

**TOWNSHIP OF VERONA
BOARD OF ADJUSTMENT APPLICATION**

DATE APPLICATION 4-13-2024

CASE # 2026-010

PROPERTY ADDRESS 257 Pompton Avenue

BLOCK 104 LOT 1 ZONE C-2

APPLICANT'S NAME Brian J. Aloia

PHONE # 9733376626 CELL PHONE # 9737143428

EMAIL brian@aloialawfirm.com

PROPERTY OWNER'S NAME Brian and Janine Aloia

PROPERTY OWNER'S ADDRESS 16 Hathaway Lane

PROPERTY OWNER'S PHONE # 9737143428 CELL # 973-714-3428

PROPERTY OWNER'S EMAIL brian@aloialawfirm.com

RELATIONSHIP OF APPLICANT TO OWNER same

REQUEST IS HEREBY MADE FOR PERMISSION TO DO THE FOLLOWING:

Construct an eight one bedroom apartment building. 4 units on each floor.

CONTRARY TO THE FOLLOWING:

Use variance - see denial letter.

LOT SIZE: EXISTING 33,3493.7 PROPOSED 33,347.7 TOTAL _____

HIEGHT: EXISTING 1 1/2 stories PROPOSED 2 stories <35 feet

PERCENTAGE OF BUILDING COVERAGE: EXISTING 9.12% PROPOSED 12.1%

PERCENTAGE OF IMPROVED LOT COVERAGE: EXISTING 21.64 PROPOSED 32.7

PRESENT USE Mixed use PROPOSED USE 8 unit residential

SET BACKS OF BUILDING:	REQUIRED	EXISTING	PROPOSED
FRONT YARD	<u>20</u>	<u>35.46/36.98</u>	<u>21.54 & 33.87</u>
REAR YARD	<u>50</u>	<u>46.32</u>	<u>47.39</u>
SIDE YARD (1)	<u>15</u>	<u>30.11</u>	<u>25.92</u>
SIDE YARD (2)	_____	_____	_____

DATE PROPERTY WAS ACQUIRED December 2024

TYPE OF CONSTRUCTION PROPOSED:

Construct an 8 single bedroom apartments - 2 1/2 stories with 16 parking spaces - two units of affordable.

SIGN INFORMATION (if applicable): supply details on location, dimensions, height and illumination no signs.

AREA PER FLOOR (square feet):	EXISTING	PROPOSED	TOTAL
BASEMENT	_____	4288	_____
FIRST FLOOR	_____	4288	_____
SECOND FLOOR	_____	4288	_____
ATTIC	_____	0	_____

NUMBER OF DWELLING UNITS: EXISTING 1 com. 1 residential PROPOSED 8

NUMBER OF PARKING SPACES: EXISTING 10+ PROPOSED 16

History of any previous appeals to the Board of Adjustments and the Planning Board

Previously approved for mixed use commercial with 3 apartments (2-two bedroom, 1-one bedroom

What are the exceptional conditions that warrant relief from compliance with the Zoning Ordinance?

Unique shape of property, location and surrounding neighborhood.

Supply a statement of facts showing how relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Zone Plan and the Zoning Ordinance

Property is located at end of residential block and has bus stop in front of property making a small residential project such as that proposed beneficial and in conformance to area plan..

History of any deed restrictions:

none.

A legible plot plan or survey to scale (not less than 1"=100') of the property indicating the existing and/or proposed structure and scale drawings of the existing and/or proposed structure must be provided.

A copy of any conditional contract relating to this application must be filed with this application.

If the applicant is a corporation or partnership, the names, addresses and phone numbers of those owning a 10% or greater interest in the corporation shall be provided.

Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____
Name _____	Address _____	Phone # _____

Expert witness(es) that will present evidence on behalf of this application:

Attorney: Name _____
Address _____
Phone # _____
Fax # _____
Email _____

Architect/Engineer: Name Kurt Schmitt
Address 7 Shawnee Trail, Denville, NJ 07834
Phone # 862-432-9895
Fax # _____
Email kurtschmitt@optonline.net

Planner: Name James Helb
Address PO Box 30 Caldwell, NJ
Phone # 973-403-0830
Fax # 973-403-0803

