

**Minutes of the
Unified Planning/Zoning Board of Adjustment
April 3, 2023
7:00 PM**

The 2023 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, NJ on April 3, 2023, with Chairman George Ciupinski presiding. Pursuant to Section 5 of the Open Public Meetings Act, adequate notice of this meeting has been provided by publishing notification in *The Asbury Park Press* on January 13, 2023, by sending notice to *The Independent* 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 been sent to such members of the public as have requested such information in accordance with the Statute. Chairman Ciupinski called the meeting to order at 7:00PM.

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

Chairman Ciupinski requested a roll Call.

On roll call the following members responded present:

Yes: Joseph Altomonte
Deana Gunn
Joseph Urciuoli
Paul Kelahan
Kurtis Roinestad
Kathleen Sporer
George Ciupinski
Sandy Johns
Adeel Salam

Absent – Sharen Laporta, Ricky Butler

Present: Austin Mueller, Planning/Zoning Board Attorney and
Lou Ploskonka PE, Ronald J. Reinertsen PP, AICP - Planning/Zoning Board Engineer.

Applicant(s)

**Spring Development Group, LLC – 334 Main Street, Block 47.02, Lot 13
(Preliminary & Final Site Plan with Variance)**

Austin Mueller swore in Mr. Basset, Owner of La Madonna, 334 Main Street. Mr. Basset address the board and explains that he is proposing to construct and addition to the building within the footprint of the existing outdoor seating area. He is a requesting a variance

**Minutes of the
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7:00 PM**

for a front yard setback. The proposed addition is less than the required twenty (20) feet from the street line. This proposed addition will increase the restaurant seating capacity by thirty-two (32).

The Board and Borough Engineer requested testimony from the applicants engineer who was not present therefor, this application has been carried to the regular scheduled, May 1, 2023 Planning/Zoning meeting without further notice.

**Emlenrich LLC – 110 Main Street - Block 6, Lot 18
(Preliminary & Final Site Plan with Variances)**

Mr. Alfieri address the board and gives an overview of the application and states that the applicant has revised the plans to include changes to the layout that were suggested by the board at the previous meeting.

Mr. Alfieri introduces the applicant Engineer, Adam A. Khan, PE., C.M.E., Mr. Khan is sworn in and the board accepts his credentials. Mr. Khan states that as suggested by the board, the garage entrance and transformer room, that were previously located at the front of the building, were now relocated to the side of the building at allow additional retail space along Main Street. He also stated that sufficient parking spaces have been provided for the additional retail spaces and when the retail stores where closed, residents could utilize these spaces if needed. There would also be 2 bicycle storage racks available, one on the ground parking level and one on the basement parking level.

Mr. Alfieri introduces Christiano Perpeira, AIA, Mr. Perpeira is sworn in and the board accepts his credentials. Mr. Pereira testifies that the building would now have two retail spaces located at the front of the building along Main Street. The original plan provided (7) seven retail parking spaces, now with the increase of an additional retail space the parking spaces have been increased to (13) thirteen. He also states that there would be a gate located within the parking garage separating the retail spaces from the residential spaces. Two (2) 14" x 10" signs would be located on canopies for each retailer.

Mr. Pereira also states that the proposed building would have a total of forty-eight (48) residential units, 15% of the units would be designated for affordable housing. He also testifies that the height of the building was based on the mean elevation. The front part of the building has a flat roof and the rear portion has a pitched roof. The average height of the building as 37.53 feet. He stated that the loft area at the rear of the building did not meet the threshold of being considered a floor. He stated that the lower level of the parking garage was considered a basement because it was below the grade of the front elevation.

**Minutes of the
Unified Planning/Zoning Board of Adjustment
April 3, 2023
7:00 PM**

The Board planner, Ronald J. Reinertsen PP, AICP, stated that he disagreed with Mr. Pereira's testimony that the lower level of the parking garage was not considered a floor. He explains that the lower level was seven (7) feet above grade.

Mr. Alfieri introduces the applicants Traffic Engineer, Craig W. Peregoy, P.E. Mr. Peregoy states that his testimony from the previous hearing is unchanged. He states that with the changes made to the plan there would be no impact on traffic pattern. He stated that the Traffic Impact Study took to account the other developments in the area including the application for 114-116 Main Street.

Mr. Alfieri next introduces Mr. John McDonough. Mr. McDonough introduces a composite of maps as Exhibit A-2. He states that the subject property was a large lot and the applicant is proposing a mixed use building similar to the nearby 126 Main Street. He states that the proposed residential/commercial building was positive for commercial growth and was a goal of the Master Plan and that the property was suited for the proposed use. The location in the downtown area and proximity the train station makes it suitable for a mix use location. The proposal would advance several purposes of the Municipal Land Use Law. It would promote the general welfare by providing affordable housing and encouraging commercial growth. He also opined that it would establish appropriate population density that would contribute to the well-being of the community and would create a desirable environment along Main Street.

The hearing was then opened to the public for comments or concerns.

