

Minutes of a Regular Meeting of the Verona Board of Adjustment on Thursday July 10, 2014 beginning at 8:00 P.M. in the Verona Community Center, 880 Bloomfield Avenue, Verona, New Jersey.

Roll Call:

Present: Daniel McGinley, Chairman, Larry Lundy, Vice Chairman, John Denton, Louis Russo, Sean Sullivan, Edward Conlon, Michael Zichelli, Patrick Liska, Alt#1 & Coleen D'Alessandro, Alt# 2

Also present: Robert Gaccione, Esq. & Thomas Jacobsen, Construction Code Official.

Absent: None

Tardy: Coleen D'Alessandro, Alt#2 (arrived before second case was heard)

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

Mr. McGinley, Chairman called meeting to order at 8:07 PM. 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 monthly meeting.

Applications:

**Case 2013-04: Decozen Chrysler-Jeep, 225 Bloomfield Avenue
Block 9 Lot 10**

Steven Greenberg, attorney for the applicant, requested for the application to be carried to a meeting in a few months. The applicant was concerned with the witnesses that had presented to the board at past meetings and that they had made numerous mistakes. The applicant had been trying and finally engaged the help from a new engineer to redo the plans. He explained the applicants know that this has been going for a while and expressed that they too are frustrated with what has been going on with the application and hoped that the new engineer would get them on track to present their case to the board to their liking.

Mr. McGinley expressed concern in allowing the application to be adjourned yet again. He felt the board had been lenient having sat through lengthy testimony already with no movement forward, with paperwork that was inappropriate and incomplete and had several chances and time to regroup. He was not sure that an adjournment should be granted for the application.

Mr. Denton Expressed that he felt the only down side to not approving he adjournment would be the applicant needing to withdraw and resubmit a whole new application and would be back before the board in several months anyway.

Mr. Zichelli was in agreement to postpone the application so that things could be bettered address points raised at previous meetings.

Mr. Gaccione explained that legally the board can permit adjournment or they could decide to dismiss the case without prejudice. Also explained that when application has gone this long that renofice is required.

Mr. Russo agreed that if renote is required either way that allowing the applicant to be adjourned would be fine.

The next meeting date for the case to adjourn to was Thursday September 11, 2014, confirmed by the board secretary.

Mr. Conlon requested that the applicant also look at the landscaping along Brookdale Avenue. He explained that maybe improving what he can now might help the case and show he is looking to improve the situation. Mr. Cerino, applicant agreed it would be done by Monday after meeting.

Mr. Zichelli made a motion to allow adjournment of the case to the September 11 meeting with condition to renote neighbors for that meeting. Mr. Conlon seconded; all votes aye, adjournment granted.

Board member, Coleen D'Alessandro is on record as present at the meeting.

Application:

**Case 2014-05: Graham Associates, 25 Fairview Avenue
Block 79 Lot 3**

Patricia Holmes, representative for the Graham Associates, was sworn in.

Mr. Gaccione offers proof of service is in order.

Patty Holmes from Graham Associates explains that they are seeking a variance to put a free standing sign in the front of the building. She explained the sign they are looking to put in would go along with all the other signs in the neighboring area. They are going to place the sign where a tree once was located on the property and had been removed recently. The sign is designed to be 24 inches tall. She further explained that she sent proper notice to neighbors and no one had expressed concern. The packet put together as the application included pictures taken of the property and some showed how it would look with the proposed sign and also showed the dentist sign from the neighboring property. From the pictures it shows there is no sight issues to traffic or pedestrians due to the sign and its location. The sign will not be lit so there will be no issues with lights either. The sign is needed because several customers stated that they drive by and have trouble locating which building is their offices. There is one sign now on hanging at the top of steps going onto the property and that sign will stay. She stated that the sign would not block the sign from the dentist office as the oak tree that was previously in the location did not block the tooth sign for the dentist either.

Mr. Conlon questioned if this was in a residential area. Mr. Jacobsen explained that it was located in a C-2 professional business/ office commercial zone. And that Mr. Huber, Police Chief, did not have any issues with this sign application. He saw concerns for sight safety.

Public Comments: none

Mr. Sullivan expressed that the sign would be good for the area as it would make it easier for people to locate the business and not hold up traffic in a busy traffic area and intersection. He felt the application should be approved. Mr. Russo also expressed no issues with the application and thought it was fine to be approved.

Mr. Lundy motioned that case 2014-05 be granted; Mr. Denton seconded. All votes aye. Application granted.

Application:

**Case 2014-06: Christine Ferrer, 30 Halsted
Block 112 Lot 70**

Christine Ferrer, homeowner 30 Halsted Street, was sworn in.

Mr. Gaccione offered proof of service was in order.

Ms. Ferrer explained to the board she was seeking a variance to put a second level on her house. She would need three variances for , front ayrd setback, side yard setback one and side yard setback both. She stated she has two small children and they are in an existing 2 bedroom house and running out of room. The proposed plan is to make the bedrooms upstairs on the 2nd level above what would become living areas. The variances are existing to the exisiting house, she is not going out any further from what existis. She is porposing to go directly over what is existing of the house footprint. She explained that the windows would not line up that they are between the windows of the neighbors. And the second level windows would be ablove the otthe neighbors. She explained she has lived int eh house since November 2006. She likes the area and does not want o leave. Tree fell on the house in Irene and it had been resided after that.she explained that she would match the siding of the existing house on the new parts. And she would be keeping the roof line as it is now just moving up to the second level.

Public: None

Mr. Conlon stated this was in line with several homes in neighbor with second levels on them. Mr. Russo added to that that the house and property is well maintained and a good plan for the house for the area.

Mr. Russo motioned that case 2014-06 be granted; Mr. Zichelli seconded the motion. All votes aye. Application Granted.

Minutes:

Minutes from the June 2014 regular meeting were reviewed. All votes aye, minutes approved.

Resolutions:

Case 2014-04 Geleski, 23 Maple Terrace; all votes aye, resolution memorialized.

Reorganization of board:

Mr. McGinley voted Chairman, John Denton voted Vice Chairman. All votes aye for both.

Board voted to cancel regular August 14, 2014 meeting.

Meeting was adjourned at 8:35 PM.

Respectfully submitted
Kelly Lawrence
Board of Adjustments Secretary