

**Minutes of the
Unified Planning/Zoning Board of Adjustment
February 3, 2020
7:00 PM**

A 2020 Regulatory 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 February 03, 2020 with Vice Chairman Jerry Martin 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, 2020, by sending notice to the *Asbury Park Press*, and by posting. Vice Chairman Martin called the meeting to order at 7:00PM.

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

Vice Chairman Martin requested a roll Call.

On roll call the following members responded present:

Yes: Sharen Laporte
Joseph Urciouli
Jerry Martin
Guy Buckel
Kathleen Sporer
Paul Kelehan
Kurtis Roinestad
George Ciupinski

Absent – Joseph Altomonte, Brett Cannon, Ricky Butler and Timothy Moran.

Present – Ronald D. Cucchiaro Esq., Planning/Zoning Board Attorney and Louis J. Ploskonka PE, Planning/Zoning Board Engineer

Discussion Items

Planning/Zoning Board 2018 Annual Report

According to the Municipal Land Use Law the Board is required to submit a year-end report summarizing the 2018 applications to the governing body. A report has been drafted for approval. Mr. Urciouli makes a motion to approve the draft, seconded by Mr. Martin. Mr. Martin requested a roll call vote. A roll call vote was taken. Board agreed. Motion Passed.

Applicant(s)

Nicolas & Jessica Carstenson – 284 Harding Blvd. – Blk 75, Lot 13
Variance Application

Mr. Cucchiaro states that all notice materials are in order and the Board has jurisdiction to hear, consider and decide on the application at issue.

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Mr. Cucchiaro swears in the board engineers and the applicant(s), Nicholas & Jessica Carstenson.

Mr. & Mrs. Carstenson, the applicant(s) appears in support of themselves and relates to the board that they are proposing to construct a 14' by 25' foot two story addition on the southeast side of the existing dwelling. They are requesting a front yard setback variance on both Harding Boulevard and Roberts Street for the addition. The proposed addition will be constructed 21.84 feet from Harding Boulevard and 12.88 feet from Roberts Street where a minimum of 25 feet is required by Ordinance. A variance for the maximum allowable lot coverage will also be needed for 35.8% where 30% is allowed.

Mr. Cucchiaro swears in Mr. Chris Rudman, Architect for the applicant. Mr. Rudman goes over the details of the addition and the variances required. Mr. Urciouli questions the height of the structure. Mr. Rudman replies 22 feet.

Mr. Martin opens the floor for any comments or concern from the public. No response.

Ms. Laporte makes a motion to approve the application, seconded by Mr. Urciouli. Mr. Martin requested a roll call vote. A roll call vote was taken.

Yes: Sharon Laporte
Joseph Urciouli
Jerry Martin
Paul Kelehan
Kathleen Sporer
Kurtis Roinestad
George Cuipinski

Motion Passed.

Roger Passarella – Route 34 & Fierro Avenue – Block 114, Lot 13
(Bulk & Use Variance Application)

Mr. Cucchiaro address the applicant and residents in attendance, that with part of this application requesting a D-variance, our Class I members, Mayor Altomonte and Class III member, Councilman Dunn, will not be permitted to sit on the dais for this application. He states for the record that neither are in attendance this evening.

Mr. Alfieri, Esq., representing the applicant address the board. Mr. Alfieri explain that the property, which is currently vacant, is located on the corner of Rt 34 and Fierro Ave. The property is also located in a (Highway Improvement), HI Zone, where residential use is not permitted, therefor the applicant is seeking a “D” use variance as well as a bulk variance from the required front yard setback from Fierro Ave.

