

MARLBORO TOWNSHIP ZONING BOARD
SEPTEMBER 8, 2015

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE ZONING BOARD CHAIRMAN SHAPIRO AT THE MARLBORO TOWNSHIP TOWN HALL, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30 P.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 ... MR. SOLON, MR. LEVIN, MR. ZWERIN, MR. WEILHEIMER
CHAIRMAN SHAPIRO, MS. DI GRANDE**

JOINED MEETING WHIEL IN SESSION... DR. ADLER {7:37PM}

ABSENT ... MR. VIRDI, MR. NAPPI

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

SALUTE THE FLAG

APPROVAL OF THE JUNE 23, 2015 ZONING BOARD OF ADJUSTMENT MINUTES

PUBLIC SESSION - No one signed up to speak.

Z.B. 15-6550 SOLOMON SCHECTER DAY SCHOOL – Public Hearing for Use Variance and Bulk Variance to construct a 6' high security/perimeter fence in the front yard, located at 22 School Road East, Block 355 Lot 5, in the C-2 zone

Mr. Solon recused himself from this application.

Donte Alfieri Esq. was sworn in and introduces the application to the board.

Ms. Yoti Yarhi was sworn in and gave testimony. Ms. Yarhi stated that she is the head of the Solomon Schechter Day School. The school is looking to secure the property and was in receipt of a Government grant to install a security fence.

Richard Difulco P.E., P.P. was sworn in and gave testimony. Mr. Cucchiaro asked Mr. Difulco the height of the fence, Mr. Difulco responded 6 foot high. Mr. Cucchiaro asked what material the fence was constructed of, Mr. Difulco responded aluminum, similar to Jarith pool type fence. Mr. Difulco submitted color photo of the fence, it was marked A-19.

Chairman Shapiro asked the board members if they had any questions. Mr. Levin asked if it was a security fence. Mr. Difulco responded yes. Ms. Yarhi stated that the purpose of the fence is to deter intruders.

PUBLIC - No one from the public spoke

Kathleen Li – 300 Mansley Ct. Freehold (Her family owns the property across the street from the applicant. 15 School Road East)

Ms. Li has concerns with the close proximity of the fence to the road.

Mr. Difulco stated that the fence is setback 25 feet & 35 feet off the pavement.

Mr. Levin asked if the buses will be buzzed in the gates or will the gate already be open for their arrival and departure. Ms. Yarhi stated that they have a set schedule for the gates to be open during arrival and dismissal times. Dr. Adler asked if the applicant will have proper queuing of vehicles in the middle of the day. Ms. Neumann confirmed that the applicant's plan shows adequate queuing for cars at the gate.

PUBLIC - No one from the public spoke

In workshop

Offered: Chairman Shapiro

Second: Ms. DiGrande

Mr. Zwerin needed more information. Mr. Levin has no issue with the application. Mr. Weilheimer is in favor of the application. Ms. DiGrande she's in favor as long as the applicant follows the Fire Sub-Code Officials recommendations. Dr. Adler has no issues with the application. Chairman Shapiro said he in favor of the application.

Out of Workshop

Offered: Chairman Shapiro

Second: Ms. DiGrande

Mr. Levin asked if the children play in front of the school. Ms. Yarhi stated that the children have a play area in the back of the property.

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 6 (Mr. Solon, Mr. Levin, Mr. Zwerin, Mr. Weilheimer, Chairman Shapiro, Ms. DiGrande, Dr. Adler)

Second: Dr. Adler

Absent: 2 Mr. Verdi, Mr. Nappi

Nays: 0

Abstained: 1 Mr. Solon

Z.B 15-6548 VLADIMIR CHERTOG - Public Hearing for Bulk Variance to construct an in-ground pool and patio and to keep shed in existing location, exceeding permitted lot coverage, insufficient side yard setback, and insufficient distance between structures, located at 24 Amagansett Drive, Block 193 Lot 9, in the R-20 zone.

Mr. Weilheimer recused himself from this application.

