

**MARLBORO TOWNSHIP ZONING BOARD**  
**FEBRUARY 24, 2015**

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**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.**

**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. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO, MS. DI GRANDE, and DR. ADLER**

**ABSENT ... MR. LEVIN**

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

**SALUTE THE FLAG**

**APPROVAL OF THE FEBRUARY 10, 2015 ZONING BOARD OF ADJUSTMENT MINUTES**

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

Second: Dr. Adler Nays: 0

Absent: 1 Mr. Levin

**PUBLIC SESSION** - No one signed up to speak.

**Z.B. 14-6525 MARLBORO MUSLIM CEMETERY – Continued Public Hearing - Use Variance.** This application is being carried to the meeting of May 26, 2015, without further notice.

**Z.B. 14-6524 PETER & ARLENE BUFANO - Continued Public Hearing - Bulk Variance**  
**Approval to construct a 20'4" x 24' 4" partially enclosed pavilion structure located at 6 Carriage Court, Block 408 Lot 34, in the PAC zone**

Salvatore Alfieri Esq. introduced the application to the board. Mr. Alfieri stated that the swimming pool is proposed and permits will be submitted.

Chris Bianciella from K&C Land Design & Construction (contractor for the applicant) was sworn in and gave testimony. Mr. Bianciella stated that the proposed swimming pool patio will be pavers. The pavilion will not have any walls. Mr. Alfieri noted that the Pavilion is proposed 6 feet from the rear property line. Mr. Alfieri asked Mr. Bianciella what is behind this property. Mr. Bianciella responded that it is uninhabited wetlands. Mr. Alfieri asked why the Pavilion is being proposed so far back in the property. Mr. Bianciella responded, to maximize the usable space in the yard. Mr. Zwerin asked what is on lot 35, Mr. Bianciella responded, it's a residence. Mr. Weilheimer asked for clarification of the height of the rear fence. Mr. Bianciella stated that the fence would be 54" in height. Chairman Shapiro asked if the applicant could reconfigure the Pavilion to relieve some pressure off the variance, and could the Pavilion be moved further away from the fence? Mr. Bianciella said it would be a hardship to move the Pavilion. Chairman Shapiro asked where the water runoff will go. Mr. Alfieri stated that this property doesn't have lot coverage issues, but if the Board is comfortable with a drywell being installed in that area, they would have no objection. Dr. Adler asked for clarification of the rear setback requirement to which Ms. Paris stated 20 feet. Dr. Adler asked if the Pavilion could be 10 feet instead of the proposed 6 feet. Mr. Alfieri asked if they could split the difference and set the Pavilion back 8 feet. Mr. Alfieri explained that a slight turn can bring the Pavilion 8 feet off the property line without too much impact on the usable yard. Mr. Alfieri stated that this project will not impact any neighboring properties.

**In workshop**

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

Second: Dr. Adler Nays: 0

Absent: 1 Mr. Levin

Mr. Solon agreed with Chairman Shapiro, regarding reconfigure the Pavilion to relieve some pressure off the variance. Mr. Zwerin would be in favor of the application if the

applicant moves the Pavilion at least 2 feet, and install Drywells. Mr. Weilheimer is in favor of the application as proposed. Ms. DiGrande is in favor of the application as proposed. Dr. Adler would like to see the Pavilion set 8 feet from the property line. Chairman Shapiro would be in favor of the application with the Pavilion 8 feet off the property line, and the installation of Drywells.

**Out of Workshop**

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

Second: Ms. DiGrande Nays: 0

Absent: 1 Mr. Levin

All members were in favor of the application with the Pavilion set 8 feet off the rear property line, and the installation of the Drywells.

**PUBLIC SESSION -** No one from the public spoke

**A motion in the affirmative**

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

Second: Dr. Adler Nays: 0

Absent: 1 Mr. Levin

**Z.B. 15-6529 LITTLE MILL REALTY – Public Hearing - Use Variance to permit Medical/Dental office in a residential zone, located at 2 East Frances Avenue, Block 176 Lot 102, in the R-20 zone**

Joseph Paparo, Esq. of Hehl & Hehl, P.C. introduced the application to the board.