- Brett Cannon, 194 Jackson Street, stated that he agreed that the proposal would be an improvement to the present dilapidated condition of the subject Property. Mr. Cannon also stated that he was not concerned with the traffic generation from the proposal. Mr. Cannon expressed his opinion that the proposal would be a "shot in the arm" to revitalize the area. Although he supported the application, Mr. Cannon expressed his concern with vacant retail space, as was the situation with 126 Main Street. Mr. Cannon stated that he would like guarantees from the Applicant that the retail space would not sit vacant.
- Scott Mazzella, 88 Ravine Drive, stated that he agreed with the concern of vacant retail space. Mr. Mazzella expressed his appreciation of the historic aesthetic of the proposed building. He also asked for guarantees from the Applicant that the retail space would not sit vacant.
- Applicant, Ricardo Hernandez. Mr. Hernandez testified that he understood the concerns regarding the vacant retail space. He testified that he was also a principal of 126 Main Street and had extensive knowledge regarding the difficulties of filling the vacant retail space at that location. Mr. Hernandez explained that 126 Main Street had interest from restaurants to lease the retail space, however, there was difficulty in obtaining a liquor

**Minutes of the
Unified Planning/Zoning Board of Adjustment
April 3, 2023
7:00 PM**

license. He stated that he/himself established a grocery store in the vacant retail space at 126 Main Street. Mr. Hernandez testified that establishing a grocery store was a long process. He also stated that 75% of the retail space of 126 Main Street now had tenants.

- Charles Dunn, 401 Atlantic Avenue, Aberdeen, NJ, testified that he was the owner of the adjacent property of 112 Main Street. Mr. Dunn also testified that he owned the martial arts school business located at 112 Main Street. He expressed his agreement with the concerns regarding vacant retail space. He stated that he believed that the proposal was an improvement for the area. Mr. Dunn also expressed his concern about possible overflow parking. Mr. Dunn testified that he had twelve (12) to thirteen (13) parking spaces at the rear of his building. He stated that he would like an access easement from the Applicant to access the existing parking spaces at the rear of his building. Mr. Alfieri represented that the Applicant would be willing to work with Mr. Dunn on an easement agreement, but not as a condition of this application. Mr. Dunn stated that he had a good relationship with the Applicant and was willing to work with the Applicant on an easement agreement. Mr. Dunn further expressed his concern regarding potential noise and disruption during construction from pile drivers. Mr. Dunn also expressed concern with safety of children that come to his martial arts school. He was also skeptical of the proposed stormwater runoff. Mr. Dunn testified that stormwater runoff from his property flowed over the subject Property toward the creek at the rear. In response, Mr. Khan testified that there would be an underground stormwater retention basin, which would comply with all NJDEP standards. He stated the stormwater from the basin would then drain via pipe to the existing stormwater sewer. Mr. Khan further testified that the retaining wall at the rear of the project would not block the stormwater runoff from Mr. Dunn's property. Mr. Dunn concluded in expressing his support for the proposal stating that he hoped it would make Matawan like Red Bank.
- Catherine Zavorskas, 57 Ingram Circle, Aberdeen, NJ, who identified herself a President of the Historic Preservation Committee and the Borough Chamber of Commerce. Ms. Zavorskas stated that she was supportive of the growth in the downtown area. She stated that she appreciated the new proposed design as opposed to the original design. She stated that she felt the new design was more historic. Ms. Zavorskas also testified that the retail space would be a benefit to the downtown area. She then expressed her concern regarding sufficient parking for the employees of the retail space, as well as the lack of a loading area. Ms. Zavorskas also anticipated that the vehicles turning into the parking garage could be a blind spot for pedestrians walking out of the garage. She also expressed her concern with street closures during construction and their disruption to the area. In response to Ms. Zavorskas' concerns, Mr. Alfieri stated that the Ordinance required twelve (12) parking spaces for the retail space, which takes into account both customers and employees. He stated that the Applicant would coordinate with the Borough in regard to street closures during construction. Mr. Khan also testified that a marked loading area would be located on the street in front of the retail space. He stated that the loading area

**Minutes of the
Unified Planning/Zoning Board of Adjustment
April 3, 2023
7:00 PM**

would be thirty (30) feet in length. Mr. Khan also testified that the Applicant would agree to provide a doorway at the rear of the retail space for pedestrian access to the parking garage.

There were no other members of the public expressing an interest in this application.

The board has received, reviewed and considered various exhibits and reports regarding this application.

Ms. Sporer made the motion to accept this application with the variance relief, seconded by Mr. Kelehan. Chairman Ciupinski requested a roll call vote. A roll call vote was taken.

Yes: Joseph Urciuoli
George Ciupinski
Paul Kelahan
Kurtis Roinestad
Kathleen Sporer
Sandy Johns
Adele Salam

Motion Passed.

Approval of Minutes


Chairman Ciupinski requested a motion to approve the minutes of December 5, 2022, Mr. Urciuoli made the motion, seconded by Mr. Roinestad. Board agreed. Motion passed.

Chairman Ciupinski requested a motion to approve the minutes of January 10, 2022, Mr. Urciuoli made the motion, seconded by Mr. Roinestad. Board agreed. Motion passed.

Adjournment

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

The meeting was adjourned at 9:50 PM.



Cheryl Adamski
Recording Secretary