VIRTUAL (ZOOM) MEETING BY PHONE

SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF OCTOBER 27, 2021**

**The regular meeting of the Board of Adjustment was called to order by Mr. Henry, Vice Chairman and opened with a salute to the flag. Mr. Henry announced that the meeting was being conducted in accordance with the Sunshine Law.**

**Members of the Board of Adjustment present were: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley,**

**Mr. Esposito, Ms. Kuo, Mr. Luciano**

**Excused Absence: Mr. Emma, Mr. Corrigan**

**Also present were: Mr. Kemm, Esq., Mr. Cornell, Engineer, Mr. Barre, Planner**

**Before testimony on this application Vice Chairman Dave Sivilli excused himself from hearing the application.**

**#21-23 Muphy Lopez 1094 Bordentown Ave. Bulk Variances/Pool/Deck/Patio/ $ 200.00 App.**

**Driveway/Addition**

**Mr. Kemm stated that the Board had jurisdiction to hear the application.**

**Mr. Kemm swore in Muphy Lopez. A brief discussion took place regarding the work that has already been completed for this application. Variances exist for the pool, deck, driveway, patio, and combination variances on the driveway, patio and addition.**

**Ms. Lopez was notified by the Board that all these variances are also on the property belonging to JCP&L and she will have to provide a copy of the easement belonging to JCP&L, along with documentation that JCP&L has been out to the property and reviewed the work completed. She will have to provide written documentation from them that there are no issues with all completed work.**

**Mr. Kemm announced that this application will be held over to the November 23, 2021 meeting which will be held in person at the Main Borough Hall, 3rd floor Council Chambers at which time the applicant needs to provide the documentation to the Zoning Board. Mr. Kemm also announced that there will be no further notice.**

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**#21-24 John F. Vee, Jr. 122 Liberty Street Bulk Variances/Addition/Deck/Porch $ 150.00 App.**

**Mr. Kemm stated that the Board had jurisdiction to hear the application.**

**David Himmelman, Attorney addressed the Board he stated this is a C Variance 122 Liberty St., Block 518, Lot 1150 for a proposed addition, deck and covered porch on a 10,000 sq. ft. lot in an R7 Zone. The addition prposed is 424 sq. ft. and the covered porch 326 sq. ft.**

**Mr. Kemm stated the following variances:**

* **424 sq. ft. addition encroaches on the rear yard setback 25’ minimum 10.2’ proposed**
* **326 sq. ft. covered porch encroaches on the front yard setback 20’ minimum 17.5’ proposed**
* **Maximum lot coverage 20’ max 25.3’ proposed**

**Mr. Kemm swore in John Vee who stated he purchased this older home last year. The kitchen and dining rooms were too small and he wants to expand, the porch he would just like to add. Mr. Henry asked the applicant if the address is Liberty St. but the front door is on Stevens Ave., the applicant stated this was correct.**

**Mr. Kemm swore in Daniel Governale, Architect, Mr. Henry made motion to accept his credentials. Mr. Governale described the house and lot area with the garage on the Liberty St. side and the front door on the Stevens Ave. side. The porch he is seeking approval for will be 8’ x 40.8’ long; the applicant chose this size as he wants to have furniture on the porch. There will be no changes to the entrance, stairway to the second floor or the basic rooms on the first floor. The addition will expand the east side of the property 14’ x 33’ for the kitchen, laundry room and bathroom. There are two air conditioner condensers as well as a back up generator with windows for exhaust. There will be no changes to the breezeway. The exterior elevations for the front porch as well as a gable roof which will provide enhancement to the home with siding and wood trim, the rear portion of the house will have new windows and doors. Mr. Himmelman addressed the lot as a corner lot in an R7 Zone which has lot areas of 7500 sq. ft., however, this lot is 1500 sq. ft. larger with a minimum width of 85 sq. ft. by 100’ sq. ft. depth; he asked Mr. Governale if the proposed application was out of character for the area; he said it was not. Mr. Henry asked if the 12’ x 16’ increase of the driveway was necessary, the applicant stated it was not a long driveway from the garage but one to the side for extra cars.**

**Mr. Kemm swore in John Lord, LPP, Eng. & Land Surveyor. Mr. Henry made motion to accept credentials. Mr. Lord stated that most zoning aspects have been covered and the addition will not impact drainage nor are there any negative impacts on other characteristics of the job such as, leaders and gutters. Mr. Barre asked if this was in a flood zone, Mr. Lord said “no.”**

