

**Minutes of the
Unified Planning/Zoning Board of Adjustment
June 20, 2012: Special Meeting
7:00 PM**

A special 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 June 20, 2012. The meeting was called to order at 7:03 PM by Chairman Kenneth Cassidy presiding. Chairman Cassidy called the meeting to order, pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice which was published in the *Asbury Park Press* on January 26, 2011, by sending notice to *The Independent*, and by posting.

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

Chairman Cassidy requested a roll call.

On roll call the following members responded present:

Yes: Paul Buccellato
Rickey Butler
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: Andy Lopez
Yes: Rochele Malanga
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Urciuoli

Also present were Michael A. Irene, Jr., Esq., Planning Zoning Board Attorney and Philip A. Haderer, Planning Zoning Board Engineer.

Chairman Cassidy requested a moment of silence be observed for the passing of Joseph Lopez.

Applicants:

1. Rickey Butler – 10 Boston Lane – Block 11, Lot 34 (*Variance*)

Rickey Butler, a Planning and Zoning Board member came before the board to request a variance to put an in-ground swimming pool on his property.

**Minutes of the
Unified Planning/Zoning Board of Adjustment
June 20, 2012: Special Meeting
7:00 PM**

Mr. Irene notified all the present board members that they were under no obligation to agree to or pass this variance and asked if any member felt that they could not be impartial. All members stated that they had no problem with this matter.

Mr. Irene swore in Rickey Butler of 10 Boston Lane, Matawan NJ

Mr. Butler stated that he was denied a permit to install an 18 x 32 foot in-ground swimming pool due to the fact that Mr. Quinn indicated that his property was at 34% lot coverage while the maximum allowed by ordinance is 30%.

Mr. Butler provided plans from Mr. Delorenzo of Midstate Engineering, last revised 2/5/2012, exhibit: A-1.

Argument was made that calculated lot coverage on the drawing and as per the Building Departments rejection letter was 34%. Mr. Montfort indicated that the paver patio and sidewalks should have been counted which would have made the coverage around 39 percent which he did not have an issue with but thought it should be correct (older version of lot coverage). It was indicated that these calculations were done in accordance with the revised ordinance concerning lot coverage. Since no one had a copy of this ordinance, Mr. Montfort accepted what the building department had indicated, based upon the calculations complying with the revised ordinance.

Mr. Butler stated that there were no other options available to him and that he would not be able to install the pool without the variance.

Mr. Irene requested a 5 minute recess.

On roll call the following members responded present:

Yes: Paul Buccellato
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: Andy Lopez
Yes: Rochele Malanga
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Urciuoli

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Resolutions to be Memorialized:

2. 1. Rickey Butler – 10 Boston Lane – Block 11, Lot 34 (*Variance*)

Given the timing to install a pool at this late date, the Planning Board attorney, Mr. Irene, had drafted a proposed resolution on this matter in the event that the Board approved the variance. This would expedite the approval of the resolution by one month.

Chairman Cassidy requested a motion to approve the resolution. Ms Malanga made the motion, seconded by Mr. McKenna. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Paul Buccellato
Yes: Kenneth Cassidy
Yes: Angelo Gallego, Jr.
Yes: Andy Lopez
Yes: Rochele Malanga
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Urciuoli

Motion passed.

Adjournment

Chairman Cassidy requested a motion to adjourn. Mr. Buccellato made the motion, seconded by Mr. Montfort.

The board voted with all members in favor and the meeting was adjourned at 7:19 PM.

Respectfully submitted
Nancy Jo Palermo
Recording Secretary