

**Minutes of the
Unified Planning/Zoning Board of Adjustment
September 5, 2013
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 October 7, 2013. The meeting was called to order at 7:00 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 17, 2013, 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
Yes: Rickey Butler
Yes: Kenneth Cassidy
No: Thomas Fitzsimmons
No: Angelo Gallego, Jr.
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
No: Rochelle Malanga
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Also present was Michael A. Irene Jr., Esq., Planning Zoning Board Attorney.

Approval of Minutes

Chairman Cassidy requested a motion to approve the minutes of the September 5, 2013 meeting. Mr. Montfort made the motion, seconded by Mr. McKenna. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Paul Buccellato
Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved

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Resolutions to be memorialized:

1. JSM@Matawan Phase II, LLC (Broad Street Plaza) – Block 40, Lots 6 & 7 (*Variance*)

Mr. Irene gave a summation of the resolution for JSM@Matawan Phase II, LLC.

“As a result of the “shared parking analysis”, that no detriment results from the parking deviation at issue, notwithstanding that 374 spaces are proposed, whereas 582 spaces are actually required. As a result, the Board again finds that both the C(1) (“hardship”) criteria and the C(2) (“flexible C”) criteria support granting relief for the parking deviation. The Board reiterates its finding that granting the bulk variance relief for the parking deviation here at issue will have no adverse impact upon neighboring properties, and the Board further finds that this relief can be granted without causing substantial detriment to the public good and without causing substantial impairment of the intent and purpose of the zone plan and zoning ordinance. The Board finds that the “shared” parking among complementary uses at the site should be sufficient, and the Board further notes that the applicant, and successors, will provide shuttle service for residents of the project, thereby further reducing parking demand insofar as the need for residents of the project to have multiple cars will likely be reduced, and further supporting relief for the parking deviation here at issue (and the requirement for such shuttle service is therefore made a continuing condition of the approvals here at issue). As a result, the Board hereby grants parking variance relief to permit the proposed 374 parking spaces, notwithstanding that the ordinance requirement is 582 spaces, and the Board further hereby amends the previously adopted Resolution accordingly.

Mr. Montfort suggested that the resolution be amended to include this information.

Chairman Cassidy requested a motion to grant final site plan approval. Mr. Montfort made the motion subject to changes in wording made on page five. Mr. Butler seconded the motion. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Paul Buccellato
Yes: Rickey Butler
Yes: Kenneth Cassidy
Yes: John McKenna
Yes: Robert Montfort
Yes: Joseph Saporito
Yes: Joseph Urciuoli
Yes: Andrew Lopez
Yes: Daniel Acquafredda

Motion approved

At 7:10 PM Mr. Montfort made a motion to enter into Executive session, Mr. Buccellato seconded the motion.

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Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Urciuoli

At 7:15 PM Mr. Montfort made a motion to move out of Executive session, Mr. Urciuoli seconded the motion.

Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Urciuoli

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

The board voted with all members in favor and the meeting was adjourned at 7:15PM.

Respectfully submitted

Nancy Jo Palermo

Recording Secretary