



**RESOLUTION 2026-15
TOWNSHIP OF VERONA
ZONING BOARD OF ADJUSTMENT
COUNTY OF ESSEX, STATE OF NEW JERSEY**

Application No. 2026-13
94 Elmwood Road, Block 906, Lot 30
Zone: R-50B (Medium/High-Density Single-Family)

WHEREAS, Anthony Tarrant (the “Applicant”) is the owner of property located at 94 Elmwood Road, Verona, New Jersey, designated as Block 906, Lot 30 on the Township of Verona Tax Map (the “Property”); and

WHEREAS, the Property is located in the R-50B (Medium/High-Density Single-Family) Zone District 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 install two new air-conditioning condenser units in the rear yard of the Property; and

WHEREAS, this matter was heard during a Regular Meeting of the Verona Zoning Board of Adjustment conducted on June 11, 2026, at which time it was established that the Applicant had met the notice requirements set forth in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., and the Applicant was permitted to proceed; and

WHEREAS, prior to the hearing of this matter, Board Member Ryan recused himself from participation due to residing in close proximity to the Property, and did not participate in the hearing, deliberations, or vote; and

APPLICABLE ORDINANCE PROVISIONS

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

§ 150-17.4 D.(4) Maximum Improved Lot Coverage. The maximum permitted improved lot coverage is 40%, or 1,654.5 square feet for the Property. The existing improved lot coverage is 42.9%, or 1,776 square feet, which constitutes a pre-existing non-conforming condition. The proposed improved lot coverage is 43.1%, or 1,784 square feet, which would exacerbate the pre-existing non-conforming condition. A variance is required;

§ 150-7.4 F. Minimum Side Yard Setback (One). The minimum required side yard setback (one) is eight (8) feet. The two condenser units are proposed at three (3) feet from the northwest side property line. A variance is required for each unit; and

TESTIMONY AND EVIDENCE

WHEREAS, the Applicant, Anthony Tarrant, was duly sworn and testified in support of the Application that: (i) the Property is unusually narrow and undersized, making compliance with the Ordinance difficult, in that the lot area is 4,136.25 square feet whereas the minimum required lot area is 7,500 square feet, and the lot width is 30.06 feet whereas the minimum required lot width is 50 feet; (ii) the proposed condenser units would be located behind an existing fence in the rear

yard and would not be visible from the street or from neighboring properties; (iii) the proposed location, to the left of the existing deck, is the only practical location on the Property that satisfies equipment placement requirements; (iv) the Applicant discussed the proposal with both adjacent neighbors, each of whom expressed no objection; and (v) the existing window air-conditioning units located on the front and sides of the house would be removed and replaced by the proposed rear condenser units; and

WHEREAS, the Chair opened the hearing to members of the public for questions of the Applicant, and no members of the public posed questions; and

WHEREAS, the Chair opened the hearing to members of the public for statements regarding the Application, and no members of the public offered statements; and

FINDINGS OF FACT AND CONCLUSIONS OF LAW

WHEREAS, the Board, having considered the Application, the sworn testimony of the Applicant, and the documents submitted in support of the Application, makes the following findings of fact and conclusions of law:

1. The Property is substantially smaller than the standard lot size within the R-50B Zone District, with a lot area of 4,136.25 square feet where 7,500 square feet is required and a lot width of 30.06 feet where 50 feet is required, and already contains existing non-conforming side yards.
2. The exceptional narrowness and undersized nature of the Property constitutes a hardship within the meaning of N.J.S.A. 40:55D-70(c)(1), in that strict application of the zoning regulations would result in peculiar and exceptional practical difficulties to, and exceptional and undue hardship upon, the Applicant, and the hardship arises from conditions uniquely affecting the Property and not from any action of the Applicant.
3. The proposed condenser units would be screened by the existing fence, the house, and the deck, thereby minimizing visibility and noise impacts upon neighboring properties and the streetscape.
4. The proposal would result in only a minimal increase in improved lot coverage, from 42.9% to 43.1%, or eight (8) square feet.
5. The consolidation of multiple window air-conditioning units, presently located on the front and sides of the house, into two rear-yard condenser units would reduce visual and noise impacts along the sides of the home and represents a net improvement over existing conditions.
6. For the foregoing reasons, the Board finds that the Applicant has satisfied the positive criteria for the requested bulk variance relief, and further finds that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance of the Township of Verona, thereby satisfying the negative criteria of N.J.S.A. 40:55D-70; and

