

**Minutes of the  
Unified Planning/Zoning Board of Adjustment  
March 7, 2016  
7:00 PM**

A regular 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 March 7, 2016 with Chairman Rickey Butler presiding. Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by publishing notification in *The Independent* on January 14, 2016, by sending notice to the *Asbury Park Press*, and by posting. Chairman Butler called the meeting to order at 7:00 PM requesting a roll call.

On roll call the following members responded present:

Yes:            Joseph Altomonte  
                  Joseph Urbano  
                  John McKenna  
                  Joseph Urciuoli  
                  Rickey Butler  
                  Timothy Moran  
                  Brett Cannon  
                  Joseph Saporito  
                  Raymond Ayling

Kenneth Cassidy was absent. Charles Ross arrived at 7:20 PM.

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

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

**Applicant(s)**

*Lombardo & Co., LLC (Conceptual Plan Application)*

Joseph Lombardo, 145 Broad Street – Block 34, Lots 6 & 7, Matawan. Mr. Lombardo appeared before the Board at which time Mr. Irene stated by Statute with regard to applications with regard to D Variance relief, a Planning Board may host an informal hearing, a Zoning Board may not. Therefore, Mr. Irene instructed Mr. Lombardo to submit a formal New Variance Application.

*Gary & Sue Knoepfel (Variance Application)*

Gary and Sue Knoepfel, 117 Ravine Drive – Block 74, Lot 11, Matawan. Mr. Irene swore in Mr. Bucco, and Mr. and Mrs. Knoepfel. Mr. and Mrs. Knoepfel outlined the proposed plan and

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lot coverage as distributed to the Board addressing Board's request for clarification on proposed drainage. Current vs. proposed lot coverage was discussed. Mr. Irene opened the floor for public comment. There were no comments. Mr. Irene closed the floor for public comment. Mr. Butler requested a motion to approve the application of Gary and Sue Knoeppel. Mr. McKenna made the motion, seconded by Mr. Cannon. Mr. Butler requested a roll call vote. A roll call vote was taken.

Yes:            Joseph Altomonte  
                  Joseph Urbano  
                  John McKenna  
                  Joseph Urciuoli  
                  Rickey Butler  
                  Timothy Moran  
                  Brett Cannon  
                  Joseph Saporito  
                  Raymond Ayling

Motion passed.

*Antoine Bassat [LaMadona Restaurant] – 334 Main Street – Block 47.02, Lot 13  
(Site Plan Application)*

Antoine Bassat, Owner of LaMadona Restaurant, 334 Main Street – Block 47.02, Lot 13, Matawan. Mr. Irene swore in Mr. Bucco, and Mr. Bassat. Mr. Bassat related background on the pre-existing shed and its current necessary use by the Restaurant, answering Board questions in that regard. Mr. Bassat seeks relief from front yard setbacks and the requirement of site plan review and approval by the Board and its Engineer. The Fire Official email of February 17, 2016 stated there was no interest or concerns on the Application. Mr. Irene opened the floor for public comment. There were no comments. Mr. Irene closed the floor for public comment. Mr. Butler requested a motion to approve the application of Antoine Bassat. Mr. Saporito made the motion, seconded by Mr. Ayling. Mr. Butler requested a roll call vote. A roll call vote was taken.

Yes:            Joseph Altomonte  
                  Charles Ross  
                  John McKenna  
                  Joseph Urciuoli  
                  Rickey Butler  
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Raymond Ayling

Abstain: Joseph Urbano

Motion passed.

*Interglobal Construction – 95 Main Street – Block 9, Lot 8.01, Matawan (Site Plan Application)*

Mr. Irene asked if anyone had any issue with the Notice.

Angela Pagano, 50 Broad Street, Matawan. Ms. Pagano stated there was a problem with the Notice wherein the increase in square footage was not addressed. Mr. Alfieri read the Notice as published which did state an addition to the building and applying for variance relief for parking. Mr. Irene confirmed same stating the Statute requirements have been met and the Notice is legally sufficient.

Mr. Irene swore in Messrs. Bucco and Grippi.

David Grippi, Owner of Interglobal Construction, 95 Main Street – Block 9, Lot 8.01, Matawan. Mr. Grippi informed the property was purchased approximately a year and half ago, and is currently being used for the offices of Interglobal Construction with office hours from 8:30 AM to 5:00 PM. Mr. Grippi himself may stay after hours for paperwork. The first floor is used for three employees and a conference room. Mr. Grippi currently uses the conference room as his office. Currently, there is a deck in the back which is to be removed and replaced with a flat roofed garage for an additional parking space. Office space for my use will be added over that garage as well as over existing first floor flat roof area. No additional employees. The two of the three employees will move upstairs leaving one employee downstairs with leisure space for employee use. There are few if any clients at the offices. No construction equipment is on site. There is a rear parking lot with common driveway, parking and dumpster owned by adjacent business proprietor but Interglobal Construction has a verbal agreement to use those facilities.

