# MATAWAN UNIFIED PLANNING/ZONING BOARD MEETING MINUTES

DATE: FEBRUARY 4, 2002

IN ATTENDANCE: COUNCILMAN BUCCELLATO
MR. J. DUFFY
MR. K. GROODY
MRS. E. RINEAR
MR. R. MONTFORT
MR. M. PELLEGRINO

ALSO IN ATTENDANCE: MR. KEITH SMITH, BOARD ENGINEER
MR. LES NEBENZAHL, BOARD PLANNER
MR. JOHN STOCKEL, BOARD ATTORNEY

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This meeting was called to order by Mr. James Duffy pursuant to Section 5 of the Open Public Meeting Act. and stated notice having been posted in the Asbury Park Press and on the bulletin board in Borough Hall.

ROLL CALL: Six members present.

PLEDGE OF ALLEGIANCE.

MEETING CALLED TO ORDER:This meeting was called to order by Mr. Duffy.

APPROVAL OF MINUTES: Approval of minutes for January 2002 wsas made by Mrs. Rinear, seconded by Mr. R. Montfort.

APPROVAL OF VOUCHERS: None

CORRESPONDENCE: None

OLD BUSINESS: None

NEW BUSINESS: 1. Dunkin Donuts - Site Plan

Attorney for applicant, Mr. Cleary was sworn in and testified that they are seeking approval for expansion on Route 34 side of building. The franchise is requiring remodeling to be done to increase service.

He stated that there will be adequate parking in rear of building with restriping and they will gain one additional parking space. They are requesting a waiver because the improvements are of minimal amount. There will be no drainage impact. They do not forsee any negative effects with the expansion on the Route 34 side.

Mr. Nebenzahl asked about the noise that is generated at freezer area, someone should consider the noise.

Mr. Montfort asked if there is enough depth with the parking spaces where expansion will be made.

Mr. Cleary stated yes. He also stated that they will be able to comply with all comments noted by Mr. Smith.

OPEN TO PUBLIC: Mr. Phil Kramer, fire official stated that if there are going to be parking spaces on the right of the freezers he would like a barrier to be put along side of freezers.

Mr. James Brigaris resident next to Dunkin Donuts stated that he has a couple of concerns; his bedroom is 30' from there and the noise is all ready unbearable. When complaints were made they would comply for a short time and then would fall behind again. He feels that it is a disaster waiting to happen in the morning with the traffic there now.

Mr. Jim Buckley lives in back of Dunkin Donuts and stated that he would also like to know about the noise pollution, what decimals they will be producing. He also stated that the dumpsters are not being kept closed and in an enclosure. There are three dumpsters sitting outside with their lids open which brings rodents. He stated that he would like to have some compresser unit information. He also stated that parking is a problem there now daily especially on the Broad Street entrance.

Mr. Shah, manager of Dunkin Donuts was sworn in and testified that he is manager and works full time and is very familiar with the operations. He stated that the franchise is requiring these changes which requires remodeling to increase service. He stated that the refrigerator and compressor will be on top. The noise decimal will be the same as what is being presently used. As far as the dumpsters he keeps his closed but the whole mart area uses the dumpsters.

Mr. Montfort asked if there will be a buffer barrier which can be used?

Mr. Nebenzahl stated that the applicant should present the board with a noise expert or an architect with details about a buffer barrier. They must meet state requirements.

Mr. Cleary stated that Mr. Shah is willing to design the system in any way to satisfy the board members.

Mr. Nebenzahl stated that the dumpsters must be repaired and the ones outside the enclosed area must be removed.

Mr. Shah stated that he will repair his by installing gates and the rest of the problems are with the other stores in the mall. The health department will have to be notified of the problem and asked to enforce the issue.

Mr. Groody stated that he would like to know the total decimal of the noise measurements.

Mr. Kramer also started that he would like to see manufacturer decimal specifications.

Motion was made by Mrs. Rinear to carry this application to March 4th meeting, motion was seconded by Mr. Buccellato. All members voted in favor.

2. Peggy Leifeste - clarification of resolution. Mrs. Leifeste asked if she can only use the property for the one use that she requested? Mr. Stockel stated yes and if she ever wanted to change use she would have to come back in with a new application because it is not zoned commercial.

3. Amerada Hess Corporation - Sign Replacement.

Mr. David Zuckerman was sworn in as architect and planner for the applicant. He stated that they are requesting to replace the signs that are on the property and enlarge one sign to be able to combine all information in one area. It will be a steady sign not one that rotates and the larger sign was recommended because of the location of the station. The sign will be consistent with other signs in the area.

OPEN TO BOARD: Mr. Montfort stated that he is not convinced that such a large sign is needed and asked if the size could be reduced? Mr. Zuckerman stated that the sign can be amended to 82sq.'

OPEN TO PUBLIC: None

Motion was made by Mr. Duffy and seconded by Mrs. Rinear to approve application with amended sign size of 82sq' . All members present voted in favor.

4. Val-Lang Italian Enterprises - Site Plan -

Mr. Robert Landa, attorney for the applicant was sworn in and presented Mr. Robert Banda engineer for site plan. Mr. Banda stated that they are asking to amend the original application to open their business in the present location.

Mr. Nebenzahl stated that the applicant paved the site without approval and the applicant revised the application to be able to open his business. He further suggested that they open temporarily not using any parking in the front. They will have to come back to the board with traffic flow to the satisfaction of the board engineer, landscaping plan which is not to interfere with site line which must be done within 60 days and that the new plan is to be submitted to the board engineer for his approval. Failure to comply will cause the business to be closed.

OPEN TO PUBLIC: Phil Kramer stated that the back of the building is being used as a passageway and must be marked off as fire lane and no parking or standing signs. He asked about the drainage calculations.

OPEN TO BOARD: Mr. Smith stated that he does not anticipate any more drainage into the site.

Motion to carry this application for 60 days was made by Mr. Montfort, seconded by Mrs. Rinear with the following conditions: Planning board engineer approval. paved area is to be striped to assure one way traffic flow clockwise around the building, approved site plan drawings be submitted by April 1st and landscaping and drainage plans be submitted. All members present voted in favor to carry the application.

OPEN TO PUBLIC: None

Motion to adjourn this meeting of the Unified Planning/Zoning Board was made by Mr. Duffy, seconded by Mrs. Rinear. All in favor.

The next business meeting will be held on Monday, March 4, 2002.

PREPARED BY: Pamela J. Penniplede
Pamela J. Penniplede, Recording Secretary

c: Board Members
Mr. P. Kramer
Mr. K. Smith, board engineer
Mr. L. Nebenzahl, board planner
Mr. J. Stockel, board attorney
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