

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2004-8, WITH THE REQUEST OF THE HOME NEWS AND TRIBUNE AND THE SENTINEL NEWSPAPERS TO PUBLISH SAME, AND THIS ANNOUNCEMENT MUST BE ENTERED INTO THE MINUTES OF THIS MEETING.

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A meeting of the Zoning Board of Adjustments was held on April 26, 2011, commencing at 7:30 PM in the Criminal Justice Building 61 Main St., South River, NJ.

Present were: Mr. Andre, Mr. Bodak, Mr. DeMonico, Mr. Hranowski, Mr. O'Grady and Mr. Scala.

Absent were Mr. Ciulla, Mr. Clancy and Mr. Miller.

Also present was Mr. Bletcher from Bignell Planning, Mr. Kinneally the Board Attorney and Mr. Lee from CME.

The Minutes from March 29, 2011, were moved on a motion by Mr. Andre with a second by Mr. O'Grady, all present approved.

There was no correspondence for this month.

COMPLETENESS:

2011-4 Marques, Manuel 29 Virginia St., Block 107, Lot 1, to build a garage larger than permitted was moved on a motion by Mr. Bodak for public hearing at 7:35 or as soon as called with a second by Mr. Scala, all present approved.

2011-6 Domingues, Jose, 21 Macko Court, Block 395, Lot 12, apply paver walkway around garden was moved for a public hearing at the May 31, 2011 meeting on a motion by Mr. Bodak with a second by Mr. Scala, all present approved.

2001-7 Simoes, Ernesto & Maria, 66-68 Willet Ave., Block 260, Lot 12, an addition was made to rear of home, permission to allow addition to stay and to add to driveway was deemed incomplete because of the reports from our professionals.

2011-8 Harigopal, Umeshram, 4 Veterans Drive, Block 380, :pt 1.6 paver patio in backyard, variance for rear yard setback of 25', was deemed complete on a motion by Mr. Bodak with a second by Mr. Scala for a public hearing on May 31, 2011, commencing at 7:45 or soon thereafter as called.

2011-9 DaSilva, Manuel 18 Robert St., to construct a two family residence in a single family zone was deemed complete on a motion by Mr. Bodak with a second by Mr. Scala for a public hearing to be held at 7:50 or soon there after as called on May 31, 2011. This application will be moved to June 28, 2011, because of the necessity to hear T-Mobile.

2011-11 T-Mobile Northeast LLC< proposing to extend the existing tree pole on the Causeway, to add antennas to the pole was deemed complete on a motion by Mr. Bodak with a second by Mr. Scala for a public hearing to be held on May 31, 2011 at 7:55 or soon thereafter as called, all present approved.

RESOLUTIONS:

2011-1 Vold, Andre, 51 Chalres St., Block 268, Lot 3, addition on existing non-conforming lot. Full reading of the Resolution was waived on a motion by Mr. Bodak with a second by Mr. Scala all present approved. Mr. Bodak moved the Resolution for approval with a second by Mr. Scala, all present approved.

**MEMORIALIZING RESOLUTION  
FOR  
SOUTH RIVER ZONING BOARD OF ADJUSTMENT**

**ZB 2011-1  
ANDRE VOLD**

**WHEREAS**, Andre Vold, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for bulk variances from Sections 350-8(A)(1) & Attachment II to permit the addition of a second story over the existing footprint in the side yard setback at the existing single family residence on the premises known as Block 268, Lot 3, otherwise known as 51 Charles Street, South River, New Jersey; and

**WHEREAS**, the Applicant has complied with all jurisdictional requirements necessary to prosecute the within application; and

**WHEREAS**, a public hearing was held by the Zoning Board on March 29, 2011, and

**WHEREAS**, the Board has made the following findings of fact:

1. Applicants Andre Vold has filed an application for bulk variances to permit the addition of a second floor over the existing footprint at the existing single family residence on the premises known as Block 268, Lot 3, otherwise known as 51 Charles Street in South River, New Jersey.

2. Adequate notice was provided and the Board has jurisdiction to hear this application.

3. The proposed addition requires variances for side setback and lot coverage even though the proposed addition is over the same footprint.

4. The Applicant agreed that the new roof would have gutters and leaders that run all stormwater drainage to the street; in addition, the Applicant will ensure that the siding on the addition matches the existing siding

5. There was no opposition by any of the surrounding neighbors.

Based upon the foregoing findings of fact, the Board has arrived at the following legal conclusions:

1. The granting of the requested bulk variances would advance both the goals of the Borough's Master Plan and the purposes of the Land Development Ordinance for the Borough and the benefits derived from granting the bulk variance substantially outweigh any detriment resulting from the granting of these variances.

2. The bulk variance relief requested by the Applicant will not substantially impair the intent and purpose of the Zone Plan and Zone Ordinance and there is no detrimental impact to the neighborhood in granting this relief.

**NOW, THEREFORE BE IT RESOLVED** by the South River Board of Adjustment that the Application of Applicant Andre Vold for bulk variances from Section 350-8(A)(1) & Attachment II to allow an addition of a second story over the existing footprint be and hereby is granted in accordance with the findings of fact and conclusions of law rendered above.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that approval of the aforementioned variance is conditioned upon the following:

1. Applicant shall pay to the appropriate Borough officials all review fees and escrow funds certified to be due by the Board secretary to compensate for review of Applicant's plans as well as professional services. No building permits or certificates of occupancy shall be issued nor final plans signed by Borough officials until all such fees and escrow funds have been received and notice of same filed with the appropriate code official of the Borough.

