

Minutes of a Regular Meeting of the Verona Board of Adjustment on Thursday January 9, 2020 beginning at 8:00 P.M. in the Verona Community Center, 880 Bloomfield Avenue, Verona, New Jersey.

**Roll Call:**

Present: Dan McGinley, Chairman, Scott Weston, Vice Chairman, Christy DiBartolo, Pat Liska, Sean Sullivan and Genevieve Murphy-Bradacs, Alt #1

Also, present: Michael Piromalli, Esq., representing Board Attorney

Absent: Larry Lundy, Lou Russo and Al D'Alessio, Alt #2

Tardy:

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

Mr. McGinley called the meeting to order at 8:05 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.

**Minutes:**

Minutes for regular meeting on December 12, 2019.

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

All votes aye. Minutes approved

**Application:**

**Case 2019-14: 21&25 Grove Associates LLC  
21&25 Grove Avenue, Block 1702 Lot 22**

Mr. Piromalli offers proof of service is in order for the application.

Jason Tuvel, attorney for the applicant, began his testimony to the Board. He explained he represented applicants' for 21 & 25 Grove Avenue and they are seeking preliminary and final site plan approval along with "C" and "D" variances for the proposed site. Currently the site is in a C-2 with two principle structures and one accessory structure on the property. The property is 31,000 square feet and is double size allowed in the zone. The slope of the property drove the design of the property. The proposed site plan for the property includes a residential 4 story 40 unit building that will comply with 15% affordable housing per township ordinance.

Matthew Seckler, Civil and Traffic Engineer with Stonefield Engineering & Design LLC, gave his background and information to the Board. The Board accepted him as an expert in both Civil and Traffic engineering.

He started with exhibit A-1, marked and dated 1-9-20, an aerial image of the site from Google. The property is in C-2 zone with R-50B residential zone to the north, TC town center zone to the south as you get to Bloomfield Avenue, east is R-60 residential zone and to the west across Grove Avenue retail shops in the TC town center zone. Currently there are three structures on the property. There are two principle structures with offices and salon along with one accessory structure. There is also large parking in the rear, which is also used to store vehicles and equipment. The property grade drops down from the front to the back 8 to 10 feet. The current

buildings are 2 ½ stories as you look at them from Grove Avenue and 3 stories as you look at them from the rear.

