

February 18, 2025

Board of Adjustment
Township of Verona
600 Bloomfield Avenue
Verona, New Jersey 07044

Attention: Ms. Caitlin Kester, Zoning Board Secretary

Re: Brian J. Aloia
Board of Adjustment Application – Mixed Use
Law Office and Residential Apartments
257 Pompton Avenue
Block 104, Lot 1
Township of Verona
Our File No. 25VAZ103

Dear Board Members:

We have received copies of the following documents relative to the above referenced application:

- a. Stormwater Permit Application dated 2-4-2025.
- b. Zoning Denial Letter prepared by Kathleen Miesch, dated January 31, 2025.
- c. Engineering Plans (4 sheets) for 257 Pompton Avenue, prepared by JMH Associates, dated December 30, 2024 consisting of a Zoning & Area Plan, Site Plan, Tree Removal & Mitigation Plan and Soil Erosion & Sediment Control Plan. (We note the plans are not signed.)

Based on our review of the above referenced documents, we offer the following comments:

Application

1. The Applicant/Owner in this matter is:

Aloia Law Firm LLC, c/o Brian J. Aloia, Esq.
2 Broad Street, Suite 510
Bloomfield, New Jersey 07003

The Applicant must notify the Township of any changes in this information.

2. The site (Block 104, Lot 1) is corner lot located on the south side of Pompton Avenue, at the intersection of Vincent Place along the west side and Claridge Drive, a private road along the east side. There is a 20 foot wide Right of Way along the west side for ingress and egress. The site is located in the C-2 Professional Office & Business Zone.
3. The lot is currently developed with a 1.5 story brick and frame dwelling, concrete patios, partial pvc fencing, a detached garage and circular driveway off of Pompton Avenue and single access driveway off of Vincent Place.



4. The Applicant is now seeking approval to expand the building to a 2 story, expand the building footprint and provide a law office on the first floor and two (2) apartments on the second floor, remove the driveway access from Vincent Place and the circular driveway off of Pompton Avenue and construct a 2-way access off of Pompton Avenue. Drainage improvements, a new concrete access walkway off of Vincent Place public sidewalk, parking, refuse storage and identification signage is also proposed.
5. The Applicant received a zoning denial (#2025-007) for the proposed improvements dated January 31, 2025 outlining variances associated with the application.

Submission Status

6. The application is deemed incomplete for a public hearing with respect to the items of the Municipal Code the Municipal Engineer is charged to review.

Variances

7. The following variances are required as indicated in the Zoning Denial Letter dated January 31, 2025:
 - a. Permitted and Conditional Use: Per Section 150-17.11 C the proposed mixed use of law office and residential apartments is not permitted. A variance is required.
 - b. Minimum Lot Width: Per Section 150-17.11 D (1), the minimum lot width is 100 feet. The existing and proposed lot width on Vincent Street is 92.25 feet. This is a pre-existing non-conforming condition.
 - c. Parking Stall Size: Per Section 150-12.8 C (3), parking stalls shall be 9 foot by 20 foot. The applicant is proposing parking stall sizes of 9 foot by 18 foot. A variance is required.
 - d. Parking Stall Count: Per Section 150-12.6 C, the required parking count is calculated at 27. The Applicant is proposing 18 parking spaces and 1 ADA space, for a total of 19 spaces. A variance is required.
 - e. Parking Setback: Per Section 150-17.11 D (7), the parking setback minimum is 50 feet. The Applicant is proposing a minimum setback noted at 23 feet within the denial. A variance is required.

Engineering Plans

8. Spaces for signature shall be provided for the Zoning Board Chairman, Board Secretary, and Township Engineer.
9. The plans are not signed. Plans submitted to the Board must be signed and sealed.
10. The Applicant shall provide testimony and summarize all site modifications.
11. The identification labeling for the 20 foot Right of Way along the west side is cut off. Please provide fully legible labeling.



12. The proposed parking stalls number 1 through 14 are proposed within the 20 foot Right of Way Egress and Ingress. The Applicant shall address ownership and the rights and/or restrictions of the 20-foot Right-of-Way.
13. The minimum setbacks of the parking and driveway access aisles from each property line, shall be provided on the plan.
14. The sight distances for the proposed new access off of Pompton Avenue shall be provided on the plan.
15. The minimum setback of the identification sign proposed at the west corner of the site shall be provided from both Right of Ways.
16. The sight triangle easement at the corner of Pompton Avenue and Vincent Place shall be mapped.
17. The Applicants shall be aware of their responsibility to repair any damage to improvements within the Hillside Avenue Township Right-of-Way including, but not limited to, any sidewalk, curb, and asphalt, caused by construction activities associated with the improvements on the subject lot.
18. The plan shall map the existing main utility lines and address proposed upgrade and or new connections for gas service, water service and sanitary sewer service lines. The plan shall identify the size of the gas service line and water service line mapped and map the service lines through to the main lines. Any road excavation will require a Road Opening Permit.