Dr. Tara Gostovich (applicant) was sworn in and gave testimony. Dr. Gostovich is an Orthodontist who would like to move her practice to 2 East Frances Avenue, Marlboro Township. Dr. Gostovich stated that she would have six staff members with two doctors, with only one doctor working at a

time. Dr. Gostovich stated that her hours of operation would be 9:00 a.m. to 5:30 p.m., three to four days per week, with one late night closing at 7:30pm.

Dr. Gostovich stated that her office sees approximately 50 patients per day.

Chairman Shapiro asked for clarification, will the office be just for Orthodontics or will they practice Dentistry. Dr. Gostovich stated just orthodontic treatment.

Mark Kataryniak, PE asked if the applicant would have hours on Saturdays. Dr. Gostovich may in the future they may do one half day, one Saturday per month. Mr. Kataryniak asked how many patients to they see in one hour. Dr. Gostovich stated up to 10 patients per hour. Mr. Kataryniak asked what the peak hours are. Dr. Gostovich stated that peak hours of operation are from 3:30 p.m. on.

John Palus (Applicant's Engineer) was sworn in and gave testimony. Mr. Palus described the character of the property and neighboring properties. Mr. Palus stated the number of parking stalls to be 17 spaces (10'x20'), and a 10'x18' trash enclosure. Mr. Palus stated that the applicant may not need that large of a trash enclosure. That when the applicant comes back with a site plan, they may find they only need a couple of trash cans. The proposed lot coverage is 39.8% where 28% is allowed. The application is proposing a 6' fence, and will show that on the site plane as well. The applicant will provide a 25' buffer using a double row of evergreens along East Francis. Mr. Solon asked if there were a way to locate the parking in the front of the building. Mr. Palus stated that the County prefers that the driveway to a parking lot be located off a side street to help with the traffic.

Justin Taylor of Dynamic Engineering (Applicant's Traffic Engineer) was sworn in and gave testimony. Mr. Taylor stated that this application would not have a negative impact with the traffic. The driveway location is designed to minimize the impact to the neighbors. Mr. Weilheimer asked when the traffic study was done. Mr. Taylor stated December 10, 2014. Mr. Taylor explained to the board that the proposed driveway is less of an impact with it designed to come off East Francis rather than Route 520. Mr. Kataryniak agrees that this application would have a low impact with the traffic on Route 520.

John McDonough (Applicant's Planner) was sworn in and gave testimony. Mr. McDonough stated that this application would have very limited night and weekend hours. The applicant is proposing to maintain the residential appearance of the building in order to be in keeping with the neighborhood. Mr. McDonough noted that they are proposing a 25' buffer with a double row of evergreens. Mr. McDonough also stated the driveway location is designed to minimize the impact to the neighbors. Mr. McDonough noted that looking at the R-20 district, as a conditional use, this application could locate here by right.

**PUBLIC -**

**Bhavesh Mistry – 5 East Frances Avenue**

Voiced his concerns regarding the traffic on East Francis Avenue, Mr. Mistry said it's a safe street now, but he's concerned with the kids' safety.

**Caroline Stark – 3 East Frances Avenue**

Voiced her concerns regarding the traffic on East Francis Avenue, Mrs. Stark doesn't agree with the applicant's traffic study. Mrs. Stark is concerned about cars being parked on East Francis Avenue.

**In workshop**

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

Second: Dr. Adler Nays: 0

Absent: 1 Mr. Levin

Mr. Solon has concerns with non-residents parking on East Francis Avenue. Mr. Zwerin also has concerns with the parking. Mr. Weilheimer has concerns with the applicant using a town street to access the driveway, and is not in favor of the application. Ms. DiGrande is not in favor of this application. Dr. Adler has nothing to add. Chairman Shapiro would rather see the driveway off Route 520 not East Francis Avenue.

**Out of Workshop**

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

Second: Ms. DiGrande Nays: 0

Absent: 1 Mr. Levin

**This application is being carried to the meeting of May 12, 2015, without further notice.**

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

Respectfully submitted  
Jennifer Bajar