SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF MAY 27, 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. Emma**

**Absent Members: Mr. Henry and Mr. Esposito**

**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 that this application was a holdover from the April meeting and the jurisdiction was accepted.**

**Mr. Sachs swore in Fady Gohbrial of 2266 Hooper Ave., Brick, NJ owner of 39 Roll Ave. He said he purchased the property in June 2012 and received a temporary certificate of approval. He then hired a general contractor who gutted the entire house which now required that he apply for a Use Variance. Mr. Green asked the applicant if he was aware when he purchased the home that the contractor gutted the entire home. The applicant stated that he has filed a civil law suit against the original contractor; Mr. Sachs asked if it was a two-family when he purchased, the applicant said “yes.”**

**Mr. Sachs swore in Allison Coffin, LPP who handed the board members a document from the Tax Assessor’s office marked Exhibit A1 showing the residence as a two family dwelling. The applicant is requesting approval to reconstruct the two family house in the R7 zone which is not a permitted use in the zone and also requires a D1 Variance. The surrounding houses are single family homes with the exception of 11 and 21 Roll Ave., both of these are two family homes. Mr. Leoncavallo stated the variance(s):**

* **Total reconstruction of existing two family structure in R7 single family zone; Use Variance required**
* **Front yard setback encroachment 20’ minimum the applicant is proposing 10’**
* **Side yard setback 8’ minimum the applicant is proposing 7.5’ and this may be more due to a slight extension of the side wall**

**The applicant will be providing a driveway to accommodate 4 cars. This off street parking being provided eliminates parking issues on the street.**

**The special reasons for the D1 Variance are the site is suited for the use as this was a prior two family house. The damage was done by the original contractor and the applicant wants to rebuild. Mr. Green said he had visited the site and asked about the foundation and said the foundation looks new. The applicant said he lifted the house after Hurricane Sandy as the mortar was going bad then just put the framing down on the new foundation.**

**Mr. Leoncavallo stated the Use Variance was required as this was a pre-existing two family and the applicant was looking to rebuild. He poured the concrete foundation then dropped the house structure on the new foundation. The use is not permitted in the R7 zone. The new structure will be framed out on the footprint. The applicant stated that when the structure was dropped, the contractor had shifted it 6-7”.**

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**Mr. Kuczynski asked about the shaded area on the plans and if the original house was two stories, the applicant said “yes” and the house was built in 1902. Mr. Sachs asked about landscaping and lighting, the applicant said he would be agreeable to anything the board would want him to do. Mr. Leoncavallo suggested shade trees; Mr. Green said he noticed shrubs on other properties. Mr. Sachs said these items (lighting/shrubs) could be conditions of approval. Mr. Sachs asked about the size of the driveway, the applicant said right now it was 18 x 36’ but he might change it to 18 x 40’. Mr. Sachs said as for the lighting it could be motion lighting. Again the applicant said whatever the board wants him to do. Mr. Sachs asked about garbage/recycling the applicant said it would be regular curb pick up.**

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

**Mr. Kuczynski seconded, motion carried.**

**Mr. Sachs swore in:**

**Pablo Castro – 31 Roll Ave. Mr. Castro stated that this has been in the works for over three years. He said the area looks bad and the applicant has become a good friend to the neighborhood and deserves consideration to complete the project and asked that the board help him get this done.**

**Fred White – 38 Roll Ave. Mr. White said that he was shown what is being done with the property; which has been run down as the prior owners left it in bad shape. He said it was nice to have the applicant as a neighbor and see the house he plans to build; it will make the area look much better.**

**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. Green made motion to approve the application with the conditions discussed, Mr. Kreismer seconded. Roll Call:**

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

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**#15-07 Thomas & Rae Ann Ruck 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. Corrigan seconded, motion carried.**

**Mr. Sachs swore in James Farrell, Architect for applicant. Mr. Farrell stated the applicants wanted to construct an addition for a multipurpose room in the rear with an upper level to extend the master bedroom. The side yard setback requirement is 15’ they are proposing 12.88’ and are seeking a variance for this footage. Mr. Farrell said there was no other way to lay out the addition. Mr. Walsh asked if the addition would match the siding of the house and if there would be any water run-off. Mr. Farrell said the siding would match and there would be no water run-off there is an existing patio and it would remain.**

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

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

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

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

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

**#15-08 Veronica Castro 364 Washington Rd. Bulk Variance/Fence $ 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 the application complete,**

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

**Mr. Sachs swore in Veronica Castro who stated she wanted to install a fence on a corner lot which is 11.3’ from the property line and they are required to install the fence 10’ which would leave them with 1’. Their trees would be outside the fence and they would lose just about all of the rear yard. They just purchased the home and would like to fence up to the front on the side off Ridge Street.**

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

* **Corner lot 10’ minimum the applicant is requesting 3’**

**Mr. Cornell asked what type of fence, the applicant stated solid white vinyl. He then explained that typically what the board needs to look for is a 90 x 90 site triangle. Currently the existing house encroaches creating an 80 x 80 site triangle, the fence would encroach further to 70 x 70 site triangle if the fence were pulled back 10’ in front this would alleviate the site triangle issue. Mr. Sachs asked the applicant if she would be willing to do this; Ms. Castro said she would be in agreement. Mr. Green asked if the fence would be up to the sidewalk, the applicant said “no” there is no sidewalk; Mr. Cornell said there is a sidewalk around from the front to the side from Ridge Ave. and there would be no problem fencing 2-3’ away from the sidewalk.**

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

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

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

**Mr. Walsh asked for motion to approve/deny this application. Mr. Green made motion to approve the application with the conditions discussed and the understanding of these conditions by the applicant, Mr. Emma seconded. Roll Call:**

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

**#15-10 John Hicinbothem 47 William St. Bulk Variance/Shed $ 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. Walsh asked for motion to deem application complete,**

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

**Mr. Sachs swore in John Hicinbothem who stated he wanted to install a 12 x 28’ shed totaling 336 sq. ft.; the variance is required because it is over 150 sq. ft. He has a corner lot and the shed would be constructed on the side and he would be proposing 8 ft. off the property line. The shed would be used for lawn items, pool items and toys.**

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

* **Shed size of 336 sq. ft.; 20’ from property line required; the applicant is proposing 8’**

**Mr. Cornell indicated that there would be no site triangle issue as the proposed shed would be installed on the middle of the lot. Mr. Kuczynski asked how tall the shed would be; the applicant stated approximately 11 ½ ft. Mr. Green asked if they would be installing all in one piece, the applicant stated “yes.”**

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

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

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

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

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

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**MEMORIALIZATION OF RESOLUTIONS**

**#15-04 Sean Alberta 15 Albert St.**

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

**Ms. Catallo seconded. Roll Call:**

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

**#15-05 Robert Downey 323 Washington Rd.**

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

**Ms. Catallo seconded. Roll Call:**

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

# ACCEPTANCE OF MINUTES

# Mr. Walsh asked for motion to approve and accept the minutes of the April 22, 2015 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. Kreismer**

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

**Respectfully submitted,**

**Joan M. Kemble**