

Unified Planning/Zoning Board of Adjustments Meeting
August 2, 2010

The meeting was called to order by Ken Cassidy, chairman, and the pledge of allegiance was recited.

Roll call was taken with the following members present: Mr. Cassidy, Mr. Dolan, Mr. Gallego, Mr. Mendes, Mr. McKenna, Mr. Montfort, and Mr. Shea.
Absent were: Mr. Buccellato, Mr. Saporito and Ms. Malanga was late.

Mr. Montfort made a motion to approve the minutes of the June 7, 2010 meeting and Mr. McKenna second. The board voted with all eligible members in favor.

Mr. Montfort made a motion to approve the minutes of the July 7, 2010 meeting with the 2 corrections he had previously told the Clerk's office and Mr. Gallego second. The board voted with all eligible members in favor.

Resolutions:

Julian Resolution: Mr. Montfort made a motion to approve and Mr. Dolan second. The following roll call vote was taken: Mr. Cassidy-yes, Mr. Dolan- yes, Mr. Gallego-yes, Mr. Montfort-yes, Mr. McKenna- yes and Mr. Shea-yes.

Other Business:

Mr. Irene said the board received a letter from EBI Consulting with an invitation to comment on the National Historic Preservation Act. He suggested that the board decline the offer due to the fact that it may be a matter before the board in the future.

The board took a short break before proceeding with the applications, waiting for 7:30 pm in case the public was not aware of the meeting time change.

Roll call after the break reflected all members returning except Mr. Dolan who recused himself and Ms. Malanga who was then in attendance.

The first application was Farro Management Block 120.01 Lots 6 & 10 (Pine Valley Plaza/Pine Crest Plaza)

Mr. Cambria is the attorney for the applicant. The notices were reviewed and it was determined they were 1 day short, only 9 days notice was given instead of 10 days. The applicant also needs a full site plan showing the existing plan and the proposed. They also need a list of the LLC participants. Mr. Montfort made a motion to carry the application to the September 8, 2010 meeting with stipulation of time granted, re-notice in the newspaper and other housekeeping issues and Mr. McKenna second. The board voted with all eligible members in favor except Mr. Mendes who abstained.

The second application was Borough of Matawan 145 Broad Street Block 34 Lots 6& 7

Mr. Irene said he received a letter from the Borough attorney, Mr. Mena, asking to have the matter carried to the October 4, 2010 meeting without need for re-notice. The notices

were reviewed and approved. Mr. Montfort made a motion to carry it to the October 4, 2010 meeting without re-notice and Mr. McKenna second. The board voted with all eligible members in favor.

The third application was Emlerich LLC 126 Main Street Block 24, Lots 3,4,6,6.07,7-9
Mr. Alfieri is the applicant's attorney. Mr. Hadderer, the board engineer, was sworn in. This application is for a mixed use; retail on the first floor and apartments on top-4 floors total. It is a D variance so the Class 1 & 3 members stepped down. Mr. Dolan had recused himself. Mr. Alfieri stated that Mr. Hernandez is the only owner so there is no LLC list. Mr. Peter Young of 1 Maiden Lane had received permission to videotape the meeting.

Mr. Marchetto of 1225 Willow Ave Hoboken NJ, the applicant's architect, was sworn in. He reviewed the aerial photo and other photos, old and new, of the site and surrounding area. He reviewed the floor plan exhibit and site plan. He reviewed the architectural plans. He displayed photos from his other similar projects in neighboring towns. All of these items were marked for exhibit. He said the building had fire alarms, sprinklers and was in full compliance and they had the approval of the fire official.

Board questions:

Mr. Cassidy asked how the construction would affect the residents and other businesses and Mr. Marchetto said not very much and that only Little Street may be affected for a short time.

Mr. Cassidy asked if the apartments would be sold or be rentals and Mr. Marchetto said they would be condos and Mr. Alfieri agreed that they could be made to be condos.

Mr. Montfort stated that the singles on the floor plan looked small so they may not sell that easily and perhaps would have to be rented but Mr. Marchetto said they are the same size as the condos he has been constructing elsewhere and that was never a problem.

Mr. Montfort reiterated the height with the paraneet and that they were all wood construction and Mr. Marchetto said yes and that they followed all the building codes.

Mr. Montfort said the sidewalks looked small on Little Street and wanted to know if they were in the Borough right of way and Mr. Marchetto said the setbacks are there and he could give specifics and yes it is in the right of way. The board engineer said the building setback is 0 on Jackson Street and 20' on Main Street that is being proposed.

Mr. McKenna asked the price of the condos and that he also was afraid the smaller ones will not sell and Mr. Marchetto said he did not know prices yet and that he would take into consideration his concerns on the size. Mr. Alfieri added that they would probably be expensive due to the cost of building these units.

The board engineer then reviewed the Borough ordinance on building heights definition and said they need D variance for the height.

Mr. Irene asked if there were any COAH issues and requested the engineer look into that for the future.

Mr. Cassidy asked if there were any recreational areas planned and Mr. Marchetto said no that is not considered for downtown buildings.

Mr. Alfieri said they could make contributions to another area in town but Mr. Irene said he was not sure that rule applied anymore.

Mr. Shea asked if these units were the same size as the ones they constructed in Long Branch and Mr. Marchetto said yes but those are rentals but these could be either owned or rented.

