

ADEQUATE NOTICE OF THIS MEETING HAS BEEN PROVIDED AS IS REQUIRED BY CHAPTER 231, PUBLIC LAW 1975 AND BY RESOLUTION 2016-5, 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 Adjustment was held on March 8, 2016, commencing at 7:30 PM at the Criminal Justice Building, 61 Main Street, South River, NJ.

Present were: Mr. Bodak, Mr. Clancy, Mr. Clifton, Mr. DeMonico, Ms. Farren, Mr. Sapata and Mr. Scala

Also present were Mr. Kinneally Attorney, Mr. Koch CME Engineer and Mr. Bletcher, Planner.

Absent: Mr. Giannakopoulos, Mr. O'Grady

Note: Mr. Sapata arrived at 7:35 PM

### MINUTES

The Minutes of Meeting the meeting held on February 23, 2016 were submitted to the Board for acceptance and/or amendment.

Mr. Bodak moved that the Minutes be approved, Mr. Clancy seconded the motion.

### COMPLETENESS

ZB2015-03 Use Variance and Site Plan Approval

Wasef, Wageih, 100 Main St Block 162, Lot 20

Requesting to convert single family home to two family residence. Deemed complete on a motion by Mr. Bodak, seconded by Mr. Clifton, all present approved. Public Hearing on March 29, 2016.

ZB2015-03 Use Variance and Site Plan Approval

Andre, John 656 Old Bridge Tpk. Block 73, Lot 10.1

Requesting use for parking and storage of used cars for used car company. Deemed complete on a motion by Mr. Bodak subject to the items on the checklist to be submitted prior to the public hearing. Applicant also needs to file for a use variance to have containers on the property; seconded by Mr. Clifton, all present approved. Public Hearing on March 29, 2016.

ZB2015-04 Use Variance and Bulk Variances (2)

Lourenco, Mario & Judite, .42-44 William Street Block 36, Lot 6.01

Requesting bulk variance for lot width and minimum lot size; Use variance

for single family dwelling to two family dwelling. Deemed complete on a motion made by Mr. Bodak subject to a floor plan being submitted and clarification of the lot numbers; seconded by Mr. Clifton. Public Hearing on April 26, 2016.

**ZB2015-36 4 Bulk Variance & Site Plan Waiver**

28-30 Florence Street Reality LLC, 28-30 Florence St. Block 34, Lot 8

Requesting site plan waiver and bulk variances for impervious coverage, side yard and rear yard property lines for driveway. Deemed incomplete on a motion made by Mr. Bodak subject to the Planner's review of plans submitted that day; application back on the March 29, 2016 agenda for completeness for an April 26, 2016 Public Hearing; seconded by Mr. Clifton.

**ZB2016-01 Bulk Variances (5), Use Variance (1)**

Absolute Properties Mgt. LLC. Block 271, Lots 1 & 2

Division, Anderson, Charles & Whitehead

Requesting Use Variance for multifamily 33 unit apartment complex in R-75 Zone, Bulk Variances for front yard setback, maximum yard coverage, maximum building height in stories, maximum building height in feet and maximum gross density. Mr. Pressler, applicant's attorney requested the application be carried over to March 29, 2016 for completeness. Motion was made by Mr. Bodak for the application to be carried over to the March 29, 2016 meeting for completeness; seconded by Mr. Clifton, all present approved. Mr. DeMonico noted that a special meeting for the public hearing will be needed for this application; possibly April 12 or May 10, 2016 once deemed complete.

**ZB2015-22 Bulk Variance/Use Variance**

Evarista Pasencia 41 George St. Block 96 Lot 2

Requesting to convert single family home to two family residence. Engineer deemed complete; Planner requested additional information. Motion made by Mr. Bodak to carry over the application one last time for completeness to March 29, 2016 meeting; seconded by Mr. Clifton; all present approved.

**RESOLUTIONS**

The following resolution was voted on:

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

**ZB 2015-37  
JOSE RESENDE**

**WHEREAS**, Jose Resende, hereinafter referred to as the Applicant, has applied to the Zoning Board of Adjustment of South River for bulk variances, including a

variance for impervious coverage, to permit a driveway within the side yard setback on the premises known as Block 291, Lot 12, otherwise known as 16 Schack 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 February 23, 2016, and

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

1. Applicant Jose Resende has filed an application for bulk variances to permit a driveway in the side yard, and for impervious coverage on the premises known as Block 291, Lot 12 otherwise known as 16 Schack Avenue in South River, New Jersey.
2. Adequate notice was provided and the Board has jurisdiction to hear this application.
3. The unpaved area has previously been used as a driveway to access the two car garage located in the rear of the premises; however, South River Ordinances require that driveways be paved.
4. The next door neighbor, Mrs. Marie Siewierski, appeared at the meeting to express concerns about the effect of paving this driveway upon her property.
5. The Applicant will have to provide curbing around the perimeter of the driveway, pursuant to South River Ordinances; this will protect Mrs. Siewierski's property from any runoff from the driveway.
6. The area between the Applicant's house and the neighboring property line and fence is narrow; this will limit the types of vehicles that can drive on the driveway

and access the garage.

