SAYREVILLE BOARD OF ADJUSTMENT

**MINUTES OF JULY 26, 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. Emma,**

**Mr. Castlegrant, Mrs. Gottstine, Mr. Bella**

**Excused Absence: Mr. Corrigan**

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

**#23-07 103 Properties, LLC 117 Scott Avenue Use Variance/Minor Site Plan $11,410.00 App.**

 **$ 4,400.00 Esc.**

**David Himelman, Attorney for the applicant addressed the Board and gave an overview of the application for the redevelopment proposal for an office and warehouse use which will total 12, 500 sq. ft. they have several elements to construct the new building as the proposed building is in a residential zone and requires a D1 Variance.**

**Mr. Krenzel swore in Robert Egan owner of the property. He described the application stating he purchased a few years ago and the office warehouse and HVAC business across the street will move to the new building. He stated he will be leasing out a section with storage. It will not be manufacturing storage only light warehouse storage. The Statewide HVAC has been there for 37 years and the hours of operation are Monday-Friday 7:00 AM – 9:00 PM; Saturday (minimum) 7:00 AM – 4:00 PM, Sunday – Closed. There will be 10-11 employees, traffic will enter on Laurel Street and exit on Scott Ave. there will be no large trucks just UPS, Amazon with a delivery of 2-3 days a week no deliveries on weekends. Mr. Kuczynski asked what the storage would entail; Mr. Egan stated if would be boxed items, bulk storage maybe 24’x 24’ with 48”x 24” boxes; there will be no fork lift, no tractor trailers and no outside storage. There will be a dumpster on site. Mr. Emma asked where the closest home was; Mr. Egan said on Scott Ave. and they will be providing buffers; Laurel St. is an empty lot. Beacon Metal is the existing building across the street. Mr. Esposito asked the applicant what type of trucks if this was only office staff and not a busy warehouse really just storage; Mr. Himelman stated that there will be restrictions on traffic and trucks. Mr. Emma asked if it was just storage and office not heavy manufacturing; Mr. Himelman stated that after 2 TRC meetings with the professionals they are reducing the size of building and came to the meeting with uses to add to the resolution. Mr. Kuczynski said a landscaping company would involve large vehicles and there is no outside storage. Mr. Barree said 10-11 employees in addition or move over just a couple. Parking needs to be on property and Laurel St. If proposing an auto repair they need to come back before the board.**

**Mr. Krenzel swore in Marc Leber, PE. Mr. Kuczynski made motion to accept credentials. Mr. Leber presented Exhibit A-1 – Aerial Photo, A-2 Color Coded Site Plan. He described the site as 12,500 sq. ft. covering two streets 50’ on Scott Ave. and 75’ on Laurel St. There are currently three structures on the lot including 2 garages. He described the surrounding sites in the R7 Zone and he had a new survey done showing wetlands. NJDEP issued the wetlands permit to perform the work in 2022. The building will be far north they will be removing the current structure and designing the lot to look residential with a height of 35’ the first floor open for storage with additional parking. Exhibit A-1 the aerial photo shows uses in the area which will be demolished; A-2 shoes the layout of the application describing the size of the lot. He described the size of the lot and proposed driveway; landscaping buffer they are seeking a waiver, the R7 Zone lot coverage they are proposing 72.2%, in Mr. Cornell’s report they are seeking relief of item #3, the parking area of the driveway 30’. Mr. Barree said the enhanced buffer is close to the residential area 12” landscape wall with some grass; if a fence that would be alright as long as it is 6’.**

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**Mr. Krenzel swore in Daniel Governale, Architect. Mr. Kuczynski made motion to accept credentials. Mr. Governale described Exhibits A-3 Revised Architectural Plans and A-4 Color Rendering of the Site. The site shows storage in the lower building and the upstairs office areas. He described the roofing, siding of the building and the Laurel St. side driveway and on Scott Ave. the elevation. He then described the signage originally 2’x 4’ 8 sq. ft. now 2’ x 8’ 16 sq. ft. The deck will give access to electric meter and will total 5,875 sq. ft., the middle level as a mezzanine. Restrooms will be on ground floor and offices on the 2nd floor, there will be one sign on Laurel St. Mr. Himelman stated the sign has been lowered to 2. Mr. Kuczynski asked about the entrance for other businesses; Mr. Governale said nothing in terms of layout will change.**

