TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY
MINUTES OF THE VERONA BOARD OF ADJUSTMENT MEETING
OF THURSDAY, JUNE 12, 2025

Meeting held in the Ballroom of the Verona Community Center @ 880 Bloomfield Avenue, Verona, NJ 07044 @ 7:30PM

PRESENT:

Chairman Daniel McGinley	Dr. Edith Ries
Vice Chair Scott Weston	Mr. Michael Tully
Mrs. Christy DiBartolo	Mr. Gregory Mascera, Board Attorney
Mr. Paul Matthewson	Ms. Sarfeen Tanweer, Board Engineer
Mrs. Genevieve Murphy-Bradacs	Mr. Marco Navarro, Board Engineer
Mr. Kevin Ryan	
Dr. Bill Cuartas	Ms. Kathleen Miesch, Zoning Official/Acting Board Secretary

CALL TO ORDER: Chair McGinley calls the meeting to order at 7:33 pm;
PLEDGE OF ALLEGIANCE;
OPEN PUBLIC MEETINGS ACT STATEMENT read by Chair McGinley;
ROLL CALL is taken by Ms. Miesch, Board Secretary;

APPROVAL OF MINUTES:
Chairman McGinley asks for a motion to approve minutes from the Regular Meeting held on April 10th 2025; **Mr. Ryan** makes the motion, **Mrs. DiBartolo** seconds;
Vice Chair Weston and Mrs. Murphy-Bradacs abstain, the remaining commissioners in attendance voted in favor. **Motion Passes.**

Chairman McGinley asks for a motion to approve minutes from the Regular Meeting held on May 8th 2025; **Mr. Mathewson** makes the motion, **Vice Chair Weston** seconds;
All Commissioners in attendance voted in favor. **Motion Passes.**

RESOLUTIONS:

1. **Memorialization of Resolution BOA 2025-11 - Extension of Time Request: 770 Bloomfield Avenue; Block 1603, Lot 8.02** – granting a one-year extension of the statutory protective period applicable to the site plan approved by the Board.
   Motion to Approve: Mrs. DiBartolo **Second**: Mr. Ryan
   Vice Chair Weston and Mrs. Murphy-Bradacs abstain, the remaining commissioners in attendance voted in favor.
   Motion Passes

2. **Memorialization of Resolution BOA 2025-12 - Application #2024-26 176 Grove Avenue; Block 1403, Lot 90, R-60 Zone District** – granting approval for a Minor Subdivision.
   Motion to Approve: Mr. Ryan **Second**: Dr. Ries
   Vice Chair Weston and Mrs. Murphy-Bradacs abstain, the remaining commissioners in attendance voted in favor.
   Motion Passes

3. **Memorialization of Resolution BOA 2025-13 - Application #2025-01 107 Hillside Avenue; Block 2006, Lot 16, R-50 Zone District** – granting approval to construct a 296 square foot addition, patio extension and new condenser.
   Motion to Approve: Mr. Ryan **Second**: Dr. Ries

Chair McGinley, Vice Chair Weston, Mrs. Di Bartolo and Mrs. Murphy-Bradacs abstain, the remaining commissioners in attendance voted in favor.
Motion Passes

4. **Memorialization of Resolution BOA 2025-14 - Application #2024-24 - 52 Derwent Avenue; Block 1703, Lot 34; R-50B (Medium/High-Density Single-Family) Zone District** – granting approval for the installation of generator in the side yard with side yard setback relief.
   Motion to Approve: Vice Chair Weston **Second**: Mrs. DiBartolo
   Mr. Tully and Dr. Ries are not eligible, the remaining commissioners in attendance voted in favor.
   Motion Passes

5. **Memorialization of Resolution BOA 2025-15 - Application #2025-03 257 Pompton Avenue; Block 104, Lot 1, C-2 (Professional Office & Business) Zone District** – granting approval to renovate a 1 ½ story building to create a 2 story building with a proposed law office and three residential apartments; total space 6,000+ square feet; parking lot; concrete walkway; tree removal; signage; removal of existing garage and driveways.
   Motion to Approve with edit of name on page 4 of 5: Vice Chair Weston **Second**: Mr. Ryan
   Mr. Tully and Dr. Ries are not eligible, the remaining commissioners in attendance voted in favor.
   Motion Passes

Chairman McGinley reads a statement of general information of the Zoning Board of Adjustment's role and responsibilities.

