

**Minutes of the  
Unified Planning/Zoning Board of Adjustment  
Reorganization Meeting  
January 4, 2016  
7:00 PM**

The 2016 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 4, 2016. The meeting was called to order at 7:10 PM by Mayor Altomonte. Mayor Altomonte 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:

Joseph Altomonte as Class I Member of the Unified Planning/Zoning Board of Adjustments for a four-year term, said term to expire December 31, 2016.

Joseph Urbano as Class III Member of the Unified Planning/Zoning Board of Adjustments for a one-year term, said term to expire December 31, 2016

Brett Cannon as Class IV Member of the Unified Planning/Zoning Board of Adjustments for a one-year term, said term to expire December 31, 2019.

Timothy Moran as Class IV Member of the Unified Planning/Zoning Board of Adjustments for a one-year term, said term to expire December 31, 2019.

Kenneth Cassidy as Alternate III Member of the Unified Planning/Zoning Board of Adjustments for a two-year term, said term to expire December 31, 2017.

Mayor Altomonte requested everyone to stand for the Salute to the Flag.

Mayor Altomonte requested a roll call.

On roll call the following members responded present:

Yes:            Joseph Altomonte  
No:             Rickey Butler

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Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling  
Yes: Kenneth Cassidy  
No: Rochelle Malanga

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

Mayor Altomonte requested a motion for nominations for Chairman. Mr. Urciuoli made a motion to nominate Mr. Butler, seconded by Mr. Cannon. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte  
Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling

Motion approved.

Mayor Altomonte requested a motion for nominations for Vice Chairman. Mr. Altomonte made a motion to nominate Mr. Cannon, seconded by Mr. Ayling. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte  
Yes: John McKenna  
Yes: Timothy Moran

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Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling  
Yes: Kenneth Cassidy  
Motion approved.

Mayor Altomonte requested a motion for nominations for Secretary. Mr. Saporito made a motion to nominate Mr. Urciuoli, seconded by Mr. Ayling. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte  
Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano

Yes: Joseph Saporito  
Yes: Raymond Ayling  
Yes: Kenneth Cassidy  
Motion approved.

Mayor Altomonte requested a motion for nominations for Recording Secretary. Mr. Urciuoli made a motion to nominate Nancy Jo Palermo, seconded by Mr. Saporito. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte  
Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling  
Motion approved.

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

Yes: Joseph Altomonte  
Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling

Motion approved.

Mayor Altomonte requested a motion to appoint the Board Engineer. Mr. Saporito made a motion to nominate Robert W. Bucco, Jr., seconded by Mr. Urciuoli. Mayor Altomonte requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte  
Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling

Motion approved.

Mr. Irene suggested Mr. Cannon, as Vice Chairman; preside over the remainder of the meeting in the absence of Mr. Butler.

Vice Chairman Cannon requested a motion to approve the 2016 meeting calendar and the 2017 reorganization meeting date of the Unified Planning/Zoning Board of Adjustments as follows:

Monday, February 1, 2016  
Monday, March 7, 2016  
Monday, April 4, 2016

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Monday, May 2, 2016  
Monday, June 6, 2016  
Wednesday, July 6, 2016\*  
Monday, August 1, 2016  
Wednesday, September 7, 2016\*  
Monday, October 3, 2016  
Monday, November 7, 2016  
Monday, December 5, 2016  
Monday, January 2, 2017

*\* 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. Altomonte made the motion, seconded by Mr. McKenna. Vice Chairman Cannon requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte  
Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling

Motion approved.

**Approval of Minutes**

Vice Chairman Cannon requested a motion to approve the minutes of December 7, 2015. Mr. Urciuoli made the motion. Mr. McKenna seconded it. Vice Chairman Cannon requested a roll call vote. A roll call vote was taken.

Yes: John McKenna  
Yes: Charles Ross  
Yes: Joseph Urciuoli  
Yes: Raymond Ayling  
Yes: Kenneth Cassidy

Motion approved.

A five minute break was taken to allow the Applicant the opportunity to prepare.

