

**Minutes of the
Unified Planning/Zoning Board of Adjustment
Reorganization Meeting
January 5, 2015
7:00 PM**

The 2015 Reorganization Meeting of the Unified Planning/Zoning Board of Adjustment of the Borough of Matawan, New Jersey, was held at the Matawan Municipal Community Center, 201 Broad Street, Matawan, New Jersey on January 5, 2015. The meeting was called to order at 7:00 PM by Chairman Kenneth Cassidy presiding. Chairman Cassidy called the meeting to order, pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was published in The Independent on January 29, 2015 and by posting.

Michael A. Irene, Jr., Esq. administered the Oath of Office to the following board members:

Rickey Butler as Class IV Member of the Unified Planning/Zoning Board of Adjustments for a four-year term, said term to expire December 31, 2018.

Robert Montfort as Class II Member of the Unified Planning/Zoning Board of Adjustments for a one-year term, said term to expire December 31, 2015.

Daniel Acquafredda as Alternate I Member of the Unified Planning/Zoning Board of Adjustments for a two-year term, said term to expire December 31, 2016.

Andrew Lopez as Alternate II Member of the Unified Planning/Zoning Board of Adjustments for a two-year term, said term to expire December 31, 2016.

Chairman Cassidy requested everyone to stand for the Salute to the Flag.

Chairman Cassidy requested a roll call.

On roll call the following members responded present:

No:	Paul Buccellato
Yes:	Rickey Butler
Yes:	Kenneth Cassidy
No:	Donna Gould

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Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
No: Rochelle Malanga
Yes: Andrew Lopez
Yes: Daniel Acquafredda as of 7:02

Also present was Michael A. Irene, Jr., Esq., Planning Zoning Board Attorney and Robert W. Bucco, Jr., Planning Zoning Board Engineer.

Chairman Cassidy requested a motion for nominations for Chairman. Mr. McKenna made a motion to nominate Mr. Cassidy, seconded by Mr. Saporito. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Abstain: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Chairman Cassidy requested a motion for nominations for Vice Chairman. Mr. Montfort made a motion to nominate Mr. Butler, seconded by Mr. Cassidy. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Abstain: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli

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Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Chairman Cassidy requested a motion for nominations for Secretary. Mr. Cassidy made a motion to nominate Mr. Gallego, seconded by Mr. Montfort. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Yes: Kenneth Cassidy
Abstain: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Chairman Cassidy requested a motion for nominations for Recording Secretary. Mr. Montfort made a motion to nominate Nancy Jo Palermo, seconded by Mr. Cassidy. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Chairman Cassidy requested a motion to appoint the Attorney. Mr. McKenna made a motion to nominate Michael A. Irene, Esq., seconded by Mr. Cassidy. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.

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Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Chairman Cassidy requested a motion to appoint the Board Engineer. Mr. Montfort made a motion to nominate Robert W. Bucco, Jr., seconded by Mr. McKenna Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Chairman Cassidy requested a motion to have Mr. Irene prepare the 2014 Annual Report. Mr. Gallego made the motion, seconded by Mr. Montfort. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
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Motion approved.

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Chairman Cassidy requested a motion to approve the 2014 meeting calendar and the 2015 reorganization meeting date of the Unified Planning/Zoning Board of Adjustments as follows:

Monday, February 2, 2015
Monday, March 2, 2015
Monday, April 6, 2015
Monday, May 4, 2015
Monday, June 1, 2015
Monday, July 6, 2015
Monday, August 3, 2015
Wednesday, September 9, 2015*
Monday, October 5, 2015
Monday, November 2, 2015
Monday, December 7, 2015
Monday, January 4, 2016

** All regular Planning/Zoning Board of Adjustment meetings will begin at 7:00 PM on the first Monday of every month except where noted above.*

Mr. Butler made the motion, seconded by Mr. McKenna. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved.

Approval of Minutes

Chairman Cassidy requested a motion to approve the minutes of December 1, 2014. Mr. Montfort made the motion. Mr. Urciuoli seconded it. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

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Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda
Motion approved.

Applicants:

Frank & Meline Belgiovine – 27 Freneau Avenue – Block 120, Lot 11 (Variance)

Frank & Meline Belgiovine

Frank & Meline Belgiovine of 100 Winston Drive, Cliffside Park, came before the Board to requests variances for the property they wish to build a single family dwelling on. The property in question is 27 Freneau Avenue, Matawan (Block 120, Lot 11).

Mr. Irene swore Mr. Belgiovine in. Materials were submitted and placed into evidence. A survey prepared by Richard S. Zinn. NJLS of Brunswick West, Inc. and plans prepared by Richard Karl Heuser, P.E. and L.S. were marked as exhibits A-1 and A-2.

