

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

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Vice-Chairperson

Matthew Weilheimer

Secretary

Alan Zwerin

Members

Frank Yozzo

Ira Levin

Jennifer Bajar

Adrienne Spota

Ibrahim El Naboulsi - Alt #1

Stacey DiGrande- Alt # 2

Zoning Board Clerk

Yvonne Cautillo

Attorney

Weiner Lesniak

Ronald D. Cucchiaro, Esq.

Engineer

Birdsall Engineering

James Priolo, P.E.,

Planner

T & M Associates

Richard Cramer, P.P.

Traffic Engineer

French & Parrello

Mark Kataryniak, PE, PTOE

Administrative Officer

Zoning Officer

Sarah Paris

MINUTES

ZONING BOARD OF ADJUSTMENT

SEPTEMBER 20, 2011

8:00 P. M.

SALUTE TO FLAG

SUNSHINE LAW READ

PRESENT: Michael Shapiro, Matthew Weilheimer, Adrienne Spota (arrived 8:25 p.m.), Ira Levin, Ibrahim El-Naboulsi, Stacey DiGrande

ALSO PRESENT: Bryant Gonzalez, Esq. Board Attorney, Sarah Paris, Administrative Officer, James Priolo, P. E., Birdsall Engineering

ABSENT: Alan Zwerin, Jennifer Bajar, Frank Yozzo

The minutes of the September 6th, 2011 meeting were approved:

Offered: Michael Shapiro

Ayes: 5

Seconded: Ibrahim El Naboulsi

Nays: 0

No one signed up for Public Session

Members asked to e-mail lists of changes for year End Report to Sarah who will put a list together for further discussion at a future meeting.

ZB10-6394 – T-Mobile Northeast LLC

Continuation of a Public Hearing for approval to construct a wireless communications facility, requiring use and bulk variances for an undersized lot and having insufficient fall zone on property located at 112 Amboy Road, Morganville, NJ, Block 172, Lot 34, in an IOR Zone.

A letter received from applicant's attorney, Reginald Jenkins, Jr., was read into the record. He is requesting that the application be carried to the November 22nd, 2011 hearing. He granted an extension of time through the end of December. This application is carried to November 22, 2011. No further notice will be required.

ZB11-6425 – Pokhis, Bill and Irina

Public Hearing for approval to construct an in ground pool with three foot walkway having insufficient rear yard setback and exceeding permitted lot coverage and insufficient distance between structures at 120 Bond Drive, Morganville, NJ, Block 148, Lot 10.33, located in an R-20AH2 Residential Zone.

The Board took jurisdiction. The following evidence was entered:

- A – 1 Petition on Appeal
- A – 2 Letter of 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 List of Property Owners within 200 feet
- A – 9 Certified White Receipts and Green Cards
- A - 10 Affidavit of Publication
- A – 11 Affirmation of Local Pay to Play Ordinance
- A – 12 Affidavit of Service
- A – 13 Owners Affidavit of Authorization and Consent
- A – 14 Survey prepared for Block 148, Lot 10.33, by Daniel P. Hundley, Crest Professional, 1210 State Hwy. 33, Hightstown, NJ, and Dated 8/18/01.
- A – 15 Pool Grading Plan prepared for Block 148, Lot 10.33, By Chester DiLorenzo, PE, Midstate Engineering, Inc., 82 Walnut Hill Lane, Freehold, NJ, and Dated 7/26/11.
- A – 16 Report prepared for Block 148, Lot 10.33, by James A. Priolo, P.E., Birdsall Services Group, Inc., 611 Industrial Way West, Eatontown, NJ, dated September 15, 2011.

Mr. Pokhis was sworn in told the Board that he wanted to build a 16' x 36' in-ground liner pool. He is requesting bulk variances for insufficient rear yard setback and exceeding lot coverage by 1.5%. There is also insufficient distance between the raised patio and the pool. He further stated that he had met with the Zoning Officer a few times regarding this pool application and that he had changed the concrete around the pool to pavers and had made it smaller at Ms. Paris' suggestion.

Mr. Pokhis stated that it had never been his intent to build a pool but his son's health condition had created the necessity. The doctor had recommended swimming as the best exercise for his son's condition.

Public: Robert Brennan of 210 Jensen Court, Morganville expressed his concern as his lot is lower than the Pokhis' lot and due to the proximity of the pool and the size of the patio, he is very concerned about drainage.

During workshop the Board members discussed whether to condition the approval on the Board's Engineer approving a new submission relating to the drainage or whether to require the applicant should come back so the members could review the new drainage proposal. It was agreed upon that the applicant would have his engineer contact the Board's Engineer to discuss what would be required and then to submit the plan to the Board.

This meeting was carried to October 4, 2011 with no further notice. An extension of time to October 31st, 2011 was signed.

M O R I A L I Z A T I O N S

ZB11-6423 - Avis Budget Rental Vehicles

Memorialization of a resolution granting approval for auto leasing at 81 South Main Street, Morganville,

Offered: Mr. Shapiro Ayes: 5

Seconded: Mr. Weilheimer Nays: 0

ZB09-6376A – Land Baron, LLC

Memorialization of a resolution granting site plan approval for landscape supply yard at 308 and 312 Tennent Road, Morganville, NJ, Block 172, Lots 42 and 43, located in an IOR Residential Zone.

Offered: Mr. Shapiro Ayes: 4

Seconded: Mr. Weilheimer Nays: 0

Meeting Adjourned at 8:45 p.m.

Respectfully submitted

Sarah Paris

