TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY

MINUTES OF THE VERONA BOARD OF ADJUSTMENT MEETING
OF THURSDAY, JULY 9, 2026

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

PRESENT:

Chairman Daniel McGinley	Mrs. Murphy-Bradacs
Vice Chair Weston	Mr. Tully
Mrs. DiBartolo	
Mr. Ryan	Ms. Tanweer, Engineer
Mr. Mathewson- arrived 8:17pm	Mr. Gregory Mascera, Board Attorney
Dr. Cuartas	Ms. Kathleen Miesch, Zoning Official
Absent: Dr. Ries	Mrs. Dolores Carpinelli, Board Secretary

CALL TO ORDER: Chair McGinley calls the meeting to order at 7:34 pm;
PLEDGE OF ALLEGIANCE;
OPEN PUBLIC MEETINGS ACT STATEMENT read by Mrs. Carpinelli, Board Secretary.
ROLL CALL is taken by Mrs. Carpinelli, Board Secretary;

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

APPROVAL OF MINUTES:
Chairman McGinley asks for a motion to approve minutes from the Regular Meeting of June 11, 2026; **Vice Chair Weston** makes the motion, **Mr. Ryan** seconds; Mrs. Di Bartolo and Mrs. Murphy-Bradacs abstain. All remaining commissioners voted in favor. **Motion Passes.**

RESOLUTIONS-
1. Memorialization of Resolution 2026-15– Application 2026-13– 94 Elmwood Road, Block 906, Lot 30.
Granting approval to install two new HVAC units.
Vice Chair Weston makes Motion to approve; **Dr. Cuartas** seconds.

Roll Call Vote:

	AYES	NAYS	ABSTAIN	RECUSED	ABSENT
Mr. Tully	**Y**				
Dr. Ries					**X**
Dr. Cuartas	**Y**				
Mrs. Murphy-Bradacs			**NE**		
Mr. Mathewson	**Y**				
Mr, Ryan			**NE**		
Mrs. DiBartolo			**NE**		
Vice-Chair Weston	**Y**				
Chair McGinley	**Y**				

Motion passes.

UNFINISHED/NEW BUSINESS
1. Continuation - Application # 2026-10 – 257 Pompton Avenue, Block 104, Lot 1 C2 Zone District.
The applicant modified the application to request approval to use the building as a three-family residential dwelling.

WITNESS: Mr. Aloia, Applicant / Owner of 257 Pompton Avenue

The applicant presented an amended proposal for the existing property at 257 Pompton Avenue. He testified that:

- The property currently contains a building configured and occupied as three residential units.
- No exterior modifications are proposed. Existing driveways, garage, parking layout, patios, and building footprint will remain unchanged.
- The only proposed interior alteration is the relocation of interior door openings to convert one existing one-bedroom apartment into a two-bedroom apartment.
- The third-floor unit currently lacks a stove. If approved, the applicant would obtain all required permits to install a code-compliant stove, thereby completing the unit as a legal dwelling.
- Landscaping improvements, including planting flowers, are planned, but no site changes or additions are proposed.

The applicant addressed each item contained in the Township Engineer's review letter, testifying that:

- No exterior improvements or grading are proposed.
- No increase in impervious coverage will occur.
- The property has experienced no flooding during the applicant's ownership.
- No new mechanical equipment, HVAC units, or generators are proposed.
- Existing parking satisfies ordinance requirements through the garages and driveways.
- Roof leaders currently discharge onto absorbent surfaces, and the applicant has observed no drainage or ponding issues.

Board Questions

Board members questioned the applicant regarding:

- The nature of the requested variance.
- Existing and proposed residential use.
- Historical use of the property.
- Parking assignments for tenants.
- Whether the property had ever received approvals for three residential units.

Testimony established that:

- The application is for a single D(1) Use Variance permitting three residential dwelling units.
- The property lies within the C-2 Zone.
- The building has functioned as residential housing for many years; however, testimony indicated that a legally approved three-family use has never existed.
- No additional variances are requested beyond the D(1) use variance.

The Board also discussed the legal status of prior uses, abandonment of any prior nonconforming approvals, and the implications of future changes to the property.

In response to questions from Board, the applicant testified that:

- The proposal promotes an appropriate residential use of the property.
- The application would not create substantial detriment to the public good.
- The proposal would not substantially impair the intent or purpose of the Township's Master Plan or zoning ordinance.
- The proposed apartments would provide reasonably affordable housing options without altering the exterior character of the site.

