



RESOLUTION 2025-15
of the
ZONING BOARD OF ADJUSTMENT
Of The
TOWNSHIP OF VERONA

Application BOA 2025-03

257 Pompton Avenue, Block 104, Lot 1 Zone: C-2

WHEREAS, Brian Aloia (the "Applicant") is the owner of 257 Pompton Avenue, Verona, New Jersey (the "Property"); and

WHEREAS, the Property is located in the C-2 Zone on the Township of Verona zoning map; and

WHEREAS, the Applicant sought approval to renovate an existing vacant one-and-one-half-story building on a corner lot to create a two-story building to accommodate a law office and three residential apartments, with removal of an existing garage and driveway replaced by a new parking lot and circulating walkways. The Applicant further sought permission to remove trees and to install a sign.

WHEREAS, Applicant's Property fronts on Pompton Avenue and Vincent Place (the narrower frontage being on Vincent Place) and is 33,344 square feet.

WHEREAS, the Applicant sought the following variances from the Verona Zoning Code:

A variance permitting the Property to be used as a mixed residential and professional office. The proposed mixed residential and professional office use does not meet the requirements for permitted or conditional uses in Verona Zoning Code section 150-17.11 C.

A variance to allow 18-foot-long parking stalls, whereby Verona Zoning Code Section 150-12.8 C. (3) requires a 20-foot minimum stall depth.

A variance to allow 20 parking spaces, whereby Verona Zoning Code Section 150-12.6 requires 27 parking spaces.

A variance to allow a 23-foot rear yard setback, whereby Verona Zoning Code Section 150-17.11 D. (7) requires a 50-foot setback.

The Application was heard by the Board at a meeting held on May 8, 2025 at which time it was established that notice of the Application was properly published and that the property owners entitled to notice in accordance with the Municipal Land Use Law had been served such notice, and the Application was deemed complete; and

WHEREAS, the Applicant serves as the Township attorney. Board counsel advised the Board that the Applicant has the right to make the Application and that the Board should not give the Applicant any preference when considering the merits of the Application nor should the Board require the Applicant to meet any higher standard than any other Applicant who appears before the Board; and

WHEREAS, Mr. Aloia presented the Application on his own behalf. He testified to the Board that the Property was previously used as a dental office and a commercial establishment, and that a variance was issued for those uses of the Property in 1986. He introduced a letter and resolution as Exhibit A-1 as evidence of a previous board's approval of those uses. He testified that the current plan provides a large buffer between residential and commercial areas and that the Property is uniquely situated, noting that Claridge Drive is not considered a road but a taxable lot.

Mr. Aloia described the proposed first-floor layout for his law firm, noting that six offices were proposed, a reception area, and two conference rooms. He testified that the plan was not an open concept design. He further testified that the proposal includes an even split between residential and commercial use, with three apartments on the upper floors and professional offices on the ground floor.

Mr. Aloia answered questions from the Board about the proposed interior layout, exterior site design, and the parking lot configuration. He testified that the basement would be used only for storage.

Mr. Aloia answered questions about tree removal and represented that he would work with the Township forester to ensure that all plantings would be in accordance with the Verona Environmental Commission's recommendations; and

WHEREAS, Kurt Schmidt, AIA testified on behalf of the Applicant after being sworn and qualified as an expert in architecture. He testified as to the existing conditions of the Property and as to the general size and scope of the proposed additions to the existing structure. He testified that the plan called for three additions. The first addition will extend towards Pompton Avenue, creating a small conference room and administrative area, and a common entrance for the business and residential uses. He further testified that the second addition will be in the rear that will be utilized as offices and secondary spaces and that the third addition will be used for an office. Mr. Schmidt testified that there would be no usable new square footage in the basement other than a small area for a staircase. Mr. Schmidt concluded his testimony by reviewing roof plans and elevations. He represented to the Board that condensers would be residential grade, roof mounted and fully compliant with all codes and regulations. Mr. Schmidt further testified that the condensers would not be visible from the street; and

WHEREAS, James Helb, PE, PP testified on behalf of the Applicant after being sworn and qualified as an expert in engineering and professional planning; and.

WHEREAS, the Applicant, through Mr. Helb, submitted the following Exhibits:

- Exhibit A-2 – Sheet 1 of 6 - April 20, 2025 – Zoning and Area Plan
- Exhibit A-3 – Sheet 2 of 6 - April 20, 2025 – Site Plan
- Exhibit A-4 – Sheet 3 of 6 - April 20, 2025 – Tree Removal & Mitigation Plan
- Exhibit A-5 – Sheet 4 of 6 - April 20, 2025 – Soil Erosion and Sediment Control Plan
- Exhibit A-6 – Sheet 5 of 6 - April 20, 2025 – Soil Erosion and Sediment Control Basin

Plan

- Exhibit A-7 – Sheet 6 of 6 - April 20, 2025 – Lighting and EVC Plan; and

WHEREAS, Mr. Helb represented that he had reviewed Board Engineer Bowell's February 18, 2025 and May 1, 2025 review letters and that the Applicant would comply with all requirements in those letters unless otherwise modified during the hearing; and

WHEREAS, Mr. Helb opined that the proposed development meets all zoning requirements, including lot size, open space, and setbacks, but falls short on parking spaces. He opined that the parking arrangement is sufficient and that 18-foot stalls are sufficient because the stalls include a two-foot overhang; and

WHEREAS, Mr. Helb testified regarding Verona's Master Plan. He opined that the proposal is consistent with the goals and objectives of the Master Plan, specifically that the development would be consistent with the character of the neighborhood, would promote a balance of uses, and that the mixed-use development promotes growth consistent with current land use trends.

