

MARLBORO TOWNSHIP ZONING BOARD

July 13, 2021

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD HELD REMOTELY WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN MICHAEL SHAPIRO AT 7:30 P.M.

SALUTE THE FLAG

CHAIRMAN MICHAEL SHAPIRO OPENED UP THE MEETING AND ANNOUNCED THAT PURSUANT TO THE PROVISIONS OF THE OPEN PUBLIC MEETINGS ACT, NOTICE OF THIS REGULARLY SCHEDULED MEETING OF THE ZONING BOARD OF ADJUSTMENT OF THE TOWNSHIP OF MARLBORO WAS SENT TO THE ASBURY PARK PRESS, THE STAR LEDGER, NEWS TRANSCRIPT. PUBLISHED IN THE ASBURY PARK PRESS ON January 16, 2021; POSTED IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE OFFICE OF THE MUNICIPAL CLERK AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

PRESENT: MS. DIGRANDE, MR. POWERS, MR. SOLON, MR. WEILHEIMER, Mr. Zwerin arrived at 8:14pm and CHAIRMAN SHAPIRO

ABSENT: MR. YOZZO, Mr. Virdi and Mr. Levin

PROFESSIONALS PRESENT: Laura Neumann P.P, P.E., Ron Cucchiaro, Esq.

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

Motion to approve the June 8, 2021 minutes was made by Chairman Shapiro, 2nd by Mr. Powers, all approve

Public Hearing closed

Z.B. 19-6686A- Lucas Holdings, LLC- Continued Public Hearing seeking a Use Variance approval to utilize a portion of the property as a truck terminal, located at 173 Amboy Road, Block 178, and Lot 292 within the IOR Zone. This application has been carried until the August 10, 2021 meeting.

Z.B. 21-6747 Henry Lee- Public Hearing seeking a Bulk Variance to construct an in ground pool in the backyard located at 32

Hummingbird Court Block 412, Lot 214 in the PACII zone.

The Board took Jurisdiction and entered Exhibits A1-A20

Mr. Henry Lee was sworn in and represented himself. Mr. Lee is requesting a variance to install an in ground pool in his rear yard. There will be no tree removal. Mr. Lee testified that there was no shed on the property but a shed was observed on the property today. Mr. Lee testified that he removed all the grass in his yard to prepare for the installation of the pool. The Township Engineer testified that no pools are permitted in this zone. Mr. Lee testified that he does not have any drainage issues. He hopes to install the pool to be enjoyed by his family. The garbage that is in the buffer behind the house has been put there by Mr. Lee because they are cleaning out the backyard. Mr. Lee was advised that he needed to show the Board, that they is a hardship and show that granting this application will have positive criteria and benefits for the Community.

Public Hearing opened.

Letter read into the record: Victoria Liu 34 Hummingbird Court. Concerned with noise, pollution, odor, structural issues with the homes and ground and granting this will set a dangerous precedent.

Roy Goldberg- 18 Elisa Drive- concerned with flooding, drainage, trash in the buffer zone and the buffer zone that is no longer protecting his home.

Dominick Totrone-16 Elisa Drive- concerned with serious drainage issues, flooding in his backyard, and run off from the development. Has complained to the Township regarding this matter.

Public Hearing closed

The Board went into Workshop with a motion by Chairman Shapiro and 2nd by Ms. DiGrande.

The Board closed the workshop with a motion by Chairman Shapiro and 2nd by Mr. Powers

The Board received, reviewed, and considered various exhibits and reports with regard to this application

A motion to Deny a Bulk Variance to construct an in ground pool in the backyard located at 32 Hummingbird Court Block 412, Lot

214 in the PACII zone was offered by Chairman Shapiro 2nd by Mr. Powers.

Deny: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Weilheimer and Chairman Shapiro

Z.B. 21-6741 Michael Clark-Public Hearing seeking a Bulk Variance to construct an above ground pool in the backyard located at 34 Buckley Road, Block 415, Lot 12 within the C-5 zone.