Chair McGinley ask if there is anyone from the Public who would like to ask questions of the applicant.
Public Questions

Anna Fusaro, Verona, NJ

- Ms. Fusaro repeatedly questions Mr. Aloia as to why he is requesting the variance and is not using the property as it is currently zoned.

Antony Gardner, Vincent Place, Verona

- Mr. Gardner asks if the variance is approved, does the use approved carry over to the next owners.

Chair McGinley asks if anyone else from the Public would like to ask questions – Seeing none.
Chair McGinley now opens for Public statements

Anna Fusaro, Verona, NJ

It is Ms. Fusaro's opinion that this project will change the character of the neighborhood and therefore is not in favor of the application.

Anthony Gardner, Vincent Place, Verona, NJ

Mr. Gardner is concerned what precedent will be set for future applications if this is approved.

Chair McGinley asks if any other members of the Public have a statement – Seeing none.

Prior to deliberation, Board Attorney advised that:

- The applicant's position as Township Attorney should receive neither favorable nor unfavorable consideration.
- A granted use variance would run with the land.
- Approval would not establish automatic precedent for future applications, as each application must be evaluated independently on its own merits.
- Any future expansion or intensification of the nonconforming use would require additional Board approval.

Board Deliberation

Board members discussed:

- The distinction between the current application and the applicant's prior proposal.
- The fact that virtually no exterior changes are proposed.
- The opportunity for the property improvements to be completed under current construction codes and permit requirements.
- The importance of evaluating each land use application independently rather than on perceived precedent.
- The permitted uses within the C-2 Zone and the nature of the requested deviation through the D(1) use variance.
- The project is reasonable for the property, moving from single family homes to State Road 23.
- It will not create more traffic than any of the approved uses

Vice Chair Weston makes motion to approve application # 2026-10, 257 Pompton Avenue; **Dr. Cuartas** seconds.

Roll Call Vote:

	AYES	NAYS	ABSTAIN	RECUSED	ABSENT
Mr. Tully	Y				
Dr. Ries					X
Dr. Cuartas	Y				
Mrs. Murphy-Bradacs			NE		
Mr. Mathewson			NE		
Mr, Ryan	Y				
Mrs. DiBartolo	Y				
Vice-Chair Weston	Y				
Chair McGinley	Y				

Motion passes.

2. Application 2026-15- 17 Douglas Place; Block 201, Lot 46 R-50 Zone District - Applicant is seeking approval to install a new HVAC unit.

- As per § 150-17.5 D. (4) Maximum improved lot coverage: 40% or 1,800 square feet; existing is 62.4% or 2,809.44 square feet – pre-existing non-conforming overage on improved lot coverage; proposed is 62.6% or 2,817.44 square feet –**A variance is required.**

The application was deemed complete and proper notice was confirmed by Board Attorney.

WITNESSES: Nicholas and Gianna Gaviria, owners were sworn in by Board Attorney Mascera.

The applicants explained that the property is a nonconforming, undersized lot of approximately 4.500 square feet and that existing lot coverage already exceeds the maximum permitted coverage. Installation of the proposed HVAC units would result in a further, minor increase in lot coverage from 62.4 to 62.6 percent.

The proposed HVAC units were described as approximately two feet by two feet each. The Board also confirmed that the lot-coverage calculation reflected conditions after the removal of previously existing materials referred to during the hearing.

The applicants stated that they currently use window air-conditioning units around the residence and that the proposed central air-conditioning system would consolidate the air-conditioning equipment into one location. The units would be located along the side of the residence, with the applicants' driveway separating the proposed units from the neighboring garage and residence.

Board members discussed:

- That this configuration provides separation between the HVAC units and the neighboring dwelling.
- The proximity of the proposed units to an existing basement window and the driveway.
  The applicants indicated that there was some flexibility in positioning the units within the proposed area.
- The Board was advised that the distance from the end of the proposed units to the neighboring garage would be approximately 19 feet.
- It was further noted that, because the proposed equipment is located near a driveway, the Construction Department may require protective bollards to prevent a vehicle from entering or striking the HVAC units. The Board clarified that any such requirement would be determined by the Construction Department.

Chair McGinley asks if any members of the public wish to ask questions of the applicant- seeing none.