Parking/Traffic

19. The Applicant shall testify to the overall proposed use of the site addressing any assigned parking, overall circulation and separation of vehicles, residents, employees and visitors.
20. The Applicant is proposing 19 total parking spaces versus the 27 parking spaces required. The Applicant shall address this parking shortfall inclusive of overflow parking onto Vincent Place.
21. The Applicant shall address the vehicle maneuvering for emergency vehicles, refuse collection, deliveries for office and for residents.
22. The plan indicates a 2 foot setback of the parking stalls to a graphic dashed line. Please clarify if this is the setback from the Right of Way or other.
23. The Board shall have final determination in requesting a traffic analysis.

Stormwater Management

24. Per Section 150-25.2, minor developments are defined as any development resulting in 400 or more square feet of new impervious surface. The proposed net increase in impervious coverage is 3,498 square feet, therefore, the project qualifies as a minor development and stormwater management is required in accordance with Section 150-25.7 of the Township Code.
25. Per Section 150-25.2 Major Development, A (1) and (2), the application may qualify as a major development based on the land disturbance since February 2, 2004 of 0.5 acres or more and/or the increase of impervious coverage from February 2, 2004 of 5000 square feet or more. This application proposes land disturbance of 20,630 square feet and impervious increase of 3,498



square feet. The Applicant shall provide proof in support of this application being considered as a minor development and not a major development.

26. The type and sizing of all existing piping shall be indicated on the plans.
27. The proposal to tie onsite drainage into the Township's storm sewer system both within Vincent Place and private road Claridge Drive is recommended to be supported with a Hold Harmless Agreement, if required.
28. Should the project classify as a minor development, this office has reviewed the applicant's calculations for the volume of stormwater required to be managed under this application and takes no exception.
29. Per Township Code Section 150-25.7 Table 7, "The use of dry wells is allowed only where the other listed methods cannot feasibly meet the requirements of this section." The proposed stormwater management system involves the use of two dry wells to store and infiltrate stormwater. The applicant should revise the design to use one of the other Minor Development BMP listed in Table 7. If the applicant's engineer believes none of the other BMPs are feasible, the engineer should submit a narrative discussing why a dry well system is the only feasible BMP.
30. The system currently depicts overflow connections to existing stormwater infrastructure on Claridge Drive and Vincent Place. Should connections still be proposed after the system is revised, a note must be added to the plans that the construction and maintenance of the overflow connection are the responsibility of the property owner, and that installation of this piping must be inspected by the Township Engineer or delegated party.
31. Should the proposed system involve infiltration, percolation tests must be performed prior to installation of the drainage system to ensure the system drains adequately per NJDEP BMP Manual Chapter 12. The Township should be contacted when a test is scheduled, and the results should be forwarded to our office. The test should show that:
 - The system lies above the seasonal high-water table. The minimum distance required between the basin bottom and seasonal high-water table is 2 feet.
 - The soil is sufficiently permeable to drain the system free of water within a 72-hour period.
32. Per Section 150-25.7 A(7), "The stormwater management feature shall be protected from future development by conservation easement, deed restriction, or other acceptable legal measures."
33. Please be advised, our office is required to inspect the construction of any drainage improvements. All inspection requests shall be made at least 48 hours prior to the required inspection.
34. The property owner is responsible for maintenance of any stormwater management facilities. All stormwater management facilities are recommended to be inspected annually.
35. Any final grading of the lot must ensure additional surface runoff does not adversely impact any adjoining properties. Any required modifications shall be the property owner's responsibility, in coordination with their engineer.



Tree Removal

36. The plan notes 14 trees proposed for removal. The graphics indicate the removal of 15 trees. Please revise for clarity.
37. The plant schedule chart does not contain any quantities. Please address.
38. The plant schedule and plant details contain shrubs/plantings not shown on the planting plan. Please address and revise accordingly.
39. The Township of Verona has a Tree Removal Ordinance (Chapter 493, Article II). Any trees to be removed are subject to review and approval by permit only. The permit application is available on-line at the Township website and shall be reviewed independently of this review letter by the Township Zoning Official. This Application will require Board presentation and approval for the tree removal and replacement proposed.