7. Applicant is seeking permission for impervious coverage of 78%, where 50% is permitted; when paving the driveway, Applicant agreed to re-grade the area to direct stormwater to the street.

8. The relief requested by the Applicant will have no detrimental impact upon the surrounding neighborhood; in fact, this will enhance the neighborhood since the Applicant will be replacing the existing apron and sidewalk which are in a state of disrepair.

9. These variances will not impair the zone plan or zone ordinance; this has been used as a driveway sporadically for many years to access the garage in the rear of the property.

**NOW, THEREFORE BE IT RESOLVED** by the South River Board of Adjustment that the Application of Applicant Jose Resende for relief as described above is hereby **GRANTED** in accordance with the findings of fact and conclusions of law rendered above.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that this approval be and 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 as required by the Borough of South River.

3. The Applicant shall install curbing around the perimeter of the driveway as required by South River Ordinance.

4. The Applicant shall direct all downspouts and leaders by underground piping to the street.

5. Impervious coverage of 78% is permitted.

6. The Applicant's shall supply a revised plan prepared by a licensed professional showing compliance with all of the conditions of approval.

7. The apron and sidewalk shall be replaced.

8. No parking of any vehicle is permitted alongside either the Applicant's house or the neighboring Siewierski dwelling; parking must be in the rear yard.

**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 2015-37**

The foregoing Resolution was:  
 Moved by: Mr. Bodak  
 Seconded by: Mr. Giannakopoulos

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Mr. Robert Bodak	X			
Mr. Michael Clancy			X	
Mr. Trony Clifton	X			
Mr. Frank DeMonico	X			
Mr. Nick Giannakopoulos	X			
Mr. Jeremiah O'Grady	X			
Mr. John Scala	X			
<b>ALTERNATES</b>				
Ms. Donna Farren				
Mr. John Sapata				

**2015-37**

The foregoing Resolution was:  
 Moved by: Mr. Bodak  
 Seconded by: Mr. Scala

ROLL CALL	YES	NO	ABSTAIN	ABSENT
Mr. Robert Bodak	X			
Mr. Michael Clancy			X	
Mr. Trony Clifton	X			
Mr. Frank DeMonico	X			
Mr. Nick Giannakopoulos				X
Mr. Jeremiah O'Grady				X
Mr. John Scala	X			
<b>ALTERNATES</b>				
Ms. Donna Farren				
Mr. John Sapata				

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 8, 2016

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SHERYL NEVIN, SECRETARY

**PUBLIC HEARING(S)**

**ZB2015-10 Use Variance/Parking Variance**

235 Main St. Trust 235 Main St. Blk.125 Lot 12; Convert 1 family/business to 2 family

- Mr. Sachs, Applicant's attorney requested to have the hearing carried over to March 29, 2016 due to the fact that a Use Variance requires the majority of the board and there are only 6 eligible members to vote.

Motion made by Mr. Bodak to carry the Public Hearing to March 29, 2016 meeting with no further notice, seconded by Mr. Clifton, all present in favor.

**ZB2015-24 Bulk Variances (3) / Use Variance (1)**

WSC, LLC 190 William Street Block 48 Lot 1.3

Conversion of offices to apartments; increase in coverage, 1.7 ft., setback for accessory structure; 20 ft. rear yard setback for storage bins.

- Mr. Pressler stated that he only had 5 eligible members

Motion made by Mr. Bodak to carry the Public Hearing to May 31, 2016 meeting (due to availability of his professionals) with no further notice, seconded by Mr. Clifton, all present in favor.

**PUBLIC COMMENTS**

Resident questioned if there is limit to how many times a Public Hearing can be postponed; Mr. Kinneally stated no with an explanation of various scenarios.

**ADJOURNMENT**

Motion to adjourn by Mr. Bodak, seconded by Mr. Clancy. All present in favor.

Adjourned at 7:55PM

Respectfully submitted  
*Sheryl L. Nevin*  
Zoning Board Secretary

Approved at Zoning Board Meeting  
held on March 29, 2016