WHEREAS, Mr. Helb fielded questions from the Board about traffic circulation and the ability for cars and delivery trucks to maneuver within the parking area.

Mr. Helb further testified that the benefits of the development outweigh any detriments. He noted benefits including the promotion of the general welfare, appropriate location for the mixed-use, and the efficient use of land. He opined as to the statutory negative criteria that the use is compatible with the location and dimensional standpoints, and that there would be no adverse impact on the streetscape.

Upon completion of the Applicant's and the witness's testimony, members of the public posed questions regarding the Application to the witnesses and thereafter made statements to the Board about the merits of the Application.

The Board accepted the facts as set forth in the introductory paragraphs above and deliberated the merits of the Application. The Board collectively expressed concern over the layout

of the parking area and requested a revision to the development plan by reducing a parking space, and by the Applicant limiting the number of spaces to be used by residential tenants. Based on the foregoing findings, the Board concluded that the Applicant had met its burden as set forth in NJSA 40:55D-70(c) and that the Applicant's request for variances associated with the Application should be granted with conditions. The Board approved the Application with the conditions:

NOW THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be provided to the applicant, Township Manager, Township Council and Township Clerk.

1. The Applicant will comply with all stormwater regulations.
2. The Applicant will comply with all conditions and recommendations contained in the February 18, 2025, and May 1, 2025, Boswell Engineering Memoranda, which satisfaction shall be in Boswell's sole discretion.
3. The Applicant will comply with all representations made on behalf of and by the Applicant during the hearing. All of the Applicant's testimony and testimony on the Applicant's behalf is incorporated herein as if fully set forth.
4. The Applicant shall provide 19 parking spaces with one space being designated for deliveries only.
5. The Applicant will remove stall 14 on the plan;
6. The Applicant will limit the number of residential parking spots to its residential tenants.
7. The Applicant will reserve parking in stalls 19 and 20 for law firm partners.
8. Condensers will be installed in compliance with both Zoning and Construction Codes.
9. The Applicant will prove that there has been no soil disturbance on site since 2004.
10. The Applicant will provide a tree removal plan showing quantities and species of trees to be removed and of new plantings to the satisfaction of the township official having jurisdiction over such matters.

NOW THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Applicant, Township Manager, Township Council and Township Clerk.

MOTION TO APPROVE: Vice Chair Weston

SECOND: Mr. Ryan

Roll Call Vote:

	AYES	NAYS	ABSTENTION	RECUSED
Dr. Cuartas	✓			
Mr. Ryan	✓			
Mrs. Murphy-Bradacs	✓			
Mrs. DiBartolo	✓			
Mr. Matthewson	✓			
Vice Chair Weston	✓			
Chair McGinley	✓			

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF ADJUSTMENT OF REGULAR MEETING HELD ON May 8, 2025.


Kathleen Miesch
Acting Board Secretary


Daniel McGinley
Chairman



RESOLUTION 2025-11
of the
ZONING BOARD OF ADJUSTMENT
Of The
TOWNSHIP OF VERONA

WHEREAS, on August 11, 2022, the Township of Verona Zoning Board of Adjustment granted approval to 770 Bloomfield Avenue, LLC (the "Applicant") for the property designated as Block 1603, Lot 8.02 on the Township of Verona's official Tax Map to allow the Applicant to convert the existing building to a self-storage facility.

WHEREAS, NJSA 40:55D-52 provides that final site plan approval confers upon the property owner protection from subsequent changes in zoning requirements for a two-year period from adoption of the board's memorializing resolution. N.J.S.A. 40:55D-52.a. The statute also provides that the Planning Board may [and, by definition, the Zoning Board may], in its discretion, grant up to three one-year extensions of the statutory protective period. Subsection (c) of the statute provides that the property owner may request an extension either before or after the statutory protective period has expired

WHEREAS, the Applicant, through counsel Alan Trembulak, by letter dated March 4, 2025, requested that the Zoning Board extend the protective period of the preliminary and final site plan approval for one year, through August 11, 2025; and

WHEREAS, the Zoning Board considered the content of the Applicant's letter and the Applicant's extension request at its meeting held on April 10, 2025, and decided that the Applicant proved to the Board's reasonable satisfaction that the Applicant should be granted the requested extension.

NOW THEREFORE, BE IT RESOLVED that the Applicant's request for extension of the Applicant's site plan approval is granted and that the final site plan approval shall be protected from amendments to the Township's zoning requirements through August 11 2025. and

IT IS FURTHER RESOLVED that a copy of this resolution be provided to the Township Manager, Township Council and Township Clerk.

MOTION TO APPROVE: Mrs. DiBartolo

SECOND: Mr. Ryan

Roll Call Vote:

	AYES	NAYS	ABSTENTION	RECUSED
Mr. Tully	✓			
Dr. Ries	✓			
Dr. Cuartas	✓			
Mr. Ryan	✓			
Mrs. DiBartolo	✓			
Mr. Matthewson	✓			
Chair McGinley	✓			

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF ADJUSTMENT OF REGULAR MEETING HELD ON April 10, 2025.

Kathleen Miesch
Kathleen Miesch
Acting Board Secretary

Daniel McGinley
Daniel McGinley
Chairman