**Mr. Krenzel swore in Veena Sawant, PP. Mr. Kuczynski made motion to accept credentials. Ms. Sawant described the 5 parcels being 12,500 sq. ft. and detached garages being demolished, and the residential zone, the D1 Use and the C Variances being sought. The D1 Use in the R7 single family Residential Zone 75’ on Laurel St. and 50’ on Scott Ave. Side yard 20% maximum the applicant is proposing 20.5%, Impervious coverage 45% the applicant is proposing 77.2%, the signage variance, the subject property is in the R7 Zone the property along Scott Ave. and Laurel St. is in the B3 Zone. The property use is consistent with the area and the described uses in the area. The building is not being used for manufacturing and the proposed use will not have any detriment to the public. The lot could be subdivided to keep residence and the described driveways in/out are not detrimental to the public. The 2023 Master Plan review seeks to preserve existing residential neighborhoods consistent with flood plain management. Mr. Barree stated possibly a 6’ fence should be installed “if board requires”. Reference renewable energy – not special reason. Mr. Himelman addressed parking spaces 11 required and the applicant is providing 11 spaces also providing electric spaces. Mr. Kuczynski asked if the 6’ fence was required in wetlands, Mr. Barree said “no.”**

**PUBLIC**

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

**Gary Vrabel – 111 Scott Ave. addressed the board. He stated his father owns 6-7 lots on Scott Ave. He addressed the 125’ house and his father lives 3-4 houses up and he has concerns and disagrees completely with the application. It will block the view of the river and the empty lot they own is residential and he has concerns. He asked that this application be put aside so they can process and present their issues at another meeting. Mr. Barree said the application can be carried over Mr. Kuczynski and Mr. Esposito suggested one month. Mr. Vrabel said the make a change he disagrees that it is not residential and has concern as to the switch of the use in the residential area. Mr. Kuczynski stated there would be no vote on the application tonight.**

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

**Mr. Himelman requested that the applicant receive copies of any documents presented by Mr. Vrabel. Mr. Kuczynski stated the application will continue at the September 27, 2023 meeting. Mr. Kuczynski asked for motion to hold over this application. Mr. Bella made motion; Mr. Emma seconded. Roll Call:**

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

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**#23-12 DISH Wireless 1899 Route 35 Use Variance/Minor Site Plan $1,250.00 App.**

 **$2,250.00 Esc.**

**Mr. Krenzel swore in Richard Schnolick the applicant is seeking approval to add antennas below the existing antennas the drawing shows the equipment ground inside the existing compound they will accept any condition of approval and they will work with the owner to clean up the area. The Civil Engineer will address the D Variance in the B3 Zone as a suitable site with no detriments.**

**Mr. Krenzel swore in Peter Smith, Licensed Civil Engineer. Mr. Kuczynski made motion to accept credentials. Mr. Smith addressed the application stating the last revision of the site was November 27, 2021. The location is 1899 Highway 35 – Mason Ave. is undeveloped and is significantly lower than the highway. Sheet A1 shows the plan and compound; Mr. Kuczynski asked if the property was fenced, Mr. Smith said “yes there is an existing fence.” Sheet A2 is the property south and the lowest level of antennas 85’ to the center, 3 antennas 5G. Z3 shows existing sites on 4 equipment platform pads they will apply for construction permits. Mr. Kuczynski asked how often maintenance is performed and if there would be any lighting, Mr. Smith said once a month for the maintenance and as far as the lighting he was not sure no new lighting is being proposed; Mr. Kuczynski asked if they would be installing a generator, Mr. Smith said no permanent just a plug in if needed. Mr. Castlegrant asked if there are any new changes or antennas, Mr. Schnolick said this is not typical but could be as sometimes towns balance by zoning regulations or Dish on their timeline. Mr. Krenzel asked if this was for a gap in coverage, Mr. Smith said “yes 5G.” Mr. Barree stated that the main concern is taking care of the property, Mr. Kuczynski said to go back to the previous landscaping and submit a simple plan showing removal and replacement. Mr. Barree said the board will process and review revised drawings; Mr. Schnolick said he will label it “Landscape Restoration Plan” Mr. Kuczynski said it will be part of the application.**

 **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. Bella made motion to approve the application; Mr. Castlegrant seconded. Roll Call:**

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

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**#23-16 Bayshore Development Brook Ave. & Schussler St. Bulk Variance/Single $ 200.00 App.**

 **Family Home $ 50.00 Esc**

**Casper Boehm, Esq. attorney for the applicant addressed the board stating that the applicant was seeking approval to construct a single-family home on an undersized lot.**

**Mr. Krenzel swore in Todd Kessler, Principle Bayshore Development, Century 21. Mr. Kessler stated he was under contract for the lot but is seeking approval for the following variances:**

* **Lot Area minimum (75 x 100) 7500 sq. ft.; (50 x 100) 5,000 sq. ft. proposed**
* **Lot Width 75 ft. required; 50 ft. proposed**
* **Front Yard Setback 20 ft. maximum; 18 ft. proposed**
* **Building Coverage 20% maximum; 22.32% proposed**

**The single-family home will consist of 4 bedrooms, 2 ½ Baths, 1 car garage with a 3 car driveway. The lot coverage is 2.3% over the limit. Mr. Kuczynski asked if the house would be 2 story, the applicant said “yes.” Mr Barree said the plans were submitted; Mr. Kuczynski said the purchase is pending variance approval and he stated this will not be a two-family.**