Mr. Clark represented himself and was sworn in.

The Board took Jurisdiction and entered Exhibits A1-A23

Mr. Clark testified that he would like to install an above ground pool in his year. The property is irregularly shaped and 88 feet wide. There will be no tree removal for the pool installation and he will use the self-locking ladder system. There is no fence. It was suggested that Mr. Clark rotate the pool 90 degrees to alleviate some of the set-back relief needed. Mr. Clark will be happy to rotate the pool. The house has septic, but the pool would not be encroaching on the system.

Public Hearing opened.
No one present to speak
Public Hearing closed

The Board received, reviewed, and considered various exhibits and reports with regard to this application

The applicant agreed to comply with all of the conditions proposed by the resolution.

A motion to grant a Bulk Variance to construct to an above ground pool in the backyard located at 34 Buckley Road, Block 415, Lot 12 within the C-5 zone, was offered by Chairman Shapiro,
2nd by Mr. Powers.

Approved: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Weilheimer, Mr. Zwerin and Chairman Shapiro.

Z.B. 21-6743 D & R Industries-Public Hearing seeking a Bulk Variance to construct a generator next to the building within the side year, located at 8 School Road East, Block 355, Lot 4 Within the C-2 zone

The Board took jurisdiction and entered evidence A-1- A-20

Katherine Kim, Esq. represented the applicant. 8 School Road was a residential dwelling that was converted to a medical office by variance before this Board.. The applicants are looking ot install a generator on the outside of the building to us in emergency only situations. The unit will need to be tested once a week.

This application is actually an Amended Site Approval since they were granted a variance by this Board.

The Board received, reviewed, and considered various exhibits and reports with regard to this application

The applicant agreed to comply with all of the conditions proposed by the resolution.

A motion to grant an Amended Site Plan for the installation of a generator was offered by Chairman Shapiro and 2nd by Mr. Powers.

Approved: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Weilheimer, Mr. Zwerin and Chairman Shapiro.

Z.B. 21-6742 Lawrence Miraglia- Memorialization granting a Bulk Variance to construct an in ground pool and patio located at 7 Wooleytown Road, Block 147 Lot 22 within the LC zone was offered by Chairman Shapiro, 2nd by Ms. DiGrande.

Approved by: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Weilheimer and Chairman Shapiro

Z.B. 21-6739 Julie Sakaria- Memorialization granting a Bulk Variance to construct a fence along the Property Line with Vanderburg Road, located at 5 Hopkinson Court, Block 360.02 Lot 18.03 within the R20AH zone was offered by Chairman Shapiro and 2nd by Stacey DiGrande.

Approved: Ms. DiGrande, Mr. Powers, Mr. Solon, Mr. Weilheimer and Chairman Shapiro.

ZB 21-6737 James and Mary Kocher- Memorialization of granting a Bulk Variance to construct a second two story garage addition, asphalt driveway and a wall with protective barrier located at 6 Marsielle Terrace Block 153 Lot 100 within the LC zone was offered by Chairman Shapiro and 2nd by Ms. DiGrande.

Motion to adjourn at 11:00pm p.m. was offered by Chairman Shapiro 2nd by Mr. Levin, all approve.

Approved: Ms. DiGrande, and Chairman Shapiro.

ZB 21-6729 405 Route 9, LLC- Memorialization granting a Use Variance and Preliminary and Final Site Plan to construct a 9,648 s.f. building to accommodate a restaurant with a drive thru and two retail units with 69 parking spaces, located at 405 Route 9 Block288, Lot 370 and 371 within the C-3 zone was offered by Chairman Shapiro and 2nd by Ms. DiGrande.

Approved: Ms. DiGrande, Mr. Powers, and Chairman Shapiro

Motion to Adjourn at 8:35pm by Chairman Shapiro 2nd by Mr. Powers

Respectfully submitted,

Suzanne Rubinstein