



RESOLUTION 2025-16
of the
ZONING BOARD of ADJUSTMENT
of the
TOWNSHIP OF VERONA

Application 2025-05 40 Elmwood Road, Block 706, Lot 3 - Zone-R-60:

WHEREAS, Benjamin and Candida Brantley (the "Applicants") are the owners of 40 Elmwood Road, Verona, New Jersey (the "Property"); and

WHEREAS, the Property is located in the R-60 Zone on the Township of Verona zoning map; and

WHEREAS, the Applicants made an application to the Township of Verona Zoning Board of Adjustment seeking approval to construct a 2.5-story (35.3 feet) rear addition and a 186 square feet rear deck on the Property; and

WHEREAS, the Property is a corner lot. According to Verona Ordinance section 150-5.3E (3), a corner lot with frontage on two improved streets shall have two front yards, one side yard, and one rear yard. The rear yard shall be located opposite the narrower frontage. The minimum side yard setback for such a lot shall be 1.5 times the minimum yard requirement. The narrower frontage of the Property is on Elmwood Road.

WHEREAS, the Application was presented to the Board at the Board's regularly scheduled meeting on July 10, at which time it was established that notice of the Application was properly published and that the property owners entitled to notice under the Municipal Land Use Law had been served such notice, and the Application was deemed complete; and

WHEREAS, the Applicant sought the following variances:

A variance from Verona Zoning Code Section 150-17.3 E. The minimum required setback to Claremont Avenue is 18 feet, four and one-half inches. The Applicant proposes a 16.1 feet setback from Claremont Avenue, and

WHEREAS, Benjamin Brantley, testified on his own behalf after being sworn to tell the truth. Mr. Brantley testified that he wishes to stay in Verona and in his home but that his family is rapidly outgrowing the home. He testified that he wants to construct the addition to accommodate more space as his family grows. The addition will allow the expansion of his children's bedrooms on the upper level and will allow for an addition of a sunroom. He further testified that the size of the existing deck will be decreased. When questioned about a proposed rooftop deck depicted on the plans, Mr. Brantley confirmed that the final plans would not include the rooftop deck, and he therefore was not seeking a variance for the rooftop deck.

WHEREAS, Evan Scott, AIA, appeared on behalf of the Applicants after being sworn. Mr. Scott, having appeared before the Board on numerous occasions, was accepted as an expert in architecture. Mr. Scott introduced color renderings prepared by Escott Architects LLC, dated July 10, 2025, which were marked as Exhibit A, Exhibit B, Exhibit C, and Exhibit D.

He testified about the existing conditions of the home and described the proposed improvements to the Board. He opined that the proposed addition would fit the character of the neighborhood and complement the home and its surroundings. He further testified that Claremont Avenue runs at an angle to the home, creating a hardship in situating the proposed improvements on the lot. Mr. Scott further testified that the existing patio at the rear of the house would be removed. He testified as to the location of the air conditioning units and the condensate lines, and the location of the existing driveway. Mr. Scott further testified that no trees would be impacted by the addition or the patio.

Mr. Scott further opined as a professional, but not a planning expert, that there would be no detriment to the public good if the variances were granted, that water runoff would not adversely impact the area, and that the Applicant had met the positive and negative criteria necessary for the Board to grant the variances.

WHEREAS, members of the Board questioned the witness and the Applicant regarding many aspects of the Application, and the Board established the following findings:

1. The subject property is in the R-60 single-family zone and contains one single-family residence on a conforming lot.
2. The Applicant initially sought two variances, but the Applicant required a variance from Verona Code Section 150 -7.21 B, which provides that no deck shall be more than four feet above the ground, and the Applicant proposed a six-foot-high deck.
3. The Applicant amended the Application to include a variance request for deck height.
4. The benefits of the Applicant's proposed improvement on the Property will outweigh any detriments.
5. The proposed improvements will not cause substantial detriment to the public good nor will they conflict with the zone plan, zoning ordinance or provisions of the master plan.

WHEREAS, the Board decided based on the foregoing that the three variances could be granted:

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of the Township of Verona, that the referenced Application be hereby approved subject to the following conditions:

1. The Applicant will comply with all representations made by and on behalf of 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.
2. The Applicant will satisfy all municipal and administrative agency requirements including but not limited to stormwater management, and soil removal.

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

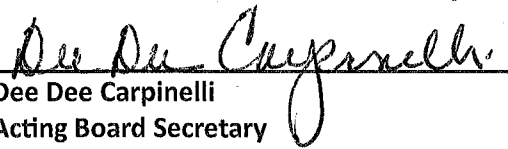
MOTION TO APPROVE: Mrs. Di Bartolo

SECOND: Mr. Scott Weston

Roll Call Vote:

	AYES	NAYS	ABSTENTION	NOT ELIGIBLE
Mr. Tully				X
Dr. Ries				X
Dr. Cuartas <i>Absent</i>	X			
Mr. Ryan			X	
Mrs. DiBartolo	✓			
Mr. Matthewson			X	
Mrs. Murphy-Bradacs			X	X
Vice-Chair Weston	✓			
Chair McGinley			X	

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 July 10, 2025.


Dee Dee Carpinelli
Acting Board Secretary


Scott Weston
Vice-Chairman