

MATAWAN PLANNING/ZONING BOARD
MEETING

DATE: February 21, 1996

TIME STARTED: 7:45 P.M.

TIME ENDED: 9:20 P.M.

IN ATTENDANCE: Mr. J. Springer
Mr. J. Duffy
Mr. E. Schlotzhauer
Mrs. E. Rinear
Mr. R. Shuey
Mr. R. Strang
Mr. J. Roselli
Mrs. L. Nicora

ALSO IN ATTENDANCE: Mr. John Stockel, Board Attorney
Mr. L. Nebenzahl AICP, P.P., THP, Inc.
Mr. R. Bucco, Board Engineer
Pam Penniplede, Board Clerk

The meeting was called to order by Chairman Robert Strang 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

PLEDGE OF ALLEGIANCE.

MEETING MINUTES: Approval of meeting minutes January 17, 1996 .

CORRESPONDENCE: None

VOUCHERS: Approved.

OLD BUSINESS: Oaths of Office.

Oaths of Office were given to James Springer, Robert Strang and Lois Nicora by John Stockel.

Resolution of memorialization for granting approval for a minor subdivision of property located on Union Street known as Lot 1 Block 75' and Lot 1 Block 76, owner William

Struther. Approval of such was voted on at the meeting of December 18, 1995.
Resolution was read and signed.

NEW BUSINESS:

Ramesh Patel - Variance application for variance or exception for the use of upper floors for residential purposes. Property owned on 136 Main St., Matawan.

Mr. Patel was sworn in as the owner of the above property and the applicant for the Use Variance. Mr. Patel requested that he be approved for residential use of the second floor of his store which is located on 136 Main Street. At the present time he has office space for rent and has not been able to rent them out. Mr. Patel furnished board members with plans. Mr. Stockel informed Mr. Patel that Mrs. Rinear and Mr. Shuey were not able to hear his Use Variance application and that there would only be five member available to vote on the application. Mr. Patel consented to proceed to present his application to the board.

Mr. Patel testified that he owns a store and is presently trying to rent the upper floor out as offices. Mr. Nebenzahl stated to Mr. Patel that he must show the board Special Reason for this Use Variance. Mr. Patel stated that he is having financial difficulties because he has been unable to rent the offices out for the past year and a half. His property is located in a GB Zone. Mr. Patel advised that sufficient parking is available. An office building is located next door and the building on the other side has apartments on their top floors.

Mr. P. Kramer, the fire official, stated that upon inspection of the building with members of the Borough council that he advised Mr. Patel that a sprinkler system must be installed and a staircase in the back of the building to conform to fire codes.

OPEN TO PUBLIC:

Barbara Hickey, Indian Trail asked how many apartment would be on this property?
Mr. Patel stated that he plans to put three apartments above the store and one apartment on the third floor for a total of four apartments.

Robert Montfort asked if there would be any exterior changes in the building?
Mr. Patel stated that none were to be made. Mr. Montfort asked that as a member of the Historical Society that if Mr. Patel ever plans to change the exterior that he please inform the Historical Society.

Motion to approve Mr. Patel's Use Variance application was made by Mr. Springer and seconded by Mr. Roselli. Roll call was taken and five members voted to approve.

Frank Giordano - Minor Subdivision Block 121, Lot 7.04

Mr. Frank Giordano for application for subdivision on Tina Place. Applicant could not be heard because the notification to the neighboring residents was incorrectly posted as to the location of the meeting place and the time of the meeting. This applicant will be heard at the next Planning/Zoning board meeting which is scheduled for March 18, 1996.

William Cherry - Use Variance change on 1 Franklin St., Lot 49 Block 29

Mr. William Cherry was sworn in by Mr. J. Stockel and testified that he is requesting to construct a single story dwelling with a detached garage on 1 Franklin Street where a house had been torn down and leveled. This would be built on an undersized lot 41 feet wide, 118 feet deep in a R75 Zone. Mr. Nebenzahl stated that the use is permitted on an undersized lot but would require a C variance. Public notification in the newspaper within ten (10) days of meeting date was done and proof of notification to property owners within two hundred (200) feet was submitted and verified by Mr. Stockel.

OPEN TO PUBLIC:

Mr. James Shea of Matawan inquired about the easement running from Franklin St to Monroe St. and inquired if the garage would be on the easement. Mr. Cherry advised that this is not a public easement but a utility easement and runs right to the side of the building and is ten feet wide. The building would not be on the easement. A stipulation can be included in the approval of the application stating that there can be no building constructed on the easement.

Mr. Stockel stated that this easement should be shown on Mr. Cherry's plans for the footprints for the garage. Mr. Cherry informed Mr. Stockel that this easement is not even on his property which is why it is not shown on his plans. Mr. Bucco, Borough engineer advised that according to the tax map that this is not a road easement but a utility easement on Lot 49.

Motion to approve Mr. Cherry's application was made by Mrs. Rinear and seconded by Mr. Springer. Roll call was taken and all board members voted to approve.

CIF, Lot 3, Block 6 - Use Variance to change the use of building for Bakery tenant in a General Business Zone.

Mr. Shuey advised that since he could not vote on this application that the alternate board member Class II, Lois Nicora would be eligible to vote in his place.

Mr. Cifelli was sworn in by Mr. Stockel and testified that he is applying for approval to put in a bakery in the lower level. Mr. Cifelli was informed that a full board was not present to vote and that he would have the choice to accept the board vote of the available members or wait to be heard before a full compliment. Mr. Cifelli's attorney

advised that they would be heard with the board membership as it stands. Plans of the proposal were furnished to the board members.