Soil Movement

40. Additional existing and proposed elevation information shall be provided on the plan. This shall include all building corners, parking corners, landing pads, base of steps, depressed curb, walkways, highest roof ridge, property corners, etc.
41. The Applicant shall provide the estimated excavation and fill in cubic yards and provide these quantities on the site plan.
42. The Township of Verona has a Soil Removal Ordinance (Section 440) and any soil to be moved is subject to review and approval by Township Council.
43. The proposed site disturbance is quantified at 20,630 square feet. HEPSCD approval is required.
44. Any damage to the Township or State roadways, any curb or storm drainage will be the responsibility of the property owner to satisfactorily address as per the Township Engineer. The contractor must maintain any needed soil erosion and sediment control measures throughout the duration of construction.

Landscape and Lighting Plan

45. The Applicant shall submit a lighting plan addressing code compliance, inclusive of building, site and signage lighting proposed. The plan shall provide a footcandle analysis, specifications and construction details.
46. The Applicant is recommended to submit a landscape plan for the entire site.

Architectural Plans

47. Architectural plans shall be submitted.
48. The Applicant shall summarize the building modifications proposed.



49. The Applicant shall address the overall use of the site proposed, inclusive of deliveries, refuse containment and pick up, resident building access, office use building access, hours of operation for the office use, number of employees, apartment layout, office layout, etc.

Roof Leaders, Sump Pump Discharge, Grading and Property Maintenance Guidelines

50. The Owner/Applicant must submit an as-built survey, post construction, mapping all the improvements, including the stormwater system. This survey must include finished elevations.
51. Sump pump, roof leaders and storm water pipe drain discharge shall preferably be directed onto an absorbent surface as grass, mulch, rock or soil so the discharge will be dissipated and not immediately drained to the Township Right-of-Way or adjacent properties. The discharge location shall be as approved by the Engineer or Public Works Manager or his/her designee. In the event it is not feasible to direct discharge on to an absorbent surface, the discharge may be directed to a storm sewer, swale, ditch, detention basin, drainage basin or other drainage facility or location as approved by the Engineer, Public Works Manager or his/her designee. If a connection to the storm sewer is approved, a permit will be required from the Engineer, Public Works Manager prior to installation. The connection must also be inspected by the Engineer or Public Works Manager.
52. The discharge location shall not create a public nuisance. This includes any condition or act which is or may become injurious or hazardous to the public.
53. The discharge shall not create a build-up of icing, standing water or algae growth on the street, sidewalk or public Right-of-Way.
54. The discharge shall not be directed towards an adjacent property in such a manner as to cause damage to the adjacent property or create a nuisance.
55. No person shall connect, or cause or permit to be connected, any sump pump, pipe drain, floor drain, surface drain, subsoil drain or leader pipe with the house sanitary sewer, or to use the sanitary sewer connection or any pipe or drain connected therewith for the purpose of receiving and discharging drainage of any kind other than from plumbing fixtures.
56. Sump pump and pipe drain discharges may not be directed into a Township Street or Right-of-Way unless permission is granted by the Engineer, Public Works Manager or his/her designee.
57. Roofs and outdoor areas shall be sloped to direct water away from buildings. Roof drains shall be connected to an approved storm water drainage system where and when possible. If a subterranean leader system is to be utilized, the system must be approved by the Township Engineer.
58. Please note the following:
- a. Water runoff which historically flowed from one property to another prior to an uphill home or developed area being built may continue to flow in the same direction after the home is built or area developed only if:
 - There is no diversion or channeling which results in the water flow being concentrated in one area, and;



- There is no substantial construction on the uphill lot resulting in increased rates of surface run-off.
- b. If a detrimental change in the natural pattern of drainage on an uphill lot has occurred, the uphill property owner is responsible for interception and piping or directing surface water to a natural drainage area or a storm water drainage system.
- c. The downhill property owner is responsible for providing proper drainage for water flow that occurs in accordance with natural drainage patterns, which existed prior to construction.
- d. Due to the inherent difficulty in accurately predicting post-construction water flow from a property, changes in water flow may not be discovered until well after the construction is completed. In such cases, if it is determined the lot is generating an additional flow or intensity of storm-water across an adjacent property, in excess of what existed prior to construction, the Applicant, at the Applicant's expense, will be responsible for all measures necessary to abate the excess flow of stormwater.

Thank you for your kind attention to this matter. Should you have any questions or require additional information, please do not hesitate to contact me.

Very truly yours,

Peter C. Ten Kate, P.E.

PCTK/lv

Cc: Kathleen Miesch – via email