NEW BUSINESS:

1. **Application #2025-02 544 Bloomfield Avenue aka 10 Park Place; Block 1703, Lot 68, TC Zone District** – ***Carried from the April 10, 2025 Board of Adjustment hearing where testimony was taken***; Applicant is seeking approval to lease the ground floor, approximately 3,500 to 4,000 square feet, of an existing two-story building located at 544 Bloomfield Avenue with access from 10 Park Place to operate a House of Worship. Relief from the following is required:
   a. Per § 150-17.14 A. & D. A House of Worship is not a permitted use or a conditional use;
   b. Per § 150-12.6 C. Parking schedule: House of Worship. 1 space per 3 seats or 72 inches of seating space when benches rather than seats are used. Applicant has provided that there is public parking available adjacent municipal lot located on Park Place.

- Reginald Jenkins, Jr. Esq., Trenk Isabel Siddiqi & Shahdanian, PC representing The Islamic Center of Essex County
- Mr. Jenkins states that he had submitted the transcript of the April 10, 2025 Board of Adjustment meeting as two Board members needed to review for eligibility; Ms. Miesch verifies receipt of transcript and states that Vice Chair Weston has reviewed and is eligible; Mrs. Murphy-Bradacs had not yet reviewed so if a vote should happen at tonight's meeting she would not be eligible however she can participate in the hearing; should the application carry to forward to an additional hearing as long as Mrs. Murphy-Bradacs reviews the transcript and presents the affidavit prior to testimony she will be eligible to vote on the application;
- Mr. Jenkins
- provides an overview of the application, seeking ground floor space for a prayer room. The prayer room is described as a temporary space for morning and evening prayers, with limited access and no additional activities.

- addresses concerns about traffic and public disruption, offering to work with the Police Department for additional security;
- Mr. Ryan asks for clarification on the timing and attendance of morning prayers.
- Mr. Mohamed Solaiman, remains under oath from previous hearing, provides detailed information on the timing and attendance of morning prayers, confirming minimal disruption; currently morning prayers are 4:45AM and are finished by 5:10AM but vary throughout the year with the sunrise; in the winter months the morning prayer may be as late as 6:15AM; reiterates that there is no call to prayer and would stipulate as a condition of approval that there would be no sound outside of the building;

Chair McGinley asks if the Board has any additional questions for Mr. Solaiman;

- Mrs. DiBartolo asks about interaction after prayers; Mr. Solaiman states that they leave the prayer hall relatively quickly after prayers – no food, drink or mingling;
- Dr. Cuartas asks what is the inherent benefit to the Community; Mr. Solaiman responds that the members will not continue to congregate in the space but do patron the food establishments in the area;
- Dr. Cuartas expresses concerns about changing the use and that the use runs with the land once the house of worship;
- Mr. Solaiman adds that three of five of their Board members live in Verona; congregation lives in Verona or in very near towns.

Chair McGinley asks if there are any members of public who would like to ask a question of what Mr. Solaiman has testified to this evening:

Public Questions:

Dex Polizzi, Verona

- Raises concerns about keys, access and the inherent benefits of a place of worship and the potential for disruption; Mr. Solaiman explains that when the house of worship is open, it is open to the public;
- Enforcement of occupancy during open hours; Mr. McGinley reviews the answer to same question from the last hearing;
- Enforcement of occupancy; the Town ordinances; Mrs. DiBartolo interjects that there are certificates of occupancy and adhering to those numbers goes to the Township enforcement;
- Raises concerns about disruption to the neighborhood; Mr. Solaiman clarifies that the prayer hall will not host weddings, funerals, or large gatherings, and will maintain minimal disruption.

Emily Polizzi, Verona

- Questions knowledge of sprinkler violations in other spaces within the building; Mr. Solaiman is not;
- Questions why sound test was not conducted; Scheduling conflict per Mr. Jenkins reiterates they would agree to condition of approval;
- Would like more details on inherently beneficial use to the neighborhood; Board Attorney Mascera interjects the legal term of an inherently beneficial use; Mr. Solaiman clarifies the benefit to the neighbors and the responsibility for maintaining the property; Mr. Solaiman explains that a permanent place is being looked for while they would be leasing this space;

Sharon O'Donnell, Verona:

- Needs clarification on the rules of a use variance; temporary tenant or putting down roots; Mr. Solaiman explains that a permanent place is being looked for while they would be leasing this space;

Board Attorney Mascera explains that an applicant cannot be named as a condition of approval and that the use is for the intended space only and not other spaces within the building;

