

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 July 26, 2011, commencing at 7:30 PM in the Criminal Justice Building 61 Main St., South River, NJ.

Present were, Mr. Ciulla, Mr. Clancy, Mr. DeMonico, Mr. Hranowski, and Mr. Scala.

Absent were Mr. Andre, Mr. Bodak, Mr. O'Grady.

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

The Minutes from June 28, 2011, were moved on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved.

CORRESPONDENCE:

The letters from Freehold Soil on South River High School and Rutgers on continuing education was received and filed on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved.

COMPLETENESS:

2011-7 Simoes, Ernesto & Maria, 66-68 Willet Ave., Block 260, Lot 12 was deemed incomplete on the report from Bignell Planning on a motion by Mr. Ciulla with a second by Mr. Scala all present approved.

2011-15 Tucker, Charanjit, 57 Reid St., Block 90, Lot 29.1 was deemed incomplete on the report from Bignell Planning on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved.

2011-17, Liedl, Jeff, & Barry Lisa, 25 Lexington Ave., Block 187, Lot 6 & 7, installation of paver patio within 25' rear yard setback was deemed complete on a motion by Mr. Ciulla with a second from Mr. Scala for a public hearing to be held on August 30, 2011, all present approved.

2011-18, Pacheco, Manuel, 32 Levinson Ave., Block 301, Lot 11.1 was deemed incomplete on a motion by Mr. Ciulla with a second by Mr. Scala, on the report from Bignell, all present approved.

2011-12 Rais Realty, 95 Whitehead Ave., Block 302, Lot 8.3, was deemed incomplete on a motion by Mr. Clancy with a second by Mr. Scala on Bignell report, all present approved.

RESOLUTION(S)

The following Resolutions were moved on a motion by Mr. Ciulla with a second by Mr. Scala, roll call vote to follow:

2011-9 DaSilva, Manuel 18 Robert St., to construct a two family residence in a single family zone.

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

**ZB 2011-9  
MANUAL DA SILVA**

**WHEREAS**, Manual Da Silva, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for a use variance from Section 350-16 (A)(1) to permit a two family residence in the B-1 Zone on the premises known as Block 292, Lot 5.2, otherwise known as 18 Robert 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 June 28, 2011, and

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

1. Applicant Manual Da Silva has filed an application for a use variance to permit a two family residence in the B-1 Zone on the premises known as Block 292, Lot 5.02, otherwise known as 18 Robert Street in South River, New Jersey.
2. Adequate notice was provided and the Board has jurisdiction to hear this application.
3. The proposed two family residence, on the edge of the B-1 Zone is in a neighborhood with several other two family residences; consequently, this two family dwelling, if permitted, would be consistent with other uses in the neighborhood.
4. The Applicant agreed to comply with the CME and Bignell reports rendered in connection with this application.
5. Several of the surrounding neighbors expressed opinions about this application to the Zoning Board.

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

1. The granting of the requested use variance 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 use 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.

3. Since this is an existing mixed use neighborhood with several two family dwellings, this lot is particularly suited for the proposed use and it will be consistent with other uses in the neighborhood.

**NOW, THEREFORE BE IT RESOLVED** by the South River Board of Adjustment that the Application of Applicant Manual Da Silva for a use variance to permit a two family dwelling in the B-1 Zone 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, Applicant shall comply with the reports of CME Engineering and Bignell Planning rendered in connection with this application.

**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 2011-9**

**The foregoing Resolution was:**

**Moved by: Mr. Andre**

**Seconded by: Mr. Ciulla**

<b>ROLL CALL</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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 2011-9**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**Seconded by: Mr. Scala**

<b>ROLL CALL</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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 JULY 26, 2011.

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**M. ANITA HERMSTEDT, SECRETARY**

2011-11 Costa, Nancy, 48 New St., Block 349.2, Lot 1 to enlarge single driveway and apron to a two car driveway.

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

**ZB 2011-11  
NANCY COSTA**

**WHEREAS**, Nancy Costa, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for bulk variances from Sections 350-(E)(1)(a), 350-8(4)(b) and 350-8(G)(3) to permit the enlargement of the driveway in the front yard setback, install a fence and replace walks and a patio at the existing single family residence on the premises known as Block 349.2, Lot 1, otherwise known as 48 New 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 June 28, 2011, and

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

1. Applicants Nancy Costa has filed an application for bulk variances to permit the enlargement of the driveway in the front yard setback, install a fence, and replace walks and a patio at the existing single family residence on the premises known as Block 349.2, Lot 1, otherwise known as 48 New Street in South River, New Jersey.

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

3. The proposed driveway, which will still leave 6' of side yard, will provide the Applicant with increased off-street parking.

