SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF AUGUST 23, 2023**

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

**Members of the Board of Adjustment present were: Mr. Kuczynski, Mr. Esposito, Mr. Green, Mr. Castlegrant,**

**Mrs. Gottstine, Mr. Bella**

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

**Also present were: Mr. Krenzel, Esq., Mr. Cornell, Engineer, John Barree, Planner**

**#23-01 Spindoc, LLC Animal Hospital 257 Oak St. Use Variance/Site Plan $ 3,250.00 App.**

**$10,881.00 Esc.**

**Lawrence Sachs, Esq. addressed the board stating the animal hospital was the current use on the property. The applicant is seeking use and bulk approval as well as approval of preliminary and final site plan. Presently the site is on Roll Ave. and Oak St. they have three (3) apartments a parking lot across the street. They are seeking approval to build a new facility this will be presented by Marc Leber, Engineer/Planner.**

**Mr. Krenzel swore in Dr. Joseph Spinazzola who stated he wanted to open a new veterinary hospital. There has been a facility on the property since the 1970’s; he purchased the site in 2006, the three apartments will be eliminated, the tattoo parlor is no longer on site. His hours of operation are Monday-Friday 8:00 AM – 7:00 PM, Saturday 8:00 AM – 1:00 PM, Sunday – Closed. There are 10 employees and one doctor on site. Medical waste he has a contractor and it is once every two months, regular and recycle are curbside. Deliveries are UPS and Fedex.**

**He described the layout of the hospital there will be a total of 5 examination rooms 3 for dogs; 2 for cats with 2 treatment areas to treat lacerations and/or wound repair, ear cleaning. Also a pharmacy and lab for lab work with x-ray room and surgical room, a room for routine dental work, a comfort room and acupuncture. There will also be a relief yard with access from the treatment room; patients will be taken out one at a time. There is also a dog run larger breeds get 2 runs a day in the recovery area. Mr. Kuczynski asked if the dog runs were inside, the applicant said “yes,”**

**Dr. Spinazzola stated he does all the dentistry and anesthesia, the technicians all do the x-rays. He said there is no boarding. He stated that there were 30-40 patients a day with appointments 15 minutes apart beginning at 8:15 AM – Close. There are 5 treatment rooms and usually no waiting room full of pets. Usually there are dog and/or cat emergencies every day but we just adapt. Mr. Green asked the applicant how long appointments were before the client leaves; Dr. Spinazzola said routinely appointments are 15 minutes. Mr. Castlegrant asked if there were Sunday emergencies; the applicant said “yes” at times there are and when this occurs he opens and if necessary he refers to ER facility. Mr. Esposito asked applicant about cost analysis as the owner and largest singular veterinarian in the area; the applicant said he is empowered to do certain things; his technicians need a better work environment. Mr. Green asked about the tattoo parlor the applicant said it has been closed and he will be taking down that building and constructing a new building for the hospital then he will do the other side. Again he has 10 Employees that rotate; 2 Employees in the front, 2 Technicians and 1 Office Manager. Mr. Kuczynski asked about medical waste (syringes, needles, possible body parts) the applicant said these items are all wrapped up. Mr. Barree asked if employees would park across the street and customers closest to the building the applicant said “yes” that is the plan.**

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**Mr. Krenzel swore in Marc Leber, PE, PP. Mr. Kuczynski made motion to accept credentials.**

**Mr. Leber presented 2 Exhibits. A-1 describing the site and parking lot areas stating this was an R7 Residential Zone 45% lot coverage with other bulks and a variety of uses – single family, fire house and highway. This is a**

**Non-conforming zone and the property has been a veterinary hospital property since the 1970’s. Exhibit A-2 Reduced size of building submitted in May both buildings will be demolished and parking lots. Proposed driveway access will be from Oak Street only the Roll Avenue drive will be gone. Room for 11 cars with 11 across the street, the ordinance requires 5 spaces per doctor, there will be 20 spaces so parking is adequate for Use Variances:**

* **Front yard 20’ required 0’ proposed**
* **Side Yard 8’ required 7’ proposed**
* **Rear yard 25’ required 7.19’ proposed**
* **Building Coverage 20% maximum 39% proposed**
* **Lot Coverage 45% maximum 82.3% proposed**

**50’ landscape buffer requested they are asking for 5’. No loading space deliveries will be along the street, they are proposing a free-standing sign 32 x 24 sq. ft. height 8’ with 15.67’ wall mount. 31 ½ ID sign 8’ sq. ft. permitted, 56.3 sq. ft. Oak St. 8 sq. permitted, LED lighting in parking lot. Regarding landscaping add street trees, this issue was questioned due to overhead wires. Mr. Cornell addressed the parking lot across the street stating that even though no improvements are presented this lot must be tied into the application. Mr. Sachs stated that this could be input as a condition of approval. Mr. Cornell also stated that this lot should be for the employees. Mr. Barree suggested a sign indicating as such.**

**Mr. Leber talked about the waivers requested and then addressed Mr. Cornell’s report starting on Page 2 requesting a sidewalk throughout the site, paragraph 5 regarding off street loading, landscaping and lighting:**

