

Minutes of a Regular Meeting of the Verona Board of Adjustment on Thursday February 13, 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, Lou Russo, Sean Sullivan and Genevieve Murphy-Bradacs, Alt #1

Also, present: Robert Gaccione, Board Attorney

Absent: Pat Liska, Larry Lundy 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 8:07 PM. He leads the Pledge of Allegiance.

**Application:**

**Case 2019-12: Marve Development Corp**

**251 ½ Grove Avenue, Block 1201 Lot 12**

Township Attorney, Brian Aloia requested an adjournment of the application to the next Board meeting on March 12, 2020. The applicant consented to the adjournment request.

Mr. Sullivan motioned approval of the adjournment; Mrs. DiBartolo seconded the motion. All votes aye. Application adjourned to March meeting at 8:00 pm without further notice needed.

**Case 2019-15: Huntington Park at Verona Condominium Assoc.**

**37-49 Durrell Street, Block 1406 Lot 1**

Alan Trembulak, attorney for the applicant, addressed the Board. He explained the applicants are seeking to put two freestanding signs on the property with the name of the condominium community on it. The signs are similar to ones at other condominium communities in Verona and other surrounding towns. Freestanding signs are prohibited anywhere in Verona, therefore they need a variance to install the signs.

Mr. Gaccione offered proof of service was in order.

Mr. Trembulak offered his witness, a representative for the company that designed the signs, Mike Holst.

Mr. Holst, owner of American Wood Carving, was sworn in.

Mr. Holst offered Exhibit A-1, four sheets showing details of the location and the design of the signs. Sheet 1 shows the signs located at the two main entrances at each end of the community. The signs are proposed 8 feet back from the curb line on an angle with the corner. Sheet 2 shows the specs, size and color of the signs. The material for the sign is a medium density composite material that is impact resistant. Mr. Holst had samples of the sign material. The posts are 5 inch aluminum square tubing. The signs are 4 feet by 7 feet. It is 7 feet from the ground to the top of the sign. Sheet 3 is a rendering of one sign in location showing plantings under and around it. Sheet 4 shows the rendering of the other sign in its location with plantings as well. Mr. Holst stated that the association was looking to put signs in to help identify the community. It is unidentifiable now.

Mr. McGinley asked why the sign was needed when there are two 3x3 feet signs at either end of property that does say Hunting Park on them. He also felt 8 feet from the corner was close to the sight triangle. He thought it nice to have someone to address these issues and the general need for these signs. Mr. McGinley explained this is the only condominium community on that street. Mr. Trembulak stated they had no problem relocating the sign that there would be no issues with the sight triangle. Mr. DeCarlo offered regulations from the NJDOT in regards to the sight triangle distances with regards to the speed on the street. Mr. Gaccione also added that the Township owns the first 10 feet of property on a public street and was not certain if this sign may be on township property. Mr. Trembulak stated that the roads into the property are private roads. Mrs. DiBartolo offered that the door width in the room are about 6 feet and the signs are 2 feet wider so moving them back may dwarf the size of the sign. Mr. McGinley added that the size of the property is similar to the schools in town and most schools have one sign 7 feet high by 5 feet wide with sign part being 5 by 3 feet.

Mr. Trembulak stated that he did have someone from the Condo Association that could address some of the Board's questions.

Stuart Perlman, 19 Bahr Circle, member of the trustee board for the association was sworn in.

Mr. Perlman explained that the residents of the community have deliveries that go past the neighborhood. There are two streets Bahr Circle and Burdett Court with street signs. Bahr has two signs and even telling deliveries where to look they still get lost. The community felt getting signs to mark the community would make it easier to find. After being built, the streets were not on maps but now they are on Google maps. It is difficult to find and confuses people. With people from the area, you can say it is where the old lumberyard was located. The Bahr Circle signs are often missed and the one by the trails is harder to see with all the greenery near the trails.

Mrs. DiBartolo asked why signs are prohibited. Mr. DeCarlo stated he was handed zoning as is with no explanations as to why they are. Mr. McGinley added that all freestanding signs are banned and that businesses are limited to square foot of wall signs based on storefront. Mrs. Murphy-Bradacs added that the signs are nice but as they are, may not work in location.