4. The Applicant agreed that all stormwater run-off will be directed to the street.

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 Nancy Costa for bulk variances as listed above to allow the enlargement of the driveway in the front yard setback, install a fence and replace walks and a patio 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. All stormwater runoff from the driveway shall be directed toward the street.

**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 2011-11**

**The foregoing Resolution was:**

**Moved by: Mr. Andre**

**Seconded by: Mr. Scala**

<b>ROLL CALL</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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 2011-11**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**Seconded by: Mr. Scala**

<b>ROLL CALL</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
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				
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 JULY 26, 2011.

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**M. ANITA HERMSTEDT, SECRETARY**

2011-4, McGonigle, Kevin & Jacinto, 26 Ferris St., Block 115, Lot 6, to install brick paver patio within the 25' rear yard setback.

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

**ZB 2011-4  
KEVIN MCGONIGLE**

**WHEREAS**, Kevin McGonigle, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for bulk variances from Section 350-8(3) for rear and side setback to permit the installation of a brick paver patio at the existing single family residence on the premises known as Block 115, Lot 6, otherwise known as 36 Ferris 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 June 28, 2011, and

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

1. Applicant Kevin McGonigle has filed an application for bulk variances to permit the installation of a brick paver patio in the rear and side yard setback at the existing single family residence on the premises known as Block 115, Lot 6, otherwise known as 36 Ferris Street in South River, New Jersey.

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

3. The proposed patio is to be located in an area where the Applicant has been unable to get grass to grow; the patio will provide an area for the enjoyment of his family.

4. The Applicant complies with the lot coverage restrictions under the Ordinances of South River.

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 Kevin McGonigle for bulk variances for rear and side yard setback to allow the enlargement of the brick paver patio 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.

**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 2011-4**

**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 2011-4**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**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				
Mr. Joseph Hranowski	X			

JULY 26, 2011

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 JULY 26, 2011.

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**M. ANITA HERMSTEDT, SECRETARY**

2011-5 Iammateo, Debra, 49 Virginia St., Block 109, Lot 9, over 50 % lot coverage, concrete or paver patio and driveway.

**FOR  
SOUTH RIVER ZONING BOARD OF ADJUSTMENT**

**ZB 2011-5  
DEBRA IAMMATEO**

**WHEREAS**, Debra Iammateo, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for bulk variances from Section 350-8 Attachment II for lot coverage to replacement of a blacktop driveway with semi-pervious pavers and to allow a stone and paver patio to remain at the existing single family residence on the premises known as Block 109, Lot 9, otherwise known as 49 Virginia Street, South River, New Jersey; and

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

**WHEREAS**, public hearings were held by the Zoning Board culminating on June 28, 2011, and

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

1. Applicant Debra Iammateo has filed an application for bulk variances to permit the replacement of a blacktop driveway with a semi-pervious paver driveway and to allow a stone and paver patio to remain at the existing single family residence on the premises known as Block 109, Lot 9, otherwise known as 49 Virginia Street in South River, New Jersey.

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

3. The proposed lot coverage is 70%; however most of the area that is over the lot coverage limit will be made up of the stone and paver patio, and the pool. These areas are considered impervious under the Borough Ordinances, but are semi-pervious

and do allow water to seep through.

4. The Applicant has already installed gutters/downspouts that run to the street; therefore there does not appear to be any increased run-off of stormwater to any neighbor's property.

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 Debra Iammateo for bulk variances for lot coverage to allow the replacement of a blacktop driveway with a semi-pervious paver driveway and to allow the stone and paver patio to remain 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, Applicant shall remove the existing asphalt driveway and replace it with a semi-pervious paver driveway.

**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 2011-5**

**The foregoing Resolution was:**

**Moved by: Mr. Andre**

**Seconded by: Mr. Ciulla**

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 2011-5**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**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				
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 JULY 26, 2011.

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**M. ANITA HERMSTEDT, SECRETARY**

PUBLIC HEARING:

2011-13, Sulva, John, 10 Albourne St., Block 131, Lot 7, remove and replace driveway and fill in grass portion over 50% lot coverage. Mr. Sulva talked to Mr. Lee from CME, and Mr. Bletcher, regarding his application, also telling the Board that he did not have time to get to East Brunswick, for his list of property owners, requesting a postponement to August 30, 2011, which was granted on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved.

BILLS:

The bill from the Home News Tribune was ordered paid on a motion by Mr. Scala with a second by Mr. Ciulla all present approved.

OPEN TO THE PUBLIC:

The meeting was opened to the public having none it was closed on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved.

COMMENTS:

Mr. Lauritsen informed the Secretary that she had the wrong data down for 79 Division St., Goncalves.

ADJOURNMENT:

The meeting was adjourned on a motion by Mr. Ciulla with a second by Mr. Clancy, all present approved.

Respectfully submitted,

M. Anita Hermstedt, Secretary