

MARLBORO TOWNSHIP ZONING BOARD
August 13, 2024

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY CHAIRMAN Shapiro at 7:30pm.

SALUTE THE FLAG

CHAIRMAN 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; 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: MR. ROYCE, MR. SALON, MR. RENNA, MS DENTON,
MR.MCGRAW, MR. MANKES AND CHAIRMAN SHAPIRO.

ABSENT: MS. ACKERMAN and MS. TYAGI

PROFESSIONALS PRESENT Laura Neumann, Engineer, Ron Cucchiaro, Esq.

PUBLIC SESSION

No one spoke

Public Session Closed

Chairman Shapiro moved that the minutes of July 9, 2024 be adopted. This was seconded by Board member Renna, and passed on a roll call vote of 6 - 0 in favor.

Z.B. 23-6823 Fathi & Hanan Bektor- Continued Public Hearing to approve Bulk Variance to legalize existing two (2) backyard gazebos over an existing concrete patio in the rear yard of their property located at 49 Cannonade Drive. Block 404 lot 27 within the PAC zone. Carried to September 10, 2024 with no new noticing.

Z.B.23-6822 Suncrest Builders- Continued Public Hearing to approve a Bulk Variance to construct a two story dwelling located at Bartram Road Block 268 Lot 51 within the R-20 zone. Carried to October 8, 2024 with no new noticing.

Z.B. 21-6729 405 Route 9, LLC-Public hearing requesting a one year extension of the Conditional Use Variance and Preliminary and Final Site Plan Approval to construct two one story retail buildings located at 405 Route 9 block 288 lots 370 & 371 within the C-3 zone. Sal Alfieri appeared on behalf of the applicant. The applicant is requesting the 2nd one year extension. The applicant is waiting for approval from the DOT in regard to a guard rail on Gordons Corner Road. All other permits have been approved.

Open Public Forum-Opened
No one spoke
Open Public Forum Closed.

A motion to approve the one year extension was offered by Chairman Shapiro 2nd by Mr. Mankes

Approve: Mr. Royce, Mr. Renna, Mr. Mankes, Ms. Denton, Mr. McGraw, Mr. Salon and Chairman Shapiro

Z.B. 24-6841 Alex Moshkovych-Public Hearing seeking Bulk Variance to construct a 6 foot high white vinyl fence to enclose the front yard located at 2 Bluebird Lane block 412.06 lot 2 within the PAC-II zone.

The Board took jurisdiction and entered exhibits A1-A18.

The homeowner appeared on behalf of the application and was sworn in. The resident is looking to install a fence on the side and front of the property. The home is on a corner lot causing two front yards and the need for the bulk variance. The fence will be 6 feet in height. The applicant has agreed to install a row of hedges on the front of the fence.

Open Public Forum-Opened
No one spoke
Open Public Forum Closed.

A motion to approve the Bulk Variance was offered by Chairman Shapiro 2nd by Mr. Mankes

Approve: Mr. Royce, Mr. Renna, Mr. Mankes, Ms. Denton, Mr. McGraw, Mr. Salon and Chairman Shapiro

Z.B. 24-6844 Cezary and Locja Gawel-Public Hearing seeking a Bulk Variance to relocate and reconstruct a portion of the existing driveway, with additional retaining walls and grading of property, located at 120 Nolan Road block 132 lot 42 within the LC zone.

The Board took jurisdiction and entered exhibits A1-A18.

The homeowner appeared on behalf of the application and was sworn in. The applicant is looking to make improvements to their driveway. Presently the driveway does not have the space to accommodate for extra parking. The driveway and property will be regraded. The driveway will have a new shape and retaining walls will be installed. There are no expectations that this change will create any water issues. Water drainage will be through the natural grade of the property. The applicant will be installing safety barriers. During construction silt fence will be installed. There are many non-conforming conditions that exist on the property.

Open Public Forum:

Conrad West 124 Nolan Road-has concerns regarding the construction being so close to theory property and possible water issues.

Public Forum Closed.

A motion to approve the Bulk Variance was offered by Chairman Shapiro 2nd by Mr. Mankes

Approve: Mr. Royce, Mr. Renna, Mr. Mankes, Ms. Denton, Mr. McGraw, Mr. Salon and Chairman Shapiro

ZB 23-6821 V Arc Builders-Public Hearing seeking Use Variance approval to construct a 99, 440 sf 2 story self-storage building located at 446 Route 79 block 132 lot 9 located within the CS zone.

The Board took jurisdiction and entered exhibits A1-A29.

Salvatore Alfieri appeared on behalf of the applicant. The applicant had appeared before the Board for a Bifurcated Use Variance, which was denied. The applicant is before the Board again as part of the Whispering Woods hearing settlement. Changes have been made to the application and the Fire Bureau concerns were taken into account when the changes were made.

