SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF AUGUST 28, 2013**

**The regular meeting of the Board of Adjustment was called to order by Mr. Kuczynski, Vice Chairman and opened with a salute to the flag. Mr. Kuczynski announced that the meeting was being conducted in accordance with the Sunshine Law.**

**Members of the Board of Adjustment present were: Mr. Kuczynski, Mr. Kreismer, Ms. Catallo, Mr. Lewis,**

**Mr. Green, and Mr. Corrigan**

**Absent Members: Mr. Walsh, Mr. Emma, Ms. Fisher**

**Also present were: Mr. Sachs, Attorney, Mr. Cornell, Engineer and Mr. Leoncavallo, Planner**

**#13-16 Latonya Barbery 92 Harding Ave. Bulk Variance/Pool/Deck $ 200.00 App.**

**Mr. Sachs stated he reviewed the affidavit of publication and proof of public service and the Board had jurisdiction to hear the application. Mr. Kuczynski asked for motion to deem application complete, Mr. Kreismer**

**made motion; Mr. Corrigan seconded, motion carried.**

**Mr. Sachs swore in Latonya Barbery who stated that the pool and deck were already up without permits; she didn’t realize she needed permits.**

**Mr. Leoncavallo stated the following variances:**

 **- Pool encroaches the rear yard 10’ minimum the applicant has 4’**

 **- Pool encroaches the side yard 10’ minimum the applicant has 2.5’**

 **- Accessory structure 10’ minimum the applicant has 3’**

 **- Deck encroaches side yard 5’ minimum the applicant has 2.5’**

**The applicant stated that there was no other area as the garage had previously been extended to a two car garage. Mr. Green asked the applicant how long ago the pool and deck were installed; she said back on April 24, 2013. Mr. Kreismer asked if the pool was in ground; she stated no it was an above ground 15 x 30 pool. Mr. Leoncavallo asked if the yard was fenced; she said there is a retaining wall in the rear and the rest of the yard is fenced in and there is a fence all around the pool. Mr. Green asked if the fence was inspected by the Borough; the applicant stated it was inspected on April 20, 2012 and she did have a fence permit. Mr. Kuczynski asked how deep was the pool she said 52” and was filled to 42.” Mr. Lewis asked if the fence between the pool and neighbor’s yard was chain link; she said it was a 5’ solid fence and also there was a fence on top of the retaining wall. Mr. Kreismer asked if the deck was around the pool; the applicant stated it was in front.**

**Mr. Kuczynski asked for motion to open public portion; Mr. Kreismer made motion to open public portion,**

**Mr. Corrigan seconded.**

**Mr. Sachs swore in:**

**Todd Wolff – 88 Harding Ave. Mr. Wolff stated that the pool was too close and the deck was an invasion on his privacy. He said when the pool is in use it is noisy. Mr. Sachs asked if a higher fence would help; Mr. Wolff said the main problem was the deck and noise. Ms. Catallo asked if the deck was removed would that help the situation; Mr. Wolff felt that it would help. Mr. Kuczynski said that perhaps the applicant could remove the deck; Mr. Sachs said she could also lower and make it a 3’ deck. Ms. Catallo stated perhaps paver blocks around the pool would help the situation.**

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**Mr. Sachs suggested that the deck be removed as a condition of approval. Ms. Barbery stated she would be agreeable to removing the deck and lowering it to patio standard so she could reuse the deck wood. Mr. Kuczynski asked that she remove the legs of deck.**

**Mr. Sachs stated for the record that this was built without approvals and said the legs will be removed and the deck will be left on the ground. This will be a condition of approval.**

 **Mr. Kuczynski asked for motion to close public portion; Mr. Kreismer made motion to close public portion,**

 **Mr. Kuczynski seconded, motion carried.**

**Mr. Kuczynski asked for motion to approve/deny this application with amendments to the deck. Mr. Kuczynski**

**made motion to approve the application, Mr. Corrigan seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Corrigan**

**No: Mr. Lewis, Mr. Kreismer, Ms. Catallo, Mr. Green**

**#13-21 Joel Steinberg 23 Vincent St. Bulk Variance/Addition/Cantilever $ 50.00 App.**

**Mr. Sachs stated he reviewed the affidavit of publication and proof of public service and the Board had jurisdiction to hear the application. Mr. Kuczynski asked for motion to deem application complete, Mr. Kreismer**

**made motion; Mr. Corrigan seconded, motion carried.**

**Mr. Sachs swore in Joel Steinberg who stated he just purchased the property. The home is a two bedroom with one bath. He is renovating the entire house; but cannot move the staircase to access the second floor. He is looking to put a cantilever to get to the 2nd level. He plans to restore the house completely.**

