

Unified Planning/Zoning Board of Adjustments Meeting
September 7, 2011

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

Roll call was taken with the following members present: Mr. Buccellato, Mr. Butler, Mr. Cassidy, Mr. Gallego, Mr. Lopez, Mr. McKenna, Mr. Montfort, Mr. Urciuoli, and Ms. Malanga. Mr. Saporito was late to the meeting.

Mr. Montfort made a motion to approve the minutes of the August 1, 2011 meeting and Mr. McKenna second. The board voted with all members in favor.

Mr. McKenna made a motion to approve the minutes of the August 18, 2011 meeting with a few minor corrections and Mr. Gallego second. The board voted with all eligible members in favor.

Resolutions:

McCloskey Resolution- Mr. Montfort made a motion to approve the resolution and Mr. Butler second. The following roll call vote was taken: Mr. Buccellato-yes, Mr. Butler-yes, Mr. Gallego-yes, Mr. Lopez-yes, Mr. Montfort-yes, Mr. McKenna-yes, Mr. Urciuoli-yes, and Ms. Malanga-yes.

Borough of Matawan Resolution-Mr. Montfort made a motion to approve the resolution and Mr. Urciuoli second. . The following roll call vote was taken: Mr. Butler-yes, Mr. Gallego-yes, Mr. Montfort-yes, Mr. McKenna-yes, Mr. Urciuoli-yes, and Ms. Malanga-yes.

Cassidy Resolution- Mr. Montfort made a motion to approve the resolution and Mr. McKenna second. . The following roll call vote was taken: Mr. Butler-yes, Mr. Gallego-yes, Mr. Montfort-yes, Mr. McKenna-yes, Mr. Urciuoli-yes, and Ms. Malanga-yes.

The first application was Mr. Bezrodny 46 Ravine Dr Block 82 Lot 13.01

The applicant requested to carry the application to the November meeting so he has time to get an engineering report done. Mr. Montfort made a motion to carry it and Mr. McKenna second. The board voted with all members in favor. Mr. Irene will send a letter to the applicant saying it will be carried without re-notice and to request that an extension of time be granted to the board.

The second application was Emlerich LLC 126 Main St Block 24 Lot 3, 4, 6, 6.07, 7-9

Mr. Alfieri is the attorney. The notices were approved and this is D variance so the Class 1 & Class 3 members stepped down. Mr. Alfieri said they would pick up this application where they left off last time before the board. He would have the planner, architect, engineer and traffic engineer all testify tonight to the changes to the application and to answer questions. The applicant is here tonight as well for questioning. Mr. Hadderer, the board engineer, was previously sworn in. Mr. Marchetto, the applicant's architect, was

previously sworn in. Mr. Marchetto reviewed the floor plans and the photo rendering. The ground floor will be retail stores with parking behind it. There was to be 3 residential floors above with 42 units but now it is 2 residential floors with 42 units. There is one less floor so the floor plans had to change so the building will now extend onto Maiden Lane. The shape of the building previously was to be "L" shaped but now it will be "T" shaped. The basement had 65 parking spaces but now will have 61. The main floor had 3 retail spaces and will still have that, but they will be smaller in size now. The setbacks will remain the same though. The old plan had 39 parking spaces and now there will be 37 and the parking spaces on Maiden Lane will be enclosed now. The second floor stayed with 21 apartments and the third floor is the same as the second; totaling 24-1 bedroom and 18-2 bedroom. The fourth floor is no longer a floor but there is a pitched roof there where the mechanics will be stored. There will be responders for the garages for the residents and open space parking will be for the customers. Mr. Marchetto reviewed the building elevation. He also stated that the new plans eliminated the parking variance and reduced the height variance. The storage units are gone now but there are internal closets. He stated they need to widen the door to 16' for the trucks and deliveries. He also stated that they would comply with all signage requirements and there will be no free standing signs used.

Board questions:

Mr. McKenna asked how people would park in the garage if they are going to the stores and Mr. Marchetto said the private garage parking is for residents and everyone else would park elsewhere. He stated during daytime hours, the garage door would be open and they would just pull right in. Mr. McKenna had a question about the windows on the floor plan and Mr. Marchetto said that he would fix it as it was an error due to his marking a 1-bedroom as a 2-bedroom and not marking the window properly on the plan. Mr. McKenna had a question on the distance and on the stairs to the fire exit and Mr. Marchetto said they will adjust that so there would be less distance to exit the building. Mr. Montfort had a question on the security of a person walking down the long hallways that are shown for access to the building. He also noted the corrections that needed to be made to the 4th floor on the drawings. He also questioned that the egress routes are in the same portions of the building and questioned that the door to the stairs should be from inside the building so you would not have to go outside to get to it.

Mr. Marchetto said that the hallways are set to code and are well lit and have hardware set for security as well. He did say these were preliminary plans and could be adjusted for final approval but that they are all set to the building code. He said he could add that door to the stairs without a problem and the access from inside.

Mr. Hadderer had questions on the garbage pickup and would the truck back-up into the alley or would the garbage be brought out to put on the truck and Mr. Marchetto said the alley is 17' wide and 13'6" in width so there is plenty of room allocated there.

Mr. Irene said that compactors are usually rolled out and put on a truck. Mr. Hadderer said he would need templates on the how the garbage would be handled.

Mr. Montfort said he would like to see the plans updated so that all the numbers matched the reports. Mr. Hadderer said he thought it could work based on what the architect said but still needs to see the templates.

Mr. Urciuoli asked if there was access in the back to the retail stores and the answer was yes there is.

Mr. Irene questioned the different drainage issues for different businesses; food or other and Mr. Hadderer said yes there should be storm drains and sanitary drains separate from each other.