Mr. Solon rejoined the board (7:54pm)

Mr. Chertog was sworn in and gave testimony. Mr. Chertog stated that the property was over lot coverage and shed was existing when he purchased the house. He was informed of the issues on the property when he submitted permit application for the in-ground swimming pool.

Chairman Shapiro asked Mr. Chertog what he stores in the shed. Mr. Chertog stated that he keep his snow blower, equipment and kids toys in the shed. Mr. Zwerin asked the height of the shed. Mr. Chertog stated that the shed is 7 feet high. Ms. Neumann asked if any tree removal would be required, Mr. Chertog said no. Ms. Neumann said that the board normally looks for drainage. The board may request a drywell. Mr. Levin asked if the shed was attached to a foundation. Mr. Chertog stated that the shed is on a concrete slab. Chairman Shapiro asked if the shed could be moved to the rear of the property. Mr. Levin pointed out that the shed is in such close proximity to the home, he has concerns with it being a fire hazard. Mr. Solon asked if the shed was attached to the slab, Mr. Chertog stated that it is attached. Dr. Adler asked Ms. Neumann if the shed being too close to the house, or the property line is more the issue. Ms. Neumann stated that both would require relief. Chairman Shapiro recommended that this application be carried to give the applicant an opportunity to revise his plan or provide proof that the shed was built before 1990.

Application to be carried to October 13, 2015 with no further notice to property owners.

Z.B. 15-6544 TUNIT – Continued Public Hearing for Bulk Variance for existing non-conformities and for structures built without permits in a residential zone, located at 30 Boundary Road, Block 214 Lot 31, in the LC zone

Mr. Solon recused himself from this application

Armen McOmer, Esq. was sworn in and gave testimony. Mr. McOmer explained that the Applicant originally sought to retain retaining walls in both the front and backyard areas. The Applicant, however, now agreed to completely remove the retaining wall in the backyard area. He also conceded that the front yard retaining wall encroached over the property line into the right of way. He agreed that the Applicant would have to obtain property rights from the Township Council to permit the location.

Marc Leber, PE was sworn in and gave testimony. Mr. Leber confirmed the revised request. He also stated that the front retaining wall help to stabilize the driveway and was necessary. In response to previous comments, the Applicant has revised the plans to include the removal of the wall that was located at the southwest property corner. In addition, grading information has been provided along the existing walls located on each side of the driveway.

Ms. Neumann agreed that the walls need to remain along the side of the driveway. The 8x12 shed will need to be relocated as shown on the revised plan.

PUBLIC - No one from the public spoke

In workshop

Offered: Chairman Shapiro

Second: Mr. Zwerin

Dr. Adler is in favor of the revisions. Ms. DiGrande has no issues with the application. Mr. Zwerin is also in favor of the application. Mr. Levin in favor of the application.

Out of Workshop

Offered: Chairman Shapiro

Second: Mr. Levin

Chairman Shapiro said he is also in favor of the application with the proposed revisions.

A motion in the affirmative

Offered: Chairman Shapiro

Ayes: 5 (Mr. Levin, Mr. Zwerin,
Chairman Shapiro,
Ms. DiGrande, Dr. Adler)

Second: Ms. DiGrande

Absent: 2 (Mr. Verdi, Mr. Nappi)

Nays: 0

Abstained: 2 (Mr. Solon, Mr. Weilheimer)

MEMORIALIZATIONS

Z.B. 15-6542 MEL CORPORATION d/b/a CHAMPION SPORTS – Memorialization of Resolution granting Bulk Variance to construct a 10,000 sq. ft. warehouse addition to the existing warehouse with 600 sq. ft. addition for loading docks, located at 1 Champion Way, Block 359 Lot 2.01, in the LI zone.

Offered:	Chairman Shapiro	Ayes:	5 (Mr. Levin, Mr. Zwerin, Chairman Shapiro, Ms. DiGrande, Dr. Adler)
Second:	Ms. DiGrande	Absent:	2 (Mr. Verdi, Mr. Nappi)
		Nays:	0
		Abstained:	2 (Mr. Solon, Mr. Weilheimer)

A motion to adjourn was offered by Chairman Shapiro, seconded by Dr. Adler.

Respectfully submitted
Jennifer Bajar