Public Questions:

Mr. Cashin, 128 Washington Ave, Matawan- He remarked that the picture renderings were beautiful but he would like to see what it would look like from Maiden Lane and Little Street views. He asked if a fire truck could get down the ramp in the underground garage and the answer was no. He asked if 2 cars could get down the ramp and the answer was yes. He followed up with fire safety questions in regards to the parking garage. Mr. Marchetto stated that the fire code was followed on all the plans. Mr. Cashin asked if the town had a fire truck with a ladder for the height of that building and Mr. Marchetto said they had built a deck as per the fire official's request for just such a case to fight a fire higher up on the building. He stated he would get a copy of the fire official's report for the file.

Ms. Khanna, 28 Ivanhoe Lane, Aberdeen- She asked how close the wall of the building was to the property line and Mr. Marchetto said it goes right up to the building-4.5'. She asked how the demolition of the present building would be done and Mr. Marchetto said it would be brought down piece by piece. She asked where the retail stores would get deliveries and Mr. Marchetto said the service lane would be used for that.

Mr. Oreckinto, 97 Ravine Dr, Matawan- He asked what the cost of this project is to the taxpayer in regards to the infrastructure and Mr. Alfieri said it is paid by the applicant. He said the water/sewer system is large enough already. He added that if a developer were to do any damage, they would have to pay for it.

Mr. McNeil, 136 Jackson Street, Matawan- He stated his concern is that he lives on a one way street and if it is closed for any amount of time he would not be able to get to his house. Mr. Marchetto said that would be taken care of by the traffic consultant and they are trying to do as much of the construction as possible from the interior.

Ms. Thomas of Matawan-She asked a question in regards to the water table and Mr. Alfieri said the engineer will address that question. She then asked why it could not be changed to 3 floors and Mr. Marchetto said the client wanted 42 units and that was how to fit them in.

Mr. Reed, 126 Ravine Drive, Matawan-He asked if there would be amenities in the apartments and Mr. Marchetto said yes. He stated he felt most residents would park on the street and Mr. Marchetto said that would be up to the owner's discretion.

Ms. Sadell, 15 Sunset Ave, Matawan-She asked the architect if he had done any smaller projects as she felt Matawan was small and needed a smaller project than other towns and Mr. Marchetto said no.

Ms. Martin, Edgemere Dr, Matawan-She asked how much was the abatement on the taxes and Mr. Alfieri said there were no abatements available in Matawan.

Ms. Van Jura, 135 Main Street, Matawan-She asked how much space was between the street and this project and Mr. Marchetto said over 70' and that Main Street is wide enough, Little Street he felt was a little tighter.

Mr. Rynestad, Jackson Street, Matawan-He stated he felt it would be better as condos and Mr. Irene said that the applicant must build the project as per the approved plan and that the board is responsible to uphold the Land Use Law, but ownership is not the board's

decision. Mr. Alfieri said that they will build the units as condos, but the board cannot legally look at the plan based on rentals or ownership.

Mr. Gorman, 4 Little Street, Matawan-He stated the ordinance says the minimum square footage must be 700' and this project is 650'. Mr. Marchetto said they would revise it or ask for a variance, he would speak to his client first on how to proceed. Mr. Gorman stated again a concern that Jackson Street is a 1- way street and Mr. Marchetto said the traffic consultant would address that issue.

Ms. Livesay, 153 Broad Street, Matawan-She asked how the interior would be done and Mr. Marchetto said he would do the outside, not the inside.

Ms. Harris, 145 Broad Street, Matawan-She asked about the environmental issues and Mr. Alfieri said the engineer will answer those questions and the traffic consultant will be called upon to answer all traffic questions.

Ms. Khanna, 120 Main Street, Matawan-She had questions about maintenance on her place as she is so close and about the fire walls that would have to be fireproofed from the street to the roof. She is worried about the construction on the parking garage affecting her foundation as she has had a problem once before. Mr. Marchetto said prior to construction, with her permission, the engineers would do an assessment to see if there are any deficiencies. Mr. Alfieri stated they would be willing to pay for an inspection before and after if the property owner agreed.

Mr. Young, 1 Maiden Lane, Matawan-He asked if the scale drawing was accurate and Mr. Marchetto said he would check on Little Street but that the building is to scale. He asked if there were 5 employee spaces for parking and Mr. Marchetto said yes but there are 65 in the basement for residents only. He said there are 39 on the first floor, 5 for employees, and more in the back. Mr. Young asked where deliveries would be made then and Mr. Marchetto said the loading lane. Mr. Young asked what happens if the project goes under which has happened in other towns and Mr. Alfieri said they would be bonded for the construction but not for the building as there are no guarantees there. Mr. Young asked where else this could be built in Matawan and Mr. Marchetto said here it is allowed and he did not check other zones due to the fact that his client owns this property and he feels it is perfect for this site.

Mr. Shea made a motion to carry this application over until the October 4, 2010 meeting and Mr. Montfort second. The board voted with all eligible members in favor.

Mr. Cassidy made a motion to adjourn the meeting and Mr. McKenna second. The board voted with all members in favor. The meeting was adjourned at 10:15 pm.

Respectfully submitted,

Diane Cannon
Board Recording Secretary