Mr. Montfort stated some of the items he had issues with: the width of the sidewalks, the building proximity to the street and the flat roof on the first floor. He then asked who would use the balconies on the second floor but Mr. Marchetto said there are no balconies there now, it is just a flat roof.

Mr. McKenna stated he thought the old plan had better units- the layout and they were more unique. He stated the building height didn't look much different to him. Mr. Marchetto said it is definitely different because they removed a floor and now are using a pitched roof. Mr. Montfort said he did not like the blank wall with no windows on the building but Mr. Marchetto said they could not put windows that close to the property line as per the fire code.

Mr. Urciuoli asked if the fitness center was just for the residents and the answer was yes and there is no street access to it.

Mr. McKenna asked if the units will be condominiums and Mr. Alfieri said it depended on what the market is at the time. Mr. Irene reminded the board that this is a land use issue and the board doesn't care if they are rental units or condominiums. They only deal with the Municipal Land Use Law.

Public questions:

Mr. Young 1 Maiden Lane was sworn in. He asked what the change of height was for the building and Mr. Marchetto said 5'. He had some questions on the parking and Mr. Marchetto said there is residential parking and then there is business parking and some overflow or extra parking from the residents that could be used for the businesses.

Mr. Young asked how many dumpsters there would be in the alley and Mr. Marchetto said he was not sure but the alley is wide enough and long enough to handle it. Mr. Young asked about the blind spot when pulling out of the garage and onto the street but Mr. Marchetto said the building was set back more now and they also talked of having an alarm or light that would warn that someone was pulling out. This garage would be for overnight use and strictly for the residents and the overflow would be regulated by the businesses and the hours that they were open.

Mr. Bradley 2 Maiden Lane was sworn in. He asked if there would be a shadow cast on his property due to the height of the building but Mr. Marchetto said there could perhaps be a slight shadow in the morning hours but not very much.

Mr. Irene asked if they had ever thought of moving back the garage door so that the entry area was entered first and Mr. Marchetto said they had not because they felt there was plenty of room there. Mr. Montfort made the observation that where the garage door is located they may not need an alarm or warning device because it is not near the pedestrian walking area.

Mr. Heuser, the applicant's engineer, was sworn in. He reviewed the property and the plans. He also went over the board engineer's report and said they would comply with all the items. He went over a few drainage and sewer issues. He also said that from a civil engineering standpoint there is no need for an environmental study. Mr. Gallego asked why and he said because the streams and wetlands are not close enough and that the building is an existing building.

Mr. Montfort asked if there was no requirement for this kind of application and Mr. Alfieri said that DEP approval is needed for sewer issues but not for anything else. Mr. Urciuoli asked about the traffic study and asked if Maiden Lane is a 2 way dead end street and Mr. Heuser said yes it is.

Mr. Urciuoli asked if there were any plans to widen the street and Mr. Heuser said no there were only plans to improve the walks and curbs. Mr. Irene noted that to widen it they would have to take land from the residents and Mr. Heuser noted that it is a full wide street in that area. Mr. Irene then reviewed all the variances that the application would need.

Public questions:

Mr. Bradley 2 Maiden Lane had some questions on the storm drains and Mr. Heuser said they would be reducing the run off by use of the catch basin. Mr. Hadderer asked about the pitch of the road and drainage on the street and Mr. Heuser said they put in another catch basin and a pipe.

Mr. Young 1 Maiden Lane had some more questions on the catch basin and storm drains and Mr. Heuser explained how they would connect to it and that would be adequate.

Mr. Young had a question on all the mud and water when excavating happens and Mr. Heuser said they would have to comply with all the rules of excavation with the building inspector so that should not be an issue.

Mr. Montfort had a question on the emergency exit and Mr. Marchetto said yes that section is for emergency use only but that there is an elevator in the building that goes down to the basement.

The traffic engineer, Mr. Kennel, was sworn in. He said the parking stall sizes are standard. The loading bay with the new wider door size is better. He reviewed the garbage pickup and said the ramp in the parking garage was also fine.

Mr. Alfieri said they would review any changes to the garbage area again before the next meeting. Mr. Hadderer said they need truck templates for the board to look at.

Mr. Montfort asked if the first level in the parking garage is open to all then is there a wall or railing there and can you see around it and Mr. Hadderer said the board would also need to see entry and exit templates. Mr. Kennel said they may need to put a 4-way stop there. Mr. Marchetto said they could open up that walled area so there would be better visuals there. Mr. Hadderer said the board would need to see the site plan there so they could be sure there was not an obstruction.

Public questions:

Mr. Young 2 Maiden Lane had a question on how garbage trucks would turn there because now they use the open parking lot to turn into. Mr. Kennel said there is an aisle between and they can do a K turn and not have to back out onto Main Street. Mr. Irene asked if DPW knows how the truck will get in and out of there and maybe they could ask them for their advice.

Mr. Kennel said he would look into it and see what the best way for it to work is. He didn't think there would be a problem as he knows of other municipalities with narrower streets and they make it work.

Mr. Alfieri said due to the time, they would come back before the board with traffic templates, garbage templates and to address the loading dock issue of trash and fresh food being used in the same area. It was also stated that tapes would be provided for some of the board members who may have not been there for all the testimony. He said

they would grant the time extension to the board and would not re-notice if they could be carried over.

Mr. Montfort made a motion to carry the application to the October 3, 2011 meeting and Mr. McKenna second. The board voted with all members in favor.

Mr. Cassidy made a motion to adjourn and Mr. Montfort second. The board voted with all members in favor and the meeting was adjourned at 10 p.m.

Respectfully submitted,

Diane Cannon
Board Recording Secretary