TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY

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DEPARTMENT OF PUBLIC WORKS
10 COMMERCE COURT
VERONA, NEW JERSEY 07044

Zoning Office 880 Bloomfield Avenue, Verona, NJ 07044 973-857-4772

~~**May 12, 2026**~~ **Revised November 5, 2026**

Zoning Permit Application #2026-069 – DENIED – Patio, In-ground Pool, Pool Filtration Equipment

Applicant: **The Pool Boss**
1474 Route 23
Wayne, NJ 07470

Owner: **Christopher & Jenna Muskopf**
151 Forest Avenue
Verona, NJ 07044

Property: **151 Forest Avenue; Block 1902, Lot 45**

Zone: **R-50 (High-Density Single-Family) Zone District**

Submittals:
This office is in receipt of the following:

- Township of Verona Residential Permit Application;
- Survey by First Sight Surveying LLC, signed and sealed by Miloslav Rehak, PLS, dated November 15, 2025 ;
- Pool Plan, Soil Erosion, Sediment Control Plan by Paul Gdanski, PE, PLLC, dated December 10, 2025, last revised October 26, 2026;
- Correspondence from Luke S. Pontier, Esq., Day Pitney LLP, dated October 29, 2026;
- Tree Report from SavATree, Matt Weibel, NJ Licensed Tree Expert, dated October 23, 2026.

ZONING REQUEST:
Based upon the zoning permit application, the applicant is seeking approval to construct a patio, inground pool, pool equipment. No other requests have been submitted or shown and therefore have not been considered in this departments review. This review for Zoning only. Initial denial was made on May 12, 2026; revised denial dated November 5, 2026 (edits in **red**).

ZONING DETERMINATION:

- The property is located in the R-50 (High-Density Single-Family) Zone District;

- As per § 150-17.5 (1) a single family home is permitted;
- As per § 150-17.5 D. (1) Minimum lot size: 5,000 square feet, existing is 5,854 square feet – Compliant;
- As per § 150-17.5 D. (2) Minimum lot width: 50 feet; existing is 50.10 feet wide – Compliant;
- As per § 150-17.5 D. (3) Maximum lot coverage 30% or 1,756.2 square feet; existing and proposed is 25.4% or 1,488 square feet – Compliant;
- As per § 150-17.5 D. (4) Maximum improved lot coverage: 40% or 2,159 square feet; existing is 41.5% or 2,431 square feet; proposed is ~~52.4%~~ 48.4% or ~~3,066~~ **2,832** square feet – **A variance is required**;

Existing Principal Structure (No Change)

- As per § 150-17.5 E. (1) Minimum front yard setback: 30 feet; existing is 25.6 feet – pre-existing non-conforming condition;
- As per § 150-17.5 E. (2) Minimum side yard setback (one): eight feet; existing is 7.1 on the NW side - pre-existing non-conforming condition;
- As per § 150-17.5 E. (2) Minimum side yard setback (one): eight feet; existing is 11.2 on the SE side - Compliant;
- As per § 150-17.5 E. (3) Minimum side yard setbacks (both): 18 feet; existing is 18.3 – Compliant;
- As per § 150-17.5 E. (4) Minimum side yard setbacks (both) percentage of lot width: 25; existing is 36 – Compliant;
- As per § 150-17.5 E. (5) Minimum rear yard setback: 30 feet; existing is 37 feet – Compliant;
- As per § 150-17.5 E. (6) Maximum height (stories/feet): 2.5/30; Not provided.

Shed (Existing – ~~No Change Proposed~~) To Be Removed

- ~~As per § 150-17.5 F. (1) Minimum side yard setback (one): eight feet; existing is 0.5 feet – pre-existing non-conforming condition;~~
- ~~As per § 150-17.5 F. (2) Minimum rear yard setback: 10 feet; existing is 4.4 feet – pre-existing non-conforming condition; Zoning Notes on submitted plan show the rear yard requirement to be 8 feet when the requirement is 10 feet.~~
- ~~As per § 150-17.5 F. (5) Maximum height (stories/feet): 1 1/2 stories; 15 feet; no height provided.~~

Patio

- Proposed is ~~396~~ 247 square feet patio in the rear yard and surrounding proposed pool;
- As per § 150-5.3 C. (6) Patios may be located in any side or rear yard; provided, that they are not closer than five feet to any property line; Patio is proposed as follows:
  - ~~8.9~~ **21** feet from the NW side property line;
  - ~~6~~ **9** feet from the SE side property line;
  - ~~6~~ **5** feet from the rear property line;

Pool & Coping

- § 150-7.5 - Permanent and portable swimming pools: Ordinance No. 2026-13 Amending Chapter 150 "ZONING", ARTICLE VII Regulations Governing Certain

Accessory Uses Specifically Sections 5 AND 13; INTRODUCTION: March 9, 2026 Referred to Planning Board; PUBLIC HEARING: April 6, 2026; EFFECTIVE DATE: April 27, 2026