Mr. Trembulak stated that the applicant is willing to reposition and reduce the size of the signs.

Mr. Russo suggested the Board make suggestions. Mr. McGinley would like to see sign more like size of the schools 5 by 3. He added he is still not convinced the location of sign and way it is facing would help with locating the community. Coming from Grove or Fairview, they would drive past the street or just miss the street. Mrs. Murphy-Bradacs stated she had no issue with the size of the sign more the location. If the sign was pushed back and made smaller, it may get lost.

Mr. Weston asked if there are existing signs on the property. Mr. Perlman explained that there are Title 49 parking enforcement signs on both ends of Bahr and Burdett. The signs they legally have to have not they were not wanted. Mr. Trembulak added those signs are dictated by the state as to size and location. Mrs. Murphy-Bradacs asked the size of those signs. Mr. McGinley stated they are 3 by 3 feet and 2 feet off the ground. Mr. Perlman stated the signs were placed by the police because there is no parking on the streets because of the size of the streets. Mr. McGinley added that there are 3 signs on each corner and at least one says "Huntington Park." Mr. Perlman directed Board to look at page 4 of exhibit and the second picture on the page. The picture shows this sign referenced. The sign can be seen from Bahr but not seen from Durrell. The sign also has a lot of writing on it.

## **Public Questions – None**

## **Public Comments –**

Louis Castelluccio, 62 Durrell Street

Mr. Castelluccio explained that he lives directly across the street from one of these signs. He objects to the signs. He feels the reasons for the signs are not adequate for him to have to look out from his property and see the sign. The sign could be an obstruction. He suggested maybe consolidating to one sign or rearranging the location. He especially objects the size of the sign. He also suggested they talk to UPS or delivery companies to explain location. He stated that with GPS or google maps to get anywhere.

Mr. Russo asked if he would be okay with one signs.

Mr. Castelluccio stated it is a large sign but 1 sign is better than 2 signs to concede to. He still not see the real need for the sign other than maybe advertising.

Mr. Russo asked the applicant if they would be okay with 1 sign. Mr. Perlman stated that one was better than none.

Mrs. Murphy-Bradacs asked about the Association and who was responsible for the sign need and design. Mr. Trembulak stated that the association is made of residents. Mr. Perlman stated that the signs did not come from full association it was voted on by the Board that currently has four members. Mrs. Murphy-Bradacs asked if they solicited input from the rest of the residents. Mr. Perlman explained they put together the design with talking neighbor to neighbor but no formal process was done.

Mr. Castelluccio asked if there was any way to consolidate the signs including the existing ones. Mr. Sullivan asked if the signs all near Durrell Street if required to be there or if can be back by parking. Mr. Trembulak stated that the signs are placed by Police or Fire not by the community. Mr. Gaccione stated that Title 39 allows municipality to place the signs and the signs are there based upon Planning Board decision.

Mr. Russo stated he would like to see it go to one sign and cut the size. Mrs. DiBartolo stated that signs are not right the way they are placed and the orientation. She feels more effective to do wall signs or ground sign perpendicular to the building. Mrs. Murphy-Bradacs added that angled and with flowers looks nicer but maybe a double-sided sign would help.

Mr. Trembulak stated the current signs are one sided but if prefer could do double-sided sign perpendicular to Durrell Street. Mr. Perlman stated that Lennar had signs parallel to Durrell when they were selling the units but Board could go with perpendicular signs.

Mr. Sullivan suggested a sign halfway between Bahr Circe and Burdett Court and perpendicular would be more easily seen before passing by the community.

Mr. McGinley stated there was no consistency with the Board as to what they would like to see as conditions for the sign. It seems most would like to see the sign smaller. He suggested that the applicant go back to drawing board, regroup and redo the plans based on the comments and suggestions.

Mr. Trembulak stated that Mr. McGinley made a valid point and they would go back, share with the condominium association the comments, and come back with a redesign plan to the next month meeting.

Mr. McGinley told him if they come back with changes, they would put this application first on the agenda.

Mr. Gaccione asked the applicant if they would like to make motion to adjourn the application and make it first on the next month agenda. Mr. Sullivan noted they made the request for adjournment and waived all time constraints of the Board.

