

**Minutes of the
Unified Planning/Zoning Board of Adjustment
July 20, 2017
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 July 20, 2017 with Vice Chairman Timothy Moran 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 26, 2017, by sending notice to the *Asbury Park Press*, and by posting. A copy of said Notice is and has been available to the public and is on file in the Office of the Borough Clerk. A copy of said Notice has also been sent to such members of the public as have requested such information in accordance with the statute. Vice Chairman Moran called the meeting to order at 7:00 PM.

Vice Chairman Moran requested everyone to stand for the Salute to the Flag.

Vice Chairman Moran requested a roll call. On roll call the following members responded present:

Yes: Joseph Altomonte
 Brett Cannon
 Joseph Urciuoli
 Timothy Moran
 Guy Buckel
 Deana Gunn
 John Lazar

Kurtis Roinestad, Ricky Butler, Paul Kelahan, Jerry Martin, Justin Dapolita and Kenneth Cassidy were absent.

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

Applicant(s)

Christopher Lacerre – 29 Center Ave, Block 119, Lot 2.04 (*Variance Application*)

Mr. Irene states that this applicant was on the Boards agenda for the June 5, 2017 meeting. Due to issues with perfecting notice, 1) to demonstrate that the matter has been published and 2) to notice the county Planning Board because the property is located within 200 feet of a municipal boundary. Mr. Irene confirms that all notice materials have been submitted, reviewed, and appear to be in order.

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Mr. Irene swears in Mr. Bucco.

The applicant submitted into evidence as Exhibit A-1 – Site plan prepared by Richard Heuser, consisting of one sheet, dated 8/20/17 last revised on 4/28/17.

Mr. Irene swears in Mr. Lacerre.

Mr. Alfieri representing the applicant states that Mr. Lacerre has previously obtained use variance relief to operate a light automotive and lawnmower repair shop at the subject property along with the existence of a single-family house. The applicant is now returning to the board for a related bulk variance relief and site plan approval. The applicant proposes to create a van accessible handicap parking space with associated striping, markings and signage at the site. Mr. Irene notes the specific conditions that were attached to the prior variance approval. Subject to the repair business being operated only by the applicant, that the variance shall expire at such time as the applicant or his father, no longer resides at the site and/or the applicant ceases to be the operator of the repair business. Also, neither the dwelling, nor the garage shall be expanded or enlarged without further approval from the Board.

Vice Chairman Moran asks if there are any questions or comments for the witness. There was no response.

Mr Urciuoli makes a motion to grant the application as presented. Subject to incorporation of specific conditions form the use variance resolution and compliance in conformance with the items listed in Mr. Bucco's review letter, seconded by Mr. Cannon. Vice Chairman Moran requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte
Brett Cannon
Joseph Urciuoli
Timothy Moran
Guy Buckel
Deana Gunn
John Lazar

Motion Passed.

Krajkovich Properties, LLP – 24 Johnson Avenue – Block 11, Lot 32 (*Minor Subdivision*)

Mr. Irene states that he has reviewed the notice materials and the files seem to be in order. Mr. Irene also states that there are no interested parties in the room to object to the notice materials.

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Mr. Irene swears in Mr. Bucco

Mr. Alfieri states that this is a minor subdivision application to allow the subdivision of the property. The property currently contains two separate single-family dwellings which the applicant proposes to subdivide into two lots that will then each contain one of the existing dwellings.

Mr. Irene swears in Mr. Heuser, a Professional Land Surveyor, Engineer and Planner.
Mr. Irene asks if the board is willing to accept Mr. Hauser as an expert witness. Board agrees.

Mr. Alfieri stated that there are two (2) waivers identified in Mr. Bucco's review letter.

- 1- Waiver to show all buildings within 200 feet of the dwelling
- 2- Waiver to show the location of any streets or roads within 500 feet of dwelling.

Mr. Bucco reviewed the waivers, had no further issues and deemed complete.

Mr. Urciuoli made a motion to grant the waivers, seconded by Mr. Cannon. Vice Chairman Moran requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte
Brett Cannon
Joseph Urciuoli
Timothy Moran
Guy Buckel
Deana Gunn
John Lazar

Motion Passed

Mr. Heuser submits into evidence a minor subdivision plan and survey consisting of 2 sheets, dated January 25, 2017 that he prepared. Mr. Irene marks this as exhibit A-1.

Mr. Heuser is testifying on behalf of the applicant. He states that two separate single-family dwellings currently exist on the subject property. The applicant proposes to subdivide the property into two lots, with one of the existing houses to then be located on the other lot. There is currently a circular driveway that connects both dwellings out to Johnson Avenue. A new driveway will be constructed on one lot and part of the existing circular driveway will be removed on the second lot and a new sewer line will be constructed. Mr. Heuser states that each of the proposed lots will meet the ordinance requirements. He also states that one of the houses exists with a deficient side yard setback of 4.7 feet, whereas 6" is required and the other house

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exists with only 960 feet of floor area, whereas 1,000 feet is required. Two single family dwellings already exist on the subject property, and this constitutes a pre-existing nonconforming condition therefor no bulk variance relief is necessary. He also states that the applicant will comply with all requirements and recommendations stated in Mr. Bucco's review letter, including the construction and extension of a sidewalk.

There were no objectors or interested parties in regard to this matter.

Mr. Cannon made a motion to grant the application but to call out the existing deviations as nonconforming and not requiring variance relief, seconded by Mayor Altomonte. Vice Chairman Moran requested a roll call vote. A roll call vote was taken.

Yes: Joseph Altomonte
Brett Cannon
Joseph Urciuoli
Timothy Moran
Guy Buckel
Deana Gunn
John Lazar

Motion Passed.

Approval of Minutes

Vice Chairman Moran requested a motion to approve the June 5, 2017 meeting minutes. Mayor Altomonte made the motion, seconded by Mr. Cannon. Board agreed. Motion passed.

Adjournment

Vice Chairman Moran requested a motion to adjourn. Mayor Altomonte made the motion, seconded by Mr. Urciuoli. Motion Passed.

The meeting was adjourned at 8:04 PM.



Cheryl Adamski
Recording Secretary