

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

PHONE: (732) 536-0200 EXT. 509 FAX: (732) 617-7225

Web: www.marlboro-nj.gov e-mail: zoning@marlboro-nj.gov

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Vice-Chairperson

Robert Knight

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Lewis Wildman

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Jennifer Bajar

Matthew Weilheimer

Lewis Wildman

Michael Shapiro

Paul Schlaflin Alt #1

Zoning Board Clerk

Attorney

Michael Steib, Esq.

Engineer

Gravatt Consulting Group

David Thesing, P.E., P.P.

Planner

Planning Design Collaborative, LLC

Thomas Scangarello, P.P.

Traffic Engineer

Medina Consultants

Mark Kataryniak, P.E.

Administrative Officer

Zoning Officer

Sarah Paris

MINUTES

ZONING BOARD OF ADJUSTMENT

SEPTEMBER 1, 2009

SALUTE TO FLAG

SUNSHINE LAW READ

ROLL CALL

PRESENT: Lewis Wildman, Michael Mahon, Jennifer Bajar,
Matthew Weilheimer, Robert Knight, Michael
Shapiro, Paul Schlaflin, Frank Yozzo

ALSO PRESENT: Michael Steib, Esq.
Sarah Paris, Administrative Officer
Bruce Jacobs, P.E.

ABSENT: Glenn Malysz

The Chairman, Mr. Glenn Malysz, is absent and the Vice Chairman, Mr. Robert Knight, is Acting Board Chairman.

Appoint Mr. Matthew Weilheimer as Secretary:

Offered:	Robert Knight	Seconded:	Michael Mahon
Ayes:	6	Nays:	0
Absent:	2	Abstain:	0

ZB 09-6367 – Heln Management, LLC

Jessica Zolo, Esq., Ansell Zaro Grimm & Aaron, 1500 Lawrence Avenue, Ocean, NJ, represented Jennifer Krimko, Esq. and Heln Management, LLC. She stated they need the services of a professional planner and need additional time. Ms. Zolo signed an extension of time until October 6, 2009. The Board took jurisdiction; no new notice required.

Mr. Wildman arrived at 8:10 p.m. and was appointed again as Secretary.

Appoint Mr. Lewis Wildman as Secretary:

Offered:	Robert Knight	Seconded:	Michael Mahon
Ayes:	6	Nays:	0
Absent:	1	Abstain:	0

Minutes of August 18, 2009 were approved:

Offered:	Lewis Wildman	Seconded:	Michael Shapiro
Ayes:	7	Nays:	0
Absent:	1	Abstain:	1

The applications to approve the memorializations from the meeting of August 18, 2009 followed.

ZB 09-6366 – Jensen, Wayne & Lynette

Public Hearing for approval to construct a 348 square foot addition to existing non conforming residential use at 14 Hobart Street, Marlboro, Block 225, Lot 243, located in a C-1, Community Commercial Zone.

Application read into the record. The Board took jurisdiction and the following was entered as evidence:

- A – 1 Petition on Appeal
- A – 2 Denial by Zoning Officer
- A – 3 Indemnification and Hold Harmless Agreement
- A – 4 Disclosure Statement
- A – 5 W 9
- A – 6 Tax Collector's Certification
- A – 7 Notice To Adjoining Property Owners
- A – 8 Adjacent Property Listing
- A – 9 Certified White Receipts and Green Cards
- A – 10 Affidavit of Service
- A – 11 Affidavit of Publication
- A – 12 Affirmation of Local Pay to Play Ordinance
- A – 13 Application Affidavit of Completeness
- A – 14 Owners Affidavit of Authorization and Consent
- A – 15 Conflict and Contribution Disclosure Statement
- A – 16 Survey prepared by Dennis W. Kortze, Dennis W. Kortze & Assoc., 34 Gerald Place, Bayville, NJ, Dated 5/18/92.
- A – 17 Report prepared by David Thesing, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ, Dated 8/18/09.
- A – 18 Plot Plan for Block 225, Lot 243, prepared by Midstate Engineering, 82 Walnut Hill Lane, Freehold, NJ, Dated 8/5/09.

ZB 09-6365 – Allyn, George

Public Hearing for approval to keep driveway built within five feet of the property line at 443 Edinburgh Place, Marlboro, Block 193.13, Lot 86, located in a PAC III, Planned Adult Community III Zone.

