SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF MARCH 22, 2017**

**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, Mr. Emma**

**Absent Members: Mr. Corrigan**

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

**#14-19 Quick Chek 3101 Bordentown Ave. Extension of Time $ 1,000.00 App.**

**Ms. Warner addressed the Board stating that they were approved in 2015 and were looking for an extension of time as they were no longer the contract purchaser. Mr. Sachs asked if there were issues with the closing; Ms. Warner said it was an environmental issue and they have worked with the County on other issues and are very committed to the plan. Mr. Walsh asked how long were they asking for; Mr. Sachs stated according to statute the Board has the right to grant an extension of one year. Ms. Warner said this would be a good timeframe.**

**Mr. Walsh asked for motion to approve/deny the requested extension. Mr. Kuczynski made motion to approve the extension, Mr. Kreismer seconded. Roll Call:**

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

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**#16-13 Shri Bhakindhi 717 Washington Rd. Use Variance/Site Plan $ 3,000.00 App.**

 **$12,000.00 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 the application complete,**

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

**Jeffrey Kantowitz attorney for the applicant addressed the application. He stated that the Temple is located in a Prime and B1 Zones and there will be several witnesses testifying for the application. They are looking to construct a new Hindu Temple and demo the current building that has been there for years as they need a larger facility. He said in answer to the Board’s questions about the major festival scheduled for last Saturday, it was postponed due to the bad weather and will be held this Saturday, March 25th. (This is the largest and most intense use of the property.)**

**Mr. Sachs swore in Bankaj Sheth, Temple Representative/Chairman of Board, for the past 22 years; the Temple has been there for 23 years. He is the Chairman of the Board of Trustees and they practice the same faith as the Temple in New York which is two hours away. This is the Vaishnay Temple sect practice and there are Temples in Long Island and Pennsylvania. They would not worship in another Temple even if it was closer they practice Vaishnay only. They are looking to extend their facility as it is not large enough for services. Mr. Kantowitz said it is fair to say that a larger facility would better serve their religion. The site is used for worship, study classes and at present does not have a library for people to read and study religion. Compared to other religions the priest tasks 6 services per day with a specialized cantor, Mr. Kantowitz asked Mr. Sheth if there were any ushers, he said “yes” one (1) or two (2) and three (3) priests from the same sect, four (4) cooks trained, five (5) cantors for each service throughout the day. A typical day the 1st service 7:30 – 8:00 (10 people; maximum 25 ), 2nd service 9:30 – 10:00 AM (staff-2), 3rd service 12:00 – 1:00 PM (15 people; maximum 100), 4th service 4:00 – 4:30 PM (10 people; maximum 50); 5th service 5:30 – 6:00 PM (10 people; maximum 50); 6th service 7:00 – 8:00 PM (50 people; maximum 100) -- Monday through Friday it’s always the same routine. Weekend services may have close to 500 people in attendance. There are no differences the services are the same 365 days/year. Mr. Sheth described the timeframes associated with the services and festivals, times and number of people usually present. He stated that the priest is on site all the time as well as the cook, cantor and usher.**

**9:05 – Mr. Walsh asked for 10 minute break**

**9:15 – Meeting resumed with all present. Mr. Walsh made an announcement that no more testimony**

 **would be heard after 10:00 PM.**

**A discussion followed, Mr. Green asked about the number of people that come 5-7 days per week, Mr. Sheth said they were people living close to the Temple. Mr. Sachs asked about the other two Temples of worship mentioned in NY and PA and asked how many acres they encompassed, Mr. Kantowitz said he wasn’t sure but could get the information. Mr. Sachs asked about the residents; Mr. Sheth said the priest, the cook, the cantor and 1 office person stay on the premises they need to be available to perform the daily duties. Most priests do not bring their families as they are here on 2 year Visa. Mr. Sachs asked about the wedding ceremonies; Mr. Sheth said it is just a religious, food is always served but there is no reception. Mr. Henry asked if the parsonages were strictly for priests, cooks, cantors and ushers, Mr. Sheth said “yes.” Mr. Green stated that at present 4 people reside a the Temple; he asked where the others are residing; Mr. Sheth said they own two houses past the railroad tracks on Washington Road. Mr. Green asked why they wanted such a large parking area if people come on a rotating basis; Mr. Kantowitz stated that it not uncommon for a Synagogue and/or Temple to have a large parking lot.**

