

**MARLBORO TOWNSHIP ZONING BOARD**

**June 13, 2023**

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THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY Chairman Shapiro AT 7:30 p.m.

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. WEILHEIMER, MR. ROYCE, MR. RENNER, MS. DENTON, AND CHAIRMAN SHAPIRO

ABSENT: MR. VIRDI, MR. SALON, MR. MANKES AND MS. ADELE SIMON EHLIN.

PROFESSIONALS PRESENT: LAURA NEUMANN, AUSTIN MUELLER, ESQ.

**PUBLIC SESSION -- NO ONE SPOKE**

Chairman Shapiro, moved that the minutes of May 23, 2023, be adopted. This was seconded by Board Member Renna, and passed on a roll call vote of 5 - 0 in favor.

**Z.B. 21-6758 Tahir Mohammad**-Public Hearing seeking a Use Variance and Preliminary and Final Site Plan approval to construct a 13,337 s.f. mosque with driveway and garage building being converted to an office, located at 449 Tennent Road Block 300, Lot 58 located within the R-80 zone. Has been given an extension to 11/30/23, new noticing will be required when a date is scheduled.

**Z.B. 23-6804 Jain**- Continued Public Hearing seeking Use Variance approval to construct a 5 bedroom single family home with attached 3 car garage located at 11 Hobart Street, Block 223 Lot 16 within the C-1 zone. Carried to August 8, 2023

**Z.B. 19-6697 Northeastern**-Public Hearing seeking a one year extension of the Preliminary and Final Site Plan approval granted December 8, 2020 to construct a car wash building located at Route 79 and School Road West, Block 351, Lot 2 & 3 within the C-2 zone.

The Board took Jurisdiction and entered exhibits A1 - A 3

Mr. Kenneth Pape represented the applicant. The applicant is seeking a one year extension of the Preliminary and Final Site Plan dated from today's date. The extension is due to not being able to start the construction of the car wash.

Open Public Forum opened.  
Open Public Forum closed.

Motion to approve the 1 year extension was offered by Chairman Shapiro, 2<sup>nd</sup> by Matt Weilheimer

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

**Z.B. 23-6807 Travis Lamberson**-Public Hearing seeking a Bulk Variance to expand the existing deck and to construct a roof above the deck, located at 64 Brown Road, Block 170, Lot 49 within the LC zone.

The Board took jurisdiction and entered exhibits A1-A20

Mr. Travis Lamberson, homeowner was sworn in. The homeowner is looking to install an additional 10 feet on decking to either side of the existing deck and add an overhang. Variance is needed due to maximum lot coverage. No tree removal will be done, the present roof leaders are piped underground. The deck will not be enclosed, it will be an open air deck.

Open Public Forum opened.  
Open Public Forum closed.

Motion to approve the Bulk Variance was offered by Chairman Shapiro, 2<sup>nd</sup> by Matt Weilheimer

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

**Z.B. 23-6808 Litman**-Public Hearing seeking Bulk Variance approval to construct a one story addition including a front porch cover, and an enlarged rear deck located at 3 Nelson Street Block, 134 Lot 20 within the R30/20 zone.

The Board took jurisdiction and entered exhibits A1-A20

Miriam Litman, homeowner was sworn in. Resident states they are looking to extend the existing porch closer to Nelson Street. The lot is a non-confirming lot to the zone. The accessory structure, deck and shed are below the allowable total coverage. No trees will be removed.

Open Public Forum opened.  
Open Public Forum closed.

Motion to approve the Bulk Variance was offered by Chairman Shapiro, 2<sup>nd</sup> by Matt Weilheimer

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

**Z.B. 23-6809 Badalov**- Pubic Hearing seeking a Bulk Variance to install an in-ground pool with concrete patio located at 15 Bennett Court, block 331 lot 62.07 within the R-20 zone.

The Board took jurisdiction and entered exhibits A1-A22

Farid Badalov, homeowner was sworn in. Resident is looking to install an inground pool with a concrete pad around the pool. The variance is for lot coverage. There will be no tree removal. The home presently has two inlets directed to storm drains in the street. There will be no drainage issues that impact neighbors.

Open Public Forum opened.  
Harold Zullow 311 Timber hill Drive-flooding concerns.  
Open Public Forum closed.

Motion to approve the Bulk Variance was offered by Chairman Shapiro, 2<sup>nd</sup> by Matt Weilheimer

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

**Z.B. 22-6794 Outfront Media, LLC-** Continued public hearing seeking an interpretation of the Zoning Officers determination on August 18, 2022 stating no light emitting LED billboards, video billboards, pulsating or animated billboards shall be permitted. If the Board should agree with the Zoning Officer, the Applicant would seek the necessary use variance to replace both faces of the existing billboard located at 1 Route 9 Block 175, Lot 1 within the C-4 Zone.

The Board took jurisdiction and entered exhibits A1-A39

Attorney Louis D'Arminio represented the applicant. The application before the Board is for a Conditional Use Variance. The applicant is looking to change the present static billboard to a LED billboard.

Justin Taylor-Traffic Engineer was sworn in. Mr. Taylor reviewed the area that was discussed. There were many reports and studies of review how drivers are affected by billboards. Data shows that a two second distraction can cause a vehicle to veer and cause a possible accident. The study shows that it takes .379 of a second to look at a billboard. There is no statistical data or correlation to say that a static or LED billboard causes distraction. Exhibit A-40 was submitted which is a traffic study of the area from the north and southbound areas of route 9. Mr. Taylor received crash data from Marlboro and Old Bridge Township that had 14 accidents within an 18 month period. The 14 crashes equals 1.28 crashes per million traffic miles. The State average is 2.73 per million traffic miles. Mr. Taylor does not feel this billboard would cause any traffic concerns.

Open Public Forum opened.

Harold Zullow 311 Timber hill Drive-night time versus day time stats.

Open Public Forum closed.

No vote was taken, the applicant will be carried for a vote to the August 8, 2023 meeting with no new noticing.

**Z.B. 16-6570A Collier Services-**Memorialization granting approval to amend the condition of approval to allow the use of the six temporary classrooms for an additional five years located at Pleasant valley Road, Block 153, Lot 38 & 47 within the CF zone was offered by Chairman Shapiro, 2<sup>nd</sup> by Mr. Renna.

Approve: Ms. Denton, Mr. Renna, and  
Chairman Shapiro.

**Z.B. 23-6805 DiMarco**-Memorialization granting Bulk Variance approval to exceed permitted lot coverage of existing pool and patio located at 14 Rosen Drive Block 268.02, lot 7 within the FRD zone was offered by Chairman Shapiro, 2<sup>nd</sup> by Mr. Renna.

Approve: Ms. Denton, Mr. Renna, and  
Chairman Shapiro.

A motion to adjourn at 8:47pm, was offered by Chairman Shapiro.  
One vote was cast.

Respectfully submitted,

Suzanne Rubinstein