

**MARLBORO TOWNSHIP ZONING BOARD**  
**December 8, 2020**

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THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD HELD REMOTELY WAS CALLED TO ORDER BY THE ZONING BOARD VICE CHAIRMAN MATTHEW WEILHEIMER 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 ON November 2, 2020; PUBLISHED IN THE ASBURY PARK PRESS ON November 6, 2020; 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. LEVIN, MR. POWERS, MR. SOLON, MR. VERDI, MR. WEILHEIMER, MR. YOZZO, MR. ZWERIN AND CHAIRMAN SHAPIRO

ABSENT: NONE

PROFESSIONALS PRESENT: MS. LAURA NEUMANN, P.E., & JOHN MILLER, ESQ.

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

Chairman SHAPIRO moved that the minutes of November 10, 2020 be adopted. This was seconded by Board member Zwerin, and passed on a roll call vote of 8 - 0 in favor.

**19-6694 Fredrick J Reck and Mary V. Reck**-Continued Public Hearing seeking a Preliminary and final Site Plan, a Use Variance and a Bulk Variance to subdivide two lots located at 30 Hudson Street in the C-1 and LI zone into three lots

The Board took jurisdiction and entered evidence A-1 through A-48.

John Giunco, Esq appeared on behalf of the Applicant. The question of Historical Classification was answered by a

submitted letter to the Board, that the property in question has no Historical classifications.

Christine Coffone, Planner, spoke about the inherent good this application will do for the area, and how well suited it is to the area

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

Public Hearing opened.

3 written letters in support of this proposal were entered in to the record. Letters received from Trevor Eldridge 8 Orchard Street, John and Helen Perri, 10 Orchard Street and Andrew Diamond 32 Hudson Street.

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 was offered by Chairman Shapiro and 2<sup>nd</sup> by Ms. DiGrande, to grant a Preliminary and Final Site Plan, a Use and Bulk Variance, and passed with a roll call of 7-0. Approve: Ms. DiGrande, Mr. Powers, Mr. Viridi, Mr. Weilheimer, Mr. Yozzo Mr. Zwerin and Chairman Shapiro.

**Z.B. 20-6716 Shalom Torah Centers**-Public Hearing seeking a Bulk Variance to construct a 6 foot high security gate within the access drive to be setback 20 feet from the Amboy Road right of way line, located at 70 Amboy Road, Block 172, Lot 39 within the IOR zone.

The Board took jurisdiction and entered evidence A-1 through A-18

Mr. Weilheimer has recused himself from this application.

Salvatore Alfieri, Esq., represented the Applicant-Kenneth Scharf, was affirmed in. Rabbi Scharf is the head of Shalom Torah Schools. The applicant is asking for approval on installation of an Access Control Gate. This gate will be installed with monies received through a Homeland Security Grant. The gate will be 6 feet high, in the front yard of

property, will have access for all emergency vehicles and the light pole being installed is within compliance.

Public Hearing Opened  
None Present  
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 was offered by Chairman Shapiro and 2<sup>nd</sup> by Mr. Levin to grant a Bulk Variance to construct a 6 foot high Security Gate, and passed with a roll call of 7-0 Approve, Ms. DiGrande, Mr. Levin, Mr. Solon, Mr. Viridi, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro.

**Z.B.20-6710 GFY Services**-Public Hearing seeking a Use Variance to construct a 10,000 s.f. commercial building to be utilized as a landscaping and paving business with enclosed parking to include 12 ft. by 30 ft. truck spaces and an approximate 20 foot by 25 foot outdoor storage bin located at 431 Texas Road, Block 147, Lot 9 within the LC Zone.

The Board took jurisdiction and entered evidence A-1 through A-25

Salvatore Alfieri, Esq., appeared for the Applicant. This is a Bifurcated Application, presently there is a single family home on the property that the applicant plans to live in and work from.

Dennis Sagaria, Applicant was sworn in. The Applicant presently lives in Sayreville and if approved will move into home on property. Mr.Sagaria has been in business for the last 20 years. He presently has 3-5 employees. His business is seasonal, for landscaping and paving. Most equipment will be stored in the proposed building. The storage will be for all types of tools, trucks and various equipment. They will be 5 vehicles stored on the property. No repairs, of equipment will be done outside the building, no signage is required. There are 3-5 employees with hours of operation 7:00am-5:00pm with staff on site ½ hr. before and ½ hour after the stated hours The house presently has 2-3 bedrooms, serviced by septic, oil heat and has a 2 car garage with driveway

A.J. Garito, Engineer was sworn in. The property is 10 ½ acres and approximately 20-25% would be developed which would be 2 ½ acres. There is one dwelling on the property they are looking to construct a 80 x 125 commercial building with an gravel driveway There will be a retention basin, lighting, landscaping and a gate/fence are proposed. The property if approved will go to the DEP and Department of Health for any permits needed. If there are concerns about the amount of parking spaces proposed, some can be eliminated. A-26 was submitted as a Color Rendering of Property Plans.

