SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF APRIL 22, 2015**

**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,**

**Ms. Catallo, Mr. Henry, Mr. Esposito**

**Absent Members: Mr. Corrigan and Mr. Emma**

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

**#15-03 Fady Gohbrial 39 Roll Ave. Use/Bulk Variance/Two Family $1,350.00 App.**

**$2,550.00 Esc.**

**Mr. Sachs 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 application complete,**

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

**Mr. Sachs had conversation with the applicant explaining that this application involves not only Bulk Variances but also a Use Variance. While there is a history of a two family use at the address the applicant does not have a planner present to testify to the positive and negative proofs. Mr. Sachs advised the applicant that he needs a planner for the application. He then announced that this application will be held over until the May 27th meeting without further notice. He addressed the public in the audience and stated they would not be notified and if they wanted to testify on this application they would have to attend the May 27th meeting.**

**#15-04 Sean Alberta 15 Albert St. Bulk Variance/Addition $ 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. Walsh asked for motion to deem application complete,**

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

**Mr. Sachs swore in Sean Alberta who stated he wanted to renovate his home with an addition; 2 stories. Mr. Leoncavallo stated the variances:**

* **R7 Zone lot configuration and deficiency 21’ from the property line**

**Mr. Henry asked if the driveway was used for the access to the garage; the applicant stated he would be removing the current driveway and will be installing one that goes to the garage. Mr. Walsh asked if the addition would have the same siding as the house; the applicant stated he was going to match it as best as he can. Mr. Walsh asked about water run off the applicant stated there would be none to his knowledge. Mr. Sachs asked if there would only be one kitchen in the house and remain single family; the applicant said “yes.”**

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

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

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

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

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

**#15-05 Robert Downey 323 Washington Rd. Use Variance/Two Family $1.500.00 App.**

**$3,500.00 Esc.**

**Mr. Sachs 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 application complete,**

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

**George Pressler, Attorney for the applicant addressed the board stating that Walter Hopkins, LE, LPP would be testifying on behalf of the applicant. He briefly described the lot, 343 Washington Road, as being in an R7 Zone stating that the applicant wanted to do a minor subdivision and was seeking approval for a Use Variance to construct a two-family residence. At present there is a single family home with a detached garage and the remaining lot would be the subdivision.**

**Mr. Sachs swore in Walter Hopkins, LE, LPP, WJH Engineering. He again described the lot as being 19,880 sq. ft. with an existing single family dwelling and detached garage, on the corner of Washington Road and North Edward Street, located in the R7 and Overlay Zones. The applicant still has an application before the Planning Board pending for retail which required no Use Variance nor were there Bulk Variances; the use was permitted. Mr. Downey decided to revisit the application based on concerns expressed by the neighbors. The existing single family dwelling and detached garage would remain on the lot and on the remaining 10,000 sq. ft. he would construct the two-family dwelling. He presented an aerial rendering of the property marked Exhibit A-1 showing an oversized lot along Washington Road, the new two family would consist of a 2100 sq. ft. footprint with the 10’ setback coverage met. There is an existing variance for the front yard setback 20’ minimum and 11.9’ exists. The existing width is 65.77’ and 65’ is the required maximum; however, the lot still remains an oversized lot of 9,288 sq. ft. as compared to the 8,500 sq. ft. for the zone. Mr. Cornell indicated the corner lot maximum is 85’ and the applicant is only proposing 65’.**

**Mr. Hopkins said the undue hardship was that the application presented was fully conforming but it was the concerns expressed by those present that triggered tonight’s application. Mr. Kuczynski asked if this was a valid reason; Mr. Sachs explained the application for the strip mall with 33 parking spaces and the number of objectors, as well as, concerns expressed by the Planning Board members. Mr. Downey took these comments and then decided to change the application as the Planning Board has not voted on the strip mall application. If tonight’s application is approved, the Planning Board application needs to be withdrawn.**

**Mr. Hopkins indicated that Mr. Downey will address all items in the reports from Mr. Cornell and Mr. Leoncavallo. Mr. Henry addressed the parking and asked if the egress/ingress would allow for a K-turn, Mr. Downey said “yes” and he will seek input from the Fire Department on the proposed driveways and parking. He said the two family rental will be subdivided; Mr. Green asked about Item #8 in Mr. Leoncavallo’s report about lighting; Mr. Downey said nothing is proposed it will only be house lighting and garbage pick-up will be at the curb.**

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

**Mr. Henry seconded, motion carried.**

**Mr. Sachs swore in:**

**Ronald Sekman – 16 No. Edward Street. Mr. Sekman asked if the proposed strip mall was cancelled; Mr. Sachs explained that if the application was approved tonight it would be cancelled. The existing house and garage on the lot are owned by Mr. Downey and are rentals. Mr. Downey described for Mr. Sekman on the drawing his proposed plan as well as the new driveway.**

**Wilma Montalvo – 329 Washington Road. Mrs. Montalvo asked about the driveways on the new property and asked if there would be enough room. Mr. Downey again showed on the drawing that the driveway would be two cars wide and two cars deep; he also described how the cars would be able to maneuver on the driveways.**

**Rosa Bianchi – 328 Washington Road. Mrs. Bianchi thanked Mr. Downey for the change in his application and his consideration for the neighbor’s concerns.**

**Richard Sosulski – 14 No. Edward Street. Mr. Sosulski also thanked Mr. Downey for changing the application. He said the neighbor across the street lives alone and has five (5) cars and he was concerned about parking.**

**Mr. Downey explained that he will be moving the new house back on the lot and will be adding additional space. Mr. Sachs said the driveway area facing No. Edward St. could be a condition of approval.**

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

**Mr. Henry seconded, motion carried.**

**Mr. Sachs stated that the conditions of approval would be:**

* **Comply with the reports from Mr. Cornell and Mr. Leoncavallo**
* **Pave the driveway 2 car width**
* **If the application is approved, the Planning Board application must be withdrawn**

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

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

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**MEMORIALIZATION OF RESOLUTIONS**

**#15-02 Isabel Bush 641 Main St.**

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

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

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

# ACCEPTANCE OF MINUTES

# Mr. Walsh asked for motion to approve and accept the minutes of the March 25, 2015 meeting.

# Mr. Kreismer made motion to accept the minutes; Mr. Henry seconded, motion carried.

**ADJOURNMENT**

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

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

**Respectfully submitted,**

**Joan M. Kemble**