**Mr. Leoncavallo stated the following variances:**

 **- Proposed cantilever encroaches on the side yard 8’ minimum the applicant is proposing 4.8’**

**The applicant stated that the driveway is a 2 car drive and that is why the 4.8’ is the issue. He said visually all the houses look the same. He said there is a soffit there now which overhangs 12’ and he will just be adding there and making a hallway, moving 2’ back and 2’ front. He said all renovations and siding will match. Mr. Green asked when he planned on starting the project; Mr. Steinberg said he was hoping to start before winter; and weather permitting complete project in 8 weeks. Mr. Kreismer questioned an egress on the 2nd floor and suggested it be added to the construction drawings. Mr. Lewis asked if the house next door is also 2 floors, the applicant said it had a dormer in the rear. Mr. Kreismer asked about the porch on the side; Mr. Steinberg said the stairs go up to the kitchen or down to the basement area.**

**Mr. Walsh asked for motion to open public portion; Mr. Kreismer made motion to open public portion,**

**Mr. Corrigan seconded. No one spoke. Mr. Kuczynski asked for motion to close public portion; Mr. Kreismer**

**made motion to close public portion, Mr. Lewis seconded, motion carried.**

**Mr. Kuczynski asked for motion to approve/deny this application. Mr. Kreismer made motion to approve the application, Mr. Corrigan seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Lewis, Mr. Kreismer, Ms. Catallo, Mr. Green, Mr. Corrigan**

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 **#13-22 Judith Lahrman 146 Pulaski Ave. Bulk Variance/Shed $ 50.00 App.**

**Mr. Sachs stated he reviewed the affidavit of publication and proof of public service and the Board had jurisdiction to hear the application. Mr. Kuczynski asked for motion to deem application complete, Mr. Kreismer**

**made motion; Mr. Kuczynski seconded, motion carried.**

**Mr. Sachs swore in Judith Lahrman who stated she wanted to put a shed in her yard with a screened in porch and the shed is larger than allowed. It will be strictly for storage of a lawn mower, garden tools and extra items. Mr. Kuczynski asked if the storage was for any type of business, the applicant said “no.”**

**Mr. Leoncavallo stated the variances:**

 **- Maximum for shed is 150 sq. ft. the applicant is proposing 200 sq. ft. It has a wall and screened in porch.**

**Mr. Kuczynski asked if it met all bulks, Mr. Leoncavallo said it did. Mr. Kuczynski asked about the height, the applicant said it was height of a standard shed. Mr. Kuczynski asked if there would be any electric or plumbing, the applicant said “no.” Mr. Green asked if the shed had a floor, Mr. Sachs said the floor was made of plastic and wood. The applicant said the Amish company she is purchasing from will be installing the shed; Ms. Catallo asked why the porch, the applicant said just to sit on.**

**Mr. Walsh asked for motion to open public portion; Mr. Kreismer made motion to open public portion,**

**Mr. Corrigan seconded. No one spoke. Mr. Kuczynski asked for motion to close public portion; Mr. Kreismer made motion to close public portion, Mr. Corrigan seconded, motion carried.**

**Mr. Kuczynski asked for motion to approve/deny this application. Mr. Kreismer made motion to approve the application, Mr. Corrigan seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Lewis, Mr. Kreismer, Ms. Catallo, Mr. Green, Mr. Corrigan**

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**MEMORIALIZATION OF RESOLUTIONS**

**#13-12 Ronald Sekman 16 No. Edward St.**

**Mr. Kuczynski asked for motion to memorialize resolution. Mr. Kreismer made motion to adopt the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Kreismer, Mr. Green**

**#13-14 Lisa Marcelino 211 Cliff Ave.**

**Mr. Kuczynski asked for motion to memorialize resolution. Mr. Kreismer made motion to adopt the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Kreismer, Mr. Green**

**#13-15 JCP&L River Road**

**Mr. Kuczynski asked for motion to memorialize resolution. Mr. Kreismer made motion to adopt the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Kreismer, Mr. Green**

# ACCEPTANCE OF MINUTES

# Mr. Kuczynski asked for motion to approve and accept the minutes of the July 24, 2013 meeting. Mr. Kreismer made motion to accept the minutes; Mr. Kuczynski seconded, motion carried.

**Before adjournment, Mr. Sachs stated regarding the litigation for Jersey Cooperage and Leaf Industries he was still waiting for the appellate dates.**

**ADJOURNMENT**

**There being no further business to discuss, Mr. Kuczynski asked for motion to adjourn, Mr. Kreismer made**

**motion to adjourn; Mr. Corrigan seconded, motion carried.**

  **Respectfully submitted,**

 **Joan M. Kemble**