Thomas Monroe, Verona

- Questions the lease terms and the definition of a prayer hall versus a house of worship;
- Questions the lack of attendance of the landlord at the meeting;
- Asks for details of the lease; Mr. Solaiman does not know the lease detail regarding maintenance; lease is for 1 year with options to renew not defined; looking to renew for three years if approved;

Mrs. Murphy-Bradacs asks about the definition of a prayer hall versus a center; Mr. Solaiman advised that a prayer hall is open for daily prayers and centers would hold prayer as well as even

Board Attorney Mascera refers to case law and house of worships being inherently benecial and for the record it had not been established as of yet; Mr. Jenkins wants to establish it and it is their position; discussion with Board; Chair McGinley adds the Zoning regulations definition of a House of Worship or church and that the MLUL has approximately 8 ages of specifical beneficial uses;

Dex Polizzi, Verona

- Asks about Landlord and support;
- Prayer Hall definition; Mr. Solaiman states within their religion;
- Re-zoned what prevents you hosting other events; Board Attorney Mascera clarifies it will not be re-zoned, it is a variance and conditions can be added;

Eileen Kearney, Verona

- Prayer times; Asked and answered
- Mr. Solaiman reviews the prayer times for Ms. Kearney's convenience

Mannan Razzak, North Caldwell

- Asks about the zoning;
- Comparison religious services to other retail shops in relation to noise; Mr. Solaiman states less;
- Marketing to bring more congregation members; Mr. Solaiman no

Chair McGinley closes public question period

Architectural Testimony and Site Plan

Exhibit:

- A-1 - Architectural Plan, prepared by Heritage Madison Architecture, LLC, dated December 13, 2024, Revised April 9, 2025

Nassar Aimukhtar, RA, Heritage Madison Architecture, LLC. 1171 Madison Avenue, Suite 201, Paterson, NJ; licensed Architect in NJ, NY and PA, license is current;

- Board Attorney Mascera swears in Mr. Aimukhtar and accepted as an expert witness;
- Mr. Aimukhtar provides an overview of the proposed layout and occupancy limits.
- The space will include a men's prayer area (1173 sq. ft.) and a women's prayer area (981 sq. ft.).
- Egress is pointed out;
- Mr. Aimukhtar confirms that the space will comply with fire code and occupancy limits, with potential future upgrades.
- Concerns are raised about the compliance of emergency exits and the need for additional clarification on site plans;
- Previous use was retail; going from a M to an A3 use which triggers different compliance;
- Mr. Aimukhtar confirms that any necessary upgrades will be addressed during the Building Department approval process;
- Mrs. DiBartolo adds that for the record there is a significant amount of changes interior that may be triggered;
- Windows – only windows by door on Park Place – nothing Bloomfield Avenue side;
- Proposed entrance/exit are on north side; door swing may need to be changed;
- Internal stair cases are to be used for emergency only;
- Mrs. DiBartolo asks why when the plans were prepared, they were not done as an A3. Mr. Aimukhtar clarifies that any additional required changes would reduce the area that could be used for prayer;
- The Zoning Officer adds that the doors are not code compliant and do not have any panic hardware;
- Mr. Aimukhtar states the plans were for the Use only and all required code changes would be done once the use was approved;
- Engineers ask for a more thorough site plan;
- Dr. Cuartas asks who is responsible for any required upgrades to the space; it is usually the tenant;
- Residents on the third floor; access?

Chair McGinley asks if there are any additional questions from the Board – seeing none;

Chair McGinley asks if there are any questions from the public for the Architect;

Public Questions

Shannon O'Donnell, Verona

- Questions the long-term plans for the property and the potential for future changes.
- Mr. Aimukhtar confirms that any future changes will be addressed during the building department approval process.
- Concerns are raised about the responsibility for maintaining the property and ensuring compliance with zoning regulations.
- Mr. Aimukhtar confirms that the Board will ensure compliance with all regulations and that any necessary upgrades will be addressed.

Mrs. Murphy-Bradacs asks for clarification on occupants in chairs versus no chairs; discusses the conservative standards used in calculations, mentioning the lowest number of people per square foot.

Dex Polizzi, Verona

- Asks for clarification of size of the unit; the application's reference to 3500 and 4000 square feet for the unit size; Mr. Aimukhtar confirms it is 4690 square feet; and confirms the recalculated space as 4600 square feet, with specific allocations for prayer halls and circulation; the standard for a non-seated house of worship, which is 10 square feet per person; 156 occupancy and cannot be reduced by Fire Officials;
- Toilet Requirements and Modifications; Mr. Aimukhtar confirms explains the current number of toilets (two) and the need for additional toilets to comply with standards and the need for interior modifications, including adding more toilets, to comply with standards;
- Estimated start date of operations; Dependent upon the time required to obtain permits and complete construction;
- HVAC Systems and Building Adaptation; the plan to hire a mechanical engineer to determine the HVAC system based on the mechanical code;
- Questions the suitability of the existing space for the proposed use; Mr. Aimukhtar responds that the open halls can be adapted.

