

Minutes of a Regular Meeting of the Verona Board of Adjustment on Thursday July 9, 2015 beginning at 8:00 P.M. in the Verona Community Center, 880 Bloomfield Avenue, Verona, New Jersey.

Roll Call:

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

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

Absent: Ed Conlon

Tardy: Coleen D'Alessandro, Alt#2 (arrived at the end of first application heard)

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

Mr. McGinley, Chairman called meeting to order at 8:02 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.

Application:

**Case 2015-06: John Hromoko, 65 Lynwood Road
Block 72 Block 54**

Dena and John Hromoko, homeowners of 65 Lynwood Road Verona, were sworn in.

Mr. Gaccione offered proof of service in order.

Mr. Hromoko explained to the board that they currently have a raised cape and have lived there for 10 years and wish to remain in their home. They currently have 3 children and 2 bedrooms. They are proposing a second story addition to add space to make it so they have bedroom for themselves, one for their daughter and another for their twin sons. Both he and his wife have worked for the town for a long time and their children go to school in town; they love the town and do not want to move. The addition they are proposing is similar to what several neighbors in the area have done. They need 3 variances for the addition and front portico they are proposing; front yard setbacks and side yard setback. The existing side yard setback is at 6.78 feet and 8 feet minimum is required. The addition is going straight up from the first floor so keeping at the 6.78 feet requires variance. The existing front yard setback to the house is at 24 feet with 30 feet required. The portico also requires front yard setback being proposed at 21 feet from front line and 30 feet required. He explained the addition will match the aesthetics of house and keep in line with the neighborhood. This is minimal addition. The original proposed plans had a rear 2 story addition as well where the kitchen on the first floor would be bumped out and the second floor would have 4 bedrooms not 3. They changed their plan, which is why they were not seen at the last meeting, due to the expenses for the addition they reduce down to plans proposed at this meeting.

Mr. Denton asked if 3 variances been sought were all preexisting to the house and Mr. Hromoko confirmed that they are all preexisting and staying with the footprint of the house. Mr. Denton also questioned if the siding would match the rest of the house. Mr. Hromoko explained that most of the neighbors have beige so not sure if going to keep siding or change but all will match. MR. Denton also asked about the neighbors and how

notified. Mr. Hromoko said they hand delivered to all and brought all 3 kids with them. The neighbors all wished them luck and had no issues.

Mr. Sullivan asked about the house needing updating. Mr. Hromoko explained it was built in 1954 and yes needed updating from that time.

Public Comment: None

Mr. Sullivan stated that is case seen a lot where houses need updating and do not fit the lots zoning at this time and were done not thinking about what would be needed later in time.

Mr. Sullivan motioned case 2015-06 be approved; Mr. Russo seconded the motion. All votes aye. Application granted.

Mr. McGinley explained the resolution for the application would be memorialized at the next scheduled regular meeting and for the Board of Adjustment that would be September 10, 2015 as there would be no August meeting.

Mr. Jacobsen did suggest they could get their drawings and permits together and they could be brought to the Building Department to start the review process until the resolution is memorialized.

Put on record that Coleen D'Alessandro was now present at the meeting.

**Case 2015-07: Nicholas Lardieri, 5 Cypress Avenue
Block 62 Lot 75**

Nicholas Lardieri, homeowner for 5 Cypress Avenue, was sworn in.

Mr. Gaccione offered proof of service in order.

Mr. Lardieri explained that he was looking to put a whole house generator on his property in the side yard. Zoning does not allow generators in the side yard, only allowed in rear yard. He explained that if he put it in the rear yard of his house it would be tine middle of his yard. If placed in the middle of his yard would get in the way of family and worried about his grandkids playing. The rear yard would also cause some added expense and issues with running the gas to it. He stated both Lowe's and his contractor suggested the side yard for his house being the best location. The placement proposed is 23 feet from the side property line, hidden by shrubbery, far enough from house for safety and closest to gas. He is looking for the generator with concern of heat in winter

Mr. McGinley questioned how far it was to actual neighbor's house on that side of the property. Mr. Lardieri stated it was about 50 feet to their house. Mr. McGinley also questioned concern for noise generated by the unit. Mr. Lardieri stated it would be no louder than a lawn mower. He also added that the portable ones used during Super Storm Sandy were much louder. Mr. McGinley added that on these models looks quieter and the testing is reduced compared to large industrial ones seen for commercial application recently.

