK VARIANCE

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Zwerin. In favor: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Virdi, Mr. Zwerin and Chairman Shapiro.

Z.B. 19-6680 Billy & Agnes Yan - MEMORIALIZATION OF RESOLUTION GRANTING A BULK VARIANCE

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Zwerin. In favor: Mr. Powers, Mr. Solon, Mr. Zwerin and Chairman Shapiro.

Z.B. 19-6679 Jared & Rachel Marder - MEMORIALIZATION OF RESOLUTION GRANTING A BULK VARIANCE

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Zwerin. In favor: Mr. Powers, Mr. Solon, Mr. Zwerin and Chairman Shapiro.

**Z.B. 19-6681 Noel & Donna Beal - MEMORIALIZATION OF RESOLUTION
GRANTING A BULK VARIANCE**

A motion in the affirmative was offered by Chairman Shapiro, seconded by Mr. Zwerin. In favor: Mr. Powers, Mr. Solon, Mr. Zwerin and Chairman Shapiro.

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

Respectfully submitted
Susan A. Branagan