Next, he offered Exhibit A-2, marked and dated 1-9-2020, colorized sheet C-4 of the plans submitted with application showing the site plan. Green depicts plantings, gray is pavement, brown indicates the building. The site plan also indicated the lot size of 31191 square feet where the minimum permitted in the zone is 15,000 square feet. The lot width shows as 144 feet with lot width minimum as 100 feet for the zone. The current driveway on the property is closer to the residential zone to the northerly end of the site. The new proposed is to the southerly side closer to the other commercial businesses going towards Bloomfield Avenue. The rear of the property is one story below what is at Grove Avenue. You will still see 2 ½ stories from Grove Avenue and as you drive down driveway around to back of building from parking lot you will see 4 stories. There will wall install maximum of 11-12 feet and drops down to 8 feet around the back. The wall will not be seen from neighbors will be seen from the parking lot. There will be a structural engineer that will design the wall and foundations. The wall will be strictly on the property with no easements needed for other properties. There will be weep holes to discharge onto property to the discharge system. The wall will hide the headlights from the cars. Residents from neighboring will not be able to see headlights. The storm water management of the property that currently has 72% improved lot coverage and there is 81% proposed per Verona Code. They are proposing a green roof installed along with grass added that would make it fall 64% improved lot and that would be under 65% permitted in the zone. The green roof slows down how fast the water runs off into the system and reduces how much goes into the system as well. This provides best management practices. The vegetation, ditch or swale to help to improve the runoff and address the Environmental Commissions report. He discussed the lighting on the property. The benefits of parking below grade helps keep lights low with 1 foot candle on property line, 0.2 to rear of property line and can reduce that to 0. The vegetation buffer and screening with species from the ordinance that are also good for the top of the wall. There will be a management company to oversee the property. There will be garbage and snow removal coordinated by the management staff. The tenants will bring the garbage to trash rooms where that will be collected and brought to ventilated rooms down bottom. The garbage will then be brought out to area at bottom of driveway and picked up there. The containers will then be brought back in. They propose this pick-up 2-3 times a week for garbage and recycling. The building is fully sprinkled and they do not see fire trucks and emergency vehicles going down and under the property. The driveway has 10% grade and they propose to put in a de-icer system for safety purposes. The proposed grade changes are based from Essex County standards. They are moving the grade back further and making the 10% grade drop further back on the property to allow for emergency pull up in front of the building. They propose new landscape and half-moon walkway to front entrance. They will work with experts to see what works best for front area. The sidewalks and parking are ADA compliant. The elevators go down to the parking area and there are three ADA accessible spaces. He explained that the property proposed would generate 20 trips during peak hours. He stated reports from the Census Borough data in regards to commuters that use vehicles and do not use vehicles to commute. A bus runs and stops on Bloomfield Avenue at the corner of Grove with six pickup times between 6 and 8 am. The rental area is more millennial professionals or retirees. They predict millennials taking mass transit while the retirees would not be out at the rush hour times. Emergency management officer suggests that restrict to right out in morning time and will post that if wanted. The property could be day care or professional office per code and that would generate up to 100 trips at peak hours. They feel this is on lesser end than what could be built on property. They studied the Verona Census for renters versus owners with or without cars. They found renters occupied 13% without cars where owners occupied 3% without cars. The number of renters with one car was 52% and the number of renters with two cars was 35%. The building would generate about 49 cars total and they offer more parking than that on the proposed site. The parking along the front of the building on Grove Ave is meter

parking. They need to shift those parking spaces because of the change to the driveway proposed. They also propose 20 to 25 feet area for delivery vehicles for property or neighbors.

Mrs. Murphy-Bradacs asked what years the census studies were done. Mr. Seckler stated they used 2013-2017 5-year census estimates.

Mr. Liska asked if company or census did the rest of the study in report. Mr. Seckler explained the rest was done based on a database from the company from doing other projects in other places like Hoboken, Montclair, etc. Mr. Liska asked if the other Boards they had gone before took these numbers and reports. Mr. Seckler explained they just presented them and the Boards determined the validity of them.

Mr. McGinley asked where residents would park if there are more cars than the proposed 52 spots that are available. He stated that there is permit parking available through the town and there is no overnight parking on the streets.

Mr. McGinley asked about the snow removal and where the snow would be pushed. Mr. Seckler referred back to exhibit A-2 showing the only areas of pavement not covered on the site are the driveway, two spaces down the aisle and five parking spaces in "u" shape. The rest of the pavement is covered by structure above. The management company will make sure shovel or bobcat removes snow with a plow and all snow will be carted off site. They will handle it much like a shopping center has done and hauled off. The driveway will also have the heated system that is very effective and keeps from snow buildup.

Mr. Weston asked where the heated system would be. Mr. Seckler stated that it would run from edge of building to rear before two parking spots or may run to the spots.

Mrs. DiBartolo asked about the wall coming up the driveway and any concerns of coming down into the wall. Mr. Seckler suggested they could look at a guardrail system to protect the wall or to use more for a guide.

Mrs. DiBartolo also asked reason why did not build over the other spaces or have more open space. Mr. Seckler stated that they did not want building four stories all the way out and they did want allows for open areas.

Mrs. DiBartolo questioned where people would park when moving in or out of the building. Mr. Seckler stated the spaces closest to the building in snow area. These would be visitor spaces or for move in and out vehicles. He also stated that management could stipulate days and times for moving in and out.

Mr. Weston asked about garbage pickup not being done by a truck. Mr. Seckler stated that was correct that they manage several buildings with parking underneath and trucks cannot get in and out. They use a pick-up truck to come and get all garbage or recycling and put it in the back and truck it offsite.

