

**Minutes of the  
Unified Planning/Zoning Board of Adjustment  
September 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 September 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 7:05 PM requesting a roll call.

On roll call the following members responded present:

Yes:            Joseph Altomonte (Arrived 7:06)  
                  Joseph Urbano  
                  John McKenna  
                  Joseph Urciuoli  
                  Rickey Butler  
                  Brett Cannon  
                  Raymond Ayling  
                  Kenneth Cassidy

Charles Ross, Timothy Moran and Joseph Saporito were absent.

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

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

**Approval of Minutes**

Chairman Butler requested a motion to approve the minutes of July 6, 2016. Mr. Urciuoli made the motion, seconded by Mr. Cannon. Board agreed. Motion passed.

Chairman Butler requested a motion to approve the minutes of August 1, 2016. Mr. McKenna made the motion, seconded by Mr. Cannon. Board agreed. Motion passed.

**Applicant(s)**

David Gulman – 29 Park Avenue – Block 19, Lot 15

Mr. Irene states that he has reviewed the notice materials and the file seems to be in order. Mr. Irene swears in Mr. Gulman. Mr. Irene states that there was a survey dated April 23, 2015, prepared by Jack L. Held, submitted with Mr. Gulman's application for a proposed gazebo. Mr. Irene marks the survey as exhibit A-1. Mr. Irene states the submitted survey has been marked-up

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by the applicant. Mr. Gulman states that his property butts up to Lake Matawan. He wants to install a gazebo in the rear yard of his property. His application was rejected based on ordinance section 34-35c, which requires a 100' setback from any water course. Therefore, a setback variance is required. Mr. Gulman presents the specifics of the gazebo to the board. Circular gazebo, store bought, aluminum steel frame, measuring 14' x 3" across in diameter with 160 square foot coverage. The height is 11' x 6" tall with a total weight of 196 lbs. The property is situated in a residential one family dwelling zone and contains 0.42 acres. The total coverage with all structures included (house and shed) is 7.1%. The proposed gazebo will have a setback of fifty-six feet (56') from Lake Matawan, twenty-five feet (25') from ridgeline, and twenty feet (20') from woods and will sit thirty (30') higher than the lake.

Mr. Irene let the record reflect Mayor Altomonte's entrance at 7:06pm.

Mr. Gulman continues stating that there is also a 6" sanitary sewer main on the property, part is exposed but mainly underground. The proposed gazebo will stand 20' from pipe and sit 10' higher than pipe height. Mr. Gulman is asking the board to consider granting an exception to the 100' setback ordinance. Mr. Gulman states that he has photos of his rear yard and proposed location of the gazebo for the board to review. Mr. Irene asks that Mr. Gulman mark all submitted photos starting with exhibit A-2. Mr. Gulman submitted a total of four (4) photos to the board. Photos were marked as exhibits A-2, A-3, A-4 and A-5.

After questions from the board confirming the measurements and placement of the gazebo Mr. Butler states that generally the board requests that an engineer review and confirm all plans. Mr. Gulman asks if the engineer would have to visit the sight. Mr. Butler responds "yes". Mr. Irene states that the board engineer may not have to visit the site. In the past the board has approved the variance with the condition of the applicant submitting a plan to the board engineer for review and approval. The applicant would contact the board engineer, based on what was on the survey, ask what was needed. Mr. Irene suggest, if the board see fit to grant the relief, make it subject to applicant providing, to the satisfaction of the board engineer, whatever plan is required to make an adequate review. Mr. Irene also advises Mr. Gulman that he will need a sketch that is more detailed when applying for a permit. The marked-up sketch he presented to the board would most likely not be accepted by the construction official.

Mr. Urciouli made a motion to approve the minor subdivision under the proposed conditions. Seconded by Mr. Cannon. Mr. Butler requested a roll call vote. A roll call vote was taken.

Yes: Joseph Urbano  
John McKenna  
Joseph Urciouli  
Ricky Butler  
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Raymond Ayling  
Kenneth Cassidy

Joseph Altomonte Abstained

Motion Passed

**Resolution(s) to be Memorialized**

Emlenrich, LLC – 126 Main Street – Block 24, Lots 3, 4, 6, 6.01, 7-9  
(Amended Preliminary and Final Site Plan Approval)

Mr. Butler requests a motion to approve the amended preliminary and final site plan for Emlenrich, LLC – 126 Main Street. Mr. McKenna made the motion seconded by Mr. Cannon. Mr. Butler requested a roll call vote. A roll call vote was taken.

Yes: John McKenna  
Mr. Urciuoli  
Ricky Butler  
Brett Cannon  
Raymon Ayling  
Kenneth Cassidy


Motion Passed

**Adjournment**

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

The meeting was adjourned at 7:21 PM.

(Signature on File)

  
Cheryl Adamski  
Recording Secretary