SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF FEBRUARY 26, 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, Mr. Green,**

**Ms. Fisher, and Mr. Henry**

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

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

**Before hearing applications, Mr. Sachs swore in Kenneth Kreismer as a member to the Board of Adjustment.**

**#14-03 Kavin Vani 7 Liszka Lane 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; Mr. Henry seconded, motion carried.**

**Mr. Sachs swore in Kavin Vani who stated that he wanted to construct a sunroom and had variances in the rear yard. Mr. Leoncavallo gave the following variances:**

 **- Rear yard setback 25’ minimum the applicant is proposing 20’ in R-10 zone**

 **- Lot coverage 20% maximum the applicant is proposing 21%**

**Mr. Kuczynski asked how it would be constructed the applicant stated it would have a roof and all glass windows with a side door and steps. Mr. Kuczynski asked if the deck was being removed; the applicant said they would be replacing the joist in the deck and the addition would only be one story. Mr. Henry asked if the deck would remain a wooden deck the applicant said “yes.” Mr. Green asked the applicant what the timeframe was for completion the applicant said approximately 8 weeks.**

**Mr. Cornell addressed the board and wanted to get on record that the aerial photo shows a pool in the yard; however, the survey does not and after speaking earlier with the applicant he was told they will be removing the pool. There is also a 10 x 10 shed in the yard not shown on the survey so the percentage of the variance for lot coverage being proposed will go up to 22%. Mr. Green asked the applicant if they were removing the pool to accommodate the addition; Mr. Vani said “yes.”**

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

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

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

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – FEBRUARY 26, 2014**

**#14-05 Kent Fleming Swan Hill/Lower Broadway Use Variance/Site Plan $1,350.00 App.**

 **$2,750.00 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. Kuczynski asked for motion to deem application complete,**

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

**Ken Pape, Esq., attorney for the applicant addressed the board; he stated this application was for a D1 variance and bulk relief. He requested that this application be held over until the March 26, 2014 meeting. Some discussion took place before the meeting began and he was unaware of a cross easement. The beneficiary of this easement has concerns therefore Mr. Pape is requesting that the application be carried over to March without further notice or publication so he can address all the concerns. Mr. Sachs stated that he needed five (5) affirmative votes and there were only five members present and that perhaps in March there would be a full board.**

**Mr. Kuczynski asked for motion to carry over the application to the March 26, 2014 meeting without further notice or publication. Ms. Fisher made motion; Mr. Kreismer seconded. Roll call:**

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

**Mr. Kuczynski then addressed the public in attendance and explained to them the process and that they would not be receiving any further notice. If they wish to speak on this application they just need to attend the March 26th meeting at 7:30 PM.**

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**MEMORIALIZATION OF RESOLUTIONS**

**#13-20 Lenahan Chiropractic 837 Upper Main St.**

**Mr. Kreismer had a question on Page 2, Item #2 of the resolution which addressed the apartment upstairs; he thought there was only one apartment; Mr. Sachs said he would change the wording to one two bedroom apartment.**

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

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

**#14-02 Doreen Falcone 50 Merritt Ave.**

 **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, Mr. Green, Mr. Henry**

# ACCEPTANCE OF MINUTES

# Before approval of minutes Mr. Henry indicated that he is mentioned in the Reorganization Minutes as voting and he was not present. The secretary said she would make this correction.

# Mr. Kuczynski asked for motion to approve and accept the Reorganization (with corrections) and Regular Meeting minutes of the January 22, 2014 meeting. Mr. Kreismer made motion to accept the minutes; Mr. Henry seconded, motion carried.

**Before adjourning Larry Sachs addressed the board about the potential litigation with the Temple and in the event of any litigation he asked that the board make a motion to authorize him to act on the board’s behalf if this becomes necessary. He stated that their attorney has contacted him and wants to meet. Mr. Henry asked about the proposal made by the Mayor at the last council meeting regarding hiring a law firm to represent the borough. Larry said he would only be acting on behalf of the Board of Adjustment. Ms. Fisher made motion to authorize Larry Sachs to act on behalf of the Board of Adjustment with any litigation regarding the Temple; Mr. Kreismer seconded. Roll Call:**

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

**Mr. Kuczynski asked Mr. Leoncavallo if he would be doing the annual report; John Leoncavallo said he would be completing his report. Mr. Kuczynski asked for motion for John Leoncavallo to prepare report. Mr. Kreismer made motion; Mr. Henry seconded. Motion carried.**

**Larry Sachs addressed the Jersey Cooperage and Leaf Industries litigation and stated he had no updates at present he was still waiting for hearing dates.**

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**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**