Mr. Irene marked Preliminary and Final Site and Construction Plan prepared by Nelson Engineering Associates, Inc. as Exhibit A-1.

Mr. Irene swore in David H. Boesch, Nelson Engineering Associates, Inc., 1750 Bloomsburg Avenue, Ocean, NJ, is a licensed landscape architect, who then related his credentials. Mr. Boesch testified the proposed addition to the building is located in the southwest corner of the existing structure. The full deck is being removed, with a garage and offices being constructed. Also proposed is an 8 foot wide van accessible parking space with an 8 foot wide off-load area, with an accessible 2% gradient, 42 inch wide, pathway to the barrier free accessible lift platform in the middle of the southwest façade of the building providing ADA access where none

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currently exists. The Plan also reflects new LED lighting whose design directs the light downward. A series of wall mounted lights are around the building set at a 12 foot height, and one 14 foot pole mounted light at the southwestern area of the parking lot projecting into the lot to provide necessary illumination. All lighting can be placed on timers but will have emergency lighting. Current access drive and landscaping will remain. The PZ Engineer states all conditional items have been addressed.

Mr. Irene asked if anyone had any questions for the witness.

Angela Pagano, 50 Broad Street, Matawan. Ms. Pagano questioned vehicle access as the current drive is not wide enough. Mr. Boesch said through Main Street with an 8.6" existing driveway.

Mr. Irene swore in Stephen J. Carlidge, Shore Point Architecture, PA, 108 South Main Street, Ocean Grove, NJ, is a licensed architect, who then related his credentials. Mr. Carlidge referenced Plans dated November 23, 2015 entitled Proposed Additions and Alterations which Mr. Irene marked as Exhibit A-2. Mr. Carlidge outlined the current and proposed first floor plans as presented earlier by Mr. Grippi with a modified rest room for ADA compliance, and the addition of three second story offices, and rest room, as well as ADA compliant parking and first floor entrance. Mr. Carlidge said there were no elevation changes to the front of the building. Rear elevations will be modified as outlined by Mr. Boesch for the pathway to the ADA accessible entry door. The front of the building is currently stucco with vinyl siding in the back. All rear and side vinyl will be made to match, and the roof replaced with asphalt shingling. Mr. Carlidge presented a photo of the rear of the building taken mid-November 2015 depicting the building's current condition. Mr. Irene marked the photo Exhibit A-3. The second floor addition will be accessed through the first floor front door and the existing stair from the first floor. The proposed addition is 1,262 square feet for a total square footage of 3,087 square feet.

Mr. Irene asked if anyone had any questions for the witness. There were no questions.

Mr. Grippi added he has future plans to make the entire structure consistent and stucco coated. Also, there is an existing locked door to go onto the flat roof but it currently leads to nowhere out to the flat roof that will be eliminated with the addition.

Mr. Carlidge addressed the Fire Official's comments stating the address will be changed from 25 Main Street to 95 Main Street. Also, with regard to Fire Official's 25 foot driveway requirement, it will be suggested to the Fire Official that the existing driveway condition cannot be improved without acquiring more property which is not a valid option. To make the building safer though not required by code, the addition of an addressable fire alarm system can be installed in the building in the event of any condition for a direct response to the Fire Department. The applicant agrees if approved by the Board the Fire Official will have the final sign-off on the Plan.

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Mr. Irene asked if anyone had any questions for the witness. Mr. Moran asked if any parking spaces are being lost. Mr. Carlidge replied, yes, in order to accommodate ADA parking.

Angela Pagano, 50 Broad Street, Matawan. Ms. Pagano questioned the amount of parking in the lot. Mr. Boesch presented the Topographic Survey of Tax Lot 8.01, Tax Block 9, Borough of Matawan, Tax Map Referenced Sheet No. 5, prepared by Robert H. Morris, PLS, of Nelson Engineering dated February, 18, 2016 which Mr. Irene marked as Exhibit A-4, stating the property is 50 feet wide accommodating six parking spaces but is only currently striped out for five. Ms. Pagano stated drainage issues on her property came to pass when the previous owner replaced a grass area with asphalt. Ms. Pagano's questioned if this issue will be addressed with these plans. Mr. Alfieri asked Mr. Boesch if the impervious areas are being increased. Mr. Boesch replied, the increase in coverage is for the new ADA pathway and landing thereby increasing impervious coverage by less than 50 square feet which can be addressed by redirecting the roof drains to the front. The conditions are pre-existing. The increase in impervious surface is minimal. Mr. Urciuoli questioned if the landscape architect could offer a solution. Mr. Grippi stated there are extreme limitations due to the property and the surrounding topography. Mr. Boesch added there is a three foot grade from the Applicant's property to the rear line, and even if French drains were installed all it is doing is surcharging the same amount of water back into the soil at that same location.

