SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF OCTOBER 26, 2016**

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

**Members of the Board of Adjustment present were: Mr. Walsh, Mr. Green, Mr. Kuczynski, Mr. Kreismer,**

**Mr. Corrigan**

**Absent Members: Ms. Catallo, Mr. Henry, Mr. Emma, Mr. Esposito**

**Also present were: Thomas Roselli, Attorney (For Mr. Sachs), Mr. Cornell, Engineer and Mr. Leoncavallo, Planner**

**#16-24 Robert Downey 382 Washington Road Use Variance/Site Plan $1,000.00 App.**

**$1,500.00 Esc.**

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

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

**George Pressler, Esq. addressed the board explaining that the application was a use variance as this is in an R7 Zone and the applicant wants to construct childcare facility to utilize as a playground.**

**Mr. Roselli swore in: Robert Downey, 302 Jernee Mill Rd. Mr. Downey described the site on the drawing presented and marked Exhibit A1, dated October 26, 2016. A daycare facility in the B1 Zone was previously approved by the Board. He recently purchased a house on the other side which is in the R7 Zone. He wants to demo the garage on the lot and convert into a playground for the daycare facility which would alleviate safety issues. At present the fencing is 10’ from Ridge Rd., he is proposing 15’ as well as a shed. Currently the children have to walk across the parking lot, but with the new playground he would install a stairway for the children to walk out to from the daycare. Parking is not an issue for any other residents on the street. Mr. Kuczynski asked if the playground would be a certain size, Mr. Downey said “yes.” Mr. Walsh asked what the shed would be used for, Mr. Downey said for storage of toys.**

**John Leoncavallo stated the variances:**

* **R7 Zone two family is an existing non-conforming use the applicant is asking for a component not allowed and would be an expansion of this non-conforming use creating a D2 variance. Child care centers are permitted uses in all zones – family care up to 5 children.**
* **Bulk variance for parking**
* **Fence 2 front yards no onsite fencing**
* **Parking would be around the rear of the building no onsite parking**

**Bob stated he would be adding a fence using the fence already in place which is 10’ adding 5’ more making if 15’. Mr. Kuczynski asked if there would be any landscaping, Bob said while it was not a State requirement he was open to suggestions for landscaping from the board members.**

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**MINUTES – OCTOBER 26, 2016**

**Mr. Leoncavallo recommended 8-9 shrubs at the northern end of the fence outside the playground. Mr. Roselli asked Mr. Pressler to present the positive and negative criteria; Mr. Pressler said the positive was the safety component as the children will not have to cross the parking lot; he sees no negative criteria with the application.**

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

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

**Mr. Roselli swore in:**

**Tom Kuchta – 17 Charlotte St. Mr. Kuchta wanted to bring to the attention of the board members that Mr. Downey falsified facts on his March 2014 application and addressed Exhibit A2 (a copy of the March 2014 application). He said the board never should have approved that the playground could be on his property and stated that it would be in the board’s best interest to put tonight’s application on hold. Mr. Roselli stated he was looking at the application Mr. Kuchta presented and saw no issues. Mr. Kuchta said the fence was on his property and belonged to him; he would have to move it over 1’.**

**Barbara Kilcommons – 22 Schmitt St. Mrs. Kilcommons also suggested that the application tonight be postponed as the March 2014 application is in litigation and it was ironic that it was being heard right before the scheduled October 31st court hearing. She also indicated that the board members need to be more aware of the applications they are approving.**

**Mr. Kuchta addressed the board stating they could do whatever they chose but they also should know there was a nudist living across the street and a documented pedophile two blocks over.**

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

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

**Mr. Green addressed the public comments made and stated that the comments were out of line and that the board members take pride in their service to the community and they do the best job they can.**

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

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

**Mr. Walsh asked for motion to approve the 2017 Meeting Schedule. Mr. Kreismer made motion; Mr. Corrigan seconded, motion carried.**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – SEPTEMBER 28, 2016**

**MEMORIALIZATION OF RESOLUTIONS**

**#16-17 Kevin Russell 12 Wilson Ave.**

**Mr. Walsh asked for motion to memorialize resolution. Mr. Kreismer made motion to adopt the resolution with the referenced conditions; Mr. Green seconded. Roll Call:**

**Yes: Mr. Green, Mr. Kuczynski, Mr. Kreismer, Mr. Henry, Mr. Emma, Mr. Esposito**

**#16-18 Verizon Wireless 1899 Highway 35**

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

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

**#16-20 Edward Mroczkowski 50 Scott Ave.**

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

**Mr. Corrigan seconded. Roll Call:**

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

**#16-22 Donna Mraz 409 Washington Rd.**

**Mr. Walsh asked for motion to memorialize resolution. Mr. Walsh made motion to adopt the resolution**

**Mr. Kreismer seconded. Roll Call:**

**Yes: Mr. Walsh, Mr. Green, Mr. Kreismer, Mr. Corrigan**

# ACCEPTANCE OF MINUTES

# Mr. Walsh asked for motion to approve and accept the minutes of the September 28, 2016 meeting. Mr. Kreismer made motion to accept the minutes; Mr. Corrigan seconded, motion carried.

**ADJOURNMENT**

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

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

**Respectfully submitted,**

**Joan M. Kemble**