Mr. Weston asked if there was enough turning radius for an ambulance. Mr. Seckler stated that they could make "k" turn. The parking area is with 28 feet wide drive aisle so large enough to make "k" turn.

Mr. Sullivan asked about the ambulance coming to the front and if it was barrier free in front of the building. Mr. Seckler stated that there is 20 to 25 foot area that ambulance could park in same as the delivery area. He also stated that they could go in the front to any elevator they needed to use.

Mrs. DiBartolo asked about fencing around the area. Mr. Seckler stated that there was fencing to the side to the vet's office and the residential to the east. They propose to put by property line by the residential. They can also do two fences one along residential and one for fall purposes at top of the wall. They would leave to the Board to determine if neighbors see fence or trees.

Mr. McGinley asked about the trees at the rear of the property. Mr. Seckler stated that trees would be to grade of property along at rear and that see top of wall from the property in the rear. Mr. McGinley asked about drainage on the property as it is today. Mr. Seckler stated that area in the grass area is grade today. They will be putting in a system for drainage that he believes would tie into the system in the rear behind the property that they would not be able to pump it

up toe Grove. Mr. Tuvel stated they would follow gravity. Mr. McGinley asked about eh pipes there now. Mr. Seckler stated the grade down and will not go below the pipes that exist at now. They also had a comment about video of the like to see no blockages and follow gravity downhill with all their piping.

Mr. McGinley questioned the green roof and how they counted that into their impervious. Mr. Seckler stated they took zero credit for it with their variance request.

Mrs. DiBartolo questioned the egress drive width. Mr. Seckler stated that Essex County has own recommendation for width of 20 to 26 feet.

Mr. McGinley questioned if they addressed the Fire Prevention Bureau concerns. Mr. Seckler stated that they do not see truck going down onto the site and that they would be better to speak with the official directly. Mr. Tuvel stated they would be happy to meet with the official and go over all the concerns.

Mrs. DiBartolo asked about the building lighting. Mr. Seckler stated that there would be wall sconces along the building on page C-9 refer to site lighting. The wall sconces would be mounted at varying heights due to the slope of the property. There would be wall-mounted lights by front door, some decorative lights and lighting in rear mounted to the underneath of the structure.

Mr. Weston questioned why no walkway down the driveway. Mr. Seckler stated that there are steps and elevators in the building that people can use to go up and down. People could walk up and down the driveway but no dedicated walkway for it.

Mr. McGinley asked if 100 % of the site would be demoed. Mr. Seckler stated that the vegetation in the rear may not be removed to maintain a buffer.

Mr. McGinley and Mr. Weston questioned about tree removal on the property, how many trees are on the property being removed and what size are the trees. Mr. Seckler and Mr. Tuvel stated that they did not have the trees of nth survey but they would comply with what the towns needs and determines. The one tree in the drive aisle would be removed and not replaced there. They also stated they would put more in than out.

Mr. McGinley asked if they saw Mr. Beckmeyer's comments and recommendations. Mr. Seckler stated they had no issue working with and answering all his comments.

Mr. Weston questioned if there would be a super on site. Mr. Tuvel stated there would be no super but management would be there daily.

### **Public questions:**

Rachel Moehl, 35 Grove Avenue

Mrs. Moehl questioned the look of the building and the commercial buildings next to it not being brick but more house looking. Mr. Seckler stated that was not for him but for the architect to discuss but agreed that some commercial around are renovated houses. She further questioned that Krauszer's is a one story commercial structure not as large as they propose. Mr. Seckler agreed it is one story. She asked the houses on site now are 2 ½ story houses now. Mr. Seckler agreed there are houses that are 2 ½ to 3-story structures. He also stated that the proposed would still look 2 to 2 ½ stories at Grove Avenue. She asked about right turn only from the driveway during the hours of 7-9am and how traffic would then go down Grove Avenue or turn on side streets like Reid Place to get back to Bloomfield Avenue. Mr. Seckler was not certain. He also explained that that was suggested by a town official and not by them to have a right turn only. Mr. Tuvel asked him to explain how many cars would make a right turn. Mr. Seckler stated 14 to 18 cars in an hour. She asked about bikers and numbers of those that would add. Mr. Seckler stated that there were no numbers specific to bikes to the property. The census numbers for those that drive and do not drive.