BOARD OF ADJUSTMENT APPLICATION SITE PLAN

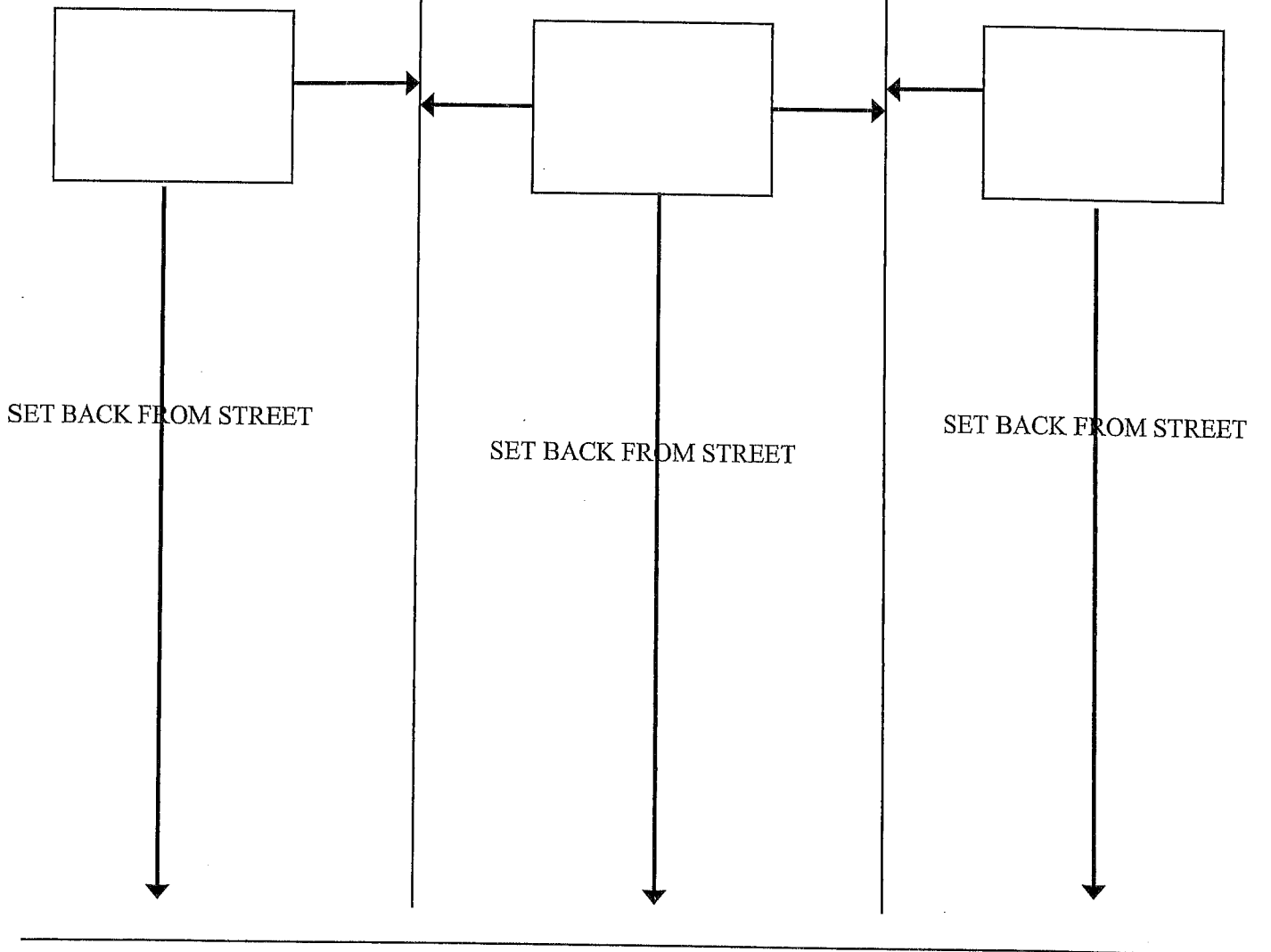
O INDICATES SHRUBS OR TREES

X INDICATES FENCES

NEIGHBOR'S HOUSE
ESTIMATE DISTANCE FROM
THE PROPOERTY LINE
HOUSE ON LEFT

APPLICANT'S HOUSE
SHOW THE DISTANCE TO THE
PROPERTY LINE FROM
SURVEY
CENTER HOUSE

NEIGHBOR'S HOUSE
ESTIMATE DISTANCE FROM
THE PROPOERTY LINE
HOUSE ON RIGHT



STREET

TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY

TOWNSHIP MANAGER
JOSEPH O. D'ARCO
TOWNSHIP CLERK
JENNIFER KIERNAN



DEPUTY MANAGER
KEVIN O'SULLIVAN
TOWNSHIP ATTORNEY
BRIAN J. ALOIA, ESQ.