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**Mr. Esposito asked about the two children (7 & 9 yrs. Old) currently residing on the site and asked if they go to Sayreville schools; Mr. Sheth stated they do attend Sayreville schools and any other children if brought here would also attend Sayreville schools. Mr. Kuczynski stated that there are 12 people residing there right now and asked if that number would ever increase; Mr. Sheth said “no” 12 people was the maximum. Mr. Kantowitz asked if the Temple has a membership where people pay membership fees; Mr. Sheth stated there is no membership it is open for anyone who would like to worship. They are proposing 40,000 sq. ft. for the main Temple, 8,000 for the priest, office and storage, 12,000 for the services which is 3x larger than what is there now. Mr. Kuczynski asked when this is done what kind of crowds would be attending; Mr. Sheth said it would be no different people would just wait in line. Mr. Sachs asked about the use of school parking lots and if there would be an agreement with the Board of Education for overflow parking. Mr. Sheth said there is no written agreement they just provide one month’s notice. Mr. Sachs asked about pedestrians walking; Mr. Sheth stated they are bused to the Temple.**

**Mr. Green made a motion to send a letter to the Board of Education and ask for a member to attend the next hearing on this application; Mr. Walsh seconded, motion carried.**

**Mr. Esposito stated he would inquire about the proof of insurance to use the lots. Mr. Esposito asked where the 12 people are, Mr. Sheth said in the single family house. Ms. Catallo asked what events take place in the old physical therapy building at the top of the hill; Mr. Sheth said that is where the classes are being held. Mr. Emma referenced the 2012 Planning Board Resolution stating 30 people occupying 12 residential units and asked if this was zoned for apartments. Mr. Sachs talked about a request for interpretation of decisions for another use on this site. Mr. Kantowitz stated that 12 people could mean and become families and that the notice made was very clear as to what is being presented. Mr. Sachs stated interpretation from 2012; 45 day challenge has passed, interpretation still stands. Mr. Green said as of now the ruling stands; Mr. Sachs the case stands on its own merits.**

**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.**

**The application will be heard again at the May or June meeting the applicant will follow up with the date. The mandatory date will be extended till June 30, 2017.**

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**#17-05 Pawel Piotrowski 16 Marshall Place Bulk Variance/Garage $ 150.00 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 the application complete,**

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

**Mr. Sachs swore in Pawel Piotrowski who said he was looking to combine the property he purchased after Hurricane Sandy. He has been in his house for 12 years and there is no storage. He is looking to build a garage to accommodate their storage issue.**

**7:35 PM – Phil Emma joined the meeting**

**Mr. Henry addressed the size of the proposed garage and asked if the finished 2nd floor would be used as an apartment, the applicant said “no.” Mr. Henry asked why it was so large, the applicant said he has a car and a boat he wants to store; Mr. Henry asked how wide the garage would be; the applicant said 60 ft. Mr. Henry asked if he could look to make it smaller. Mr. Piotrowski said he now has the boat and needs wider space; Mr. Henry asked what was in the current garage on his property, he said it was filled with storage items. Mr. Walsh asked what the height of the garage would be; the applicant said 29 ft. Mr. Green asked if he would be willing to drop the height as the maximum height is 15 ft. Mr. Piotrowski said if this is what would give him an approval he would be willing to drop the height. Mr. Sachs asked what the size of the boat was; the applicant said 21 ft. and the trailer was 27 ft. Mr. Sachs said this could not be converted to living space and there could not be any commercial activity, as well as, heating, plumbing.**

**Mr. Sachs said 2nd story stairway access would not have sheetrock, Mr. Walsh said if he agreed to 20 ft. height he would be getting 5 ft. more to work with. Mr. Piotrowski said he would not be able to do the 2nd story. Mr. Henry asked if it had to be 12 ft. high; the applicant said he calculated it according to the size of the boat. Mr. Walsh said that there are no other garages or houses this size in the area. Mr. Henry said that a 35 ft. x 30 ft. building looks more like a commercial building. Mr. Walsh asked if the applicant wanted to come back next month and think about the size; Mr. Sachs said if the Board was comfortable with 20 ft. the applicant could just submit new plans and he would be definitely losing the 2nd floor. Mr. Leoncavallo stated the variances:**

* **35’ x 35’ in R5 Zone 20% is maximum lot coverage the applicant is proposing 21%**
* **Accessory Structure 150’ maximum this may be 1225 sq. ft. with 2nd level**
* **Maximum height 15’ the applicant is proposing 30’**

**Mr. Kuczynski asked if he would be keeping the two garages on the combined property, the applicant said “yes.” Mr. Sachs asked what the size of the other garage on the property was; Jay Cornell said is 19 ft. x 35 ft. or 665 sq. ft. The applicant said the garage is too close to the house. Mr. Sachs addressed the conditions of approval being:**

* **20’ height (at peak)**
* **No plumbing/heating**
* **No commercial use**

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

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

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

**MEMORIALIZATION OF RESOLUTIONS**

**#17-03 Jaclyn Stone 11 Jacobsen Street**

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

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

**ACCEPTANCE OF MINUTES**

# Mr. Walsh asked for motion to approve and accept the Reorganization and Regular minutes of the February 22, 2017 meeting. Mr. Kreismer made motion to accept the minutes, Mr. Kuczynski 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. Esposito seconded, motion carried.**

  **Respectfully submitted,**

 **Joan M. Kemble**