

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

PHONE: (732) 536-0200 EXT.1809: (732) 617-7225

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

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Birdsall Engineering

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Planner

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MINUTES

ZONING BOARD OF ADJUSTMENT

SEPTEMBER 6, 2011

8:00 P. M.

SALUTE TO FLAG

SUNSHINE LAW READ

PRESENT: Michael Shapiro, Matthew Weilheimer,
Ira Levin, Jennifer Bajar, Frank Yozzo,
Ibrahim El-Naboulsi, Jennifer Bajar, Stacey
DiGrande

ALSO PRESENT: Ronald Cucchiaro, Esq. Board Attorney
Sarah Paris, Administrative Officer
James Priolo, P. E., Birdsall Engineering
Richard Cramer, P.P., T & M Associates

ABSENT: Alan Zwerin

The minutes of the August 16th, 2011 meeting were approved:

Offered: Michael Shapiro

Seconded: Ira Levin

Absent: Alan Zwerin, Frank Yozzo (Late)

Ayes: Levin, Shapiro, Spota

Weilheimer, Il-Naboulsi

Abstain: Jennifer Bajar

Stacey DiGrande

No one signed up for Public Session

ZB11-6424 – Terrizzi, Joseph & Lisa

Continuation of a public hearing for use and bulk variance approval to construct a Mother/Daughter addition which exceeds permitted lot coverage for a principal structure and total building coverage at 73 Guest Drive, Morganville, NJ, Block 281, Lot 6, located in an R-20 Residential Zone.

Additional evidence was submitted:

- A – 21 Site Plan and Zoning revised for Terrizzi Residence, 73 Guest Drive, By David Dugasz, Dugasz & Brower, 24 Eagan Avenue, Fords, NJ, August 8, 2011.
- A – 22 Report prepared by James Priolo, PE, Birdsall Services Group, Inc., 611 Industrial Way West, Eatontown, NJ and Dated August 24, 2011.
- A – 23 Report prepared by Richard Cramer, PP, T&M Associates, Eleven Tindall Road, Middletown, NJ and Dated August 25, 2011.

Joseph and Lisa Terrizzi, owners of 73 Guest Drive, Morganville, remained under oath. Mr. Terrizzi stated that they are asking 13.44% maximum building coverage. This is 2.44% above what is allowed; 11% is permitted. Total square footage was reduced to 89.22. The total maximum building coverage was eliminated and the side entrance was removed.

Questions from the Board Members

Mr. Weilheimer inquired if they were keeping the two car garage. Mr. Terrizzi explained that while there are two doors, it is used for only one car because of the fireplace.

Ms. Bajar and Messrs. Weilheimer and Il Naboulsi each stated they listened to tapes of August 2, 2011.

Mr. and Mrs. Szczesny, 75 Guest Drive, Morganville, stated they are not opposed to the building, but this is an obstruction. The profile should be toward the back. This is going to turn their house into a two family residence and a home is being added to this home. This is why they oppose the application; they do not want the building to stick out thirty feet.

Mr. Weilheimer stated it was originally 33' x 29', it is now 30' x 29'. This is 80 square feet less. Mr. Levin stated he thought this was not considered a two family.

Mr. Cucchiaro stated this could be self contained. The primary relief is the use variance to permit a second unit on the site.

Mr. and Mrs. Louis Dottrina, 71 Guest Drive, Morganville, were previously sworn in. Our concerns are the same as Mr. and Mrs. Szczesny and do not understand why it is so important to have another kitchen. This seems to be in excess of what the neighborhood is about; there is not a large space between houses. Realtors have stated this doesn't help the neighborhood. If the kitchen is removed, it would be more appropriate. She inquired if the kitchen is being used for Mrs. Terrizzi's chocolate business. Mrs. Dottrina wanted to know if Dolce Chocolates is a business out of her home.

Mrs. Dottrina asked if Mrs. Terrizzi has a chocolate business and asked what the second kitchen will be used for. Mrs. Dottrina asked Mrs. Terrizzi if the kitchen will be used for her chocolate business in Marlboro.

Mr. Cucchiaro stated the question is whether the business is allowed. He asked if the kitchen is not going to be used for the business. Mrs. Terrizzi answered that this was correct.

(Mr. Yozzo arrived at 8:25 p.m.)

Mr. Cucchiaro stated that if this is a business, you may need to ask for an additional use variance.

The meeting was adjourned until a ruling is established whether the business is legal.

An extension of time was signed for the October 4, 2011 meeting.

Mr. Cucchiaro spoke regarding the Court's decision on the Schechter litigation; Judge Lawson upheld the Court's decision.

Motion to Adjourn at 8:30 p.m.

Offered: Michael Shapiro

Seconded: Ira Levin

Respectfully submitted,