VERONA COMMUNITY CENTER
880 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044

MUNICIPAL BUILDING
600 BLOOMFIELD AVENUE
VERONA, NEW JERSEY 07044
(973) 239-3220
WWW.VERONANJ.ORG

DEPARTMENT OF PUBLIC WORKS
10 COMMERCE COURT
VERONA, NEW JERSEY 07044

Zoning Office 880 Bloomfield Avenue, Verona, NJ 07044 973-857-4772

April 13, 2026

- **Zoning Application #2026-047 - Denied**

Applicant/Owner: Brian Aloia
16 Hathaway Lane
Verona, NJ 07044

Property: 257 Pompton Avenue; Block 104, Lot 1

Zone: C-2 (Professional Office and Business) Zone District.

Submittals:

This office is in receipt of the following:

- Zoning and Area Plans, Sheets 1 - 8, Site Plan, Tree Removal & Mitigation Plan, Construction Details, Traffic Control, Pedestrian Protection, and Soil Erosion & Sediment Control Plan by JMH Associates, signed and sealed by James M. Helb, PE, PLS, PP dated December 30, 2024; last revised April 4, 2026;
- Architectural Drawings Sheets 1 and 2 signed and sealed by Kurt H. Schmitt Architect, dated March 16, 2026.

ZONING REQUEST:

Based upon the zoning permit application, the applicant is seeking to renovate a 1 ½ story building to create a two story building with eight, one bedroom residential apartments with two of those units being designated for affordable housing units; parking; concrete walkway; tree removal; signage, HVAC fence. Removal of existing garage and driveways. No other submissions have been requested or shown and therefore have not been considered in this departments review.

ZONING DETERMINATION:

- The property is located in the C-2 (Professional Office and Business) Zone District;
- The lot is a corner lot with frontages on Pompton Avenue and Vincent Place;
- Per § 150-5.3 E. (3) Corner lot, frontage upon two streets.
 - A corner lot having frontage upon 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 narrower frontage is Vincent Place.

- The minimum side yard setback for such lot shall be 1.5 times the minimum yard requirement.
 - NOTE: the Site & Building Table on sheet one of the plans shows no proposed rear yard – this should be updated per § 150-5.3 E. (3) prior to being heard by the Board;
- Per § 150-17.11 A. (1.) Commercial and professional offices are permitted; proposed is a 2 story building with eight, one bedroom residential apartments which is not a principal or conditional use - **Use Variance is required;**
- Per § 150-17.11 D. (1) Minimum lot size: 15,000 square feet; existing and proposed 33,343.7 square feet – Compliant;
- Per § 150-17.11 D. (2) Minimum lot width: 100 feet; existing and proposed on Pompton frontage is 172.3 feet; frontage on Vincent is 92.25 feet – pre-existing, non-conforming – Compliant;
- Per § 150-17.11 D. (3) Minimum front yard setback: 20 feet - Compliant
 - Pompton Ave frontage – existing is 35.46 feet and proposed is 21.5 feet;
 - Vincent Place frontage – existing is 37± feet and proposed is 33.87 feet;
- Per § 150-17.11 D. (4) Minimum side yard setback (one): 15 feet; per § 150-5.3 E. (3) Corner lot, frontage upon two streets. The minimum side yard setback for such lot shall be 1.5 times the minimum yard requirement. Required is 22.5 feet; proposed is 25.92 feet - Compliant.
 - NOTE: the Site & Building Table on sheet one of the plans shows a combined side yard setback, there is only one side yard therefor no combined yard exists - this should be updated per § 150-5.3 E. (3) prior to being heard by the Board;
- Per § 150-17.11 D. (7) Minimum rear yard setback: 50 feet; rear yard is determined to be opposite the frontage on Vincent; proposed is 66 feet from building – Compliant;
 - NOTE: the Site & Building Table on sheet one of the plans shows NA for rear yard – this should be updated per § 150-5.3 E. (3) prior to being heard by the Board;
- Per § 150-17.11 D. (8) Maximum height for principal building (stories/feet): 2.5 stories/35 feet; existing 1.5 stories/ >35 feet; proposed 2 stories/25.5 feet measured at 10 foot increments around building - Compliant;
- Per § 150-17.11 D. (10) Maximum lot coverage: 30%; existing 9.12%; proposed 12.1% - Compliant;
- Per § 150-17.11 D. (11) Maximum improved lot coverage: 65%; existing is 21.64% and proposed is 32.7% - Compliant;
- Per § 150-17.11 D (13) Minimum landscaped buffer along residential zone: 15 feet; proposed buffer is Compliant;
- New proposed 127 foot walkway along the side yard of the proposed building - Compliant;
- Per § 150-17.11 D. (3) Minimum front yard setback: 20 feet; New proposed 66.5 square foot entry at main entrance to the building 35 feet from the front property line on Pompton Avenue – Compliant
- Walkway – a 128 square foot walkway is proposed from the entry landing to the parking lot – ADA space;
- A refuse storage area is shown on the SW side of the building; there is no refuse removal detail or refuse enclosure shown; Applicant shall testify to same;

