

Minutes of a Regular Meeting of the Verona Board of Adjustment on Thursday February 14, 2019 beginning at 8:00 P.M. in the Verona Community Center, 880 Bloomfield Avenue, Verona, New Jersey.

**Roll Call:**

Present: Dan McGinley, Chairman, Pat Liska, Larry Lundy, Lou Russo, Sean Sullivan, and Christy DiBartolo, Alt #1 and Genevieve Murphy-Bradacs, Alt #2

Also, present: Robert Gaccione, Esq. and Thomas Jacobsen, Township Construction Code Official

Absent: Scott Weston, Vice Chairman

Secretary read the notice of Open Public Meetings law and called attendance.

Mr. McGinley called the meeting to order at 8:04 PM. He leads the Pledge of Allegiance. He then explains to the Applicants that the Board can grant variances, but the burden is on the Applicant to prove special reason or any undue hardship. Mr. McGinley states the Applicants shall offer sworn testimony on their application and the Board will rule based on the evidence presented. He reports the variance, if granted, will be memorialized at the next regular meeting.

**Application:**

**Case 2018-13: Scott & Rebecca McClain,  
106 Park Avenue, Block 611 Lot 4**

Mrs. DiBartolo recused herself from hearing the application and sat in the audience.

Scott and Rebecca McClain, homeowners for 106 Park Avenue, were sworn in.

Mr. Gaccione offered proof of service was in order.

Mr. McClain explained to the Board that they have lived in Verona for 12 years. When they moved in they had one child and now they have four children in a 3-bedroom house. The house is dormered cape with one bathroom downstairs on first floor. They are looking to add to the house a bedroom and bathroom on the second floor. The variances they are requesting relief from in order to add onto the house are maximum improved lot coverage, minimum front yard setback, minimum side yard setback for one side and minimum side yard setback for both sides.

Mr. Sullivan asked if they were taking a making a full second floor instead of the dormer existing. Mr. McClain agreed they were and staying pretty much in the same footprint as the house but they were squaring off the back corner to create a mudroom as well. He explained they would be going straight back and straight up from what was existing. Mr. Sullivan also questioned if the siding would match. He agreed they would do cedar shakes to match existing.

Mr. Sullivan stated this was similar to many the board had seen before; it was not unusual. He did not have any problems with it based on the testimony.

Mr. McGinley asked if any similar in the neighbor that had done the same. Mr. McClain explained there were a few down the road from them. He also added that their house was one of the smallest with colonial style homes by them. He explained when they moved in they thought the house would be good for two children and then they added two more. They have two boys together sharing a room and the oldest is 13 and getting bigger.

Mr. Russo stated he did not have a problem with the application and added that one bathroom downstairs must be a horror.

**Public Questions / Comments:** None

Mr. McGinley added this application was a typical Verona cape that is small by today's standards. He felt it was admirable of the applicants to be adding up and not over the top.

Mr. Sullivan motioned for approval of case 2018-13; Mr. Russo seconded the motion. All votes aye. Application granted.

Mr. Jacobsen explained that they could bring in permits to the Building department to start the review process. Mr. Gaccione also explained to the applicants about the next steps to the process with a resolution and the appeal time frame.

**Application:**

**Case 209-02: Theodore White**

**49 Gould Street, Block 1703 Lot 95**

Mrs. DiBartolo returned to her Board seat to hear the application.

Theodore White, homeowner of 49 Gould Street, was sworn in.

Mr. Gaccione offered proof of service was in order and that the applicant served neighbors personally.

Mr. White addressed the Board. He explained that his property is a corner a lot and has two front yards. He and his wife have lived in the house for 11 years and have a daughter that is currently in FN Brown Elementary school. They are making improvements to the home and are looking to add a half bath to the first floor. They are looking to add the bathroom off the kitchen where there is currently a door leading outside to an existing stairs and platform. He explained in order to add the bathroom they are seeking variances for minimum side yard setback and for improved lot coverage. He added that they tried to serve notice in person to talk to the neighbors especially the ones that are effected the most by the work. He spoke with 52 Gould, the neighbors next door and showed the plans. He also spoke with the neighbors across the street that would look directly out at the house. He told the board he is working with a contractor from town that has worked in town for more than 25 years.

Mr. Sullivan asked if this is going where there is an existing means of egress and this would now make a blank wall to look at instead. Mr. White agreed and added the window would be to the back of the house not the side.

Mr. McGinley asked if this was going over what existing or going out further. Mr. White stated they were not trying to go any closer to the side and making a very small 8 by 4 foot addition for the bathroom. They would be going up a little more than what was there. Mr. McGinley asked if these are the steps that were used to go out the yard. Mr. White explained that there is an existing fence out the steps and that they use another door that goes out the back of the house. Mr. McGinley asked if they had considered going out the back with the addition where there is a deck. Mr. White explained they had but that would be a lot more to change.

Mr. Jacobsen addressed the Board in regards to the coverage and comments from the Environmental Commission. Due to the comments from the Environmental Commission, he and

Mike DeCarlo, from Engineering department and Zoning Officer, went to the site to recalculate coverage. They did their math and found that the property is under maximum improved lot coverage and that variance was no longer needed. Mr. White apologized for his bad math in calculating everything for his application. Mr. Gaccione confirmed that they are amending the application to no longer need improved lot coverage variance and only the variance for side yard setback.

Mr. Sullivan questioned that all windows would face the rear and the siding would match the existing house. Mr. White agreed.

**Public questions/comments:** None

Mr. McGinley stated this application was a standard issue the Board sees with many other applications.

Mr. Sullivan motioned for approval of case2019-02; Mr. Liska seconded the motions. All votes aye. Application approved.

**Minutes:**

Minutes for regular meeting January 2019.

Mr. Sullivan motioned for approval of the minutes; Mr. Liska seconded the motion.

All votes aye. Minutes approved

**Resolution:**

Case 2018-12, DCH Acura, 100 Bloomfield Avenue – pylon sign – resolution for denial

Mrs. Murphy-Bradacs motioned approval of the resolution; Mrs. DiBartolo seconded the motion.

Mrs. Murphy-Bradacs, Mrs. DiBartolo and Mr. McGinley were the only Board members at the meeting that denied the application and could vote on the resolution. All votes aye from the three Board members. Resolution memorialized.

Case 2018-08, Kensington Senior Development LLC, 420 Bloomfield Avenue & 312 Claremont Avenue – assisted living use denial

Mr. Liska motioned for approval of the resolution; Mrs. DiBartolo seconded the motion.

Mr. Liska and Mrs. DiBartolo were the only two Board members at the meeting that denied the application and could vote on the resolution. Both votes aye. Resolution memorialized.

Meeting was adjourned at 8:31 PM to next regular scheduled meeting.

Respectfully submitted

Kelly Lawrence

Board of Adjustments Secretary