Chair McGinley asks if any members of the public wish to make a statement about the application- seeing none

Board Deliberation:

Members expressed support for the application, noting that:

- The property is an undersized lot and is already nonconforming with respect to lot coverage.
- The proposed HVAC units would add only a minimal amount of additional coverage.
- The proposed location meets the applicable setback requirements.
- The HVAC equipment would be located in a logical and relatively unobtrusive location.
- The existing use of window air-conditioning units already produces noise at various locations around the residence, whereas the proposed system would consolidate the equipment.
- The driveway and neighboring garage provide separation between the proposed units and the neighboring residence.
- The proposed location would allow the equipment to be maintained and accessed as necessary.
- The installation was viewed as a reasonable and appropriate request given the existing conditions of the property.

Vice Chair Weston makes a motion to approve Application 2026-15; 17 Douglas Place with the condition that any protective bollards required by the Construction Department be installed as required, **Dr. Cuartas** seconds.

Roll Call Vote:

	AYES	NAYS	ABSTAIN	RECUSED	ABSENT
Mr. Tully			**NE**		
Dr. Ries					**X**
Dr. Cuartas	**Y**				
Mrs. Murphy-Bradacs	**Y**				
Mr. Mathewson	**Y**				
Mr, Ryan	**Y**				
Mrs. DiBartolo	**Y**				
Vice-Chair Weston	**Y**				
Chair McGinley	**Y**				

Motion passes.

3. Application 2026-12- 555 Bloomfield Avenue; Block 1806, Lot 19 TC Zone - Bella Princess LLC- Appeal and Interpretations Request. Appealing Zoning Officer's letter dated May 6, 2026 rescinding Zoning permit 2022-275.

WITNESS: Anthony Bocchi, applicant's counsel introduced himself and advised that he had substituted as counsel for the Applicant after the application and notice had been filed. He stated that he had subsequently filed a notice of appearance.

WITNESS: Martha Peralta, Owner and operating manager of Bella Princess LLC

Counsel explained that the matter constituted an appeal of the Zoning Officer's May 6, 2026 decision concerning the property at 553/555 Bloomfield Avenue. The appeal challenged the Zoning Officer's rescission of Zoning Permit No. 2022-275.

Attorney Mascera explained that the Applicant maintained that the current use of the premises was consistent with the Board's 2020 resolution and, alternatively, that the Applicant had received approval from the former Zoning Officer to operate the business. The Township's position was that the former Zoning Officer did not have authority to approve a use that was inconsistent with the 2020 Board resolution.

The Board was advised that the appeal was being considered on a **de novo** basis and that the Applicant bore the burden of establishing that the current use conformed to the permitted use.

The Zoning Officer explained that the May 6, 2026 decision rescinded a prior zoning approval issued by the former Zoning Officer.

The Zoning Officer stated that the Board's 2020 resolution authorized the first-floor commercial premises for **retail use, personal service use, or retail service use**. The Zoning Officer stated that the current operation, including the hosting of private and ticketed events, does not fall within the authorized uses.

The Zoning Officer further stated that an event space is not a permitted use in any zoning district within the Township and that the former Zoning Officer did not have authority to approve an event-space use.

Applicant's counsel argued that the business was consistent with the 2020 Board approval authorizing retail, personal service, or retail service use. He disputed the characterization of Bella Princess as merely an event-rental space and described the business as a staffed operation providing recreation, entertainment, and limited food service.

Counsel additionally argued that the Township's zoning ordinance had been amended in 2026 to include **commercial recreation facilities** as a permitted use in the Town Center zone. He argued that Bella Princess could fall within that definition because it operated as a business open to the public for a fee.

Martha Peralta was sworn in by Board Attorney Mascera.

Ms. Peralta testified that she had operated the business at the location since 2023 and had been in the business of providing children's themed parties for approximately 20 years.
The Applicant's attorney read from the 2020 resolution, which authorized the existing first-floor commercial tenant space to be used for **retail, personal service, or retail service use**, in connection with the approval for three one-bedroom residential dwelling units on the second floor. Ms. Peralta confirmed her understanding of those authorized uses.

She testified that the application identified private themed parties and limited on-site food and beverage service for party customers and the general public.
During questioning, it was clarified that Ms. Peralta herself had not appeared before the Board in connection with the 2020 variance. The 2020 application had been submitted by the then-owner of the property before the space was occupied by Bella Princess. The Board noted that it had not previously heard directly from Bella Princess regarding its proposed operations.

