

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 September 27, 2011, commencing at 7:30 PM in the Criminal Justice Building 61 Main St., South River, NJ.

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

Absent was, Mr. Clancy.

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

The Minutes from August 30, 2011, were moved on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved.

RESOLUTION(S):

Sulva, John 10 Albourne St., Block 131, Lot 7, pull up the existing cement ribbons & replace with asphalt, widening driveway & filling in th center grass strip. The full reading of the Resolution was waived on a motion by Mr. Ciulla with a second by Mr. Bodak, all present approved. The Resolution was moved on a motion by Mr. Ciulla with a second by Mr. Andre, Roll Call to follow.

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

**ZB 2011-3  
JOHN SULVA**

**WHEREAS**, John Sulva, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for a bulk variance from Sections 350-8(G)(3)-Attachment II to permit the removal of the ribbon driveway and installation of a

paved driveway in the side yard setback at the existing single family residence on the premises known as Block 131, Lot 7, otherwise known as 10 Albourne 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 August 30, 2011, and

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

1. Applicant John Sulva has filed an application for a bulk variance to permit the removal of the ribbon driveway and the installation of a paved driveway in the side yard setback at the existing single family residence on the premises known as Block 131, Lot 7, otherwise known as 10 Albourne Street in South River, New Jersey.
2. Adequate notice was provided and the Board has jurisdiction to hear this application.
3. The proposed driveway needs a variance for location within the side yard setback.
4. The Applicant agreed to direct driveway stormwater runoff toward the street to ensure that no increased drainage occurs toward the neighbors 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 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 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 John Sulva for a bulk variance from Section 350-8(G)(3)—Attachment II to allow the installation of a paved driveway in the side yard setback 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 to Albourne 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 2011-3**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**Seconded by: Mr. Andre**

<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. Trony Clifton				X
Mr. Joseph Hranowski	X			

**ZB 2011-3**

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. Trony Clifton				
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 SEPTEMBER 27, 2011.

**M. ANITA HERMSTEDT, SECRETARY**

2011-17, Liedl, Jeff & Barry, Lisa, paver patio within 25' rear yard set back 25 Lexington Ave., Block 187, Lots 6 & 7. Full reading of the Resolution was waived on a motion by Mr. Ciulla with a second by Mr. Scala, all present approved. The Resolution was moved on a motion by Mr. Ciulla with a second by Mr. Andre, Roll Call to follow.

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

**ZB 2011-17  
 JEFF LIEDL & LISA BARRY**

**WHEREAS**, Jeff Liedl & Lisa Barry, hereinafter referred to as the Applicants, have applied to the Zoning Board of Adjustment of South River for a bulk variance from Sections 350-8(G)(3) to permit the patio to remain within the rear yard setback at the

existing single family residence on the premises known as Block 187, Lots 6 & 7, otherwise known as 25 Lexington Avenue, 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 August 30, 2011, and

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

1. Applicants Jeff Liedl & Lisa Barry have filed an application for a bulk variance to permit the patio to remain in the rear yard setback at the existing single family residence on the premises known as Block 187, Lots 6 & 7, otherwise known as 25 Lexington Avenue in South River, New Jersey.

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

3. The existing patio was installed within the rear yard setback by the Applicants' contractor.

4. The Applicants have a large lot and there is a large amount of pervious property to absorb any stormwater runoff.

5. The existing conditions as shown on the survey submitted in connection with this application are approved by the Zoning Board.

6. 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 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 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 Applicants Jeff Liedl & Lisa Barry for a bulk variance from Section 350-8(G)(3) to allow the patio to remain in the rear yard setback 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 2011-17**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**Seconded by: Mr. O'Grady**

<b>COLL 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. Trony Clifton				X
Mr. Joseph Hranowski	X			

**ZB 2011-17**

**The foregoing Resolution was:**

**Moved by: Mr. Ciulla**

**Seconded by: Mr. Andre**

<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. Trony Clifton				
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 SEPTEMBER 27, 2011.

**M. ANITA HERMSTEDT, SECRETARY**

**COMPLETENESS:**

2011-12 Rais, Realty, 95 Whitehead Ave., Block 302, Lot 8.3 change of use from commercial to residential was moved for a Public Hearing on a motion by Mr. Bodak, with a second by Mr. Ciulla for the October 25, 2011 meeting, all present approved.

2011-19 Silva, Antonia & Cristiane, 161 Willett Ave., Block 249, Lot 36, to allow patio to remain in the 25' rear yard setback was moved for a public hearing on October 25, 2011 on a motion by Mr. Ciulla with a second by Mr. Bodak, all present approved.

2011-15 Tucker, Charanjit, 57 Reid St., Block 90, Lot 29.1, wants permission to use existing building as convenience store, extend business hours to 5 am to midnight 7 days a week was moved to the November meeting on a motion by Mr. Ciulla with a second by Mr. Bodak all present approved.,

2011-21, Soares, 42 Wilcox Ave., for 5 Marks Place, Block 158, Lot 28, rebuild garage after collapse was deemed incomplete on a motion by Mr. Bodak with a second by Mr. Bodak, she needs to have a site plan, because it is a rental unit, all present approved.

PUBLIC HEARING(S):

2011-16 Goncalves, Jose & Celia, 79 Division St., Block 272, Lot 6 to install a concrete driveway. Mr. Goncalves spoke to the Board stating that he would like to make the driveway 18' wide in able to park two cars, gravel is there now. He will be putting concrete 27 1/2' from the sidewalk and it will handle two cars. Mr. Lauritsen, spoke to the Board stating that there is a curb cut there , and that they removed a lot of concrete, and that they need a variance for front yard and side yard setback with impervious coverage 47.8%. Mr. Ciulla spoke to the Applicant stating that there will be a double wide curb cut, and that drainage will go under the driveway, put leaders to the Street. Mr. Bodak spoke to the Applicant stating that in the survey it shows a large concrete pad and he wanted to know if this was removed? The Applicant stated that only the shed is there and that the driveway will stop at the house, and that the drains are by the walkway at the back of the home.

Mr. DeMonico opened the meeting to the Public, hearing none the Application was closed on a motion by Mr. Scala with a second by Mr. Ciulla, all present approved. The Application was approved on a motion by Mr. Bodak with a second by Mr. Andre with having drainage underground, all present approved.

2011-20 Novak, Elizabeth, 10 Wilcox Ave., Block 121, Lot 6, enlarge driveway install a rear yard patio and place pavers in the public right of way. Ms. Novak spoke to the Board stating exactly what she wanted to do. Mr. Lauritsen said that the impervious coverage is roughly 75%, add 13% for the driveway. After much discussion and the testimony of the neighbors it was decided that the Board would have an on site inspection and that the neighbors would get together and try to come to an agreement about the run off from this Applicant. The public hearing was moved to the October 25, 2011, meeting on a motion by Mr. Ciulla with a second by Mr. Andre, all present approved.

BILLS:

There were no bills,

OPEN TO THE PUBLIC:

There were no one from the public who wished to be heard at this time it was closed on a motion by Mr. Bodak with a second by Mr. Andre all present approved.

COMMENTS:

Mr. Bodak apologized to the Board for not being at the last two meeting he explained that his job sent him out of state.

All members welcomed our new member Mr. Clifton.

ADJOURNMENT:

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

Respectfully submitted,

M. Anita Hermstedt, Secretary