

MARLBORO TOWNSHIP ZONING BOARD

May 25, 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. LEVIN MR. POWERS, MR. YOZZO (arrived late), MR.VIRDI and CHAIRMAN SHAPIRO

ABSENT: MR. SOLON, MR. WEILHEIMER, MR. ZWERIN

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 May 11, 2021 minutes was made by Chairman Shapiro, 2nd by Mr. Virdi, all approve

Z.B. 21-6738 Richard Faviano- Public Hearing for a Use Variance to construct a mother-daughter addition to the existing dwelling to include two bedrooms, bathroom, living room and kitchenette located at 5 Linford Court Block 214.04, Lot 3 within the SCPR Zone.

The Board took jurisdiction and entered evidence A-1- A-17

Attorney Salvatore Alfieri appeared on behalf of the Applicant The applicant has filed a Use Variance to add an addition to the home to have family member (elderly in-laws) move into the home. After discussion is was decided no relief is needed. The

applicant testified that this will stay as a one family home with one mailbox, one kitchen, one set of utilities and no 2nd entrance. There is presently a 2 car garage and driveway that can accommodate 5-6 cars. No trees will be removed, they will install a drywell, there will be new walkways to the rear of the building.

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

No motion to approve is required

ZB 20-6713A Neurology Center for Epilepsy & Seizures, LLC.-

Public Hearing seeking a Use Variance approval to expand the size of the medical office to incorporate overnight continuous video EEG's monitoring for patients. No revisions to the previously approved site located at 479 Route 520 Block 213, Lot 8.01 located within the OPT-2 Zone.

The Board took jurisdiction and entered evidence A-1- A-23

Salvatore Alfieri is appearing on behalf of the applicant. Dr. Amor Mehta was sworn in. Dr. Mehta is a Board Certified Neurologist who specializes in Epilepsy, who would like to take over the majority of the first floor. He is seeking approval to have a video EEG overnight monitoring facility. This would be the first one in New Jersey. This approval will allow patients to stay overnight and the facility would be licensed through the Department of Health. They would only see low risk patients. Presently there are 2 doctors on staff 2 Nurse Practitioners and one Physician Assistant. Presently they can see 4 study patients a day who have to return the next day and they are able to see approximately 25 patients. If approved they will have 8 study rooms. Any emergency would be handled with the assistance of Centra State Hospital and Jersey Shore Medical Center. They presently have a generator and will install another one to accommodate the expansion. There is a security system all doors are kept locked. There are no cooking facilities on site, meals will be catered.

Jason Fichter-Engineer/Planner-No changes to the originally approved site plan will be made. There are no detriments to the community with this approval and the benefits are many. The intensity of the site will go down, parking facility is sufficient and the uses will follow all past approvals.

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 approve a Use Variance to allow overnight EEG monitoring facility located at 479 Route 520 Block 213, Lot 8.01 within the OPT-2 Zone was offered by Chairman Shapiro and 2nd by Ms. DiGrande

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

ZB 21-6736 Joseph Spina- Public Hearing seeking a Bulk Variance to construct an in-ground pool in the rear of the lot located at 27 Brookside Circle, Block 312, Lot 151 within the R-20 Zone

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

Mr. Alfieri appears on behalf of the applicant.
Mr. Joseph Spina was sworn in- Mr. Spina is seeking a bulk variance to construct a pool. He has lived in the home for 16 years with his wife and 2 daughters. They are seeking approval because the pool will be less than 100 feet from the top of the bank of a brook. They will be 75 feet.
They do have a shed and will move it if required. There are no Engineer issues and many homes in this area have pools and are within 100 feet of the top of the bank.

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 approve a Bulk Variance to allow construction of a in ground pool located at 27 Brookside Circle Block 3112, Lot

151 within the R-20 Zone was offered by Chairman Shapiro and 2nd by Ms. DiGrande

Approved: Ms. DiGrande, Mr. Levin Mr. Powers, Mr. Viridi, Mr. Yozzo and Chairman Shapiro

ZB 21-6732 394 Route 79, LLC.- Public Hearing seeking a Use Variance and Final Major Site Plan approval to construct a 16,260 s.f. warehouse/office flex building with a 22 vehicle parking area located at 349 Route 79, Block 153, Lot 7 within the CS Zone- Carried to June 8, 2021, no new noticing is required.