Joshua Wirry-Engineer, submitted exhibit A+30- Colorized rendering of Site dated 8-13-24. The applicant had a wetlands expert walk the property to mark wetlands to ensure all the markings are corrected. The site is 6.0 acres and the wetlands are toward of the rear of the property. The new plans show a reduction of building coverage and 2000 square feet. They can comply with all setbacks and height requirements. The drive by isles will be increased to 20 feet. They will comply with all Fire Bureau requirements and all DEP Stormwater requirements. All outside agency permits will be applied for. As per Laura Neumann the plans are consistent with the settlement agreement.

Open Public Forum:

Mr. Lin 3 Storer Court-concerns regarding stormwater requirements.

Open Public Forum Closed.

A motion to approve the Bi-furcated Use Variance was offered by Chairman Shapiro 2nd by Mr. Mankes

Approve: Mr. Royce, Mr. Renna, Ms. Denton, Mr. McGraw, Mr. Salon and Chairman Shapiro

Deny-Mr. Mankes

Z.B. 22-6793 Mallboro Dream Development- Continued Public Hearing seeking Bi-Furcated Use Variance approval to remove all existing structures and construct a 44 unit townhouse development. The project will have 36 market rate units and 8 affordable units with 116 parking site through stalls, driveways and garages, located 356 Texas Road Block 111, Lot 2 within the R-60 Zone.

The Board took jurisdiction and entered exhibits A1-A48
Donna Jennings appeared on behalf of the applicant.

Michael Pucci-Engineer, changes behind the Townhomes and affordable units were made to add condenser pads for Solar Panels. The coverage will stay the same. The 2nd change was the buildings were aligned to show the suitability for solar.

Marian Martinez-Opal Energy Group Employee-His company has discussed and helped plan the installation of solar for the applicant. The solar panel with help with energy costs especially with the affordable units. Solar achieves the goal of

sustainability. All products are made in the USA and the company is located in New Jersey. The goal would be able to produce 100% of the need. Solar helps with grid consumption. Solar panel location will be decided during site plan design. The units are day time running and will not have a backup battery system. Each unit will have its own meter and account.

Andrew Janiw-Planner-Solar Panels add to purpose N to promote reusable energy sources. The solar also assists with the affordable units making costs become more affordable.

Bryan Keelan-Architect- The condenser unit pads are sized according to the size of the unit.

Open Public Forum

Kay Haeusser 191 Ryers Lane- Gave a history of the property, concerns for children waiting for bus due to site triangles, outdated traffic report, questions on taxes, questionable placement of stormwater basin, chemicals in the soil, proximity to the Imperial Oil Site which is a superfund site. Concerns about ground water, arsenic in water, soil monitoring during construction and protection of box turtles.

Submitted the following exhibits:

P-1 Site Plan

P-2 Picture of Present Road Condition

P-3 Picture of Garbage Truck having trouble on the road

P-4 Picture of Truck having trouble on the road

P-5 Environmental Site Plan with Imperial Oil

P-6 Picture of Well

P-7 Box turtle flyer

Reinhard Haeusser 191 Ryers Lane-concerns regarding the site is not safe for people to live on due to EPA issues. Will people be told about the history of the property?

Dorothy Colalo 215 Sorel Drive-concerned about traffic and traffic study.

Open Public Forum Closed.

Donna Jennings made a summation explaining the suitability of the property for this development and the benefits to the Township.

A motion to Deny the application was offered by JoAnn Denton 2nd by Kevin Royce

Deny:Mr. Mankes, Mr. Royce, Mr. Renna, Ms. Denton, Mr. McGraw,
Mr. Salon and Chairman Shapiro

Z.B. 23-6828 Steven DiMaggio-Memorialization granting Bulk
Variance approval to construct a 31 foot x 31 foot (961 square
foot) basketball court in the rear yard of the existing dwelling
located at 54 Crine Lane block 193.07 lot 7 within the R40/30
zone was offered by Chairman Shapiro 2nd by Mr. Renna

Approve: Mr. Royce, Mr. Renna, Ms. Denton, Mr. McGraw, Mr. Salon
and Chairman Shapiro

Z.B. 24-6842 Carmine and Serina Gallo-Memorialization granting
Bulk Variance approval to construct approximately 1,300 sf of
improvements consisting of a one story addition to the dwelling
and a new covered porch. The existing asphalt driveway will be
expanded by approximately 240 sf located at 1 Canadian Woods was
offered by Chairman Shapiro, 2nd by Robert Renna.

Approve: Mr. Royce, Mr. Renna, Ms. Denton, Mr. McGraw, Mr. Salon
and Chairman Shapiro

A motion to adjourn at 9:19pm was offered by Chairman Shapiro
And one vote was cast.

Respectfully submitted,
Suzanne Rubinstein