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On reconvening a roll call was taken

On roll call the following members responded present:

Yes: Joseph Altomonte

Yes: Brett Cannon

Yes: John McKenna

Yes: Timothy Moran

Yes: Charles Ross

Yes: Joseph Urbano

Yes: Joseph Urciuoli

Yes: Joseph Saporito

Yes: Raymond Ayling

Yes: Kenneth Cassidy

**Applicants:**

Matawan Emerald Investments – 96 Freneau Avenue – Block 121, Lot 17 (*Site Plan Review*)

**Matawan Emerald Investments**

Mr. Salvatore Alfieri Esq. came before the Board with his clients, Mr. Patrick Hynes and Mr. Jerry Martin of The Martin Group, 96 Freneau Avenue.

Mr. Cassidy and Mr. Altomonte recused themselves, Mr. Cassidy due to proximity to the site and Mr. Altomonte due to a personal relationship with the applicant.

Mr. Alfieri explained that The Martin Group owns the property at 96 Freneau Avenue, which includes an office building, a hair salon, a two-family home and a garage.

They would like to remove all existing structures and build a new office building.

Mr. Irene swore in Mr. Patrick Hynes of 5 Bellevue Lane, Matawan. Mr. Bucco was sworn in as well.

Mr. Irene marked all the exhibits including the existing site plan, the revised five sheet site plan and the truck turning plan/site plan all prepared by Mr. Richard Karl Heuser, PE, 307 Main Street, Matawan.

Mr. Hynes explained that he and his partner Mr. Martin were requesting one variance and two design waivers.

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The new buildings will mimic the existing one with lobby connecting the two buildings. The building will be two and one half stories and will have ADA access. They will be 8500 square feet with thirty four parking spaces.

Mr. Hynes said they were a “paper” contractor and basically did the administrative operating out of the office. Due to frequent traveling, they will not be in the office on a regular basis and feel that there would be no more than nineteen cars parked during peak hours.

Mr. Alfieri asked if Mr. Hynes was confident that the refuse area on the southern back of the parking area would be able to accommodate the garbage and recycling and Mr. Hynes said he was.

Mr. Hynes then explained that they were asking for a variance for height. The buildings have a thirty one and three quarter ridge line and peaks which are for aesthetic use only, reach thirty six feet. The ordinance specifies thirty five feet.

Mr. Ross asked if there would be handicapped parking in the back and was told no.

Mr. Cannon asked if original building was granted a variance for height and Mr. Hynes replied that he believed so.

Mr. Irene asked if there were any questions and there was no response.

Mr. Richard Karl Heuser, PC, 307 Main Street, Matawan was sworn in.

Mr. Irene asked the Board if they accepted Mr. Heuser’s credentials and they replied yes.

Mr. Alfieri asked Mr. Heuser to describe the buildings.

Mr. Heuser stated that the property on lot 17, 96 Freneau Avenue was 1.4 acres. The property drains off to Wilson Avenue and there is no run off issues. The property is in a Special Business District. The current condition is non-conforming however the proposed one will be.

All existing buildings will be razed and rebuilt; there will be four ADA parking spaces and drainage inlets.

On December 31, 2015, Mr. Glenn Turner, the Fire Official, requested nine items be satisfied.

Mr. Bucco stated that Mr. Heuser had addressed all points and has complied.

He also said that the existing storm drain encroaches on a neighboring property.

Mr. Heuser said the applicant will request an additional easement or move the storm drain.

He explained that there were two adjoining properties, lots 15 & 16 to the North.

We are providing a buffer with landscaping and fencing along property as well as along the dumpster.

Mr. Irene stated that Mr. Turner might request signage to reduce unloading in the striping area.

Mr. Urciuoli asked if the fifteen foot pipe going into the eighteen foot drainage would assure there would never be standing water, he was answered yes.

Mr. Heuser said they are also asking for variance for parking.

They wish to go from the eighty two required spaces to seventy nine spaces as per Mr. Turner’s revisions for a truck turning plan. There will be four spaced for each 1000 square feet.

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Mr. Hynes stated that the current buildings are 4000 square feet, 1000 square feet, 650 square feet and 1500 square feet. The new building will be 22,000 square feet

Mr. Urciuoli asked if they intended to rent any the space or use it all for themselves.