Mr. Belgiovine stated that the vacant lot was created in conjunction with the original “Strathmore Subdivision”. He pointed out that the lot consists of 12,963 square feet of lot area, whereas current zoning requires a minimum of 15,000 square feet of area. In addition, due to the size of the property and the fact that same is a corner lot, Mr. Belgiovine stated that he seeks relief for the proposed rear yard setback of the new dwelling of 25 feet, whereas 40 feet is required. He noted that a restaurant parking lot abuts the site to the south, while a developed single-family lot abuts to the east. Mr. Belgiovine testified that as a result of the improvements, including a shed and the house itself, located on the adjoining lot to the east, it would not be possible to acquire sufficient additional land to bring the site into conformity with lot area requirements. Regarding the proposed rear yard setback deviation, he stated that a dwelling that conformed to all required setbacks would only be 20 feet deep. In addition, Mr. Belgiovine stated that although the front facade of the dwelling would be set back the required 40 feet from the Vermont Court (northern) frontage, he also proposes a covered front porch. The porch would be 10 feet wide, and 4 feet deep, with a 5 foot roof over

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same. As a result of these circumstances, it was determined that relief was also required to permit the front yard setback of 35 feet to the proposed roof over the porch.

Mr. Irene said that if the lot predated the zoning dates it is a post planning act and it is a distinct act; if it was conforming at the time, it would be an adjacent undersized lot that would not be subdivided.

Mr. Urciuoli wanted to ascertain that the depiction of the existing homes next door were accurate.

Mr. Montfort asked Mr. Belgiovine to give details of the front porch. Mr. Irene explained that Mr. Belgiovine was amending the application to get a variance including the porch as well.

A discussion then ensued regarding which side was facing the narrowest street frontage. It was determined that since the site is a corner lot with two front yards, the eastern yard is the functional front which faces Vermont Court West.

Mr. Bucco said this would change the distance from forty feet to fifteen feet and Mr. Belgiovine said he would eliminate the cantilever so to satisfy the correct distances.

Mr. Urciuoli asked if the house would meet the height requirements and was told it did.

Mr. Acquafredda wanted to know how many votes were needed for passage and Mr. Irene said a nine member Board for a bulk variance would require a simple majority.

Mr. Bucco asked for an architectural elevation and recommended that the Belgiovines contact the Shade Tree commission for what type of tree should be planted.

Mr. Cassidy asked if there were any other questions and if there were any interested parties with questions, there were none.

The Board discussed that the benefits far outweigh the detriments and that granting the relief will have no adverse impact upon neighboring properties and will not substantially impair the intent and purpose of the zoning ordinance and zoning plan.

Chairman Cassidy requested a motion. Mr. Montfort made a motion to approve the variance with the stipulation that the applicants are in compliance with all the conditions. Mr. McKenna seconded it. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Rickey Butler

Yes: Kenneth Cassidy

Yes: Angelo Gallego, Jr.

Yes: John McKenna

Yes: Robert Montfort

Yes: Joseph Saporito

Yes: Joseph Urciuoli

Yes: Andrew Lopez

Abstain: Daniel Acquafredda

Motion approved.

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Discussion:

Mr. Cassidy asked the members of the subcommittee for the Downtown Redevelopment project if they had anything new to report.

Mr. Butler said they had met on December 22, 2014. He stated that Mr. Stan C. Slachetka, PP, AICP of T & M Associates advised that they would need a request for proposal (RFP) And also said they should find out what the budget will be for working on the Master Plan. The suggestion was made that it might reduce expenses to have college students assist with the project.

Mr. Slachetka then discussed a road map for the Master Plan and Mr. Saporito mentioned that Mr. Slachetka suggested using Cranford, NJ's Master Plan as an example as it is similar to what Matawan wants to accomplish.

Mr. Irene said if the Borough doesn't want to go with an R.F.P., they could have T & M Associates work up a proposal.

Mr. Bucco then suggested they *could* put out an R.F.P. and do the project in phases and then award a dollar amount for each phase.

Mr. Butler stated that their goal was do a feasible and affordable project in a timely fashion.

Mr. Montfort asked if there was an answer from the Judge on the Quick Chek litigation.

Mr. Irene said there had not been and if anyone wanted to further discuss it, they would have to adjourn to executive session.

Adjournment

Chairman Cassidy requested a motion to adjourn. Mr. Butler made the motion, seconded by Mr. Montfort.

The board voted with all members in favor and the meeting was adjourned at 8:02 PM.

Respectfully submitted,
Nancy Jo Palermo
Recording Secretary