

Minutes of a Regular Meeting of the Verona Board of Adjustment on Thursday April 12, 2018 beginning at 8:00 P.M. in the Verona Community Center, 880 Bloomfield Avenue, Verona, New Jersey.

Roll Call:

Present: Dan McGinley, Chairman, Pat Liska, Larry Lundy, Louis Russo, Sean Sullivan, Scott Weston, Christy DiBartolo, Alt#1, and Coleen D'Alessandro, Alt#2

Also, present: Michael Piromalli, Esq. and Thomas Jacobsen, Township Construction Code Official

Absent: John Denton, Vice Chairman

Secretary read the notice of Open Public Meetings law and called attendance.

Mr. McGinley called the meeting to order at 8:05 PM. He leads the Pledge of Allegiance. He then explains to the Applicants that the Board can grant variances, but the burden is on the Applicant to prove special reason or any undue hardship. Mr. McGinley states the Applicants shall offer sworn testimony on their application and the Board will rule based on the evidence presented. He reports the variance, if granted, will be memorialized at the next regular meeting.

Board Business:

Mr. McGinley welcomed the new members to the Board, Mr. Weston and Mrs. DiBartolo. He continued discussion with concerns on how the Township Council handled replacing old members. The Board was upset the council jumped over alternate members already sitting on the Board for many years. He spoke independently with Board members and they assembled a document, a resolution to express their concerns. The document expressed their upset with Township council decisions to pass over alternates, to pass over women as regular members and more specifically, Mrs. D'Alessandro being passed over for the opportunity to move up to a member position after several years of experience on the Board. He expressed this was nothing personal to the new members. Mr. McGinley read the document, Verona Zoning Board of Adjustment Resolution 18-03. After reading Mr. Sullivan, Mr. Liska and Mr. Russo all expressed their support of the resolution. Mr. Lundy added to this with his support of the document and added that this was a waste of tremendous talent to pass someone who in the past 9 or so years been to many meetings put in many hours and for the Township Council to pass over someone like this is an insult. It was noted that there was a member of the township Council in the audience at the meeting and they hoped the member would take this back to his fellow members and relay their concerns and their feelings.

Mr. Sullivan motioned for the resolution to be approved as drafted by Mr. McGinley; Mr. Russo seconded the motion. Vote was taken, Mrs. D'Alessandro and Mr. Weston abstained and all others voted aye. Official resolution to the secretary the next day to be forwarded to the Township Council.

Application:

**Case 2018-02: Margaret Warcholak & Daniel Kaufman, 43 Franklin Street
Block 1003 Lot 16**

Daniel Kaufman, homeowner of 43 Franklin Street, was sworn in.

Mr. Piromalli offered proof of service was in order.

Mr. Kaufman explained he was before the Board seeking relief to put a single story rear den addition onto his house. They need a variance for minimum rear yard setback. They are looking to add a den for more room in the house.

Mr. McGinley stated what the homeowner was doing was similar to what many houses up and down the street have done. He asked if any windows would line up with or look into the neighbors houses. Mr. Kaufman stated that no they would not. Mr. Sullivan questioned if the sliding door would face to neighbors. Mr. Kaufman stated the sliding door would face the patio to the east and away from the neighbor to the west.

Mr. Sullivan asked if the addition was going straight back from the existing house or going out wider. Mr. Kaufman stated that yes the addition was going straight back and no further into the side yards.

Mr. Sullivan asked Mr. Jacobsen what the front yard setback was for the property. Mr. Jacobsen stated both rear and front yard minimum setbacks required for the property are 30 feet. Mr. Sullivan commented that the house appears to sit further back on the property with larger front yard setback than rear. He stated that was not unusual and the property does not seem to fit the zoning for the area.

Mr. Liska asked about air conditioning for the new addition. Mr. Kaufman stated they would use the same system and just extend the ductwork.

Mr. Piromalli asked about siding for the addition and if it would match the existing house. Mr. Kaufman explained they would be residing the entire house when they do the addition so everything will be new and match.

Mr. Lundy stated he had no issues with the proposed addition and it was the same as you see around Verona in many instances.

Mr. Weston had no issues with the application.

