SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF JUNE 24, 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. Corrigan, Mr. Henry, Mr. Emma, Mr. Esposito**

**Absent Members: Mr. Walsh**

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

**#14-22 Ken Steiner Furman Ave. Bulk Variance/Fence/Amendment**

**Mr. Sachs addressed the Board and said that the applicant was asked to come to the meeting tonight to address his request for an amendment of his Zoning Board Resolution for a fence and to get documentation on record.**

**Mr. Sachs swore in Ken Steiner who stated that he was seeking amended approval on Item #6 in his resolution stating that the fence needed to be “board on board.” He said that during the testimony of his application board members said he needed to match his neighbors’ fences and both neighbors are present tonight if the board members wanted to speak to them. Mr. Sachs stated the applicant is looking to have the resolution amended to a “stockade” fence. Mr. Green said originally the board thought an e-mail/phone response to this request could happen but it was decided that it would be more appropriate for the applicant to come to the meeting tonight.**

**Mr. Green asked for motion to open public portion; Mr. Kreismer made motion to open public portion, Mr. Corrigan seconded, motion carried. No one spoke. Mr. Green asked for motion to close public portion; Mr. Kreismer made motion to close public portion, Mr. Corrigan seconded, motion carried.**

**Mr. Green asked for motion to approve/deny the amendment. Mr. Kreismer made motion to approve the amendment, Mr. Corrigan seconded. Roll Call:**

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

 **Mr. Esposito**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – JULY 22, 2015**

**#15-06 Outfront Media, LLC Route 35 South Use Variance/Site Plan $ 500.00 App.**

 **$7,500.00 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. Green asked for motion to deem the application complete, Mr. Kreismer made motion; Mr. Corrigan seconded, motion carried.**

**Louis D’Arminio, Esq. attorney for the applicant addressed the board and explained the applicant wanted to covert the current three-faced billboard to a two-faced electronic board. He said the height would be 30’ and the existing is 23.’ The board is 64 years old built in 1951. They currently have a permit from the NJ DOT to modernize the sign which will change every 8 seconds. They are seeking a D1 Variance relief as they are taking the current sign down. While it could be considered a D2 Variance they are presenting it as a D1 due to the setback issue. Mr. Green asked about the timing of the sign change, again Mr. D’Arminio said it would be every 8 seconds and tit has to remain static.**

**Mr. Sachs swore in William Holle, Outfront Media Real Estate Representative. He said this was once CBS Media but has since become Outfront Media. He addressed Exhibit A-1 which showed the current signs situated on Route 35 South. He presented pictures showing the signs from both the North/South directions and described how the signs were done years ago and how they gradually changed with the times. He talked about the capability to change signs if necessary (ie. Amber Alerts). He also presented Module A4 explaining the benefits regarding public service messages and how then can be changed immediately – he also handed out examples.**

**A-6 - Described the regulations that the sign must meet and how it must change every 8 seconds with no animation,**

 **flashing or scrolling**

**A-7 - Protocol A – Emergency situation – who gets called. They will list their contact person who will be available**

 **24 hours**

 **Protocol B – Major Events – FEMA, Amber Alerts “national” is automatic**

**The location is monitored 24/7 at local offices and onsite visits only occur if a problem arises or maintenance needs to be done. The lighting is monitored to ensure that the lighting never goes over 0.3 ambien light. Mr. Green asked about who would contact the Police Chief. Mr. Holle said that they would reach out to the Police Chief and offer their contact name to the Borough. Mr. Green asked about the State Police; Mr. D’Arminio said they do not have a relationship with the State Police only the local police departments, as well as, the FBI. Their other areas with signs at present are Old Bridge and Union Beach on Route 36. Mr. Esposito asked if there was any charge to the Borough. Mr. Holle said there is no charge to the Borough and advertising leases are designed to indicate that emergency signals, amber alerts, etc. stay on in the event of an emergency. Leases are also designed to indicate that no advertisement of liquor, tobacco, obscenity, etc. are not permissible within 1,000 ft. of schools. Mr. Henry asked how many messages were on a board; Mr. Holle said 8 messages changing every 8 seconds. He said the setback issue is very slight from 12 ft. to 15 ft. The signs are two sided the lighting will not affect residential areas. Mr. Kuczynski asked about hacking; Mr. Holle said this is not an issue the signs will just go dark.**

**Mr. Sachs swore in Brett Skapinetz, LPE, Dynamic Engeering Consulting. Mr. Green made motion to accept credentials; Mr. Emma seconded, motion carried.**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – JULY 22, 2015**

**Mr. Skapinetz prepared site plans and described the site and surrounding area stating it was an undersized lot in the B3 Zone and the zone limits the location of the sign. The applicant will be removing the existing signs and will replace with a steel pole and 2 digital boards 10 ½ ft. high, 23 ft. wide and 150 ft. out from the face of the board.**

**He addressed the report from Jay Cornell, CME: Item #2 regarding the height and stated they resubmitted plans. Page 2 Items A&B NJ DOT already issued permit. County Planning Board approval is pending. Curbing and sidewalks they are seeking a waiver, off street parking there are no spaces as the maintenance is done remotely, if on site is necessary it is very infrequent, storm drains are not applicable. Mr. Leoncavallo addressed the height the applicant said they would be planting a tree and small shrubs, emergency personnel can also easily access the site if necessary.**

**Mr. Sachs swore in George Williams, LPP, Mr. Green made motion to accept credentials, Mr. Emma seconded, motion carried. Mr. Williams addressed the drawings presented tonight and how the application will be an improvement to the area with the elimination of one sign. He stated how it will convey important messages to the public and how it will follow all State policies; the applicant already has a State permit. Mr. Henry asked about content on the sign, Mr. Williams said that they would follow all Federal Government policies reagarding obscenity, tobacco, liquor, etc. He said they were here for relief tonight as this is not a permitted use.**