WHEREAS, at the conclusion of the hearing and deliberations on June 11, 2026, a motion to approve the Application was made by Vice Chair Weston and seconded by Dr. Cuartas, and the Board voted to approve the Application by a vote of six (6) in favor and none (0) opposed, as follows:

MEMBER	AYE	NAY	ABSTAIN	RECUSED	ABSENT
Mr. Tully	X				
Dr. Ries	X				
Dr. Cuartas	X				
Mrs. Murphy-Bradacs					X
Mr. Mathewson	X				
Mr. Ryan				X	
Mrs. DiBartolo					X
Vice Chair Weston	X				
Chair McGinley	X				

NOW, THEREFORE, BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Verona, County of Essex, State of New Jersey, that Application No. 2026-13 of Anthony Tarrant is hereby GRANTED, and the Applicant is granted bulk variance relief pursuant to N.J.S.A. 40:55D-70(c) from § 150-17.4 D.(4) (maximum improved lot coverage) and § 150-7.4 F. (minimum side yard setback) of the Code of the Township of Verona, to permit the installation of two air-conditioning condenser units in the rear yard of the Property, subject to the following conditions:

1. The improvements shall be constructed and installed in conformance with the plans submitted with the Application and the testimony presented to the Board at the hearing of June 11, 2026.
2. The two condenser units shall be located in the rear yard, behind the existing fence and to the left of the existing deck, as testified to by the Applicant.
3. The existing window air-conditioning units located on the front and sides of the house shall be removed.
4. The Applicant shall obtain all required construction permits and any other permits or approvals required by any governmental agency having jurisdiction over the Property, and shall comply with all applicable ordinances of the Township of Verona not otherwise varied herein.
5. The Applicant shall pay all applicable fees, escrows, and real estate taxes, and shall satisfy any outstanding obligations to the Township of Verona as a condition of the issuance of permits.

BE IT FURTHER RESOLVED that this Resolution constitutes the memorialization, pursuant to N.J.S.A. 40:55D-10(g), of the action taken by the Board on June 11, 2026, and was adopted at the Regular Meeting of the Zoning Board of Adjustment held on July 9, 2026, by the following vote of the members eligible to vote, being those members who voted in favor of the action on June 11, 2026:

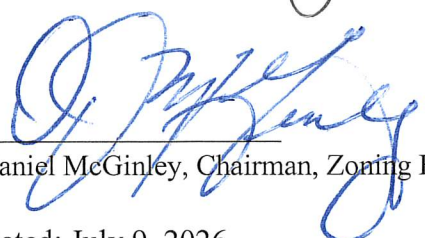
Motion to adopt: Vice Chair Weston Second: Dr. Cuartas

MEMBER	AYE	NAY	ABSTAIN	RECUSED	ABSENT
Mr. Tully	✓				
Dr. Ries					✗
Dr. Cuartas	✓				
Mr. Mathewson	✓				
Vice Chair Weston	✓				
Chair McGinley	✓				

CERTIFICATION

I, Dolores Carpinelli, Secretary of the Zoning Board of Adjustment of the Township of Verona, do hereby certify that the foregoing is a true and accurate copy of a Resolution adopted by the Zoning Board of Adjustment of the Township of Verona at its Regular Meeting held on July 9, 2026, memorializing action taken by the Board on June 11, 2026.


 Dolores Carpinelli, Secretary, Zoning Board of Adjustment


 Daniel McGinley, Chairman, Zoning Board of Adjustment

Dated: July 9, 2026