2. Applicant shall obtain all required inspections, permits and approvals.

3. The Applicant shall install gutters and leaders that direct all runoff to the street.

4. The siding on the addition shall match the existing siding.

**BE IT FURTHER RESOLVED** that a copy of the within Resolution certified by the Secretary of the Borough of South River Zoning Board of Adjustment be a true copy

shall be afforded to the Applicant herein, the Zoning Officer of the Borough of South River, and to the Clerk of the Borough of South River, who is hereby directed to cause same to be published in an official newspaper in the Borough of South River within ten (10) days from the date hereof.

**ZB 2011-1**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**Seconded by: Mr. Andre**

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Mr. Mario Andre	X			
Mr. Robert Bodak	X			
Mr. Tony Ciulla	X			
Mr. Michael Clancy	X			
Mr. Frank DeMonico	X			
Mr. Jeremiah O'Grady	X			
Mr. John Scala	X			
<b>ALTERNATES</b>				
Mr. Andreas Miller				X
Mr. Joseph Hranowski	X			

**ZB 2011-1**

**The foregoing Resolution was:**

**Moved by: Mr. Bodak**

**Seconded by: Mr. Scala**

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Mr. Mario Andre	X			
Mr. Robert Bodak	X			
Mr. Tony Ciulla				X
Mr. Michael Clancy				X
Mr. Frank DeMonico	X			
Mr. Jeremiah O'Grady	X			
Mr. John Scala	X			
<b>ALTERNATES</b>				

Mr. Andreas Miller				X
Mr. Joseph Hranowski	X			

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED AT THE BOROUGH OF SOUTH RIVER ZONING BOARD OF ADJUSTMENT AT MEETING HELD ON MARCH 25, 2011.

**M. ANITA HERMSTEDT, SECRETARY**

2011-3 36 Water St., LLC 36Water St., Block 322, Lot 12, convert existing rooming house and vacant butcher store into three residential apartment, each with two bedrooms, was held over to next month on the request of the Attorney, Mr. Clarkin in order to have their Planner at the meeting, this was moved by Mr. Bodak with a second by Mr. Scala, all present approved.

2011-2 Marcal, Sandra, 41A Jackson St., Block 158, Lot 24, to open a pet grooming salon. Mr. Marcal, 2 Gaszi Ave. was sworn in by the Boards Attorney. She stated that she has a year lease on the property. Plumbing is there the counter is also there and well be replaced with a tub, which has six cage bank on wheels. She is not operating as a grooming salon right now. She was questioned on how many clients she is expecting to have in a day. She said that she expects six to eight dogs a day and that her hours are nine to five with Monday being closed and alternate Saturday's. There is on Street parking and the customers do not stay. The only kind of signage she will have is an awning. She would like to provide shampoo and collars to her customers. Mr. Andre asked what kind of drain line does the property have. She said she will have a drain stopper that has to be cleaned out, she said dogs will be in and out and will not be kept overnight. This Application was opened to the public, hearing none it was closed on a motion by Mr. Bodak with a second by Mr. Scala, all present approved. The Application was moved for approval on a motion by Mr. Scala with a second by Mr Bodak, Mr. Andre asked that the sink should be installed by a plumber and inspected by the Building Dept. so moved, all agreed.

2011-5 Iammatteo, Debra, 49 Virginia St., Block 109, Lot 9 over 50% lot coverage concrete or paver patio and driveway. Mr. Panzica spoke on behalf of his Mother. They had a pool installed with approval and then we were failed for the lot coverage. They used pebbles and stones around the pool. There was a miscommunication between the contractor and the town. They installed a French drain which goes out to the Street. They feel that Old Bridge was partly responsible they got all the right permits and spent a lot of money on the French drains. Mr. Bodak had a chance to walk through the back yard. The Applicant stated they were told to remove the asphalt. What they would like to do is add back to the driveway and a 4' walkway with a 3' pathway from the driveway to the sidewalk. Mr. Bletcher spoke to the Board and aid they should ask for another survey with the lot coverage and to carry this Application over to next month. Mr. Bodak made a motion to carry over this Application to the May 31<sup>st</sup> meeting with a second by Mr. Scala all approved.

Bills:

The bills were moved on a motion by Mr. Bodak with a second by Mr. Scala, all approved.

**OPEN TO THE PUBLIC:**

Mr. Harigopal Umeshram of 4r Veterans Drive spoke on how none of his neighbors objected to his application, the Attorney told him he could not talk about his Application for any reason, until his hearing date...

Ms. Meloni reminded the Board that the Board of Education vote was tomorrow and not to forget to vote.

There being no others the meeting was closed to the public on a motion by Mr. Bodak with a second by Mr. Scala, all present approved.

COMMENTS

Mr. Andre again spoke about the Application on Whitehead and Mr. DeMonico told him to talk to Glenn.

The Board went into Closed Session

The meeting was adjourned on a motion by Mr. Andre with a second by Mr. O'Grady all present approved.

Respectfully submitted,

M. Anita Hermstedt  
Secretary