- Entrance Canopy on Pompton Avenue proposed as 11 feet wide; 10 feet in height from grade; projecting 4 feet from the building;
- Rear canopy on property side yard proposed as 12 feet wide; 10 feet in height from grade; projecting 4 feet from the building;

Fence

- Per § 150-7.3 I. Fencing from the front façade of the building to a minimum of 10 feet from the front lot line shall be limited to three feet in height; Sheet 2 of 8 shows a notation of a PVC stockade fence running 24 feet across and 7 feet to the building; the fence is located within the front yard on Vincent place; no height of the fence is notated; applicant should provide fence detail and if fence is greater than three feet in height a variance would be required;
- All fences should be constructed in accordance with § 150-7.3;
- No other fencing is shown as proposed;

HVAC

- Per § 150-7.13 A. No mechanical equipment shall be located within a required minimum yard requirement and shall not extend more than five feet from the structure for which they serve;
- Sheet A-1 of the architectural plans show 8 rooftop units, 9 square feet each;
- Per § 150-5.2 (3) All rooftop appurtenances shall be appropriately screened from all adjoining properties with architectural screening, the material color and composition of which shall be approved by the approving body;
- Per § 150-7.13 B. No generator shall be permitted within a side yard; no generators are shown as proposed.

Parking:

- Per § 150-12.6 C. Parking schedule, of minimum number of required parking spaces; Multifamily dwelling: Utilize the RSIS:
 - Required per RSIS - (8) 1 Bedroom @ 1.8 = 14.4 spaces required; Proposed as 15 standard stalls and 1 ADA stall – Compliant; (Please note the Site & Building Table on sheet one of the plans shows 2 bedroom)
- Per § 150-12.8 C. (3) For parking stalls and aisles, there shall be provided a minimum stall width of nine feet and a minimum stall depth of 20 feet; stalls are proposed as 9 feet in width and 18 feet in length – **A Variance is required**;
- Per § 150-17.11 D. (7) Minimum rear yard setback: 50 feet; parking lot is proposed 23 feet from the rear property line – **A Variance is required**; Per § 150-5.3 E. (3) Corner lot, frontage upon two streets. A corner lot having frontage upon 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 narrower frontage is Vincent Place.
- Per § 150-12.8 (3) C. (a) For parking stalls and aisles; Proposed drive aisle is 24 feet in width – Compliant;
- Per § 150-12.3 B. No driveway or access or egress from a parking area shall be located closer than 50 feet from any intersection or as required by county or state regulations. Proposed driveway is 60 feet from the intersection of Pompton Ave and Claridge Drive (Private Road) and 117 feet from the intersection of Pompton Ave and Vincent Place – Compliant;

- Per § 150-12.8 A. Except for one- and two-family structures, all parking areas and driveways shall be paved with bituminous concrete, concrete or other approved permanent hard-surfaced material, and all parking spaces shall be lined and designated on said pavement.
- Per § 150-12.8 B. Except for one- and two-family structures, all parking areas and driveways must have a six-inch solid concrete or Belgian block curb to separate the parking area and/or driveway from the required front, side and rear yard when these parking areas are located within six feet of the yard.
- NOTE: Proposed curb-cut and removal of existing curb-cuts from the removal of the two existing driveways will need to be coordinated through DPW once the application would be deemed complete;
- Per § 150-17.11 D. (13) Minimum landscaped buffer along residential zone: 15 feet; existing and proposed is 15 feet;

Signage:

- All proposed signs should be in compliance with § 150-7.9;
- NOTE: Sheet A-2 of the architectural plans shows a ground mounted monument sign; per the applicant, Brian Aloia, on April 10, 2026, this was in error and no monument sign is proposed; this should be removed from the plans prior to the Board hearing;
- Proposed signage as individual numbers “2 5 7”, wall mounted with back-lighting; not to extend more than 15 inches from the façade; 9 square feet (2’ x 4’6”) where per § 150-7.9 S. (2) 1 square foot per each linear foot of frontage is permissible (60 square feet is permitted); proposed fronting on Pompton Avenue – Compliant;
- A “RIGHT TURN ONLY ARROW” is proposed on the driveway
- A ‘NO LEFT HAND TURN’ sign is proposed at the exit side of the proposed driveway; 3 feet from the front property line;
- A ‘STOP’ sign is proposed;
- A “HANDICAPPED” sign is proposed for ADA parking stall;

Trees:

- Per § 493-24 Planning Board hearing required for removal of more than two healthy mature trees. NOTE: This application should be heard by the Board of Adjustment due to a Use Variance need. The Board of Adjustment shall hear the tree removal application;
- A tree removal and mitigation plan, sheet 3 of 8, has been submitted. 15 total trees are proposed to be removed. The plan does not designate the condition of same i.e. alive, dead, diseased, hazardous, etc.