Emily Polizzi, Verona

- Raises a concern about the application's statement that no exterior or interior alterations are proposed, despite the need for interior alterations; Mr. Aimukhtar clarification on interior alterations; Mr. Aimukhtar clarifies that while there will be some interior alterations, the general idea of the spaces will remain the same;
- Expresses confusion about the lack of proposed interior changes in the application;
- References a letter from Tom Jacobson, dated March 26, which requires testimony on code compliance; Mr. Aimukhtar assures that all code compliance items will be met if the application is approved
- Objects to the statement that adding a toilet inside the space won't affect the neighborhood, Mr. Aimukhtar confirms that adding a toilet inside the space would reduce the number of occupants and not affect the neighborhood negatively;
- Questions the lack of foresight in presenting proposed interior changes before the variance is approved; Chair McGinley explains that the applicant's commitment to applying all construction code changes - the focus of the hearing is the use;
- Expresses a desire for a more comprehensive testimony from the Architect regarding the proposed changes and their impact on occupancy and parking;
  Chair McGinley advises Mrs. Polizzi the correct time to make her comments at a later point in the application hearing;

- Board discusses Dr. Cuartas requesting clarification of the actual number of occupancy that would be a house of worship with seats and benches, not utilization, another house of worship. Occupancy would change if a new layout was proposed for this House of Worship or any other that could come in afterwards for the use; Maximum allowable occupancy – the proposed is 156 and can be conditioned.

Thomas Monroe, Verona

- Questions occupancy being sought; Mr. Jenkins stipulates the occupancy on the plan is 156
- Questions whether 156 occupants can arrive for prayer;
- Reviews the uses in the building; apartments, retail; mixed uses of residential and retail;
- Questions whether Mr. Aimukhtar is aware of any other buildings in Verona, Essex County or NJ with three uses of residential, retail and House of Worship – No;
- Asks whether Mr. Aimukhtar knows the Zone the building is located within; Chair McGinley states those questions are more for a Planner;
- Expresses confusion about the lack of proposed interior changes in the application specifically the number of toilets;
- Mr. Jenkins responds;
- Board discusses multiple uses in same buildings:

Engineer

Mohammed El-Hawwat - MEH Engineering LLC, 159 Eileen Drive, Cedar Grove, NJ
Licensed Engineer in NJ and 8 other states; license is in good standing; NJIT
Board Attorney Mascera swears in Mr. El-Hawwat and Board accepts as expert witness;

- Mr. El-Hawwat gives overview of the property; 10,000 square feet total area; ground floor 4600 square feet;
- Describes parking lot L shape, frontage on Park Place approximately 40 feet and on Bloomfield Avenue approximately 49 feet;
- Totally number of worshipers 156 requiring 52 parking spaces with 7 spaces on site and the rest using the municipal lot;
- No changes to the outside with some possible interior changes;

- Vice Chair Weston asks about the 7 spots on sites and any limitations; Mr. El-Hawwat states the spaces are not defined;
- Mr. Ryan clarifies that the lot entrance is off of Park Place; the spaces do not have a clear definition of who can use the spaces and would request signage limiting parking;
- Mr. Jenkins agrees to a condition that the Landlord designate spaces in the parking lot;
- Chair McGinley asks about stairway access to municipal lot from the existing parking lot; access would be the public street;
- Zoning Officer asks about the "water alley" in the lower level of the interior area and access;
- Mrs. DiBartolo asks about outside Building lighting; Mr. El-Hawwat states that there is lighting over the entrance/exit door;
- No signage is proposed as part of the application;

Chair McGinley asks if there are any additional questions from the Board – seeing none;

Chair McGinley asks if there are any questions from the public for the Engineer;

Sharon O'Donnell, Verona

- Questions if a Traffic Study was performed; next witness

Thomas Monroe, Verona

- Questions the zone of the property; Mr. El-Hawwat replies TC Town Center
- Entrance; main entrance on Park Place and Bloomfield Avenue

- Questions path to municipal lot; Mr. El-Hawwat states from exist on sidewalk to the municipal lot;
- Asks about the parking lot; there are 7 spaces in the lot , some may be outlined possibly 4;
- Debris? Mr. El-Hawwat states possibly
- Stairwell from lot on Park Avenue to the municipal lot; Mr. El-Hawwat no; will one be built or required – no;
- Questions if any thing is required related to the emergency exit onto Bloomfield Avenue; Mr. El-Hawwat there are three exits and no windows;

Dex Polizzi, Verona

- Questions the number of parking spots needed for 156 people; Mr. El-Hawwat states 52
- Current spots; Mr. El-Hawwat 7
- Number of tenants occupying the building; Mr. El-Hawwat only apartment Building;
- Chair McGinley states that Mr. Polizzi's questions should be for the traffic expert.

