



RESOLUTION 2026-08
of the
ZONING BOARD OF ADJUSTMENT
of the TOWNSHIP OF VERONA

Application No. 2026-06, 18 Martin Road, Block 805, Lot 26 Zone: R-50B

WHEREAS, Adam Lipkin (the “Applicant”) is the owner of property located at 18 Martin Road, Verona, New Jersey (the “Property”); and

WHEREAS, the Property is located in the R-50B (Medium-High-Density Single-Family) Zone on the Township of Verona Zoning Map; and

WHEREAS, the Applicant submitted an application to the Verona Zoning Board of Adjustment (the “Board”) seeking approval to construct a second-story addition with a side stair addition, installation of one HVAC unit, and improvements to an existing patio including reconstruction and expansion; and

WHEREAS, the Board entertained the Application at its regularly scheduled meeting on April 16, 2026, at which time it was established that the Applicant had met the notice requirements set forth in the Municipal Land Use Law, the Application was deemed to be complete and the Applicant was permitted to proceed.

APPLICABLE ORDINANCE PROVISIONS

WHEREAS, the Ordinance provisions applicable to this Application and the variances required by the applicant are as follows:

§ 150-13.3 –The applicant requires a variance to expand the structure because there are pre-existing nonconforming setbacks. The ordinance provides in part that a one- or two-family residential building which complies with the use requirements of this chapter and is nonconforming because of the yard regulations may be enlarged provided, that the expansion does not encroach further into a violated setback and no other setback regulations are violated;

§ 150-7.13(A) – The applicant requires a variance because the applicant proposes to construct an HVAC unit in the front yard on Overhill Road, 11 feet from the front yard property line. The ordinance provides in part that no mechanical equipment shall be located within a required minimum yard requirement and shall not extend more than five feet from the structure that it serves. During the course of the application, it was determined that there is no record of a variance having been granted for an existing HVAC unit in the front yard. The Board considered the existing unit in its determination to grant variance relief as set forth below.

§ 150-17.4(F)(4) – The applicant requires a variance because the applicant proposes accessory structures in the rear yard in excess of 408.9 square feet; and

WHEREAS, the Applicant, Adam Lipkin, owner of 18 Martin Road, being sworn to tell the truth; and Lisa Cohen, LMC Architecture, who was qualified as an expert in architecture, after being sworn to tell the truth, presented testimony and evidence regarding the design constraints, existing nonconformities, and proposed improvements. Ms. Cohen opined that the design of the proposed addition conformed with other homes in the neighborhood and that the project would be beneficial to the neighborhood as a whole. Although Ms. Cohen is not a licensed professional planner, the Board accepted her testimony as a lay person regarding the negative criteria. Ms. Cohen opined that the proposal would not negatively impact the Township's zone plan and that the improvement to housing stock is consistent with the goals of the Township's master plan.

Greg Laterobian, Contractor, testified, after having been duly sworn, regarding construction feasibility, HVAC placement limitations, and staging considerations; and

WHEREAS, the testimony established, among other things, that:

The Property is undersized and irregularly shaped, creating constraints on development;

The Property is a corner lot with two front yard setbacks;

The dwelling contains pre-existing nonconforming setbacks;

The proposed improvements are largely vertical in nature due to site limitations;

The existing stair condition is unsafe and requires replacement;

HVAC relocation would result in significant interior disruption;

Drainage improvements are necessary to address water infiltration issues; and

WHEREAS, during the course of the application, the following exhibit was introduced;

Exhibit A-1- Lipkin Residence Addition/Renovation Page 1- Rear Yard and Page 2- Area of Disturbance; and

WHEREAS, the Board considered testimony regarding discrepancies in rear yard coverage calculations and determined that, regardless of calculation methodology, variance relief was required; and

WHEREAS, no members of the public appeared to object to the Application.

BOARD FINDINGS

WHEREAS, the Board carefully considered the Application and finds that:

The Property's unique conditions, including its undersized lot and pre-existing nonconformities, create hardship under N.J.S.A. 40:55D-70(c)(1);

The proposed improvements represent a reasonable and appropriate use of the Property given its constraints;

The relief can be granted without substantial detriment to the public good;

The relief will not substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance;

BOARD ACTION

WHEREAS, the Board voted separately on each variance requested as follows:

1. HVAC Variance (New and Existing Unit Location)

Approved by a vote of 5-2;

2. Accessory Structure Coverage Variance (26.9%)

Approved by a vote of 6-1;

3. Second-Story Expansion and Side Stair Addition (Nonconforming Setbacks)

Approved by a vote of 6-1;

NOW, THEREFORE, BE IT RESOLVED

by the Zoning Board of Adjustment of the Township of Verona that Application No. 2026-08 is hereby approved, subject to the following conditions:

1. The Applicant shall comply with all testimony and representations made to the Board, which are incorporated herein as if fully set forth.
2. The Applicant shall comply with all comments and recommendations of the Board's professionals, including but not limited to engineering and zoning requirements.
3. The Applicant shall obtain all necessary permits and approvals from municipal, county, and state agencies prior to construction.
4. The Applicant shall address drainage and stormwater management consistent with testimony presented to the Board.
5. The HVAC units (existing and proposed) shall be installed in the approved locations, subject to any reasonable screening requirements imposed by the Board Engineer or Zoning Officer.
6. Construction shall proceed substantially in accordance with the plans and exhibits presented to the Board.

7. The Applicant shall comply with all applicable Township ordinances and construction codes.

BE IT FURTHER RESOLVED that a copy of this Resolution shall 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	NOT ELIGIBLE	RECUSED	ABSENT
Mr. Tully			X		
Dr. Ries	✓				
Dr. Cuartas			X		
Mr. Ryan	✓				
Mrs. Murphy Bradacs					X
Mr. Mathewson					X
Mrs. DiBartolo	Abstain				
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 14, 2026.

Dolores Carpinelli

**Dolores Carpinelli
Board Secretary**

Daniel McGinley

**Daniel McGinley
Chairman**