Mr. Irene swore in Ms. Pagano.

Ms. Pagano related when the previous owner paved the lot the drainage issues began. Rather than confront the owner, she installed a French drain and gravel to address the issue but to no avail. She believes the square footage of the building is excessive; the fumes from the parking lot create a quality of life issue, and fears a car may down the fence and directly hit her pool and the lighting will reflect into her home. Ms. Pagano believes this is overdevelopment of the property of a historic house. Mr. Irene informed Ms. Pagano the Applicant's property is in the General Business zone.

Mr. Butler opened the floor for further comments. There were no further comments. Mr. Butler closed the floor for comment.

Mr. Alfieri informed Mr. Grippi will install the roof drains to redirect water to the front to assist drainage, and will install curb stops in the parking lot. Also, as previously stated the lighting will be placed on timers. All other aspects of the Application conform to Code and/or have been adjusted to comply with the PZ Board Engineer's comments. There are security cameras on the building which will remain.

Mr. Butler requested a motion to approve the application of Interglobal Construction with the proposed amendments and the stipulations made by the Applicant including conforming with the

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Michael J. Pagano, 50 Broad Street, Matawan. Mr. Irene swore in Mr. Pagano. Mr. Pagano stated snow plows place snow against the fence which adds to the drainage issue, and the garbage is picked up in the early morning hours. Mr. Grippi replied, the dumpster is owned by an adjacent property owner, and the snow plows are done privately.

PZ Board Engineer Review Letter, having the final Plans subject to review and approval by the Borough Fire Official, the Applicant to install roof drains to direct same to the front of the building, Applicant to install curb stops along in the rear parking lot by the parking spaces, the lights to be on timers off at 8:00 PM back on no sooner than 7:00 AM, all subject to approval by the PZ Board Engineer. Mr. Urciuoli made the motion, seconded by Mr. Saporito. Mr. Butler requested a roll call vote. A roll call vote was taken.

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

Motion passed.

*Don Zubritsky, Straight Line Automotive (Application for Extension of Approved Granting "D" Variance Relief for Expansion of Nonconforming Use, Bulk Variance Relief and Site Plan Approval)*

Mr. Bucco related the Application had previously been approved and extended. Under the Municipal Land Use Law approvals are granted for two years with three, one-year extensions. The Applicant's attorney has requested a second one-year extension. Mr. Irene opened the floor for public comment. There were no comments. Mr. Irene closed the floor for public comment. Mr. Butler requested a motion to approve the application of Antoine Bassat. Mr. Urciuoli made the motion, seconded by Mr. McKenna. Mr. Butler requested a roll call vote. A roll call vote was taken.

Yes:            Charles Ross  
                  John McKenna  
                  Joseph Urciuoli  
                  Rickey Butler  
                  Timothy Moran

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Brett Cannon  
Joseph Saporito

Motion passed.

*David Grippi, 68B Wyckoff Street – Block 29, Lot 21.01, and Brandon Clare, 2 Church Street – Block 29, Lot 22, Matawan. (Approval of Minor Subdivision and Bulk Variance Relief)*

Salvatore Alfieri, Esq., appeared with Messrs. Grippi and Clare.

Mr. Alfieri stated the application is for a lot line adjustment between the two properties, and a small addition, deck and pool for 2 Church Street.

Mr. Irene asked if anyone had any issue with the Notice. There were no comments. An owner's consent is part of the official Application.

Mr. Irene swore in Messrs. Bucco and Boesch.

Mr. Urbano recused himself and stepped off the dais.

Mr. Boesch presented Minor Subdivision Plat Tax Lots 21.01 and 22, Tax Block 29, Borough of Matawan Tax Map Reference Sheet No. 14 prepared by Robert H. Morris of Nelson Engineering Associates, dated October 16, 2015 revised November 9, 2015 consisting of one sheet. Mr. Irene marked same as Exhibit A-1.