ZB 21-6737 James and Mary Kocher-Public Hearing seeking 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.

The Board took jurisdiction and entered evidence A-1- A-20
Mr. Verdi has recused him from the hearing.

Mr. Kenneth Pape appeared on behalf of the applicant. They applicant is looking to add a one story garage addition, there will be no new living space, the garage will not be heated and it will have stairs to an unfinished attic space. Richard Villano, Loreli Totten and Mr. Kocher were sworn in. The addition will be made of brick and will 655 square feet One tree will need to be removed. A 2.6 foot high wall with a barrier will be installed to secure the area and maintain safety. The parking is fully compliant. The retaining wall will be an allen block wall with a geo grid that is under the driveway. There will be no interruption to any utilities when this is built and they do not see any negative impact to the community.

Public Hearing opened.

Sunil Vaswani-2 Marseille Terrace Morganville NJ 07751, voiced concerns of the barrier wall, water runoff and safety of the garage.

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 approve a Bulk Variance to allow construction of a second one story garage located at 6 Marsielle Terrace, Block 153, Lot 100 within the LC Zone was offered by Chairman Shapiro and 2nd by Mr. Levin

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

ZB 21-6729 405 Route 9, LLC-Public Hearing seeking 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 Block 288, Lot 370 and 371 within the C-3 Zone.

The Board took jurisdiction and entered evidence A-1- A-40

Salvatore Alfieri appeared on behalf of the applicant. The site under review has been vacant for many years and they are looking to get approval to build a restaurant with a drive thru and 2 retail shops.

Jim Henry-Engineer was sworn in. Exhibit A-33 was viewed to show the existing area. There is a building that will be torn down 60 parking spaces and 2 existing driveways. There are two lots on the parcel Lot 370 and Lot 371. Variance will be needed for both lots. They are proposing a 6000 square foot retail area with a 3500 square foot restaurant with a drive thru. Both driveways will remain and be reviewed with the NJ DOT. They will comply with all the Fire Officials requests of fire lanes, knox boxes and hydrants. The sidewalks will be ADA compliant and as per the Engineers review they will move the 2 trash enclosures. All signage and lighting will comply. All utilities are presently on the site.

Andrew Jaffolla-Traffic Engineer, was sworn in. The Traffic Study has been performed and all documents have been forwarded to the NJ DOT for approval and comments. All Comments have been addressed. There are two driveways and they will be spaced appropriately they will add a lane along the exit if Ivy Lane on the frontage of the property.

John McDonough- Planner was sworn in. This addition to the community will not have any detriments. The drive thru will offer flexibility to the elderly, disabled and families. The area at present is an eyesore and the addition will enhance the community. This will promote Purpose A, G, H, I and M.

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

A motion to approve Variance and Preliminary and Final Site Plan to construct a 9,648 s.f. building to accommodate a restaurant with a drive thru and 2 retail stores located at 405 Route 9 Block 288, Lot 370 & 371 within the C3 Zone was offered by Chairman Shapiro and 2nd by Mr. Powers

Approved: Ms. DiGrande, Mr. Levin Mr. Powers, Mr. Viridi, Mr. Yozzo and Chairman Shapiro

Z.B. 21-6734 Marcus Pettyjohn- Memorialization granting a Bulk Variance to construct an addition to the existing 1 ½ story dwelling located at 388 Route 79 Block 160.01, Lot 1 within the LC Zone was offered by Chairman Shapiro, 2nd by Mr. Powers

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

Z. B. 21-6730 David Fisher- Memorialization to approve a Bulk Variance to construct an approximately 541 s.f. pool house located at 53 Rutledge Road Block 360, Lot 25.30 within the R-20AH-1 Zone was offered by Chairman Shapiro and 2nd by Mr. Powers

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

Z.B. 21-6735 CRP Royal Pines, LLP- Memorialization of Resolution was tabled.

Motion to adjourn at 10:18 p.m. was offered by Chairman Shapiro 2nd by Mr. Powers, all approve.

Respectfully submitted,

Suzanne Rubinstein