- As per § 150-7.5 A. Location - Permanent and portable swimming pools accessory to a residential use shall be erected on the same zone lot as the principal structure. Said pool may be erected only in the rear yard of the zone lot. The wall of the swimming pool shall be located no closer than 10 feet to a side or rear yard line nor closer to a street than the principal building to which it is accessory, nor within 10 feet of the principal building; proposed as 10 feet from the rear property line;
  - ~~10~~ **28** feet from the NW side property line - Compliant;
  - ~~27~~ **10** feet from the SE side property line – Compliant;
  - ~~10~~ **10.3** feet from the rear property line – Compliant;
  - ~~8.5~~ **10** feet from the principal structure (deck as attached to principal structure) – Compliant. *A Variance is no longer required with revision;*
- Proposed 136 square feet of coping surrounding pool surface;
  - ~~09~~ 27 feet from the NW side property line;
  - ~~26~~ 9 feet from the SE side property line;
  - ~~09~~ 9.5 feet from the rear property line;

Pool Filtration Equipment:

- As per § 150-7.5 B. Applicability - Notwithstanding any provision of this chapter regulating mechanical equipment, swimming pool equipment shall be governed exclusively by this section and **shall not be deemed "mechanical equipment"** for purposes of yard encroachment or building-mounted equipment limitations. The plans refer to 150-7.13 mechanical equipment which is not relevant to pool filtration equipment.
- As per § 150-7.5 C. Distance from Pool - Swimming pool equipment, consisting of filtration, pumps, heaters and other appurtenances shall be located no closer than five (5) feet from the inside wall of the swimming pool, or such greater distance as may be required by the Uniform Construction Code, electrical code, plumbing code, or any other applicable safety regulation;
  - Proposed as 15.1 feet from equipment pad to pool;
- As per § 150-7.5 D. Distance from Property Lines - Swimming pool equipment shall be located not less than five (5) feet from any property line;
  - Proposed as ~~6.9~~ **10.5** feet from the NW side property line;
- As per § 150-7.5 E. Yard Location - Swimming pool equipment shall be permitted only in the **rear yard** and shall not be located within any front or side yard, except as expressly approved by variance;
  - Proposed location is in the ~~NW side yard~~ rear yard – Complaint; *A Variance is no longer required;*
- As per § 150-7.5 F. Noise, Screening, and Safety – Applicant shall testify to the following: swimming pool equipment shall be:
  1) Installed in compliance with all applicable building, electrical, and safety codes;
  2) Screened from view of adjacent properties by landscaping, fencing, or other approved methods
  3) Operated so as not to create a noise nuisance or disturbance to adjoining properties. Revised plans show a noise reduction pool pump equipment cover is proposed.

Rear Yard Coverage

- As per § 150-17.5 F. (4) Maximum aggregate area covered by accessory structures in the yard it is located in: 15%; existing rear yard is 2041.2 square feet where 15% is 306.18 square feet; existing is 7.7% or 157 square feet; proposed is ~~37.9%~~ 26% or ~~774.5~~ 550 square feet – **A Variance is required**. Please note the rear yard calculations on the plans are incorrect as the shed that is to be removed is included as well as the entire deck where only a portion is beyond the last wall of the dwelling.

Fence:

- A notation on the plans states that the fencing to be upgraded with self-closer;
- No new fencing is shown on plans or has been submitted;
- Existing fencing shows on plan on the SE side to be on the neighboring property; Applicant will move fence to 6 inches off the applicant's property line;
- Applicant should testify to the location of fencing;
- All construction fencing for the pool must be in accordance with but not limited to ISPSC § 305.1.1; All pool fencing must meet any and all township codes as well as UCC code requirements;

Trees:

- No trees are shown to be removed;
- Please refer to attached Tree Report from SavATree, Matt Weibel, NJ Licensed Tree Expert, dated October 23, 2026 for tree determinations;
- Should a tree be determined that it needs to be removed during the construction process, the applicant must testify that they will contact the Zoning Office and go through the standard tree removal process inclusive of submitting tree removal application, and associated fees. An inspection by the Township Forester would be required prior to any tree removal.
- Please refer to § 493-20 Protection of trees during construction;

Engineering

- This submission **will require** Engineering/Stormwater review as the net area of disturbance is over 400 square feet; as per Township Ordinance 2024-06, the Stormwater Permit Fees are as follows:
  - Stormwater Permit Application Fee $ 150.00
  - Stormwater Permit Review Escrow (Minor Development) $ 750.00
  - The Engineering application is attached and can be submitted with applicable fees and W-9 through the Zoning Office to DeeDee Carpinelli (972-857-4773).
  - If soil is proposed as being removed from the site, a soil removal permit must be procured per § 440-1;

- A proposed limit of disturbance of 5000 SF requires HEPSCD certification.

ZONING DECISION:

Based on the reviewed submitted items, the applicant's request for a Zoning Permit has been **DENIED** by this office.

The owner/applicant should be aware that a formal application requesting relief from the violated Township codes may be made to the Verona Board of Adjustment for variance(s) governed by the rules and conditions pursuant to N.J.S.A. 40:55D70d. Please contact the Board Secretary, DeeDee Carpinelli regarding the variance process (973-857-4773).

Please Note:

1. No electrical, plumbing or building codes were reviewed as part of this application. Please coordinate with the Township of Verona Construction/Building Department for any required permits and or inspections which may be required.

Please feel free to contact this office should you have any questions.

Respectfully Submitted,

Kathleen Miesch
Zoning Official

cc: Dee Dee Carpinelli – Zoning Assistant/Board Secretary