

TOWNSHIP OF MARLBORO

ZONING BOARD OF ADJUSTMENT

1979 TOWNSHIP DRIVE

MARLBORO, NJ 07746-2299

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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

M I N U T E S

MARCH 19, 2013

8:00 P.M.

Salute to Flag

Sunshine Law Read

PRESENT:

Michael Shapiro Matthew Weilheimer,

Ira Levin, Jennifer Bajar,

Dr. Michael Adler, Stacey DiGrande,

ALSO PRESENT:

James Priolo, P.E., Birdsall Engineering

Mark Kataryniak, PE, French & Parello

Sarah Paris, Administrative Officer

Jeanne McManus, Weiner Lesniak

ABSENT:

Alan Zwerin, Frank Yozzo

PUBLIC SESSION – No one signed up for Public Session

MINUTES OF MARCH 12, 2013

Offered: Mr. Weilheimer

Ayes: 6

Seconded: Mr. Levin

Nays: 0

ZB 13-6469 – Roman Dijour

Continuation of a Public hearing for approval to place a generator within eight (8') feet of the side yard property line where ten (10') feet is required at 54 Crescent Court, Block 148, Lot 10.07 in the R-10AH zone.

Additional Evidence was entered into the record.

A – 15 Report prepared for Block 148, Lot 10.07, by James Priolo, PE, Birdsall Engineering, 611 Industrial Way, Eatontown, NJ, and Dated 3/7/06.

Ira Levin was recused.

Michael Shapiro arrived at 8:20 pm.

Workshop:

Offered by: Matthew Weilheimer

Seconded by: Dr. Michael Adler

All members agreed that all were comfortable with the application.

Out of Workshop: Matthew Weilheimer

Seconded by: Dr. Michael Adler

Motion to Approve:

Offered by: Matthew Weilheimer Ayes: 4

Seconded by: Dr. Michael Adler Nays: 0

Absent: 4

ZB 12-6459 – Syed Alzaidy

Continuation of a Public hearing for approval of a use variance for density, for a subdivision with bulk variances located at Conover Road, Block 153, Lot 39.03, in the LC Land Conservation zone.

The Chairman, Michael Shapiro, takes over the meeting.

Ms. DiGrande was appointed Acting Secretary.

Mr. Levin returned to the dais.

Philip Morin, III, Esq., 218 Route 17 North, Rochelle Park, NJ, represents the applicant, Syed Alzaidy. The prior subdivision states the applicant would return for a subdivision of no more than two lots. A density variance is required with additional bulk variances.

There is a twelve foot wide driveway, and drainage for stormwater seepage. There are landscaping shade trees on Conover Road.

March A. Remo, PE, Remo Engineering, LLC, 205 Route 9 North, Freehold, NJ, stated that the land is suitable for two single family dwellings. Density variance is required (D5) with additional bulk variances for lot size width frontage. Valid reasons to support variance. It will have a positive affect on the surrounding neighbors with no detriment to the public good. The proposed use is permitted in this zone.

It was agreed that a letter to the Planning Board would be obtained regarding post resolution compliance.

Board Questions

Mr. Shapiro inquired about storm retention.

Ms. McManus, Esq. inquired if the applicant had received all the reports. Mr. Morin took a minute to review the Birdsall report.

It was agreed that because it is a density, we should have architecturals. The grading will be addressed and swail detail will be added on the plans. A discussion of the wetlands followed. Mr. Morin agreed that the Birdsall report would be addressed. He also stated that a condition be e put in the resolution regarding a Letter of Interpretation.

Report of Planner:

Mr. Cramer said there should be four acres undisturbed, which is 80%.

Workshop:

Offered by: Michael Shapiro

Seconded by: Jennifer Bajar

Discussion followed regarding the size of the lots.

Out of Workshop:

Offered by: Michael Shapiro

Seconded: Ira Levin

Mr. Syed Alzaidy was sworn in. He answered the size of the house would be 6,500 square feet.

Mr. Morin stated we can make a condition that everything must be in compliance from the Planning Board. Mr. Alzaidy, stated he believes it was complied with.

There were no more questions.

Motion to Approve the variance.

Offered by: Michael Shapiro

Seconded by: Ira Levin

Ayes: 6

Nays: 0

Absent: 2

Motion Approved.

ZB 12-6463 – M&M at 483 Route 79, LLC

Continuation of a Public hearing for a use variance for a convenience store and associated gasoline service station at 483 Route 79, Block 122, Lots 27.03 and 27.04.

Salvatore Alfieri, Esq., 5 Ravine Drive, Matawan, represents the applicant. Additional evidence had been entered.

A – 28 Copy of NJDOT's Access Conforming Lot Permit Number A-79-C-C047-2009, for Block 122, Lot 27.01, Dated 8-16-12.

A – 29 Access Plans for M&M at 483 Route 79, prepared by Bradford Allen, EP Design Services, LLC, Dated 9/28/11.

A – 30 Report prepared for Block 122, Lot 27.03 & 27.04, by Mark W. Kataryniak, PE, 1900 Route 34, wall, NJ, Dated 3/18/13.

The Interpreter, Kymme Van Cleef, was sworn in.

Gary Dean is still under oath. At the last hearing the issues were Traffic. He had prepared a March 7, 2013 letter with comments on Traffic and the site plan.

The Quick Chek and gas pumps will yield more traffic, but not more to the neighborhood. They are not creating new traffic.

DOT access plans were not provided to the Zoning Board. Worst case scenario is they will obtain DOT permit.

There were questions on stacking. Findings indicated there will be no more impact on the stores.

There are more than enough spaces for parking. There will be fifty-one spaces for the retailers and fifty-two for the convenience store. The fueling component does not require a standard. There will also be four parking spaces for employees.

Per Mr. Kataryniak, there is a slight deficit in the parking. As of now, the plans are not as needed for the site plan. They can adjust, when they return for the site plan.

The light is under DOT jurisdiction; Letter should be obtained.

Ann Downs, from South Jersey, was sworn in. She represents her parents. The end of the property is on the street; there is no shoulder. The traffic light is down the hill and it is dangerous as they sometimes travel 35-40 miles per hours. They feel they won't be able to get out of their home.

Mr. Alfieri stated the signal has been there and modified for the project. The traffic has increased over the years.

A – 32 and A – 33 Photographs showing no shoulder on road.

Mr. Rozelnik, 40 Roosevelt Avenue, stated that additional people are being drawn in and mid-afternoon you are unable to get out of there.

MR. Dean stated there is a protected arrow and they get the benefits of a prior green. He said they will immediately inquire of the DOT to help out with the lights.

There were no questions from the Board Members

Questions from the Public:

Dominic Esposito, 133 School Road East, was sworn in. It is an advantage for the area people to have Quick Chek moving in.

Mr. Robert Cromer, 27 Wilson Avenue, lives across the street, stated that this is a convenience we need.