**Mr. Krenzel swore in Sharif Aly, LE. Mr. Kuczynski made motion to accept credentials.**

**Mr. Aly described the vacant corner lot on the streets of Brook Ave. and Schussler St. He stated the lot size of 50’ x 100’ totaling 5,000 sq. ft. The proposed house will be two stories, 1100 sq. ft. which meets residential standards. Area lots are 7,500 sq. ft.; this has no extension lot and is an undersized lot with the variances for width, front yard setback and building coverage. Mr. Kuczynski asked about water runoff; Mr. Aly stated the inlet in the rear would create most on site away from building.**

**Mr. Kuczynski asked about the waiver for the driveway of 3 ½’, Mr. Cornell said the waiver should be fine as there is no site triangle issue. Some trees will be saved but most will be removed. Mr. Emma asked if there was any consideration for leaving trees. Mr. Cornell said this doesn’t apply to single family dwellings; Mr. Esposito asked how many trees were involved, Mr. Aly said 20-22. Mr. Emma asked if 50’ x 100’ was normal; Mr. Kuczynski stated it is actually 2 lots 25’ wide owned by one owner and used as 1 lot, and there are no vacant lots on either side.**

**Mr. Krenzel swore in Allison Coffin, LPP. Mr. Kuczynski made motion to accept credentials.**

**Ms. Coffin described Exhibit A1 – Colored Rendering of the undersized lot stating it was in a R7 Zone single family area and this was a permitted use. The variances for lot area bulk and C variances the 50 x 100 lot, front yard, and building coverage relief is needed for the undersized lot, not the size of the house. There are 26 lots within the 200’ of the site. There will be no detriment as this is consistent with the neighborhood the use is permitted and appropriate. Mr. Barree said granting approval is relatively clear cut. Mr. Emma asked if thee would be any sidewalks; Mr. Cornell said that the majority of houses do not have sidewalks and the applicant is not proposing sidewalks. Mr. Emma asked if the trees would be kept, not for this application.**

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**PUBLIC**

**Mr. Kuczynski made motion to open to the public.**

**Mr. Krenzel swore in Jerome Snekszer – 236 Schussler St. Mr. Snekszer stated that he was about 3 houses down on the opposite side of the street and has a concern about air quality. He stated that the tree on the lot was close to 100 years plus nature on the lot. If coverage of 7500 why make laws and go back on them. Sidewalks would make larger, plus there is a postal mailbox on the property. The drainage on the street is bad and floods the street was also supposed to be repaved. Mr. Boehm said they were not going to touch the mailbox on site and they will save as many trees as possible.**

**Mr. Krenzel swore in Jessica Dinkcloker – 244 Schussler St. Ms. Dinkcloker stated she resides across the street and addressed the tree being definitely 100 years and there is a functional forest on the property.**

**Mr. Kuczynski made motion to close public portion; before motion Mr. Esposito asked if the tree would remain; Mr. Cornell said there are railroad ties on the picture and it looks like the larger one in the middle will come down. Mr. Kuczynski then made motion to close public portion.**

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

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

**#23-17 Joseph Hayes 7 Thomas St. Bulk Variance/Addition $ 150.00 App.**

**Mr. Krenzel swore in Joseph Hayes and Diane Hayes who stated they were seeking approval for an addition a bathroom upstairs and family room in the rear. 18’ x 20’ downstairs and 18’ x 15’ upstairs. The variances are as follows:**

* **Front yard setback of corner lot 20’ minimum, 8’ proposed**
* **Building lot coverage 20% maximum, 27% proposed**
* **Impervious lot coverage 45% maximum, 55% proposed**

**Mr. Kuczynski asked if the house would remain single family, the applicants said “yes.” He asked if the outside would match the current house and if water would go towards the street, the applicants said “yes.”**

**Mr. Cornell said there was not site triangle issue.**

**Mr. Kuczynski made 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. Castlegrant made motion to approve the application; Mr. Esposito seconded. Roll Call:**

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

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**PUBLIC PORTION**

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

**MEMORIALIZATION OF RESOLUTIONS**

**23-04 Interstate Outdoor Advertising 949 Highway 9 No.**

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

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

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

**23-10 Verizon Wireless 1 Victory Plaza**

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

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

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

**23-11 Live Urgent Care, LLC 2909 Washington Road**

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

**Mr. Bella seconded. Roll Call:**

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

**23-14 Arcadio/Maria Jerez 129 Pulaski Avenue**

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

**Mr. Bella seconded. Roll Call:**

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

**23-15 Sean/Monica Callahan 189 Lincoln Street**

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

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

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

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**ACCEPTANCE OF MINUTES**

# Mr. Kuczynski asked for motion to approve and accept the minutes of the June 28, 2023 meeting. Mr. Bella made motion to accept the minutes Mr. Emma seconded, motion carried.

**ADJOURNMENT**

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

 **Respectfully submitted,**

 **Joan M. Kemble**