Mrs. D'Alessandro asked how the generator was tested. Mr. Lardieri stated that it would be once a month for 15 minutes. Mr. Sullivan asked if turns on automatically for test. Mr. Lardieri stated that yes it did turn on automatically at a set time that is on a timer.

Mr. Jacobsen suggested that if passed a condition be added that gives time when can be tested like weekdays at 10 am. Mr. Lardieri stated that he would be fine with anytime weekdays 8 am to 6 pm. Mr. McGinley said that would be added as condition of approval.

Mr. Sullivan questioned Mr. Jacobsen about the variance being not that it is side yard setback but that it is placement of generator in side yard. As he looked at it the generator would fall well within the side yard setback requirements for the property. M. Jacobsen explained that zoning only allows for generators in rear yard.

Public Comment:

Ann Stires, 1 Ann Street

She stated that she was concerned with fuel and noise level because the gentlemen that lives behind her has one that goes on as soon as lights go out and that she was happy to hear that all her concerns were covered and that the hours of testing were to be during day time in the week.

Public Closed

Mr. Lundy stated he had no issues with the application.

Mr. Sullivan stated that this location is further back than some in rear yards and that this case the rear yard is smaller.

Mr. Lundy motioned case 2015-07 be approved with the conditions for testing to be done weekdays between the hours of 8 am to 6 pm and with the location as shown on survey and subject to Mr. Jacobsen's review and approval; Mr. Denton seconded the motion. All votes ayes. Application granted.

Mr. McGinley again reminded that the memorialization of the resolution would be at the next held regular meeting in September.

**Case 2015-07: Trevor O'Donnell, 11 Hathaway Lane
Block 19.01 Lot 4**

Mr. Lundy recused himself from hearing this case as he is a neighbor of his and was served notice for this application.

Trevor O'Donnell, homeowner of 11 Hathaway Lane, was sworn in.

Mr. Gaccione offered proof of service was in order and made note that all neighbors were served personally.

Mr. O'Donnell explained to the board that he was before the board to seek a variance for side yard setback for an air conditioning unit he wants for his house. The unit is 2 feet 9 inches in violation of the 8 feet required setback for the zone his house in. He was looking to put air conditioning in his house and did not realize the location he was

looking for would be an issue. As he spoke with his contractor they determined the best location for the unit was on the side of his house as there was no place in the backyard that would not interfere with his patio area and the other side of his house is his driveway. He spoke with his neighbors on that side and they had no objections to the unit. He explained the unit would be hidden by bushes and would not be seen from the side or front of the house. He felt that doing a central air unit was more aesthetically pleasing than window units all over the house.

Public Comments: None

Mr Sullivan made note that the applicant's house is actually closer to the property line than the unit will be. Mr. O'Donnell added that yes the part of house was his garage that was closer to the neighbors and it would be placed behind a chimney area. Mr. Sullivan also noted that the location on this side had less traffic than the other side with the driveway. Mr. McGinley wanted on record the pictures provided by the applicant shows a pad in the location where unit would sit and it is in middle of plants and bushes.

Both Mr. Russo and Mr. Sullivan expressed having no issues with this application.

Mr. Sullivan motioned case 2015-07 be approved; Mr. Russo seconded the motion. All votes aye. Application granted.

Minutes:

Minutes from the June 2015 regular meeting. All votes aye, minutes approved.

Resolutions:

Case 2015-03 Kieran Quinn & Jennifer Critchley, 108 Sunset Avenue; All votes aye (Mr. Denton abstained from voting). Resolution approved and memorialized.

Meeting was adjourned at 8:43 PM.

Respectfully submitted
Kelly Lawrence
Board of Adjustments Secretary