SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF AUGUST 26, 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 Present were: Mr. Walsh, Mr. Green, Mr. Kuczynski, Mr. Kreismer, Ms. Catallo,**

**Mr. Henry, Mr. Emma and Mr. Esposito**

**Absent Members: Mr. Corrigan**

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

**#15-15 Eugene Zebrowski 11 Union Ave. Bulk Variance/Pool $ 100.00 App.**

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

**Mr. Womack swore in Eugene Zebrowski who stated he wanted to install a 12’ x 24’ pool. Mr. Leoncavallo stated the variances:**

* **Encroaches rear yard 10’ minimum, the applicant is proposing 5’**
* **Encroaches principle structure 10’ minimum, the applicant is proposing 5’**

**Mr. Esposito asked the applicant how high the fence was around the yard, Mr. Zebrowski said it was 6’ high;**

**Mr. Kuczynski asked if the pool was above ground, Mr. Zebrownski said it was above ground.**

**Mr. Green addressed the survey showing the masonry wall and asked if there were homes behind the wall,**

**Mr. Zebrowski said there was one house behind the wall.**

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

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

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

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

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

 **Mr. Esposito**

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**#15-19 Clyde’s Auto Recycling 6000 Main St. Use Variance/Trailer/ $ 100.00 App.**

 **Amendment Ext. of Time $ Esc.**

**Mr. Womack 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.**

**Jonathan Heilbrunn, Esq. addressed the board an briefly explained the application and handed out plan which depicted their Exhibit A-1. He said the property was located at 82 Main St., South Amboy and was a pre-existing non-conforming use and on 9/26/12 was given a resolution from the Zoning Board permitting a temporary office trailer due to the building being destroyed by a fire and then Hurricane Sandy. The resolution stated a limited time of 12 months subject to further extensions if necessary. Clyde’s purchased the property in December 2013 and after speaking with Andrew Mashanski, Zoning Officer, he told them they needed to come before the board for an extension in order to continue doing business.**

**Mr. Womack swore in Clyde Cameron, who stated his parents purchased the business back in 2013. When they took over the business the physical condition of the property was damaged and working conditions were not safe. They have been operating out of a temporary trailer and are here tonight to ask for an extension of time for the trailer. They have 12 employees – 4 on the road – 5 on site in the office for parts and sales purchases - 3 to 4 out in the yard and 2 - 3 drivers. The nature of the business is that they purchase cars from multiple sources and enter into a computer. They determine if they should be dismantled due to no value or repaired and sold over time if they have value. They house a recycling facility for automobiles. The DEP inspects once a year as well as Fire Prevention. They are ultimately seeking approval to replace the building and abandon temporary trailer.**

**Mr. Womack swore in Edward Bogan, Engineer. Mr. Walsh made motion to accept credentials. Mr. Bogan presented Exhibit A-1 prepared by his office. He described the site and trailers on the site when it was purchased with trailers on lots 427 and 428. They want to construct a 40’ x 50’ building with access points on Scott Ave. and Main St. They want to continue the trailers out to Scott Ave. to additional storage to the existing operation. For this item they would like informal feedback. The area paved would only be the roadways to Scott Ave. and Main St. landscaping would be provided along Scott Ave. and Main St. The site does not have water/sewer service and they want to connect lines. Waiver for buffers as they will landscape, waiver for Traffic Study as nothing is changing. If there are any other waivers they will discuss more in detail when they do the new application.**

**Mr. Cornell said the board could work with the applicant on a traffic study and accept some type of report which can be discussed. As far as a waiver for the water/sewer this should not be a problem. The biggest question is providing the buffer 50’ from the residential properties as the applicant is proposing what is already there. The board will need to work with the applicant on these issues. Mr. Walsh asked about the trailers shown to the left on the Exhibit and asked if they were also for storage and were they all joined together closest to the house in back. Mr. Esposito asked about Lot 151 and if there was a house on this lot? Mr. Bogan said that was the South Amboy side; Mr. Green said that currently there are 18 trailers and they were proposing 6 more; Mr. Cameron said that the lot is surrounded by a 6’ chain link fence but not on the South Amboy side. Mr. Walsh expressed a concern for the surrounding houses; Mr. Cameron said he wants to continue the trailers down the property approximately 8’6” high and will leave the fence if requested. Mr. Leoncavallo asked if the primary entrance was Scott Ave., Mr. Cameron said “no.” Mr. Leoncavallo asked if he could move the trailers back 8’ and provide more landscaping, Mr. Cameron said however it needs to be he would comply. Mr. Bogan stated that the trailers are currently 5’ from property line; Mr. Leoncavallo said he would like to see some evergreens, Mr. Kuczynski said they should be between the fence and trailers. Mr. Walsh asked who would maintain the trailers, Mr. Cameron said they are all steel not aluminum. Mr. Green asked what the hours of operation were; the applicant said Monday – Friday**

**8:00 am to 5:00 pm; Saturday 8:00 am to 3:00 pm; they are licensed for 7 days a week if necessary.**

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**Mr. Walsh asked how many cars were currently on the lot, the applicant said approximately 200 3’ apart. Mr. Henry asked what was inspected by the DEP, the applicant said the ground and soil. Mr. Green stated there were 16 items on Mr. Cornell’s report and the board needs to address these items. Mr. Cornell gave the history of this application stating they came before the board in 2012 after a fire destroyed the building seeking approval for the temporary trailer. The applicant was supposed to return in one year 2013. If approved the board needs to provide a formal resolution on the extension as well as guidance on the Site Plan.**

**After a brief discussion Mr. Walsh suggested an 18 month extension with the Zoning Officer periodically checking on the progression of the site. Mr. Cornell suggested that the board ask for the applicant to submit their application as well as revised plans in 6 months and come back in 12 months for a review. He said it will take time to get County approval as Scott Ave. and Main St. are county roads. Mr. Green asked what would happen if they do not submit the requested items in 6 months, Mr. Cornell said the Zoning Officer will stop the operation on the site.**

**If granted the extension would have the following stipulations:**

* **18 month extension and the applicant will come back in 12 months for review**
* **In 6 months they will provide an application**
* **On the South Amboy side parking would be inside the buffering**

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

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

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

**Mr. Walsh asked for motion to approve/deny this application. Mr. Kreismer 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. Emma**

 **Mr. Esposito**

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**MEMORIALIZATION OF RESOLUTIONS**

**#15-13 Verizon Wireless 491 Ernston Rd.**

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

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

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

**#15-14 Tom Trzeciak 228 Morgan Ave.**

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

# ACCEPTANCE OF MINUTES

# Mr. Walsh asked for motion to approve and accept the minutes of the July 22, 2015 meeting.

# Mr. Kreismer made motion to accept the minutes with the changes addressed; Mr. Henry 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. Emma seconded, motion carried.**

  **Respectfully submitted,**

 **Joan M. Kemble**