**-E4 – Waiver 20% Landscaping**

**-E6 - 50’ buffer**

**-F3 - 1 Way Driveway**

**-F4 = Driveway 50’**

**The driveway to Oak Street was no concern. A-1 Letter of exemption from the County regarding tree preservation, NJDEP regarding Soil Fill. Trash bins – generator enclosure for noise control; Mr. Kuczynski asked they were gas Mr. Leber said “yes”. Mr. Cornell said they needed to redirect drains along Roll Ave. and install 3’ fence on top of retaining wall.**

**Mr. Leber addressed John Barree’s report regarding the roof HVAC, the meter location, issue that gas may be visible. Fencing on Roll Ave. side around property as well as dog relief area all the same style. Lighting in lot across the street. Mr. Cornell asked if there was a phasing timeframe once the new building is complete. Mr. Sachs said he will provide a plan. Mr. Kuczynski asked that they make the generator quiet; Mr. Green asked if the tattoo parlor building was being done first and worked on for 9 months how long after would be other start; the applicant stated he anticipated the entire project to hopefully take 10 months.**

**Mr. Leber then addressed the Planning portion of the application stating that this would be improvement to the area consolidating it to single use and how sufficient the parking would be, hours of operation and overall business itself. There would be no detriment to public as well as no traffic issues. The application for D2 Variance is to enhance a non-conforming use the site is suitable for the proposed building, the positives outweigh the negatives. Mr. Barree stated he does not agree with a D2 Variance it should be for D1 Use Variance as the offsite sign requires a use variance as the sign can be seen from Route 9. Mr. Kuczynski stated the illuminated signs facing homes and on front of building should be put on timer not past 7:00 PM**

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**PUBLIC PORTION**

**Mr. Kuczynski asked for motion to open public portion.**

**Mr. Green stated that he was in favor of this application.**

**Mr. Kuczynski made motion to close public portion.**

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

**Yes: Mr. Kuczynski, Mr. Esposito, Mr. Green, Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

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**#23-19 Theresa Cormier 8 Lena St. Bulk Variance/Fence $ 50.00 App.**

**Mr. Krenzel swore in Theresa Cormier who purchased the home in May 2014 and it’s the first home on street and rear fence was damaged from Sandy. The neighbor behind wanted to install a fence but became ill and just left up poles. The applicant has a grandchild and she would like to fence yard for child to play; but her Zoning permit was denied as this is a paper street and a corner lot. When the chain link fence was removed on the left side trees existed at 26 Cheesequake Ave. but were removed. In 1990 when house was built they were given a waiver for driveway and parking area. Mr. Kuczynski asked how far the poles were from their home; the applicant said that the fence maybe would be 25-50’ from the actual street and it lines up with the back of the house; the fence would be 6’ the gates would be 4’ which is consistent with the other neighbors. Mr. Green verified that the fence would be replacing the chain link and they were asking for 5’ more feet around the garage. Mr. Cornell said this is a private driveway and there is no issue.**

**PUBLIC PORTION**

**Mr. Kuczynski asked for motion to open public portion. No one spoke. Mr. Kuczynski made motion to close public portion.**

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

**Yes: Mr. Kuczynski, Mr. Esposito, Mr. Green, Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

**#23-20 Emmanuel/Patricia Onochie 33 Driftwood Dr. Bulk Variance/Fence $ 50.00 App.**

**Mr. Krenzel swore in both Emmanuel & Patricia Onochie who stated they purchased the house in October 2022 and were seeking variance approval for a fence. They have four children this is a corner lot and they want to install a 6’ PVC fence around the property. They have a pool in the yard and on the side people are going in and out of the park. The rear and right of the property were approved; the left denied due to setback. If they were to go 20’ into yard the fence would reach the pool they are asked for approval of 5’ from property line. Mr. Cornell said thee is no site triangle issue; Mr. Green stated this is a dead-end street and people just walk into the park. Mr. Barree asked if they would be removing any trees; the applicants said “no.”**

**PUBLIC**

**Mr. Kuczynski made motion to open to the public. No one spoke. Mr. Kuczynski made motion to close public portion.**

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

**Yes: Mr. Kuczynski, Mr. Esposito, Mr. Green, Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

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**MEMORIALIZATION OF RESOLUTIONS**

**#23-12 Dish Wireless 1899 Highway 35**

**Mr. Kuczynski asked for motion to memorialize resolution; Mr. Esposito made motion to memorialize,**

**Mr. Castlegrant seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Esposito, Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

**#23-16 Bayshore Development Brook Ave. & Schussler St.**

**Before voting on resolution Mr. Krenzel stated that there were a couple of changes he needed to make regarding wording and voting on resolution did not interfere. Mr. Kuczynski asked for motion to memorialize resolution;**

**Mr. Bella made motion to memorialize, Mr. Esposito seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Esposito, Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

**#23-17 Joseph Hayes 7 Thomas St.**

**Mr. Kuczynski asked for motion to memorialize resolution; Mr. Esposito made motion to memorialize,**

**Mrs. Gottstine seconded. Roll Call:**

**Yes: Mr. Kuczynski, Mr. Esposito, Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

**ACCEPTANCE OF MINUTES**

# Mr. Kuczynski asked for motion to approve and accept the minutes of the July 26, 2023 meeting. Mr. Esposito made motion to accept the minutes Mr. Bella seconded, motion carried.

**ADJOURNMENT**

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

**Respectfully submitted,**

**Joan M. Kemble**