

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

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Glenn Malysz

Vice-Chairperson

Michael Fishman

Secretary

Robert Knight

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Matthew Weilheimer

Adrienne Spota

Lewis Wildman

Michael Mahon

Jennifer Bajar - Alt.#1

Steven Pitchon - Alt.#2

Zoning Board Clerk

Yvonne Cautillo

Attorney

Michael Steib, Esq.

Engineer

Gravatt Consulting Group

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

Planner

Thomas J. Scangarello, P.P.

Planning Design Collaborative, LLC

Administrative Officer

Zoning Officer

Sarah Paris

MINUTES NOVEMBER 25, 2008 8:00 P.M.

MINUTES

ZONING BOARD OF ADJUSTMENT

REGULAR MEETING

SALUTE TO FLAG

SUNSHINE LAW READ

ROLL CALL

PRESENT: Glenn Malysz, Michael Mahon, Adrienne Spota,
Jennifer Bajar, Matthew Weilheimer, Lewis Wildman,
Steven Pitchon, Robert Knight

ABSENT: Michael Fishman

ALSO PRESENT: Michael Steib, Esq. Board Attorney
Sarah Paris, Administrative Officer
David Thesing, Engineer

The Board accepted the minutes of October 21, 2008

MINUTES APPROVED:

Offered: Glenn Malysz

Ayes: 8

Absent: 1

Seconded: Michael Mahon

Nays: 0

Abstain: 0

Public

Joshua Pollak, 95 Stevenson Drive, Marlboro, NJ introduced himself as a member of the Planning Board. He stated he only recently was made aware of the requirement for a building permit for a shed.

The shed company never informed him permits were necessary when the shed was installed back in 2002. He had a lack of education on this and believes residents need to be informed. Most residents do not attend meetings and Mr. Pollak is suggesting a Home Page for such information be placed on the Channel 77 web site. He believes information regarding sheds and pools and is requesting this suggestion be put under advisement. Please put a link.

The Board had comments suggesting a check list for new residents. The link on the web site can key in on major items i.e. setbacks, zones. Ms. Paris said that Departments have explicit information regarding illegal signage, garbage, etc.

Mr. Malysz suggested that a Board member volunteer to oversee.

ZB 08– 6344 – Leonardi, Michael & Carol

Public Hearing for approval to construct a front portico with insufficient front yard setback exceeding permitted lot coverage for principal structure, at 14 Halifax Drive, Morganville, New Jersey, Block 266, Lot 17. Said property is located in the R-20 residential zone.

The Board took jurisdiction. The following evidence was entered:

- A – 1 Petition on Appeal
- A – 2 Denial by Zoning Officer
- A – 3 Indemnification and Hold Harmless Agreement
- A – 4 Disclosure Statement
- A – 5 Tax Collector's Certification
- A – 6 W9
- 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 Owners Affidavit of Authorization and Consent
- A – 14 Survey prepared by Robert M. Horvath, Brunswick Surveying Incorporated, PO Box 64, New Brunswick, NJ, Dated 9/26/08.
- A – 15 Lot Coverage Calculations, prepared by Maxine Gustus-Giordano, AIA, 14 Marlpit Place, Middletown, NJ, Dated 10/15/08.
- A – 16 Architect Plans, prepared by Maxine Gustus-Giordano, AIA, 14 Marlpit Place, Middletown, NJ, Dated 10/15/08.
- A – 17 Report prepared by David Thesing, PE, PP, CME, Gravatt Consulting Group, 414 Lacey Road, Forked River, New Jersey 08731, Dated November 3, 2008.

Carol Leonardi, 14 Halifax Drive, Morganville, NJ and John Galifi, 9 Halifax Drive, Morganville, NJ each sworn in. Ms. Leonardi said initially the plan was to make a wider access for her father-in-law who just she has elderly parents and they too need more access for a wheelchair and walker.

Mr. Thesing said the application is for front portion of porch. It looks like the architectural show more; the variance front yard setback might need an additional eight inches. It should have been from building to property line.

Mr. Steib suggested amending application from 37.17 feet to 36½ feet where 40 feet is required. Ms. Leonardi agreed to amend for the record.

There were no questions from the public and none from the Board.

All the Board members agreed that they would be in favor of the application. The neighbors are not affected, they are still under total lot coverage, and it will add to the neighborhood.

Out of Workshop

Offered by: Glenn Malysz

Seconded by: Robert Knight

Mr. Thesing stated the 36.5 will be the offset for front yard with 11% being the maximum. 11.26% is shown by professionals.

Offered by: Glenn Malysz

Seconded by: Adrienne Spota

Ayes: 8

Nays: 0

Absent: 1

Abstain: 0

Motion granted.

ZB 08- 6342 KEA Design

Public Hearing for approval 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 120 Tennent Road, Morganville, New Jersey, Block 120, Lots 15 and 17. Said property is located in the C-2 zone.

Richard J. Pepsny, Esq., for Kea Designs, Inc., LLC sent letter waiving the statutory 45 day period for a hearing in its application and requests that the matter be put down for a hearing on January 6, 2009. Confirmed for January 6, 2009.

