

**Minutes of the  
Unified Planning/Zoning Board of Adjustment  
April 7, 2014  
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 April 7, 2014. 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 Independent on January 23, 2014 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:

No: Paul Buccellato  
No: Rickey Butler  
Yes: Kenneth Cassidy  
Yes: Donna Gould as of 7:05 pm  
No: Angelo Gallego, Jr.  
Yes: John McKenna  
No: Robert Montfort  
No: Joseph Saporito  
Yes: Joseph Urciuoli  
No: Rochelle Malanga  
Yes: Andrew Lopez  
Yes: Daniel Acquafredda

Also present were Michael A. Irene Jr., Esq., Planning Zoning Board Attorney and Robert W. Bucco, Jr., Planning Zoning Board Engineer.

**Approval of Minutes**

Chairman Cassidy requested a motion to hold the approval of the minutes of the March 3, 2014 meeting. Mr. Acquafredda made the motion, seconded by Mr. Cassidy. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Kenneth Cassidy  
Yes: Donna Gould  
Yes: John McKenna  
Yes: Joseph Urciuoli  
Yes: Andrew Lopez  
Yes: Daniel Acquafredda

Motion approved

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**Applicants:**

1. Francisco & Sonya Matos – 107 Broad Street – Block 19, Lot 7 (Use Variance Relief)
2. Washington Phillips, LLC – New Brunswick Avenue – Block 47.02, Lot 24 (Variance)

**Francisco & Sonya Matos**

Frederick Kalma, Attorney At Law, Matawan, NJ on behalf of Francisco & Sonya Matos came before the Board to apply for a Use Variance Relief. This issue was carried from the March 3, 2014 meeting.

Mr. Irene stated that there was not a required quorum to vote on this variance and suggested Mr. Kalma request a continuance to the May 5, 2014 meeting. Mr. Kalma agreed.

Chairman Cassidy requested a motion. Mr. Cassidy made a motion to carry to the May 5, 2014 meeting without the necessity of further notice. Mr. Acquafredda seconded it. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Kenneth Cassidy  
Yes: Donna Gould  
Yes: John McKenna  
Yes: Joseph Urciuoli  
Yes: Andrew Lopez  
Yes: Daniel Acquafredda

Motion approved

**Washington Phillips, LLC**

Mr. Salvatore Alfieri came before the Board requesting a variance for his client Washington Phillips, LLC.

Mr. Irene swore him in after asking if there were any questions or problems regarding notice.

Mr. Bucco was sworn in as well.

Mr. Alfieri exhibited plans produced by Mr. Richard Karl Heuser, PE, LS, PP, civil engineer and JoAnn P. Montero Architectural Consulting Services. His client Haskell Grooms, 23 Evan Dr., Morganville, NJ 07751 was sworn in.

Mr. Grooms is a managing partner with Washington Phillips, LLC. He is seeking to construct a single family on New Brunswick Avenue – Block 47.02, Lot 24.

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Mr. Grooms stated the required lot size is 75 square feet and the lot in question is 74.57 feet. He is seeking a variance for five inches. There is presently a single family house on each side of the property.

Mr. Cassidy asked if there were any questions from the public. Mr. George Morio, 15 New Brunswick Avenue came forward and was sworn in.

He asked Mr. Grooms if he was buying the lot and building to sell or if he already owned it. Mr. Grooms said he owns the lot and wants to build a house and sell it.

Mr. Morio asked where the front yard set-back would be and was told that it would be the same as his house.

Mr. Morio expressed concern that the grade is two feet higher than his and he was concerned about the run-off onto his property.

Mr. Bucco said Mr. Grooms must provide plans with grading before getting zoning permits and he will be required to have roof leaders in the front and the back of the house and not on the sides.

Mr. Morio asked when construction would begin and Mr. Grooms said as soon as possible.

Mr. Irene explained that the resolution, permits and approvals would all take some time.

Ms Gould wanted to know if the property was near Quick Chek and was told that it was not.

Mr. Irene asked Mr. Alfieri if they would waive summation and Mr. Alfieri agreed to that.

Mr. Bucco said that all conditions must be satisfied.

Chairman Cassidy requested a motion. Mr. Acquafredda made a motion to carry grant relief with the stipulation to agree to all the terms on the Engineers' report. Mr. McKenna seconded it. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Kenneth Cassidy

Yes: Donna Gould

Yes: John McKenna

Yes: Joseph Urciuoli

Yes: Andrew Lopez

Yes: Daniel Acquafredda

Motion approved

Mr. Cassidy requested a motion to move into executive session, to discuss the Quick Chek litigation. Mr. Urciuoli made the motion, seconded by Mr. Acquafredda. Chairman Cassidy requested a roll call vote. A roll call vote was taken.

Yes: Kenneth Cassidy

Yes: Donna Gould

Yes: John McKenna

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Yes: Joseph Urciuoli  
Yes: Andrew Lopez  
Yes: Daniel Acquafredda  
Motion approved

Chairman Cassidy requested a motion to re-open the meeting. Mr. Urciuoli made the motion, seconded by Ms Gould.

The board voted with all members in favor and the meeting was re-opened at 7:37 PM.

A roll call vote was taken.

Yes: Kenneth Cassidy  
Yes: Donna Gould  
Yes: John McKenna  
Yes: Joseph Urciuoli  
Yes: Andrew Lopez  
Yes: Daniel Acquafredda

Motion approved

Chairman Cassidy requested a motion to adjourn. Mr. Cassidy made the motion, seconded by Ms Gould.

The board voted with all members in favor and the meeting was adjourned at 7:38 PM.

Respectfully submitted  
Nancy Jo Palermo  
Recording Secretary