Anthony Scriffagnano, owner of Verona Animal Hospital at 17 Grove Avenue

His business is next to this site, he has concerns about cars coming up the driveway, and there being a blind spot with a lot of pedestrians. Mr. Seckler stated that they changed the grading

around the driveway to prevent this issue. Mr. Scriffignano had concerns of the driveway moving closer to his property and making four driveways within 40 to 50 feet of each other. Mr. Seckler explained they moved the driveway to keep it closer to the commercial zone and way from the residential zone. Mr. Scriffignano asked if restrictions could be made on driveway in and out during certain hours. Mr. McGinley asked if there were any restrictions on Mr. Scriffignano's driveway. He explained there was not. Mr. Seckler stated that there are uses that are allowed to be there that could generate more traffic than the apartments.

Lisa Sanzari, owner of 655 Bloomfield Avenue & Main Place II

Mrs. Sanzari stated that parking is a big problem in the area for her employees and her clients. With the apartments, she wondering where they will park. Mr. Seckler explained there were mostly one and two bedroom apartments with a three bedroom apartment as well. He felt that the car generated would 49 and that they offer 52 proposed spots. Other uses that could be allowed as in professional's offices would generate more traffic issues and parking issues than the apartments. Mrs. Sanzari asked if they were aware that in Verona people usually have more than 1 car and where would they park if more cars. Mr. Seckler stated that they would have as many as possible park on site and after that up to them to find street or permit parking.

Laura Siligato, 31 Grove Avenue

Mrs. Siligato asked about drainage on the property. She already has significant issues with flooding on her property and wants to know how this project will affect her property right next door. Mr. Seckler referred to A-2 that shows on site today an inlet that captures the water and connects to property line towards Gould Street. He added that the proposed site will have green roof that any runoff from would run to pipe and to the back of property toward Gould still and not towards property on the side that is above the lowest area of the property. They are going to redo the system to improve conditions. She also asked about the de-icing on the site and how ecological it is. Mr. Seckler explained the process is not chemical and is a heated system. She also asked with the increase in residence if the sewage system can handle the increase. Mr. Seckler stated that a project of this size before construction provide information to DEP in state and to Engineer to make sure not over running the system. She asked if they had done this yet. Mr. Seckler stated that they are not allowed to do this until approved by Board.

Bryan Herman, 45 Grove Avenue

Mr. Herman asked if there were any statistics on number of visitors to site throughout the week. Mr. Seckler stated that with 1 and 2 bedroom they would most likely not be hosting large thanksgiving dinner or anything. There are metered parking and permit parking for any additional needed. During off peak hours is when most guests would come and there would be more availability including a few spots on site for visitors. Mr. Herman asked about availability for housekeepers, dog walkers, delivery people and their vehicles. Mr. Seckler referenced an area about 20-25 feet north of driveway marked with yellow stripes or make it a formal loading zone. MR. Herman asked if the traffic study was done on number of students that walkthrough the area in the number of pedestrians and if felt the need for another crossing guard in that area. Mr. Seckler stated that he had been to the site that day and with the new design, he did not see it as a safety issue and h did not feel another crossing guard was needed with a decent sight distance from proposed design. Mr. Seckler there may be something that can be done to to make vehicles aware of pedestrians. Mr. Herman asked who looks at and prepares the traffic study. Mr. Seckler explained they prepared the report and the township reviewed and makes comments on the report. Mr. Tuvel added that the County has jurisdiction over the driveway, as Grove Avenue is a county road. Mr. Herman asked if the driveway will line up with the Krauszer's driveway. Mr. Seckler explained that the new driveway would nearly line up with the out driveway from that parking lot.