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

**Ms. Catallo seconded, motion carried. No one spoke. Mr. Green asked for motion to close public portion;**

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

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

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

 **Mr. Esposito**

**#15-09 Barbara Hoover 27 Merritt Ave. Bulk Variance/Porch $ 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. Green asked for motion to deem application complete,**

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

**Mr. Sachs swore in Diane Conlon, 153 Cottrell Road, Old Bridge. Ms. Conlon is the applicant’s daughter and will be speaking on the application as her mother recently took sick. She said the applicant is seeking to build a second level on the existing house and a front porch with gables; she will be moving to the residence as it is smaller than her current residence which she will be selling.**

**Mr. Leoncavallo stated the variance(s):**

* **In the R10 Zone the porch enclosure for front yard 30’ the applicant is proposing 20’**
* **Building coverage 20% maximum the applicant is proposing 25%**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – JULY 22, 2015**

**Mr. Henry asked if they would be raising the roof for the addition; Ms. Conlon said that the application tonight was just for the front porch. Mr. Kuczynski asked if it was a one story house; Ms. Conlon said “yes” and that the porch would just have a roof.**

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

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

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

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

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

 **Mr. Esposito**

**#15-11 Robert Downey 14 E. Kupsch St. Use Variance/Site Plan $1,000.00 App.**

 **$2,500.00 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. Green asked for motion to deem application complete,**

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

**George Pressler, Esq., attorney for Bob Downey, the applicant addressed the board stating that it currently was an existing bar with two 2 bedroom apartments on the second floor. Mr. Pressler said that Mr. Downey wants to remove the existing bar and convert the area to two 2 bedroom apartments; the apartments on the second floor will remain the same. Mr. Downey intends to update and refinish the apartments as well as the exterior the building.**

**Mr. Sachs swore in Walter Hopkins, LE; Mr. Green made motion to accept credentials; Mr. Henry seconded, motion carried. Mr. Hopkins described the area as a 6,000 sq. ft. lot on East Kupsch and Englehardt Streets in an R7 residential zone; surrounded by residential uses with four being multi-family. He described the parking on East Kupsch St. and Englehardt St. stating with the conversion Mr. Downey would be providing 8 off street parking spaces; 4 off of East Kupsch and 4 off of Englehardt. Each unit would have 2 spaces, which complies with the standards. Improvements to the interior and exterior will be completed as well as landscaping as per Mr. Leoncavallo’s request. Exhibit A1, Page 2 described the property access lot which will be restored to grass, lighting on the building will be regular residential building lighting; due to the new parking spaces the roadway will be improved as parking will be in the front yard which they are asking for a waiver as it already encroaches on the site triangle with the existing building. They are also requesting relief for curbing and sidewalks as there are none at present.**

**Mr. Henry addressed the 20 x 40 parking spaces and asked if the cars would be extended out towards the street; Mr. Hopkins said that the parking is set back 10’ from the road for a total of 20 x 50. He then addressed Mr. Leoncavallo’s memo of June 22, 2015 and described the site and the D2 Use Variance. He said the ordinance requires 8 parking spaces and the applicant will also provide additional landscaping, garbage and recycling will remain curbside. Mr. Kuczynski asked why this was a Use Variance, Mr. Leoncavallo said because the bar is a non-conforming use; Mr. Hopkins said that the positive criteria meets the zoning as the bar will be changed to residential enhancing the character of the neighborhood as well as enhancing the parking; there is no negative criteria to this application.**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – JULY 22, 2015**

**Mr. Sachs swore in Robert Downey, who stated he was the purchaser in contract of the property if approved. Exhibit A2 shows the architectural elevation plan, while Exhibit A3 shows the existing building elevation. He described the current property situation and showed how he plans to renovate the property. He will be improving the whole building and all the units will be equal in size with sound proof walls and flooring. They will all be two bedroom units with a kitchen, living room and one bath.**

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

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

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

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

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

 **Mr. Esposito**

**#15-12 Diana Woods 22 Tyska Ave. 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. Green asked for motion to deem application complete,**

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

**Mr. Sachs swore in Diana and William Woods who stated they were seeking approval for an enclosed porch in the rear of their house.**

**Mr. Leoncavallo stated the variance(s):**

* **R7 Zone maximum lot coverage 20% the applicant is proposing 24%**

**Mr. Sachs asked the applicants if the exterior would match the house; they said “yes” and if there would be any drainage issues; the applicants said “no.” He asked if the porch would be open in the summer and closed in the winter, the applicants said they would be putting in storm windows for the winter months.**

**Mr. Green asked for motion to open public portion; Mr. Henry made motion to open public portion,**

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

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

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

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

 **Mr. Esposito**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – JUNE 24, 2015**

**MEMORIALIZATION OF RESOLUTIONS**

**#15-03 Fady Gohbrial 39 Roll Ave.**

**Mr. Green asked for motion to amend resolution. Mr. Kuczynski made motion to adopt the resolution;**

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

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

**#15-07 Thomas & Rae Ann Ruck 27 Driftwood Dr.**

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

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

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

**#15-08 Veronica Castro 364 Washington Road**

**Mr. Green asked for motion to memorialize resolution. Mr. Kreismer made motion to adopt the resolution;**

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

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

**#15-10 John Hicinbothem 47 William St.**

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

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

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

# ACCEPTANCE OF MINUTES

# Mr. Green asked for motion to approve and accept the minutes of the May 27, 2015 meeting.

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

**ADJOURNMENT**

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

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

  **Respectfully submitted,**

 **Joan M. Kemble**