Ms. Peralta testified that approximately **90% of the business consists of children's parties**.
She described the parties as staffed events involving party directors, costumed characters, assistants, food and beverage service, crafts, story time, dancing, and other organized activities.

She distinguished the business from a conventional rental hall, stating that Bella Princess does not simply rent an empty room to customers. Rather, customers purchase packages that include services and activities provided by the business.

Ms. Peralta testified that Bella Princess also operates a café. She stated that the café is open to the general public when operating and offers coffee, pastries, pizza, and other limited food and beverage items.

She testified that the café component was included in the business plan submitted in connection with the zoning permit and that the business maintains a health permit for the sale of food.

Ms. Peralta testified that Bella Princess conducts ticketed public events, including princess-themed programs and tea parties. The programs may include character appearances, entertainment, crafts, story time, dancing, and other activities. Customers purchase tickets to attend the scheduled events.

Ms. Peralta further acknowledged that the business offers the premises for private functions, including baby showers, bridal showers, office gatherings, corporate events, and similar occasions.
She testified that these events may include party coordination, food and beverage service, coffee-bar service, decorations, and other services provided by Bella Princess.

Ms. Peralta explained that the business does not simultaneously operate the café for the general public while a private or ticketed event is taking place in the same space. The space is used either for public café operations or for the scheduled event.

Board Questions and Discussion:

Members of the Board questioned the Applicant concerning the manner in which the premises are actually used.
The Board discussed the distinction between:

1. A permitted principal commercial use that may incidentally accommodate private events; and
2. A facility whose principal use is the hosting of scheduled private or public events.

The Board reviewed the Applicant's advertising of the premises as an **"exclusive event space"** and discussed the implications of that representation in determining the actual use of the property.

The Board also questioned the Applicant regarding occupancy, customer traffic, parking, the number of persons attending events, and the arrival and departure of groups.

Ms. Peralta testified that customers are directed to available municipal parking and that children's parties generally involve approximately 20 children, together with adults and staff.

The Board reviewed the applicable zoning definitions, including the definitions of **event space**, **personal service establishment**, and **commercial recreation facility**.

The Board discussed the ordinance provisions concerning event spaces and noted that event spaces are prohibited throughout the Township.

Board members questioned whether a café serving food and beverages to walk-in members of the public could properly be classified as a retail, personal service, or retail service use under the 2020 resolution.
The Board noted that its responsibility was to determine the actual land use occurring on the premises and whether that use was authorized by the applicable zoning approval.

The Applicant argued that the business should instead be characterized as a personal service or commercial recreation use because it provides staffed services and entertainment to customers for a fee.

Board members questioned whether the principal activity at the premises was the provision of individual services or the scheduled hosting of groups and events.

Board Deliberation:

The Board considered the actual operation of the business, including the children's parties, ticketed events, private functions, café operations, food service, advertising, staffing, and customer traffic.

The Board discussed whether the availability of services associated with the events changed the underlying character of the use.

One Board member noted that, from a land-use perspective, the principal issue was how the property was actually being used rather than the particular services offered during an event.

The Board also discussed the distinction between a restaurant or other principal commercial use that may occasionally host a private event and a facility where scheduled events constitute the principal activity.

A Board member stated that the significant distinction, in his or her view, was the fact that groups of people arrive and leave at approximately the same time, creating a specific land-use impact.

The Board generally concluded that the actual operation described during the hearing did not fit within the retail, personal service, or retail service uses authorized by the 2020 resolution.

Mrs. DiBartolo made a motion to affirm the rescission of Zoning Permit No. 2022-275, find that the prior permit was issued ultra vires and is void, and advise the Applicant that a use variance application is the appropriate avenue for seeking authorization for the proposed use. **Vice Chair Weston** Seconds.

Roll Call Vote:

	AYES	NAYS	ABSTAIN	RECUSED	ABSENT
Mr. Tully			NE		
Dr. Ries					X
Dr. Cuartas	Y				
Mrs. Murphy-Bradacs	Y				
Mr. Mathewson		X			
Mr, Ryan	Y				
Mrs. DiBartolo	Y				
Vice-Chair Weston	Y				
Chair McGinley	Y				

- **Motion passes.**

4. Application 2026-16-111 Hillside Avenue; Block 2006, Lot 14 R-50 Zone District. Applicant is seeking approval to construct a new second floor addition over existing first floor kitchen.