ZB 08-6341 – Marnie Potterton

Public Hearing for approval to construct an addition, with insufficient front and side yard setbacks for principal structure and insufficient side and rear yard setbacks for accessory structure exceeding lot coverage for principal structure, total building and total lot coverage at 21 John Street, Morganville, New Jersey, Block 115, Lot 12. Said property is located in the R-60 zone.

The Board took jurisdiction. The following evidence was entered:

- A – 1 Petition on Appeal
- A – 2 Denial by Zoning Officer
- A – 3 Indemnification and Hold Harmless Agreement
- A – 4 Disclosure Statement
- A – 5 Tax Collector's Certification
- A – 6 W9
- 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 dated 3/6/08
- A - 13 Owners Affidavit of Authorization and Consent
- A – 14 Application Affidavit of Completeness
- A – 15 Stormwater Calculations for Addition for 21 John Street, Marlboro, NJ, Block 115, Lot 12, prepared by Mark E. Reme, P.E., Altran Solutions, Cranbury Plaza, 2525 Route 130 Bldg. E., Cranbury, NJ, Dated 9/30/08.
- A – 16 Site Plan prepared by Altran Solutions, Inc., 2525 Route 130, Cranbury, NJ 08512 dated 5/01/08.

- A – 17 Report prepared by David Gravatt, Gravatt Consulting Group, 414 Lacey Road, Forked River, NJ 08731, dated October 14, 2008.
- A – 18 Survey prepared by Eugene Amron, NJPE & LS, Azimuth Land Surveying Co., 90 Monmouth Road, Oakhurst, NJ, dated December 16, 2006.

Ms. Marie Potterton resides at 21 John Street, Morganville and Mr. William Mathes William A. Mathes, 351 First Street, Westfield, NJ are sworn in.

Ms. Potterton has a modest 1,250 square foot house. She would like to add an addition with a new master bedroom, office, and bump out the dining room. Ms. Potterton would also like a pool for children and for entertaining.

Mr. Mathes presents pictures. They are labeled Exhibits A-17.

Mr. Mathes stated that he is the architect that prepared the plans and has never been before this Zoning Board.

This is a 60,000 square foot zone with and this is a 20,000 square foot lot. The plans show superimposed changes:

Sheet A1 - shows changes to the house; the existing house has three bedrooms, living room, 1 bath, dining room.

Sheet A2 –Dining room pushed out 6 feet, covered porch on left, walkway on right to side yard with mudroom.

Sheet A3- demolish part of roof, add on 4th bedroom with master bedroom, office, closet space (children's bedrooms will be downstairs).

Sheet A4 – front of house bumped out, creating additional interest to design.

Sheet A5 – roof over garage on east side.

Ms. Potterdon stated there is nothing unusual; all things are allowable. They would hope the town might rezone to R20, but they need the space now.

Mr. Malysz commented that the absence of Ms. Potterdon's neighbors show that they must be in agreement.

Ms. Potterdon also said if the shed needs to be replaced, they will do so.

When Mr. Pitchon asked about the mud room, Mr. Mathes said the covered porch was to sub as a mud room.

Mr. Thesing said he had no questions or comments.

Jennifer Bajar asked about the grading. Adrienne Spota commented there are no wetlands; it was not even spongy after today's rain.

Jennifer Bajar said you would not want pool to overflow toward house; David Thesing said there was no problem.

Engineer can provide testimony.

Mark Reme, Voltran Solutions, 2525 Route 130, Cranberry, NJ was sworn in. He is a licensed engineer practicing as a PE for five years and has not been before this Board. He is accepted as a professional.

He says they have tried to maintain grades as they are; the swimming pool will have a small retaining wall around rear of property. Water would be directed around the pool to the sides on existing grades toward front of house; from back to front toward street.

Mr. Malysz asked if there were any other questions.

There were no public questions.

Workshop:
Seconded by Robert Knight

All the Board Members are in favor of this application saying they can understand the need for room and that it is reasonable and no detriment to the neighborhood. Mr. Malysz liked the design with the pavers set in sand, saying it is tasteful to the neighborhood.

Out of Workshop
Lewis Wildman: Seconded

Glen Malysz motioned to approve variances. David Thesing numerated the variances: frontage, 125 existing, width and depth; total lot coverage, total building coverage, front yard setback, side yard set back, building coverage for principal coverage, and shed (twenty-five feet required, with five feet proposed). The shed is twenty-five feet required, with five feet proposed.

Mr. Mathes stated the fence will be to pool code.

Offered by: Glenn Malysz	Seconded by: Robert Knight
Ayes: 8	Nays: 0
Absent: 1	Abstain: 0

Motion granted.

MEMORIALIZATION

ZB 08– 6335 – Dijour, Roman & Inna

Memorialization of a resolution granting approval to construct an inground pool and associated concrete walkway on a site with insufficient rear yard setback for accessory structure, which exceeds permitted lot coverage for principal structure and total impervious coverage, and insufficient distance between paved terrace and property line at property known as 54 Crescent Court, Marlboro, Block 148, Lot 10.07, in the R-10AH zone.

Offered:	Glen Malysz	Ayes:	6
Seconded:	Michael Mahon	Absent:	1
		Abstain:	1

Meeting Adjourned.

Respectfully,

Yvonne M. Cautillo

