SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF SEPTEMBER 28, 2016**

**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:**

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

**Before hearing the applications Mr. Sachs made an announcement that if anyone in the public was here tonight for the Temple application; it was never scheduled for tonight and if the plans are submitted according to the Land Use Law there is a possibility it would be heard at the October 26th meeting.**

**#16-18 Verizon Wireless 1899 Highway 35 Use Variance/Site Plan $1,250.00 App.**

 **$3,280.00 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.**

**Lynne Dunn, attorney for the applicant stated that this application was for a co-location for additional antennas.**

**Mr. Sachs swore in: Michael Fischer, LPE, Wireless Eng., Mr. Walsh made motion to accept credentials. Mr. Fischer explained how the application meets all the FCC and state guidelines. He also stated that it will be 5 times less stringent and will be well below FCC limits.**

**Mr. Sachs swore in: Ronald Lai, PE, Civil Engineer. Mr. Kuczynski made motion to accept his credentials; Mr. Corrigan seconded, motion carried. Mr. Lai presented Exhibits A1 and A2. Exhibit A1 dated 7/28/16 is a Site Plan showing the lots at 1899 Route 35. Exhibit A2 shows the lots as well as the planned elevations and site. He described the zone as a Highway Business (B3) with 4 set antennas to go on the pole in the center line 98’ square. He described the platform and behind the antennas will be equipment not seen. He described the current equipment platform and said the old fence will be removed and the 10 x 19 platform will be supported by concrete pad. He said the cables from the equipment will be inside the pole to the antennas. There will be no noise issues and technician visits are once a month. There are no emission issues nor garbage issues. Ms. Dunn stated they have no plans for landscaping; Mr. Walsh asked if the applicant would be agreeable to shrubs; Ms. Dunn said they would work with the board professionals.**

**Mr. Sachs swore in: Sopan Joshi, Engineer. Mr. Walsh made motion to accept credentials. Mr. Joshi addressed how this application would help with the coverage gaps in the area and on the Parkway and the Spinnaker Point Club House would bridge this gap and provide seamless coverage in this area. Exhibit A3 illustrated the coverage issues and explained the proposed coverage improvements.**

**Mr. Sachs swore in: Michael Bradley, Network Bldg. Consultants who said that they could have either tried to locate a new site or modify this existing site. Mr. Bradley said there was no other site in the area.**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – SEPTEMBER 28, 2016**

**Mr. Sachs swore in: William F. Masters, Jr., Planning Consultant. Mr. Walsh made motion to accept credentials. Mr. Masters described the site and indicated that it satisfies the statutory criteria in this case, relocation. He said it achieves the radio frequency in a non-residential zone. He described the variances being requested and also presented 6 photos (3 for the existing left side) and (3 photo enhanced of proposed location). He stated that the wireless ordinance promotes purpose and encourages tower colocation.**

**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. Kuczynski made motion to close public portion, Mr. Kreismer 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. Henry, Mr. Emma,**

 **Mr. Esposito**

**#16-20 Edward Mroczkowski 50 Scott Ave. Bulk Variance/Addition $ 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 the application complete,**

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

**Mr. Sachs swore in: Edward Mroczkowski the applicant. He is requesting a variance to extend his kitchen to make an area for the washer and dryer as well as a walk-in shower. He stated his wife was having back issues and needed to have the laundry room on the same floor to avoid steps.**

**Mr. Leoncavallo stated the variances:**

* **Lot coverage maximum 20%; the applicant is proposing 36%**
* **Lot impervious coverage in an R7 zone is 45% maximum, the applicant is proposing 70%**

**Mr. Kuczynski asked about the 36%; Mr. Leoncavallo said it is not very much.**

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

**Mr. Walsh asked for motion to approve/deny this application. Mr. Henry made motion to approve the application with all 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**

**SAYREVILLE BOARD OF ADJUSTMENT**

**MINUTES – SEPTEMBER 28, 2016**

**#16-22 Donna Mraz 409 Washington Rd. Use Variance/Two Family $1,250.00 App.**

 **$3,280.00 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. Henry seconded, motion carried.**

**Casper Boehm, attorney for the applicant addressed the Board stating they wanted to remove the current restriction placed on the property to no longer use as a mother/daughter residence.**

**Mr. Sachs swore in: Richard Olchaskey who made an offer to purchase the house through Donna Mraz. He stated the garage was the same as the house out front with 4 parking spaces. Mr. Boehm the garage house basically was set up with 2 bedrooms, kitchen, bathroom and living room nothing has changed except for the removal of the kitchen cabinets. Mr. Olchaskey wants to rent out to an adult. He stated he owns various homes. The driveway parks 4 vehicles, the fence was never moved but will relocate it if asked, garbage would be the regular pickup.**

**Mr. Sachs swore in: Paul Fletcher, PE, PP. Mr. Walsh made a motion to accept his credentials. Mr. Boehm addressed the enclosed resolution from the Board from a few years ago. Mr. Fletcher stated he also was the PE, PP for that application. 409 Washington Road is 8,423 sq. ft., 400 ft. deep, 80 ft. wide in both an R7 and B1 Zone. The front home has 3 bedrooms, with a 24’ x 35’ garage. The area is a mixed use area of 2 family, single family, and an auto body use. To legalize this use as a 2 family promotes the goals for land use and since the 1985 original approval has not been detrimental to the area.**

**Mr. Henry asked Mr. Boehm to explain the fence issue. Mr. Boehm said he was not sure where the fence was or needs to be. Mr. Sachs said the 2007 Resolution asked that the fence be relocated. Mr. Fletcher said it appears to be on the property line. Mr. Kuczynski said when this was approved it was stipulated that once the family moved it would no longer be a residence but it would have to be converted back to a garage.**

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

**Mr. Emma 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. Henry made motion to approve the application with all conditions, Mr. Emma seconded. Roll Call:**

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

**No: Mr. Kuczynski**

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**MINUTES – SEPTEMBER 28, 2016**

**MEMORIALIZATION OF RESOLUTIONS**

***NOT COMPLETED – WILL BE APPROVED AT OCTOBER MEETING – DUE TO TIME CONSTRAINTS APPLICANT WAS GIVEN DRAFT COPY OF RESOLUTION TO GET PERMIT PROCESS MOVING***

**#16-17 Kevin Russell 12 Wilson Ave.**

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

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

# ACCEPTANCE OF MINUTES

# Mr. Walsh asked for motion to approve and accept the minutes of the August 24, 2016 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. Kuczynski**

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

  **Respectfully submitted,**

 **Joan M. Kemble**