Mr. Boesch stated Lot 21.01, 68B Wyckoff Street, is the flag lot that takes its access off the corner of Church and Wyckoff Streets, providing a 25 foot wide access stem that goes past the property in front and then slightly widens out as it approaches the existing home, and then tapers back together as it approaches the center line of the Old Matawan Creek. The deeds on both subject properties call to the center line of the Old Creek bed even though Lake Lefferts has flooded it; therefore, there may be some notations on the Plan of submerged land vs. the uplands but we will only be addressing the dry land at this time. Mr. Irene confirmed they are both single family homes alleviating issue of expansion of non-conforming use by shrinking the lot. The adjustment as mentioned the existing homestead lot tapers back down roughly in the middle of the southwestern lot line we are looking to transfer ownership along a line that runs almost due west out to the center line of Matawan creek transfer 10,900 square feet from Lot 22.01 to 21.01 and will not create any variance condition actually improving the setback to the one property.

Mr. Alfieri said the second component of the application is the addition deck and pool for the Clare property, Lot 22. This is a separate plan and identified as Plot Plan Proposed Tax Lot 22.01, Tax Lot 29, Borough of Matawan Tax Map Reference Sheet No. 14 prepared by Robert

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A. Nelson, Nelson Engineering Associates dated October 26, 2015 revised February 24, 2016 to be marked as Exhibit A-2. Mr. Boesch stated the proposal is to expand the footprint of the existing one story dwelling 18 feet in a northwesterly direction holding the existing front and rear lines of the house. A deck and pool with patio is proposed. The main lines of the pool will be parallel with the northwesterly wall of the house. This will increase the buffer from the pool patio to the new subdivision line. The variance is for the setback of the structure to the water. The existing deck setback from the Creek is 77.9 feet, and the proposed deck setback is 82.8 feet with the Code requiring 100 feet, and the proposed pool patio is 81.5 feet. There are no other additional variances. To conform with the PZ Engineer's Review letter dated February 29, 2016, the subdivision will be perfected by deed as there will be title transfers associated with the perfection, and the Applicant agrees to address the 4 foot encroachment to the adjacent property of Mr. Grippi, Lot 20, an existing condition, by written agreement should the Board desire. The Application will comply with all local and state regulations for pool safety.

Brandon Clare, 2 Church Street, Matawan. Mr. Irene confirmed with Mr. Clare he is in favor of and has no objection to this Application. Mr. Clare confirmed, yes.

Mr. Butler requested a motion to approve the application of Messrs. Grippi and Clare. Mr. Urciuoli made the motion, seconded by Mr. Clare. Mr. Butler requested a roll call vote. A roll call vote was taken.

Yes:            Joseph Altomonte  
                  Charles Ross  
                  John McKenna  
                  Joseph Urciuoli  
                  Rickey Butler  
                  Timothy Moran  
                  Brett Cannon  
                  Joseph Saporito  
                  Raymond Ayling

Motion passed.

**Discussion**

Ms. Wynne related previous distribution of the Borough of Matawan Ordinance 16-02: Amending and Supplementing the Borough of Matawan Code Chapter 30 – Land Use Procedures, Section 30-1.2 – Alternate Members Concerning the Constitution of the Unified Planning Board - Zoning Board of Adjustment stating the Ordinance was introduced and passed at Council's March 1, 2016 meeting. A public hearing and pending adoption is scheduled for the Council's March 15, 2016 meeting. The Ordinance will revise the current code Section 30-1.2 as it concerns Alternate Members only, in order to comply with the requirements of NJSA 40:55D-



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23.1, and is presented to the Board for its review and report pursuant to the Municipal Land Use Law. The Board found the Ordinance to be consistent with applicable provisions of the Municipal Land Use Law. The Board further stated the proposed Ordinance does not implicate and is not inconsistent with the Borough's Master Plan. Further, the Board has no recommendations regarding the proposed Ordinance, and directed Mr. Irene to present a letter on its behalf stating same.

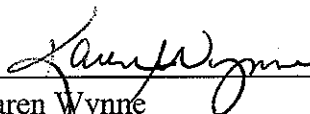
**Approval of Minutes**

Chairman Butler requested a motion to approve the minutes of February 1, 2016. Mr. Saporito made the motion, seconded by Mr. Ayling. Board agreed. Motion passed.

**Adjournment**

Chairman Butler requested a motion to adjourn. Mr. Saporito made the motion, seconded by Mr. Cannon. The Board agreed. Motion passed.

The meeting was adjourned at 9:45 PM.

  
\_\_\_\_\_  
Karen Wynne  
Acting Recording Secretary