Mr. Sullivan motioned approval of the adjournment; Mr. Russo and Mr. Weston seconded the motion.

All votes aye. Application adjourned to March 12, 2020 meeting at 8:00 pm.

**Case 2020-01: Christopher Zink**  
**35 Pease Avenue, Block 1801 Lot 33**

Christopher Zink, homeowner of 35 Pease Avenue, was sworn in.

Mr. Zink explained to the Board that he and his wife are looking to construct a 12 ft. x 16 ft. shed on their property. This size is larger than allowed for property. They want to place the shed 2 feet from the rear and side yard property lines. These setbacks are closer than allowed by zoning. He stated based on the grade of the property as it slopes from house down to lot behind it is the best location for the shed. They also wanted to keep it away from the other side where 37 Pease Avenue is as that house is set back further from the street. They also have a garden already established before they moved in the back yard and did not want to move it in order to put the shed in. The property currently has 24% improved lot coverage and with the shed, they would be at 26.5% coverage. He addressed the Environmental Commissions comments with regard to drainage and trees near the shed. The shed will sit on a gravel bed, which would help with drainage. There are so many trees around his property there would be no place put a shed that would not be near a tree or a tree drip line. The trees near the proposed location are located on a neighbor's property. He spoke to his neighbor about the shed. He explained his house is under 1200 square feet and they do not have a garage. He needs a place to storage equipment for maintaining his property. The shed would be 13 feet in height, which is within the allowed height. He explained with his property there would be no other place to put a shed.

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

Mr. Sullivan asked if there were any complaints. Mr. Zink stated there were no complaints but he met many people in his neighborhood.

Mr. McGinley asked if there was any way to put a garage on the property. Mr. Zink explained that there was no way to put a garage on the property. There is one side that has 10 to 12 feet to property line with a big drop-off next to it. The other side where the driveway is if they put a garage there would be no way to access the backyard. Mr. McGinley asked if they moved the shed forward to the 10 feet that is allowable would the shed still be in a tree drip line. Mr. Zink stated yes. Mr. McGinley also asked if this was the flattest section of the yard. Mr. Zink stated it was.

Mrs. DiBartolo asked about the footprint of the shed being close to a tree and if they thought about or had concerns with the foundation hitting roots. Mr. Zink stated sure they did and the

shed would be a gravel base not a foundation. Mrs. DiBartolo also asked about the size and making it smaller. Mr. Zink stated that there was very little storage for the property and needed the space and the improved lot coverage allows for shed this size. Mr. DeCarlo added that there was no foundation and just railroad ties and gravel. Mr. Zink stated this was a permanent structure. Mr. McGinley added that the 8500 square foot lot size was bigger for the area and was able to accommodate a shed that was bigger. Mr. Zink agreed.

**Public questions: none**

**Public Comments:**

Rita Mughetto, 37 Pease Avenue

Mrs. Mughetto, who spoke from the seats, stated she was okay with the shed.

Public Closed

Mr. Weston stated that being this does not hinder the neighbors he was in favor of the application. Mr. Russo agreed.

Mr. Sullivan motioned for approval; Mr. Weston seconded the motion.  
All votes aye. Application was granted.

**Board business:**

Mr. McGinley stated there was discussion at the January meeting of the Board wanting their own traffic study done for 21&25 Grove Avenue application by a transportation engineer. The engineer and township officials have offered Bright View Engineering firm to be hired to do the study.

Mrs. Murphy-Bradacs asked if they had done work for the Board before. Mr. Gaccione explained that the Board has not hired much. Mr. McGinley stated that in all his time on the Board, he has not remembered any but there may have been one instance.

All the Board members voted aye to hire the firm.

Mr. Sullivan motioned for the Board to go off record to discuss executive matters. Mrs. Murphy-Bradacs seconded the motion. All ayes. Moved to private.

Board came back on record.

Mr. McGinley added to discussion for March meeting to place applications in order of Durrell Street first, Marve second and 21&25 Grove last.

Mr. Sullivan motioned to adjourn meeting.

Meeting adjourned at 9:22 PM to next regular scheduled meeting.

Respectfully submitted  
Kelly Lawrence  
Board of Adjustments Secretary