# To Be Removed	DBH	Replacement Trees	Fees Calculated (Application: Mitigation)	TOTAL
2 – Coniferous Evergreen	6 “	2 Replacement	x \$400.00	\$ 800.00
1 - Coniferous Evergreen	10”	2 Replacements	x \$400.00	\$ 800.00
2 – Deciduous	6”	2 Replacements	x \$400.00	\$ 800.00
3 - Deciduous	12”	3 Replacements	x \$400.00	\$1200.00
2 - Deciduous	15”	2 Replacements	x \$400.00	\$ 800.00
4 - Deciduous	18”	8 Replacements	x \$400.00	\$3200.00
*1 - Deciduous	36”	4 Replacements	x \$400.00	\$1600.00
23			Application Fee \$50.00 + \$ 9,200.00 =	\$9250.00

- *Extraordinary tree - Removal of extraordinary trees shall be prohibited except upon the specific written recommendation of the Zoning Official after consultation of the Township Forester and **approval by resolution of the Township Council**;
- Per § 493-26 Tree removal contractor requirements; All tree contractors must register with the Township of Verona and pay a registration fee on an annual basis in order to conduct business within the Township (see Chapter **A565**);
- Per § 493-20 trees must be protected during construction.

Lighting:

- No lighting plan has been submitted with the exception of the notation for the wall mounted signage;

Engineering

- All plans shall be reviewed by the Township Engineer, Boswell Engineering, and all recommendations shall be forwarded to the Board of Adjustment and the applicant;
- Boswell Engineering was asked to do a high level review for the stormwater control based on a previous application; the initial review shows that the stormwater control remains unchanged and the stormwater requirements are slightly smaller due to decreased impervious; this is subject to change as Boswell will do a full review for the Board hearing;
- HEPSCD certification requirement to be determined by Engineering;
- This application will require an Engineering approval for Stormwater Management, Lighting, Soil Removal; review of same to be discussed at the Board of Adjustment hearing for final approval;

Based on the reviewed submitted items, the applicant's request for a Zoning Permit has been **DENIED** by this office. A Site Plan review with a Use Variance and any and all necessary variances as stated in the review above will need to be heard by the Verona Township Board of Adjustment.

Please submit to the Board office at 880 Bloomfield Avenue, Verona to the Board Secretary, DeeDee Carpinelli, dcarpinelli@veronanj.org, 973-857-4773.

Please feel free to contact this office should you have any questions.

Respectfully Submitted,



Kathleen Miesch
Zoning Official

cc: DeeDee Carpinelli, Board Secretary

AFFIDAVIT OF OWNERSHIP

STATE OF NEW JERSEY
COUNTY OF ESSEX

Brian J. Aloia

_____ OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW ON
OATH DEPOSED AND SAYS, THAT DEPONENT RESIDES AT 16 Hathway Lane, IN THE CITY OF
Verona IN THE COUNTY OF Essex AND STATE OF NJ AND THAT

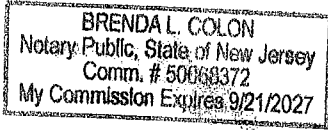
Brian & Janine Aloia IS THE OWNER IN FEE OF ALL THAT CERTAIN LOT, PIECE OF LAND,
SITUATED, LYING AND BEING IN THE TOWNSHIP OF VERONA AFORESAID AND KNOWN AND DESIGNATED AS
BLOCK 104 AND LOT 1 AS SHOWN ON THE TAX MAPS OF THE TOWNSHIP OF VERONA.

Brenda Colon

NOTARY

Brian J. Aloia

OWNER



AFFIDAVIT OF APPLICANT

COUNTY OF ESSEX
STATE OF NEW JERSEY

Brian J. Aloia

_____ OF FULL AGE, BEING DULY SWORN ACCORDING TO LAW, ON
OATH DEPOSED AND SAYS THAT ALL OF THE ABOVE STATEMENTS CONTAINED IN THE PAPERS SUBMITTED
HEREWITH ARE TRUE. SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 21 DAY OF April

20 26

Brenda Colon

NOTARY

Brian J. Aloia

APPLICANT

