MARLBORO TOWNSHIP ZONING BOARD October 18, 2016

THE MEETING OF THE MARLBORO TOWNSHIP ZONING BOARD WAS CALLED TO ORDER BY THE TEMPORARY CHAIRMAN MR. RONALD D. CUCCHIARO, ESQ. AT THE MARLBORO TOWNSHIP OFFICES, 1979 TOWNSHIP DRIVE, MARLBORO AT 7:30P.M.

CHAIRMAN SHAPIRO READ THE MEETING NOTICE, ADEQUATE NOTICE PURSUANT TO THE OPEN PUBLIC MEETING ACT OF 1977 HAS BEEN GIVEN OF THIS MEETING BY PUBLICATION IN THE ASBURY PARK PRESS, AND BY POSTING IN THE MUNICIPAL BUILDING IN THE TOWNSHIP OF MARLBORO, FILED IN THE TOWNSHIP CLERK'S OFFICE AND PLACED ON THE TOWNSHIP WEBSITE AND CHANNEL 77.

ROLL CALL

PRESENT ... {6} MR. LEVIN, MR. ZWERIN, MR. WEILHEIMER, CHAIRMAN SHAPIRO, DR. ADLER, and MR. NAPPI

ABSENT... {3} MR. SOLON, MS. DI GRANDE, and MR. VERDI

PROFESSIONALS PRESENT... MS. NEUMANN, MR. CUCCHIARO, and MS. SARAH PARIS

SALUTE THE FLAG

APPROVAL OF THE JULY 12, 2016 and JULY 26, 2016 ZONING BOARD OF ADJUSTMENT MINUTES

<u>PUBLIC SESSION</u> – No one from the public signed up to speak.

Z.B. 16-6602 Exotic & Classic Car Investment Group, Inc. — Public Hearing for a Use Variance for classic car storage business to hold up to 60 vehicles, 30 on the ground and 30 on lifts in a 7,676 sq. ft. warehouse space, located at 234 Boundary Road, Block 360, Lots 5 in the LI zone.

Application to be carried to November 22, 2016 without further notice to property owners.

Z.B. 16-6598 Maureen DeGulis Revocable Trust - Public Hearing for a Bulk Variance to keep improvements including a deck and a shed built without permits on an undersized lot located at 18 Boundary Road, Block 214, Lot 26 in the LC zone

Salvatore Alfieri Esq. was sworn in and gave testimony. Mr. Alfieri introduced the application to the Board. Mr. Alfieri stated that the Applicant was seeking variance relief to retain the concrete paver walkway and shed installed subsequent to the 1976 approval, and to permit the neighboring property's existing driveway to continue encroaching upon the subject property. The property's previously approved concrete walkway was replaced in kind with concrete pavers set in sand, and the original shed was replaced with a newer similarly sized shed mounted on the same concrete pad as the original.

Vincent DeGulis was sworn in and gave testimony. Mr. DeGulis is the Grandson of the Applicant and resides on the adjoining property known as 20 Boundary Road, appeared on behalf of the Applicant. Mr. DeGulis explained that all of the variances being sought represent preexisting nonconforming conditions (which predated the property's LC Zoning), and are being sought now to permit the proposed sale of the subject property. Mr. DeGulis stated that he had never received any complaints from any of the neighbors.

<u>PUBLIC</u> - There were no members of the public expressing an interest in this application.

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 4 (Levin, Zwerin, Weilheimer,

Chairman Shapiro)

Recused: 0

Nays: 1 (Adler)

Second: Mr. Levin Absent: 2 (Solon, DiGrande)

Abstain: 0

Z.B. 15-6559 Ying and Wang Lin d/b/a Lin's HVAC - Public Hearing to amend a condition of a

previously approved Mixed Use Variance and Final Site Plan to construct a pole barn for storage of business equipment, located at 98 Tennent Road, Block 120 Lot 43 in the C-2 zone

Salvatore Alfieri, Esq. was sworn in and gave testimony. Mr. Alfieri stated that the Applicants own and operate an HVAC business as well as living on the property. Mr. Alfieri stated that the Applicant received this Board's approval to construct a 2,000 square foot pole barn at the approximate mid-depth area of the property. The proposed pole barn will be utilized as an equipment storage structure associated with the homeowner's business use. The existing paved driveway is to be extended approximately 1,036 square feet in order to provide access to the proposed pole barn and drywell trenches are proposed to mitigate the increased runoff from the pole barn structure. Mr. Alfieri further stated that the Applicant was still in the process of obtaining Monmouth County Planning Board approval for the proposed construction. Although the MCPB has issued conditional approval (Exhibit A-13), there remains an open issue involving the roadway dedication. Mr. Alfieri testified that by letter dated September 26, 2016 his engineers had provided the MCPB with the information it required, such that final MCPB approval was anticipated within the next thirty days. However, since Condition No. 9 required that the pole barn be installed by September 1, 2016, the time required to obtain other agency approvals supported the Applicant's request for relief from this condition

Ying Lin was sworn in and gave testimony. Mr. Lin stated that he would need approximately 6 months between the MCPB approvals as well as the construction of the Pole Barn, in order to comply with the Board's conditions.

The Board granted an extension to May 31, 2017.

PUBLIC - There were no members of the public expressing an interest in this application.

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 4 (Levin, Zwerin, Weilheimer,

Chairman Shapiro)

Recused: 0

Nays: (

Second: Mr. Levin Absent: 2 (Solon, DiGrande)

Abstain: 1 (Adler)

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RESOLUTIONS

Z.B. 16-6595 Luca & Antonietta Donorio Demeo – Public Hearing for a Bulk Variance to construct three additions to existing home, Exceeding permitted lot coverage for principal structure, total building coverage, and insufficient front yard setback, located at 8 MacKenzie Terr., Block 304, Lots 22 in the R-20 zone.

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 5 (Levin, Zwerin, Weilheimer,

Chairman Shapiro, & Adler)

Recused: 0 Nays: 0

Second: Mr. Zwerin Absent: 2 (Solon, DiGrande

Abstain: 0

Z.B. 16-6588 Anthony Castro – Public Hearing for a Bulk variance to place a six foot chain link fence in front yard, setback ten (10') from property line and coming off the side (instead of the rear) of the house, in second front yard, located at 4 Cherokee Court, Block 155, Lot 16.06 in the GCRC zone.

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 5 (Levin, Zwerin, Weilheimer,

Chairman Shapiro, & Adler)

Recused: 0 Nays: 0

Second: Dr. Adler Absent: 2 (Solon, DiGrande

Abstain: 0

Z.B. 16-6589 Alexandra Luski - Continued Public Hearing for a Bulk variance to approve an existing 42" aluminum fence with 50" stone pillars built in the front yard and to approve an existing driveway that was built up to the property line, located at 215 Doe Trail, Block 154, Lot 1.19 in the LC zone

A motion in the affirmative

Offered: Chairman Shapiro Ayes: 5 (Levin, Zwerin, Weilheimer,

Chairman Shapiro, & Adler)

Recused: 0

Nays: (

Second: Dr. Adler Absent: 2 (Solon, DiGrande

Abstain: 0

A motion to adjourn was offered by Chairman Shapiro, seconded by Dr. Adler.

Respectfully submitted

Jennifer Bajar