- As per § 150-17.5 E (2) Minimum side yard setback (one): eight feet; existing on the SW side is 5.37 feet existing and proposed; expansion of a pre-existing non-conforming setback; **A Variance is needed**
- As per § 150-17.5 E (3) Minimum side yard setbacks (both): 18 feet; existing and proposed is 15.44 feet - expansion of a pre-existing non-conforming setback; **A Variance is needed.**

Mrs. DiBartolo recused herself from the application.

The application was deemed complete and proper notice was confirmed by Board Attorney.

WITNESS: Tim Stillings, owner was sworn in By Board attorney Mascera.
WITNESS: Evan Scott, Escott Architects, accepted as a expert witness and sworn in by Board Attorney Mascera.

Mr. Stillings stated that he and his wife, Kate Stillings, had owned and occupied the property since August 2011. He explained that they were seeking to construct an addition to the rear of the residence at the second-floor level, directly above the existing first-floor kitchen, in order to create an additional bathroom.

Mr. Stillings explained that the family currently has two children and that the residence has only one small bathroom on the second floor. That bathroom is the only full-size bathroom in the home and contains the only shower/tub serving the household. The proposed addition would provide an additional bathroom while allowing the applicants to maintain the existing character and architectural style of the residence.

Mr. Scott testified that the proposed addition would be constructed above the existing first-floor kitchen bump-out. The applicants had considered alternative approaches, including cantilevering and constructing an addition farther toward the rear; however, those alternatives presented additional zoning and construction issues. The property was already at or above its permitted impervious and building coverage, making construction over the existing footprint the preferred approach.

The applicants also sought to preserve the architectural character of the home, which was described as a Tudor-style residence with a stucco exterior. The proposal would maintain the existing stucco appearance and roof character while using a shallow, largely flat roof structure over the addition. This approach was intended to minimize visual, shading, and daylight impacts on adjacent properties.

The drainage pattern would remain substantially unchanged. Existing roof leaders and drainage patterns would be maintained, with the site continuing to drain toward the street and driveway side.

Board Questions:

- The Board asks if any new windows would be added on the side of the house facing the closest neighboring property.

  Mr. Scott stated that existing windows would remain, and any new windows associated with the addition would face toward the rear of the property. The Board noted that this would avoid creating additional privacy impacts.
- The Board asked whether the existing shed would remain.

  The applicant confirmed that the shed would remain in place. The applicant explained that incorporating the shed area into the addition had been considered but would have resulted in greater impacts, additional coverage, cost, and additional variance requirements.

- The Board asked whether the applicants had reviewed comments submitted by the Engineering Department, although an engineering review was not required for the application.

Mr. Scott confirmed that he had reviewed the comments and would comply with all recommendations, including, completing an AS-BUILT survey as requested.

The Board asked whether the applicants had spoken directly with neighboring property owners concerning the proposed addition.

According to the applicants, both neighboring households had indicated that they had no objection to the proposed addition and were supportive of the project.

Chair McGinley asks if any members of the public wish to ask questions of the applicant- seeing none.

Chair McGinley asks if any members of the public wish to make a statement about the application- seeing none

Board Deliberation:

The Board expressed support for the application. Members noted that:

- The proposed addition was appropriately sized.
- The location of the addition was reasonable given the neighborhood and existing configuration of the property.
- The addition of another bathroom was a desirable and practical improvement.
- The proposal fit within the context of the surrounding neighborhood.
- No new window would be added on the side facing the closest neighboring property, thereby avoiding additional privacy impacts.
- The applicants had attempted to minimize the size and impact of the addition.
- The proposal maintained existing yard areas and architectural character.
- The existing shed would remain.
- Neighboring property owners had been consulted and reportedly supported the project.

Vice Chair Weston makes a motion to approve Application 2026-16; 111 Hillside Avenue, **Dr. Cuartas** seconds.

Roll Call Vote:

	AYES	NAYS	ABSTAIN	RECUSED	ABSENT
Mr. Tully	Y				
Dr. Ries					X
Dr. Cuartas	Y				
Mrs. Murphy-Bradacs	Y				
Mr. Mathewson	Y				
Mr, Ryan	Y				
Mrs. DiBartolo				X	
Vice-Chair Weston	Y				
Chair McGinley	Y				

- **Motion passes.**

EXECUTIVE SESSION (not necessary)

Motion to Adjourn: Mr. Ryan
Meeting Adjourned at 10:25 pm

Respectfully submitted,

Dolores Carpinelli

Dolores Carpinelli
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.