Traffic & Parking

Andrew Vischio, Stonefield Engineering, 92 Park Avenue, Rutherford
Engineer, licensed in NJ, license in good standing, 14 year as traffic expert;
Board Attorney Mascera swears in Mr. Vischio and the Board accepts him as an expert witness

- Mr. Vischio reviews the submitted Traffic Impact Study (TIS), prepared by Stonefield Engineering and Design, dated May 30, 2025 (attached);
- Mr. Vischio discusses the problematic nature of timing traffic lights to the nano-second and mentions the impact on traffic flow;
- Addresses comments in Boswell review letter;
- Clarification on the study's findings regarding traffic and parking at the intersection, specifically the municipal lot's capacity;
- Mr. Jenkin in favor of utilizing local police for traffic direction;
- confirms that only the available capacity in the lot was used, and all traffic went through Bloomfield in some way.
- Discussing the impact of peak dinner times on parking utilization and economic growth in the area;
- Expresses concern about the impact of peak dinner times on parking utilization and economic growth, particularly in restaurants.
- Suggests that Lakeside Avenue provides adequate parking relief during peak times, even if the municipal lot is at capacity.
- Contrasts the economic impact of different types of parking, such as economically driven versus inclusive parking.
- acknowledges that the impact of different types of parking is outside their area of expertise.
- asks about the consideration of trips to and from the middle school during dismissal, including parents waiting for their children.
- explains that everyone driving through the intersection was counted in the capacity analysis.
- inquires about the sufficiency of an hour between events to accommodate people, and Speaker 3 relies on the applicant's testimony that people generally do not linger.
- questions the safety of pedestrian crossings at Bloomfield Avenue, and Speaker 3 confirms the presence of push buttons, ADA ramps, and adequately timed pedestrian actuation.

- Speaker 4 asks if the trip distribution takes into account cultural habits, such as seeking the closest parking spot.
- Speaker 3 explains that the trip distribution routes every trip through the intersection, even if people park elsewhere and walk.
- Speaker 4 questions the parking requirements in the town center, and Speaker 3 notes that 52 parking spaces are required per the architectural mindset.
- Speaker 4 points out that the parking requirement is not technically required for the building alone but for the surrounding uses.
- Parking Availability and Traffic Impact (11:50)
- Speaker 3 mentions the availability of 120 parking spaces in municipal lots near the intersection.
- ◦ Speaker 4 questions the impact of the house of worship on parking availability for other uses.
- ◦ Speaker 2 discusses the potential impact on traffic flow and parking availability during peak times.
- ◦ Speaker 3 suggests that people will adapt to the parking situation over time, reducing the need for circling around the block.
- Signal Time Adjustments and Public Approval Process (12:12)
- ◦ Speaker 5 inquires about the process for changing signal times and who needs to approve it.
- ◦ Speaker 3 explains that a request would be submitted to the Essex County Department of Public Works for review.
- ◦ Speaker 5 asks about the maximum number of cars that could be queued up at the municipal parking lot exit during peak times.
- ◦ Speaker 3 states that the calculation is not comfortable doing off the top of their head but offers to work with the board on an analysis.
- Break and Next Steps (15:59)
- ◦ Speaker 5 asks if there are any further problems or questions.
- ◦ Speaker 3 confirms that the parking for the board is approved and asks if there are any questions from the public.
- ◦ The chairman announces a 10-minute break and states that no additional testimony will be heard after 11 o'clock.

Executive Session – Not necessary;
Motion to Adjourn: Vice Chair Weston
Meeting Adjourned at 11:07PM

Respectfully submitted,
Kathleen Miesch
Kathleen Miesch
Acting Board of Adjustment Secretary

PLEASE NOTE: Meeting minutes are a summation of the hearing. If you are interested in a verbatim transcript from this or any proceeding, please contact the Board of Adjustment Secretary at 973-857-4773.