**Mr. Kemm swore in Justin Auciello, PP. Mr. Henry made motion to accept credentials. Mr. Auciello stated the positive criteria will advance one or more purposes of the land use law. The space inside will not exceed site coverage the width and depth will remain the same; the height is correct. There are no drainage impacts and the overall use fits within the residential area. There is no negative impact to the public good. The improvements benefits the neighborhood and according to the Municipal Land Use Law will have no negative impact on the Zoning. Mr. Henry asked Mr. Cornell if there were any issues; Mr. Cornell stated they were basically minor and he had no issues. Mr. Barre stated he had no concerns as this was an oversized lot which lend credence.**

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**Mr. Himmelman addressed the board and thanked them for the hearing, stating that the witnesses support the application and feels the lot is suitable for the applicant’s request. Mr. Himmelman asked the board to vote favorably on the application.**

**Mr. Henry made motion to open public portion. No one spoke. Mr. Henry made motion to close public portion;**

**Mr. Foley seconded, motion carried.**

**Mr. Henry asked for motion to approve/deny this application. Mr. Sivilli made motion to approve the application with the waivers of approval; Mr. Foley seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo, Mr. Luciano**

**#21-25 Sean & Jamie Sullivan 15 Gavel Rd. Bulk Variance/Addition $ 150.00 App.**

**Mr. Kemm stated that the Board had jurisdiction to hear the application.**

**Mr. Kemm swore in Jamie Sullivan. She stated they are seeking approval to convert their current garage to a small apartment for her mother making the residence a mother/daughter while extending an addition for a new garage.**

**Mr. Kemm stated the following variances:**

* **Side yard setback 10’ maximum 5’ proposed**
* **Maximum lot coverage 20% maximum 23% proposed**
* **Impervious coverage 40% maximum 45% proposed**

**Mr. Henry asked about converting a garage into living space; Mr. Kemm stated there should be no issue according to the plans submitted; Mr. Henry asked Mr. Cornell if he had any issues, he said “no.” Mr. Kuczynski asked the applicant if this was going to be converted to a two-family home, she said “no” and there was not going to be a separate entrance. Mr. Sivilli asked if there was going to be a kitchen, she said “no” just a sink there was not going to be any gas; however, there would be a bathroom. It was just going to be a small living area.**

**Mr. Henry made motion to open public portion. No one spoke. Mr. Henry made motion to close public portion;**

**Mr. Foley seconded, motion carried.**

**Mr. Henry asked for motion to approve/deny this application. Mr. Kuczynski made motion to approve the application; Mr. Foley seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**SAYREVILLE BOARD OF ADJUSTMENT**

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**MEMORIALIZATION OF RESOLUTIONS**

**#21-16 Phil & Janine Emma 16 Cori Street**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Foley made motion to memorialize the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**#21-18 New Cingular Wireless 775 Washington Road**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Foley made motion to memorialize the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**#21-19 Kristi Jordan 6 Anne Terrace**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Foley made motion to memorialize the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**#21-20 Steven McCutcheon 105 Washington Road**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Foley made motion to memorialize the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**#21-21 Mariusz Maslanka 5 Mohawk Lane**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Sivilli made motion to memorialize the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**#21-22 Phillip Bailey 14 Rose Street**

**Mr. Henry asked for motion to memorialize the resolution. Mr. Foley made motion to memorialize the resolution; Mr. Kuczynski seconded. Roll Call:**

**Yes: Mr. Henry, Mr. Sivilli, Mr. Kuczynski, Mr. Foley, Mr. Esposito, Ms. Kuo**

**SAYREVILLE BOARD OF ADJUSTMENT**

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**ACCEPTANCE OF MINUTES**

# Mr. Henry asked for motion to approve and accept the minutes of the September 22, 2021 meeting. Mr. Kuczynski made motion to accept the minutes Mr. Foley seconded, motion carried.

**Before adjournment Mr. Henry reminded the members that the next meeting on November 23, 2021 will be held in person in the Council Chambers at the main Borough Hall. Mr. Cornell stated that masks must be worn throughout the entire meeting by the public; however, it is up to each board member whether they want to keep the mask on for the entire meeting.**

**ADJOURNMENT**

**There being no further business to discuss, Mr. Henry asked for motion to adjourn, Mr. Esposito made motion to adjourn; Mr. Kuczynski seconded, motion carried.**

**Respectfully submitted,**

**Joan M. Kemble**