Public Question and / or Comments: None

Mr. Piromalli confirmed any conditions for the variance. Mr. Sullivan stated only what testified to, that the siding match.

Mr. Sullivan motioned case 2018-02 be granted; Mr. Lundy seconded the motion. All votes aye. Application granted.

Application:

**Case 2018-03: Stephen M Johnson, 94 Elmwood Road
Block 906 Lot 30**

Stephen M Johnson, homeowner for 94 Elmwood Road Verona, was sworn in.

Mr. Piromalli offered proof of service was in order.

Mr. Johnson explained to the Board he and his wife moved to Verona in 1998 into the house at 94 Elmwood road between Linden Avenue and Elk Road. They are in what was referred to as "Vitale House" was they moved in and many referenced it as to them over the years. He explained they are looking to add a deck to the rear of the house. They want to put a wood

floating deck that is 16 feet by 16.5 feet in one section and 21 feet at another. They need variances for improved lot coverage and for the deck footprint exceeding 20 % of the house footprint. He explained they have a small house and small lot.

Mr. McGinley added that this was an exceptionally narrow lot for the area. Mr. Sullivan explained that the lot width for that zone is 50 feet and the applicant's lot width is 30 feet. He added that the lot was not within the zoning requirements as it was. Mr. Lundy added it was a substandard lot that does not fit zoning, this was something the Board, and homeowners were faced with numbers of times. Mr. McGinley added that the applicant's neighbors have an extension on their house with a deck and their lot is the same as the applicant. Mr. Johnson stated that with the Deck they would still have more yard space than their neighbors, the Ryan's, have. He also explained they have a long skinny driveway that goes all the way to the back of their property that adds to their improved lot coverage.

Mr. Piromalli asked what was under the deck, ground or patio. Mr. Johnson explained it was grass under the deck.

Mrs. D'Alessandro added that without the pavement of the driveway the applicant would not be before the Board.

Mrs. DiBartolo asked the applicant to explain the size of the deck. Mr. Johnson explained the size to be the 16 by 16 and for access to the door that requires the additional 5 by 6 area that adds more to the deck and coverage.

Mr. McGinley asked about the steps being down to the yard and if the deck lines up with the house. Mr. Johnson stated yes, there would be steps to the yard area and that the deck was in little less than the house on either side.

Public Question and / or Comments: None

Mr. McGinley stated that this was a case of zoning being out of line from what was in the field or what the property truly is. Mr. Lundy added that this is in line with the neighborhood and that if this was 1950 they would be asking him to put in a patio instead but this is not 1950 so deck instead so he has no issue with the application being approved.

Mr. Sullivan motioned case 2018-03 be approved; Mr. Lundy seconded the motion. All votes aye. Application granted.

Application:

**Case 2018-04: Claridge House I Condo Association, 1 Claridge Drive
Block 101 Lot 1**

Mr. Piromalli offered proof of service in order.

Scott Klein, 1 Claridge Drive Verona and Catherine Moore, attorney, were sworn in.

Ms. Moore attorney representing the Condo Association. She explained they were looking to erect a sign at the Claridge House I. Verona prohibits free standing signs and the directional sign is larger than the 4 feet permitted.

Ms. Moore call up Mr. Klein, President of the Board of trustees for Claridge House I, to testify on the application.

Mr. Klein stated the application was to put up a freestanding sign with stone up the base to follow in line the sign down by Route 23 and other signs up for Claridge. They are looking to replace signs around the front driveway and put up one main sign. They feel it will look better and give better directions.

Mr. Weston asked if they chose this because already style chosen on other signs. Mr. Klein explained they chose the same vendor as the sign on the common areas of the driveway. He explained that the location for the sign would cause no problems for foot traffic or car traffic and there would be no visibility issues with the new sign. He explained that the entire Claridge community was aware of the signs that the letter was posted and also it was addressed at their Board meeting. He stated they were looking to put the sign up to better direct people in and out of the parking and drive way area of the building. They wanted to keep in line with all the Claridge house by putting the logo and making the aesthetics of the sign match. This created a larger sign than aloud in order to be seen well and direct people properly. There were several drafts to the project before they finalized on this sign.