Mr. Hynes said The Martin group will expand, however they will also be leasing space.

Mr. Cannon asked if this will be an enhanced ratable, Mr. Irene explained that this was not something the Board got into.

Mr. Cannon asked if there were any questions from the Board or from the public for this witness.

Mr. Paul Andrews, 12 Wilson Avenue, lot 15, Matawan approached and was sworn in.

He explained that he was concerned for his elderly neighbor as the drainage goes under the property to the neighbor's drain which sits on her lawn and had previously puddle on the lawn.

Mr. Bucco told him there was a recommendation to clean and jet the drains out to Wilson Avenue to which the applicant has agreed.

Mr. Andrews asked if this was common.

Mr. Heuser replied that there is an existing easement with the homeowners from the 1950's and the applicant will request an additional easement for the portion of the pipe that protrudes outside of said easement or they will move it to their property.

Mr. Bucco stated that the drainage came from Route 79 and not the site.

Mr. Andrews disputed that and said it came from the site. He also said no one can calculate how much drainage can be saved and Mr. Alfieri said that Engineers would indeed calculate that.

Mr. Bucco replied that all the drainage will be re-routed when the existing building come down

Mr. Urbano asked if there was a catch basin on the site and Mr. Heuser replied that there was and more would be installed.

Mr. Kenneth Cassidy asked who will be responsible if the drainage fails. Mr. Alfieri replied that they will send out that information.

Mr. Cannon asked if there were any further questions and there was no response.

He then asked if there were any questions or comments from any interested parties.

Mr. Paul Andrews came forward.

Mr. Andrews explained that he had purchased his home from his Grandfather and that it has been in his family for a long time, the property is very important to my family he said.

He stated that he feels this project will negatively impact his house. It will deteriorate the aesthetics of his property and will negatively impact resale value. Mr. Andrews said there is a forty foot set-back from the common property line which will afford his family no privacy when on their deck or in the pool.

Mr. Alfieri said his client's project is an improvement that it is fully conforming and that buffers are being provided.

Mr. Urciuoli asked if a fence would help.

Mr. Andrews replied, "I don't want this in my backyard"

Mr. Alfieri said that the Andrews house predates the zoning ordinance.

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Mr. Andrews stated that the parking lot was observed just prior to the meeting and he believes that it is not an accurate assessment, an extra twelve parking spaces are a detriment to me he said.

Mr. Urbano asked if there were windows on the side of the building and if there was a slope on the Andrews yard, he was told yes to both.

Mr. McKenna asked if Mr. Andrews knew all the rules and regulations of a Special Zone when he purchased the house and was told no.

Mr. Andrews asked how big the buffer will be between the properties.

Mr. Heuser replied it would be fifteen feet wide and will widen more by the garage.

Mr. Irene asked if anyone else had questions or comments, no response.

Vice Chairman Cannon asked for a motion to close the public portion of the meeting.

Vice Chairman Cannon requested a motion to a close the public portion of the meeting. Mr. McKenna made the motion seconded by Mr. Ross. Vice Chairman Cannon requested a roll call vote. A roll call vote was taken.

Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
Yes: Joseph Urciuoli

Yes: Joseph Saporito  
Yes: Raymond Ayling

Motion approved.

Vice Chairman Cannon requested a motion. Mr. Urciuoli made a motion to approve the two variances and two waivers subject to compliance with Mr. Bucco's and Mr. Turner's conditions, seconded by Mr. McKenna. Vice Chairman Cannon requested a roll call vote. A roll call vote was taken.

Yes: Brett Cannon  
Yes: John McKenna  
Yes: Timothy Moran  
Yes: Charles Ross  
Yes: Joseph Urbano  
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Yes: Joseph Saporito  
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Motion approved.

Mr. Altomonte and Mr. Cassidy rejoined the Board

**Adjournment**

Vice Chairman Cannon requested a motion to adjourn. Mr. Saporito made the motion, seconded by Mr. McKenna.

The board voted with all members in favor and the meeting was adjourned at 9:10 PM.

Respectfully submitted,  
Nancy Jo Palermo  
Recording Secretary