Application read into the record. The Board took jurisdiction and the following entered as evidence:

- A – 1 Petition on Appeal
- A – 2 Denial by Zoning Officer
- A – 3 Indemnification and Hold Harmless Agreement
- A – 4 Disclosure Statement
- A – 5 W 9
- A – 6 Tax Collector's Certification
- A – 7 Notice To Adjoining Property Owners
- A – 8 Adjacent Property Listing
- A – 9 Certified White Receipts and Green Cards
- A – 10 Affidavit of Service
- A – 11 Affidavit of Publication
- A – 12 Affirmation of Local Pay to Play Ordinance
- A - 13 Application Affidavit of Completeness
- A – 14 Owners Affidavit of Authorization and Consent
- A – 15 Conflict and Contribution Disclosure Statement
- A - 16 Survey prepared by Daniel P Hundley, Crest Engineering Associates, Inc., 100 Rike Drive, Millstone Township, NJ dated 3/30/09.
- A – 17 Photos of Curb Cut taken by Mr. Allyn at 443 Edinburgh Place, dated 7/20/09.
- A – 18 Review prepared by David Thesing, PE, Gravatt Consulting Group, Inc., 414 Lacey Road, Forked River, NJ Dated August 4, 2009.
- A – 19 Correspondence from Gloria Meiterman, Managing Member, FTT, LLC, 176 Route 9 North, Suite 301, Englishtown, NJ, dated September 1, 2009.

Mr. George Allyn, who resides at 110 Laird Road, Colts Neck, NJ was sworn in. He stated he purchased the property in 2005 from one FTT, LLC. They also own the lots on either side of his property. He stated that he has complied with everything in Rosemont Estates. The driveway, which was installed three years ago, had all the driveway cutouts already installed by the developer. The builder, Eddie Kaye, made the driveway in a straight line which backs straight out of the garage to curb.

Mr. Allyn stated that Mrs. Gloria Meiterman, Managing Member of FTT, LLC, wrote a letter, dated September 1, 2009, stating the driveway was installed improperly in the wrong location, and no fault of the Allyns. As the adjacent owners, we are 100% satisfied with the location as it is currently and we do not have a problem with it so they may obtain their final Certificate of Occupancy.

Additional Evidence:

- A – 19 Letter from Gloria Meiterman, FTT, LLC, 176 Route 9 North, Suite 301, Englishtown, NJ, dated September 1, 2009.

Lewis Wildman asked when was it built and Mr. Allyn stated it is four years in building. Per Ms. Paris stated that the construction official will not issue a final CC0.

Mr. Allyn also said the engineer measured the property and the driveway is probably three feet, not the required five feet. Ms. Paris stated the original plan showed that the driveway would be on a curve, but could not be done this way.

Ms. Paris stated that these are small lots. If you made a correction, then the next lot would be put out. An administrative field change should have been made, but it was presented to the Board.

There were no questions from the public.

Workshop:

Offered: Robert Knight Seconded: Michael Mahon

The Board Members were in agreement that they would be in favor of the application and that they would approve. Mr. Weilheimer suggested that it go on record so others in the development not go through additional fees.

Out of Workshop:

Offered: Robert Knight Seconded: Michael Mahon

Mr. Knight made a motion to approve with technical revisions waived.

Offered:	Robert Knight	Seconded:	Michael Mahon
Ayes:	7	Nays:	0
Absent	1	Abstain:	0

MEMORIALIZATIONS

ZB 09-6364 – Lynch, Greg and Marcie Lynch

Memorialization of a Resolution granting approval to construct a single family dwelling, in-ground pool, concrete patio and circular driveway having insufficient lot frontage and exceeding permitted lot coverage for total building and total lot coverage at Serenity Place, Marlboro, Block 364, Lot 41.03., located in a R-80 Residential Zone.

Offered:	Lewis Wildman	Seconded:	Matthew Weilheimer
Ayes:	5	Nays:	1
Absent	1	Abstain:	1

ZB 09-6357 – Robert Ida

Memorialization of a Resolution granting approval to construct a single family residence in a commercial zone having insufficient lot area, frontage and width at 604 Texas Road, Morganville, Block 176, Lot 6 in a C-4, Regional Commercial zone.

Offered:	Lewis Wildman	Seconded:	Matthew Weilheimer
Ayes:	6	Nays:	0
Absent:	1	Abstain:	1

ZB 08-6342 – KEA Design, Inc. LLC

Memorialization of a Resolution granting approval of a use variance and associated bulk variances to construct two buildings (1,760 square foot and 3,520 square foot) with associated parking and outdoor storage area for a landscape contractor's business at Tennent Road, Morganville, Block 120, Lots 15 and 17, located in the C-2 Zone.

Offered:	Lewis Wildman	Seconded:	Matthew Weilheimer
Ayes:	6	Nays:	0
Absent:	1	Abstain:	1

Meeting adjourned.

Respectfully submitted,