Mr. Alfieri introduces Matthew Robinson, professional Engineer. Mr. Robinson was sworn in and the Board accepted her credentials. Mr. Robinson submits the following exhibits into evidence. A-1; Rendered Version of Site Plan, dated December 19, 1999 and A-2; Architectural Rendering prepared by Thomas Brennen, dated 1/29/2020. Mr. Robinson explains that the property is located on the corner of

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Fierro Ave, which is a residential street and Rt 34. The properties size and dimension are 51' wide by 160' deep on Fierro Ave. The applicant proposes to construct a 2,384 square foot single-family dwelling with an attached garage. Half of the property is paved, which will be removed, and there is an existing driveway onto Fierro Ave that is approximately 41 feet in length that will be moved and a new 22.5' driveway will be installed in front of the proposed garage. The applicant is seeking may variance; Type D-1, construction of a single-family dwelling which is not permitted in the HI zone; Type "C" variance, the property size is 8,766 square feet in size where 20,000 square feet is the minimum, the property is also 50 feet wide where 100 feet is required, front yard set-back of 17.3 feet from Fierro Ave where 35 feet is the minimum and a variance for the driveway placement of 4.01 feet of the property line, where 5 feet is required. Mr. Robinson hands out a paper copy to the board, marked as exhibit A-3 Curb Cut, showing the access to both properties and how this proposed dwelling construction will not impact the e gras to the adjacent property on Rt 34. Mr. Alfieri submits and marks as exhibit A-4, Report of Title from Trident Title Company dated December 24, 2019.

Mr. Martin opens the floor to the public for any question for the Engineer.

Tish Hess, questions the size of the lot verse the size of the property and states that she just received notice on this matter on the Thursday before the meeting date. Mr. Cucchiaro replies that all notice materials to residents and newspapers are only required to be mailed out 10 days prior to the meeting date.

Diane Craig – 7 Fierro Ave states that there is a parking problem on this part of Fierro already and approving this proposed dwelling will be sure to make it worse.

Mr. Cucchiaro references the Dellmayer case which is to establish undue hardship. The applicant is required to send our 5 letters to adjacent property owners to establish, the efforts the property owner has made to bring the property into compliance with the zoning ordinance, either by sale of the property to an adjacent owner or by acquisition of property from an adjacent owner. If it is feasible to purchase property from an adjoining owner, or if the owner of the undersized lot refuses to sell the property to an adjoining owner at a "fair and reasonable" price, the owner might not suffer an "undue hardship"., if the adjacent property is not available or the applicant is willing to sell at a "fair and reasonable" price and an adjoining property owner refuses to make a reasonable offer, then "undue hardship" generally exists.

After further board discussion, Mr. Cucchiaro announces that the board would like to carry this application to the March 2, 2020 meeting date to allow the applicant to seek and establish hardship.

Resolution(s) to be Memorialized

Planning Zoning Board Attorney

Vice Chairman Martin requested a motion to adopt the Resolution to authorize execution of the contract for Planning Zoning Board Attorney – Ronald D. Cucchiaro, Esq. Mr. Urciouli made the motion, seconded by Ms. Laporte. Board agreed. Motion Passed.

Planning Zoning Board Engineer

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Vice Chairman Martin requested a motion to adopt the Resolution to authorize execution of the contract for Planning Zoning Board Engineer – Loius J. Ploskonka, PE. Mr. Urciouli made the motion, seconded by Mr. Buckel. Board agreed. Motion Passed

Planning Zoning Secretary

Vice Chairman Martin requested a motion to adapt the Resolution appointing the Planning Zoning secretary – Cheryl Adamski. Mr. Urciouli made the motion, seconded by Mr. Buckel. Board agreed. Motion Passed.

Approval of Minutes

Vice Chairman Martin requested a motion to approve the minutes of November 4, 2019. Mr. Urciouli made the motion, seconded by Mr. Buckel. Board agreed. Motion passed.

Vice Chairman Martin requested a motion to approve the minutes of January 6, 2020. Mr. Urciouli made the motion, seconded by Ms. Sporer. Board agreed. Motion passed.

Adjournment

Vice Chairman Martin requested a motion to adjourn. Mr. Urciouli made the motion, seconded by Ms. Laporte. The Board agreed. Motion passed.

The meeting was adjourned at 8:30 PM.



Cheryl Adamski
Recording Secretary