SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF DECEMBER 10, 2014**

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

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

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

**#14-35 Hector Luna 15 Ida St. Bulk Variance/Shed $ 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. Henry seconded, motion carried.**

**Mr. Sachs swore in Robert Luna, son of the applicant, residing at 15 Ida St. Mr. Luna stated that his parents were looking for approval for a few variances so they can install a shed. Mr. Kuczynski asked him if the shed was already up, he stated “yes.” Mr. Kuczynski asked for the size of the shed Mr. Luna stated it was an 8’ x 8’ shed used for storage of the lawn equipment and pool equipment. Mr. Kuczynski asked if there would be any commercial activity, Mr. Luna stated it would just be for personal items; Mr. Kuczynski asked for the height of the shed, Mr. Luna said was 6-7’ high he was not sure. Mr. Henry asked if it was a prefab, the applicant stated “yes.” Mr. Green asked when the shed was installed; the applicant stated the Summer of 2013.**

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

 **- R7 zone an 8’ x 8’ shed side yard setback 5’ minimum the applicant is proposing 3 1/2'**

 **- Accessory structure to principal structure 10’ minimum the applicant is proposing 7 1/2 ‘**

 **- Accessory structure to pool 10’ minimum the applicant is proposing 7 ½’**

 **- Lot coverage 20% minimum the applicant is proposing 22%**

**Mr. Sachs asked the applicant if they would agree as a condition of approval that there be no electric or plumbing; Mr. Luna said “yes.”**

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

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

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

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**#14-36 Peter Bellizzi 8 Tannehill Lane Bulk Variance/Garage $ 150.00 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 Peter Bellizzi, 8 Tannehill Lane who stated he wanted to put up a two car garage on the left side of the house on an existing concrete pad for antique vehicles. It will be an Amish pre-constructed one story garage approximately 12’ high. They will not be conducting any commercial or outside business and there would just be power for light and the garage door. Mr. Leoncavallo stated the following variances:**

 **- A garage in the R7 zone maximum is 150 sq. ft. the applicant is proposing 20’ x 24’ – 480 sq. ft.**

 **- Maximum lot coverage 20%, the applicant is proposing 30%**

 **- Front yard setback minimum 20’ the applicant is proposing 8’**

**Mr. Sachs announced that this application could not be voted on tonight. They had conversation with the applicant before beginning the meeting regarding a 10’ easement appearing on the survey. The westerly portion of the garage will be on top of this easement. Mr. Sachs asked the applicant to contact their attorney for a title search as the board will need to see recorded documentation.**

**Mr. Sachs stated that the board will hear public comments if there are any and once the requested documentation is provided the professionals will have to review. Mr. Cornell passed out an aerial view as well as a copy of the tax map showing that the property is not all his. Mr. Henry asked if the garage was going to fit right onto the concrete pad; Mr. Bellizzi stated that the pad is larger than the garage, he described the location and the basement entrance. Mr. Henry asked if the concrete pad was thick enough to accommodate the garage, the applicant said “yes.” Mr. Green asked who the easement belong to, Mr. Bellizzi said he thought it might be Dupont. The pad was already there they would just be dropping the garage on top. Mr. Kuczynski asked about the retaining wall shown on the survey in the rear, Mr. Bellizzi said it was only 4 ½’ in height.**

**Mr. Sachs announced that there would be no re-notice and the applicant needed to do the following:**

 **- Contact Mr. Weber the attorney who did the survey and get a copy of the easement documentation**

 **for the professionals to review; as it could be expired**

 **- The application will be carried to the January 28, 2015 meeting**

 **- Mr. Sachs stated that the applicant may need to get the easement vacated so if the January meeting**

 **was not going to be good just to notify the zoning office.**

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

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

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

**Mr. Kuczynski asked if the hearing portion of the meeting was completed; Mr. Sachs said that the public portion would be open again at the January meeting.**

**Mr. Kuczynski asked for motion to hold the application over to the January 28, 2015 meeting; Mr. Kreismer made motion; Mr. Corrigan seconded. Motion carried.**

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**MEMORIALIZATION OF RESOLUTIONS**

**#14-24 Gregory Burns 12 Morris Court**

**Mr. Kuczynski asked for motion to memorialize resolution. Mr. Henry made motion to adopt the resolution;**

**Mr. Green seconded. Roll Call:**

**Yes: Ms. Catallo, Mr. Green, Mr. Henry**

**#14-34 Shirley Hays 18 Ash Terrace**

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

**Yes: Mr. Kuczynski, Mr. Kreismer, Ms. Catallo, Mr. Green, Mr. Henry**

# PUBLIC PORTION

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

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

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

# ACCEPTANCE OF MINUTES

# Before acceptance of the minutes Mr. Kreismer made a correction to page 3; Mr. Kuczynski made correction to page 4. Both corrections will be made and revised minutes will be sent out.

# Mr. Kuczynski asked for motion to approve and accept the minutes of the November 25, 2014 meeting with both corrections made, Mr. Kreismer made motion to accept the minutes with corrections; Mr. Henry seconded, motion carried.

**Before adjourning Mr. Kuczynski asked if there were updates on any litigation. Mr. Sachs stated that he will be filing a motion to dismiss the litigation on the Temple and there should be a hearing sometime in January. He stated while going through the paperwork he found a letter sent to the board asking for a withdrawal of their application.**

**Mr. Green addressed the Quick Chek application heard last month and asked Larry Sachs to send a letter to our Police Traffic Bureau and ask for a traffic study as he found discrepancies in the study provided by Quick Chek. Mr. Green said with his prior police experience changing the timing on a light indicates an increase in traffic. He also felt the Police should have input. Mr. Sachs stated that in the past the Police Department has provided the board with such studies but giving a study on traffic accidents when asked. Jay Cornell said that the original study presented to the board was done when the work on Ernston Rd. and Bordentown Ave. was in progress. He said after the work was completed they were asked to provide a new study. Mr. Sachs said he will make a request; Mr. Green asked that it be before the January meeting and also include an accident study.**

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**Ms. Catallo asked about the number of gas stations within a certain radius; Mr. Sachs said this was one issue they were seeking a waiver for as there are four stations. Mr. Green stated the ordinance says there can only be three stations and the church is also a problem. Jay Cornell said he and John Leoncavallo already met with the applicant regarding their signs. Mr. Green asked if this would be voted on in January; Mr. Kuczynski said “yes.”**

**ADJOURNMENT**

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

**made motion to adjourn; Mr. Henry seconded, motion carried.**

  **Respectfully submitted,**

 **Joan M. Kemble**