Mr. Cifelli informed the board that he would like to rent the bottom floor of 60 Main St., under the Matawan Liquor store out for a bakery. Italian bread would be baked at night and delivered during the day. Approximately two small trucks would be used for transportation and there would not be any business during the daytime. This bakery will be used for baking purposes only and not for resale.

Mr. Bucco advised that if this application is approved Mr. Cifelli would have to comply with all the building codes and fire codes through the Construction official. Mr. Kramer advised that a full sprinkler system would have to be installed. Mr. Cifelli understands that these codes will have to be met. Mr. Kramer and Mr. Nichols will provide a full inspection.

Mr. Duffy inquired about a loading dock. Mr. Cifelli informed that there are overhead doors for loading.

Mr. Nebenzahl informed the board that this applicant does not need a Use Variance, however does need a Site Plan approval. He advised that the applicant can ask for a waiver of the Site Plan requirement. A waiver was requested for a Site Plan approval by Mr. Cifelli's attorney.

OPEN TO PUBLIC: No discussion by the public.

A motion was then made to accept the amendment to the application for the waiver of a Site Plan by Mr. J. Duffy and seconded by Mrs. Rinear. Roll call was taken and approval for waiver of the Site Plan was voted on and granted.

The floor was then opened for any questions for the approval of a Site Plan waiver. No questions were presented. The Site Plan was waived subject to the approval of the board members and a motion was made by Mr. Springer and seconded by Mrs. Rinear to take a vote. Roll call was taken and approval for the waiver of a Site Plan was voted on and granted.

Ed Tighe - Variance for use of Sign 759 Route 34, Matawan

Mr. Stockel then advised the board that because Mr. Tighe is his client he will have to step down from hearing this application.

Mr. D. Paula representing Mr. Tighe advised that this application is being made for the installation of a 45" x 12'6" sign located on 759 Route 34.

Mr. Tighe was then sworn in by Mr. Strang and testified that the sign that he proposes to install will be approximately 50' square feet and approximately 18.8' in height and will be at least 20' behind the road. The present sign has become obstructed by plantings that have been added through the years. A variance for size and setback is being requested.

Mr. Nebenzahl advised that the area of the sign does not exceed the area requirements and the applicant will need a Setback Variance. The applicant wants to install the sign one foot off of his property which will not obstruct any other signs on adjacent properties that are presently there. This sign will not be on the highway property line and the height requirement will be met. Mr. Bucco informed the board that Mr. Tighe is only requesting a one foot Set Back variance where a ten foot setback is required.

OPEN TO PUBLIC:

Robert Montfort asked what type of vegetation is obstructing the present sign?
Mr. Tighe informed him that there are eight maple trees obstructing his sign.

Motion to grant this variance for the set back was made by Mrs. Rinear and seconded by Mr. J. Roselli. Roll call was taken and approval of this variance was given by majority vote of the board members. (6 yes 2 no)

Mr. Nebenzahl suggested that Mr. Nichols should be advised that the Zoning Ordinance allows that the signs can be 50 sq. feet per side.

Carol Buchanan - Minor Subdivision Block 66.12, Lot 13, 175 Ravine Drive, Matawan

Mr. Tom Ryan representing Carol Buchanan was sworn in by Mr. J. Stockel. Mr. Ryan testified that he is not the owner but was representing the owner at her request. Mr. Stockel informed Mr. Ryan that since he is not an attorney nor the owner of the property he cannot formally represent the owner. A waiver of notification will be made until this application can be heard by the owner of the property.

An informal discussion was presented at this time and the board and public were informed that this application was for a subdivision for two lots to create one additional building lot, both lots will meet the minimum area requirements but one lot will not meet the area width requirements. This will be a single dwelling with a garage. Formal hearing on this applicant will be rescheduled for the March 18, 1996 Planning/Zoning Board meeting and will be placed on the agenda.

Motion was made to adjourn this meeting by Mr. J. Roselli and seconded by Mr. Duffy. The Planning/Zoning board meeting of February 21, 1996 was adjourned at 9:20 p.m.

A workshop meeting was then scheduled for the Planning/Zoning board which will be held on Monday, March 4, 1996 at the Matawan Municipal Community Center at 7:30 p.m.

The next scheduled business meeting for the Planning/Zoning board will be held on Monday, March 18, 1996 at the Matawan Municipal Community Center at 7:30 p.m.

END OF MINUTES

PREPARED BY:


Pamela J. Pennipede, Board Clerk

c: Mr. R. Strang, Board Chairman
Mr. J. Springer, Board Vice Chairman
Mr. E. Schlotzhauer, Board Secretary
Mrs. E. Rinear
Mayor R. Shuey
Mr. P. Buccelato
Mr. J. Sullivan
Mr. K. Groody
Mr. J. Duffy
Mr. B. Smith
Mr. J. Roselli
Mrs. Lois Nicora
Mr. P. Kramer, Fire Official
Mr. R. Bucco, Board Engineer
Mr. J. Stockel, Board Attorney
Mr. L. Nebenzahl, Board Planner
file

AGENDA - FEBRUARY 21, 1996

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES OF JANUARY 17, 1996
5. APPROVAL OF VOUCHERS: THP, INC.
6. CORRESPONDENCE
7. OLD BUSINESS: Oaths of Office - Lois Nicora, Robert Strang,
James Springer
Resolution for William Struther, Minor Subdivision-
Block 75, Lot 1 & Block 76, Lot 1
8. NEW BUSINESS: Mr. Patel - variance
Mr. Giordano - subdivision Tina Place
William Cherry - Subdivision
Cifelli variance for 60 Main St.
Ed Tighe - variance for sign
Tom Ryan/Carol Buchanan - subdivision and variance for
175 Ravine Drive
9. OPEN TO PUBLIC
10. ADJOURNMENT