Ms. Moore added that the Verona Engineer letter was reviewed. There are 5 signs being removed for this one new sign. She also explained that 3 of the signs were already removed and 2 still are on site. The engineer was looking for a site plan showing the 5 signs that are being removed. Michelle from the management office too photos of the 2 remaining signs. They would supply a site plan as requested indicating all 5 signs being removed.

Mr. McGinley also stated that the Engineers letter reiterated the variances needed. He also asked if the sign was in the same location as other signs being removed. Mr. Klein explained that yes, some of the signs being removed are in the same area and the location also has electricity there so perfect for the sign.

Mr. Sullivan commented that the sign looked nowhere near the property line or appeared visible from the street. Mr. Klein agreed that the sign was not.

Mr. Jacobsen stated that he spoke directly with the police and they had no issue with the application.

Mrs. DiBartolo questioned the sign appearing to straddle two properties. Mr. Klein said no, it is all on Claridge private property. Mr. Piromalli indicated that on one drawing submitted there was circle showing enlarged area and the sign was on one side of the property line.

Mrs. DiBartolo also questioned light illumination levels and if there were any concerns. There were no concerns. Mr. Klein stated the picture would show better.

Public Question and / or Comments: None

Mr. Sullivan stated that he did not think with the sign so far back that the size would be an issue. He felt that this sign was not what the ordinance was about. He felt the situation was appropriate for what they are looking to put the sign up for, size and the location also appropriate.

Mrs. D'Alessandro also felt this would enhance the property.

Mr. Jacobsen added that there be a condition for a site plan as requested by township Engineer Office in their review letter. Mr. Piromalli stated that the condition for #3 of the Engineer Letter dated 4-11-18 for a plan to be submitted post approval and prior to permits being issued.

Mr. Sullivan motioned case 2018-04 be approved with the condition as stated; Mr. Weston seconded the motion.

All votes aye. Application granted.

Application:

**Case 2018-05:Peeter & Laura Naeris, 49 Newman Avenue
Block 801 Lot 2**

Peeter Naeris, homeowner of 49 Newman Avenue, was sworn in.

Mr. Piromalli offered proof of service was in order.

Mr. Naeris explained they were looking to put an addition onto the house to make more space in the house. He explained that he has lived at his property for 15 years. He lives there with his wife and 2 children. They love their neighbors and the house and they do not want to leave the house. They are looking to add space by putting an addition over the garage on their second floor. He is in the house with his wife and 2 daughters, they all share 1 bathroom, and their one daughter has outgrown her small bedroom. They are looking to give more room for daughter bedroom and add a second bathroom onto the house. The addition will go straight up from the footprint of the house right now. The variances they need relief from are minimum side yard for one and for both combined.

Mr. McGinley asked if they would be going any wider than house now. Mr. Naeris stated no just straight up. He added that front was going out a little bit but that was over a paved area. Mr. McGinley also asked if any other houses in the area had done this same work. Mr. Naeris stated that yes several houses already have this second floor add-on over the garage. Mr. McGinley also asked if any windows would line up with the neighbors. Mr. Naeris stated they would not line up.

Mr. Lundy asked if the siding would match the existing house. Mr. Naeris stated that yes they will make sure the siding matches.

Mr. Sullivan stated this was a reasonable way to upgrade the house they were not doing to just add a master bath but to make house more functional.

Public Question and / or Comments: None

Mr. Lundy motioned case 2018-05 be approved; Mr. Sullivan seconded the motion.
All votes aye. Application was granted.

Minutes:

Mr. Liska motioned the February 2018 meeting minutes be approved; Mr. Sullivan seconded the motion. Mr. Weston and Mrs. DiBartolo abstained from voting all other votes aye, minutes approved

Resolutions:

32 East Lincoln Street: Mr. Sullivan motioned the resolution be approved; Mr. Liska seconded the motion. Mr. Weston and Mrs. DiBartolo abstained from voting all other votes aye. The resolution was memorialized.

Meeting was adjourned at 9:03 PM.

Respectfully submitted
Kelly Lawrence
Board of Adjustments Secretary