SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF APRIL 24, 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. Lewis, Mr. Kreismer, Ms. Fisher,**

**Mr. Green and Mr. Emma**

**Absent Members: Mr. Walsh, Ms. Catallo and Mr. Corrigan**

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

**#13-10 David Pollando 15 Oakwood Dr. Bulk Variance/Addition $ 100.00 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; Ms. Fisher seconded, motion carried.**

**Mr. Sachs swore in David Pollando who stated that he wanted to construct an addition. He said he has six children and needs more room. Mr. Sachs swore in James T. Farrell, LA.; Mr. Farrell described the 1,910 sq. ft. proposed ground floor. He stated the addition would be off the existing home in the rear and would give additional living space and bedrooms on the second level. The existing dwelling is a split level, single family home in the Oaktree East development, it is 1,600 sq. ft. with 4 bedrooms. They would like to expand the first floor to increase living space in the den area to accommodate the family. The second floor will consist of a total of seven (7) bedrooms, one being a master suite. Mr. Farrell said there was a side yard setback issue; in R20 zone 15’ for one 40’ for both**

**and the garage proposed in addition to the current two car garage**

**Mr. Farrell presented a color rendering marked Exhibit A-1 of the submitted plans. He stated from the street the house will remain the same with the exception of the third garage. Mr. Sachs asked about the bedroom on the first floor, Mr. Farrell said this was an existing original bedroom in the home. Mr. Farrell then presented a color rendering marked Exhibit A-2 showing the kitchen addition with the bedrooms, 8 in total. Ms. Fisher asked if the kitchen shown was an additional kitchen; Mr. Farrell stated it was just an expansion of the existing kitchen. Mr. Farrell then showed and discussed plans showing the kitchen expansion.**

**Mr. Leoncavallo stated the variances:**

 **- 2 Side Yard setbacks - on right 15’ required the applicant is proposing 8.6’ and 40’ for both**

 **- The garage proposed, which is an addition to the existing two car garage**

**Mr. Farrell stated that the impervious coverage was alright; Mr. Kuczynski asked if the addition would match the rest of the house; the applicant said that it would. Mr. Lewis asked if this was a corner lot the applicant said it was not a corner lot. David Pollando said younger people with families are now buying in the area; he also said that the front of the home will not be changing it will look the same. Mr. Kuczynski asked for the size of the lot; Mr. Farrell said it was 100’ x 200’ in an R-20 zone.**

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

**Mr. Kreismer seconded.**

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**Mr. Sachs swore in:**

**Thomas Pollando – 15 Oaktree Road. Mr. Pollando thanked the board for hearing the application and indicated that this was a hardship as his son was out of work and he was fortunate enough to be able to provide for his family and help them.**

**John Rucki – 13 Hendricks Court. Mr. Rucki wished the applicant good luck with the project. He asked who the homeowner was; the applicant stated his father owned the home. Mr. Rucki asked going forward what would prevent the home being converted to a two family. Mr. Sachs addressed this question stating there were one kitchen and one entrance as well as one unit for utilities. Mr. Rucki asked how many neighbors were notified, Mr. Sachs stated all on the list were notified and he went over the list before the application was heard.**

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

**Mr. Green seconded, motion carried.**

**Mr. Lewis asked about the accessory structure on the drawings; the applicant said it was a small temporary tent which they are removing; their shed was ruined with the hurricane and this was only used as a temporary storage area.**

**Mr. Kuczynski addressed the applicant indicating that there was not a full board present and if he chose to, he could have a polling of present board members and wait until the next meeting when all would be present.**

**Ms. Fisher wanted to state for the record that she has been on the board for years and has never made an application political, especially when she is reviewing and there is no reason not to approve.**

**Mr. Kuczynski asked board members to state any issues they may have. He then called on each member; all board members present had no issues with the application.**

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

**Yes: Mr. Kuczynski, Mr. Lewis, Mr. Kreismer, Ms. Fisher, Mr. Green, Mr. Emma,**

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**MEMORIALIZATION OF RESOLUTIONS**

# #13-07 Andrew/Kim Saniford 10 Kania Court

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

**Yes: Mr. Kuczynski, Mr. Lewis, Mr. Kreismer, Ms. Fisher, Mr. Green, Mr. Emma**

# #13-08 Fairfield Properties 15 Victory Plaza (Rtes. 35/9)

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

**Yes: Mr. Kuczynski, Mr. Lewis, Mr. Kreismer, Ms. Fisher, Mr. Green, Mr. Emma**

# ACCEPTANCE OF MINUTES

# Mr. Kuczynski asked for motion to approve and accept the minutes of the March 27, 2013 meeting. Ms. Fisher made motion to accept the minutes; Mr. Kreismer seconded, motion carried.

**Before adjourning, Ms. Fisher addressed the article in the Suburban mentioning a complaint filed by the Zoning Board regarding the Bhaktinidhi Temple. She stated that in the March 28th Suburban there was a retraction of this article as the complaint was not made by the Zoning Board, a request for an inspection was made by a Zoning Board member. She provided copies of this article for all board members present.**

**Mr. Sachs addressed the litigation for Jersey Cooperage and Leaf Industries and said they were still on appeal and his brief is almost completed. He said the hearing will be in Trenton probably sometime end of Summer or in the Fall. Mr. Sachs then talked about a letter received from the Temple’s attorney formally asking for the withdrawal of the application without prejudice stating they would be applying to the Planning Board. Mr. Sachs indicated that depending upon the application they submit, the possibility does exist that the new application will require Zoning Board approval. Ms. Fisher asked if in fact it does come back to the Zoning Board would the Zoning Board member who asked for the inspection of the Temple be able to hear the application.**

**Mr. Green addressed this question as he was the member who requested this inspection by the Zoning Officer. He stated that at the last meeting the Temple representative testified that currently there are 11 people residing at the Temple; this was never an approved use. He also testified that every day 150 people were present for religious services with more on the weekend. Mr. Sachs said the Zoning Board never filed a complaint and Mr. Green merely went to the Borough Zoning Officer asking him to check on this use. This is what triggered the escalation as they were not truthful. Mr. Sachs said the statement was retracted because the board has no authorization to file a complaint.**

**ADJOURNMENT**

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

**motion to adjourn; Ms. Fisher seconded, motion carried.**

  **Respectfully submitted,**

 **Joan M. Kemble**