Mrs. Murphy-Bradacs asked if the study was done by someone sitting at the site and counting during a specific day and time. Mr. Seckler stated that they look at the site and look at what consider significant. The book they have says 100 is not significant. He was doing his due diligence by going to the site that day and seeing the parking. She asked if they did counts of the pedestrians. Mr. Seckler stated that they do not do a count but go by the patterns. Mrs. Murphy-Bradacs asked if they could make a request for their own traffic expert. Mr. Piromalli explained that they could request and get their own study done and have it discussed on record.

Sarah Yauch O'Farrell, 27 Westview Road

Mrs. O'Farrell had concerns about her mother who lives on Grove Avenue and often walks by the property daily. She wanted to understand how they could compare the parking of this to a daycare or medical office that would have different parking needs. She also asked for the justification for the building coverage and the justification of variance for it. Mr. Seckler stated he planner would justify the variances however the lot is a single lot but double the size. Mrs. O'Farrell asked if they were aware of the new tree ordinance in town. Mr. Tuvel said they would comply with the ordinance. Mr. Seckler stated they could get recommendations from the engineer for locations and other guards for top of walls to compensate. Mrs. O'Farrell asked if the trees on the north would get sun based on side of the building. Mr. Seckler explained that there are a number of stories subgrade and the architect would discuss the elevations of the property. There are two stories above street. She asked how the top of the wall area would be maintained and if they would have to access from private property. Mr. Seckler stated there was enough room for them to maintain from their own property. She asked about the green roof and if there is a drought or it dies and now the rain will run straight down is the system big enough to handle the water. Mr. Seckler stated they would say it is big enough and that the engineer has requested a video to show this.

Liam Holland, 109 South Prospect Street

Mr. Holland asked for clarification on the drainage, with flash floods and river there now, are they digging deeper than what is there and considering ground water flow. Mr. Seckler stated that the town engineer wants a ground water study and soil boring done. This is not required but before construction will show how handling Mr. Tuvel added that boring and reports ill done before construction and can have permits. Mr. Holland asked about the parking with considering one car per unit and there being one parking spot what would happen if each had one guest where would they all park. Mr. Seckler answered that do not see potential but same as people in other areas like Hoboken where would you find parking. They would find parking where available on street or in lot.

Mrs. DiBartolo asked if a use like office building were to go in the site how many parking spaces would be required. Mr. Seckler explained a 20,000 square foot space would usually calculate at 5 to 6 spaces per 1000 square foot; therefore, about 120 would be required.

Rachel Moehl, 35 Grove and Laura Siligato, 31 Grove

Both asked more questions about height, grading and drilling. All questions were differed to the architect when he testifies.

Mr. McGinley stated that typically, the Board does not hear new testimony after 11 pm and what would the applicant like to do at this point in the meeting.

Mr. Tuvel stated that better for Board and public to do all testimony for the next expert all in one night. He added that based on engineer comments for drainage plan and Board request for traffic study that they would like to request adjournment to next meeting in March. They waive time

constraints for the Board. Mr. Piromalli stated that the application would be adjourned without further notice to the March 12, 2020 meeting at 8 pm.

Mrs. Murphy-Bradacs asked if traffic study done to address board and public concerns could Board commission a study to be done. Mr. Piromalli stated that funds for that would come from escrow provided by applicant. Mr. Weston felt that the study was not necessary as the Board is familiar with the site and the area traffic. Mr. Sullivan agreed that a study of intersection would be good. Mr. McGinley suggested that if hired they may come up with same report but if had them review the report done and do pedestrian study that may be better.

Mr. Piromalli suggested they make a motion to having a pedestrian count done and the report reviewed. Mr. Tuvel added that they would provide a transcript of the meeting as well.

Mr. Sullivan made a motion on basis of council and council of applicant at specific times during peak hours of 7 to 9 am, 2 to 4 pm and 5 to 7 pm of traffic and pedestrians and review of report; Mrs. Murphy-Bradacs seconded the motion. Motion approved on a 4 to 2 vote.

Meeting adjourned at 10:35 PM to next regular scheduled meeting.

Respectfully submitted  
Kelly Lawrence  
Board of Adjustments Secretary