Christine Coffone-Planner was sworn in. Ms. Coffone feels that granting the D Variance and the Use Variance would offer no detriment to the area. The area around this property has similar businesses and the lot at 10 ½ acres is sufficient to house this business. The following Exhibits were submitted:

- A-28 Colored Photo of Road,
- A-29 Colored Photo of Road,
- A-30 Colored Photo of wooded property,
- A-31 Colored Photo of wooded property with car and shed
- A-32 Colored photo of wooded property with vehicle and shed
- A-33 Colored Photo of wooded property with abandon cars and trash
- A-34 Colored Photo of wooded lot with trash
- A-35 Colored Photo of Lot
- A-36 Colored Photo of business near property
- A-37 Colored Photo of Side yard
- A-38 Colored Photo of house
- A-39 Colored Photo of road from house.

Upon reviewing all the information Ms. Coffone feels this Business is appropriate for the area and will actually improve the area with the site improvements planned.

Public Hearing Opened

Mr. Adam Szatmari, 414 Texas Road, feels commercial business is a detriment to this area, believes the building is too big and would prefer housing developments in the area, and has traffic concerns.

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 was offered by Chairman Shapiro and 2<sup>nd</sup> by Mr. Powers to grant a Use Variance to construct a 10,000 s.f. commercial building to include 12 ft by 30 ft truck spaces and an approximate 20 foot by 25 foot outdoor storage bin and passed with a roll call of 9-0 Approve, Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Solon, Mr. Viridi, Mr. Weilheimer, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro

**Z.B. 20-6722 Richard De Regis**- Public Hearing seeking a Bulk Variance to construct an L-shaped wooden deck along the rear of the dwelling and abutting the above ground pool, located at 73 Enclosure Drive, Block 176.02, Lot 44 within the RSCS zone.

The Board took jurisdiction and entered evidence A-1 through A-24.

Mr. DeRegis, Applicant was sworn in. Mr. Regis is looking to build a deck around a present permitted above ground pool. The Bulk Variance is required for a setback. There is no gate around the pool but the property is gated. There is a railing, the resident will submit all necessary permits.

Public Hearing Opened  
None Present  
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 was offered by Chairman Shapiro and 2<sup>nd</sup> by Mr. Levin to grant a Bulk Variance to construct an L shaped deck around existing above ground pool, and passed with a roll call of 8-0 Approve, Ms. DiGrande, Mr. Levin, Mr. Solon, Mr. Weilheimer, Mr. Viridi, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro.

**Z.B. 20-6720 Mikhail Surman**-Public Hearing seeking a Bulk Variance approval to construct a 6 foot high fence within the front yard area along Wilson Avenue, located at 20 Marlboro Street, Block 125, Lot 3 within the R-30/20 zone.

Mikhail Surman- Applicant and Aleksander Surman- Applicant were sworn in.  
Applicants are looking to install a 6 foot privacy fence along Wilson Avenue. They want to align their fence with their

neighbors fence. The fence will be directly along the property line. The applicants will go with the Board's recommendation on landscaping.

Public Hearing Opened  
None Present  
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 was offered by Chairman Shapiro and 2<sup>nd</sup> by Mr. Levin to grant a Bulk Variance to construct a six foot fence and passed with a roll call of 9-0 Approve, Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Solon, Mr. Weilheimer, Mr. Viridi, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro

**ZB 19-6697 Northeastern Development, INC.**-Memorialization of a Resolution granting a Use Variance.

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

**20-6713479 Route 520 Associates, LLC.** - Memorialization of a Resolution granting a Use Variance and Amended Preliminary and Final Site Plan.

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

**20-6719 Erin Peterpaul-** Memorialization of a Resolution granting a Bulk Variance

A motion in the affirmative was offered by Chairman Shapiro. seconded by Mr. Powers. In favor: Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Viridi, Mr. Weilheimer, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro

**20-6715 Inna Ostrovski-**Memorialization of a Resolution granting a Bulk Variance

A motion in the affirmative was offered by Chairman Shapiro. seconded by Mr. Mr. Zwerin. In favor: Ms. DiGrande, Mr. Levin, Mr. Powers, Mr. Viridi, Mr. Weilheimer, Mr. Yozzo, Mr. Zwerin and Chairman Shapiro

A motion to adjourn at 9:12 p.m. was offered by Chairman Shapiro, seconded by Mr. Levin. One vote was cast.

Respectfully submitted,

Suzanne Rubinstein