TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY

MINUTES OF THE VERONA BOARD OF ADJUSTMENT MEETING OF THURSDAY, FEBRUARY 12, 2026

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

PRESENT:

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

CALL TO ORDER: Chair McGinley calls the meeting to order at 7:31 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.

REORGANIZATION OF THE BOARD OF ADJUSTMENT

1. **Appointments:**

Appointment of Greg Mascera as Board of Adjustment Attorney. **Vice Chair Weston** makes the motion, **Mrs. DiBartolo** seconds; The remaining commissioners voted in favor. **Motion Passes.**

RESOLUTIONS:

1. **Memorialization of Resolution 2026-03-** Appointment of Greg Mascera as Board of Adjustment Attorney. **Vice Chair Weston** makes the motion, **Mrs. DiBartolo** seconds; The remaining commissioners voted in favor. **Motion Passes.**
2. **Memorialization of Resolution 2026-04-** Application #2025-11- 24 S. Prospect Street, Block 1607, Lot 47, R-60 Zone. Granting approval to change the use of single-family residential garage into office space to use as a home occupation with an additional employee. **Mrs. DiBartolo** makes motion to approve; **Vice Chair Weston** seconds. The remaining commissioners voted in favor. **Motion Passes**
3. **Memorialization of Resolution 2026-05-** Application # 2026-01- 63 Pease Avenue, Block 2107, Lot 9, R-50 Zone. Granting approval for the installation of a new wall mounted mini-split unit on the SW side of house. **Vice Chair Weston** makes motion to approve; **Dr. Ries** seconds. The remaining commissioners voted in favor. **Motion Passes**.

APPROVAL OF MINUTES:
Chairman McGinley asks for a motion to approve minutes from the Regular Meeting held on January 8, 2026; **Mrs. DiBartolo** makes the motion, **Vice Chair Weston** seconds; The remaining commissioners voted in favor. **Motion Passes.**

UNFINISHED BUSINESS:

1. **Application # 2026-03- 21-25 Grove Avenue, Block 1702, Lot 22- C-2 Zone.** *Case was heard at the January 8, 2026 regular meeting where testimony was taken. Carried to the February 12,2026 meeting, applicant's attorney agreed to the tolling of time.* The applicant is seeking approval to construct a residential townhouse development with a total of 11 three-bedroom dwelling units along with associated parking, lighting and landscaping improvements. Per the Zoning Denial letter dated November 7, 2025, applicant is seeking Fifteen variances.

- Per § 150-17.11 A., B., C. A residential townhouse development is not a permitted use in the C-2 district – **A Use Variance is required;**
- Per § 150-17.11 D. (4) Minimum side yard setback (one): 15 feet; existing is 10.9 feet and proposed is 11.6 feet at most narrow point – **A Variance is required**;
- Per § 150-17.11 D. (5) Minimum side yard setbacks (both): 35 feet; existing is 60.4 feet and proposed is 26.6 feet – **A Variance is required;**
- Per § 150-17.11 D. (7) Minimum rear yard setback: 50 feet; proposed is 38.6 feet from last unit and10.6 feet from drive aisle – **A Variance is required**;
- Per § 150-17.11 D. (8) Maximum height for principal building (stories/feet): 2.5/35; proposed is 3 floors / maximum building height of 42.70 feet – **A Variance is required for both stories and height;**
- Per § 150-17.11 D. (10) Maximum lot coverage: 30% proposed is 31.9% - **A Variance is required;**
- Per § 150-17.11 D. (12) Maximum floor area ratio: 50%; proposed is 57% - **A Variance is required;**
- Per § 150-17.11 D. (13) Minimum landscaped buffer along residential zone: 15 feet; lot is bordered by residential zones in both the rear (R-50) and the SE side by R-50B; **A Variance is required**. Should a variance be granted for consideration please see § 150-5.2 B. (3) All rooftop appurtenances shall be appropriately screened from all adjoining properties with architectural screening, the material color and composition of which shall be approved by the approving body.

DECKS:

- Per § 150-7.21 If an existing building fails to comply with zoning setback requirements, uncovered decks may be added, provided that all of the following conditions are met:

  A. That no portion of the deck shall be elevated more than four feet above grade, excluding handrails and guardrails; proposed at 8.8 feet from grade – **A variance is required**;

  B. That the deck does not extend into the side yard beyond the line of the existing dwelling unless the deck meets the side yard setback requirements of this chapter - **A variance is required**;

  C. That the deck shall be no less than five feet from the side lot line and no less than 20 feet from the rear lot line.

    - Unit #1 – 2.25foot setback to the SE side property line;
    - Unit #2 – 3.5foot setback to the SE side property line;
    - Unit #3 – 5.75foot setback to the SE side property line;
    - Unit #4 – 5.5foot setback to the SE side property line;
    - Unit #5 – 6foot setback to the SE side property line;

- Unit #6 – 7.5foot setback to the SE side property line;
- Unit #7 through #11 – 5foot feet setback each from the NW side property line; **Variances are required;**

ROOFTOP TERRACES:

- **Individual rooftop terraces** are proposed at 267 square feet (20'x16") on end units and 204 square feet (17'x12') on middle units; located on the rear section of each unit's roof with parapet at 3.875 feet in height; Noting that the rooftop terraces will face residential districts on both the SE side and the rear of the proposed development. Roof-top Terraces are not a permitted accessory use within the C-2 Zoning District **–Variance is required.**

HVAC UNITS:

- Per § 150-7.13 Mechanical equipment. A. No mechanical equipment shall be located within a required minimum yard requirement and shall not extend more than five feet from the structure for which they serve.
- Per § 150-17.11 D. (4) Minimum side yard setback (one): 15 feet; HVAC units are proposed as (unit #s as identified per page SP-3 Layout Plan of the Site Plan)
  Unit #1 – 10foot setback to the SE side property line;
  Unit #2 – 11foot setback to the SE side property line;
  Unit #3 – 13foot setback to the SE side property line;
  Unit #4 – 13.25foot setback to the SE side property line;
  Unit #5 – 13.6foot setback to the SE side property line;
  Unit #6 – 14.625foot setback to the SE side property line;
  Unit #7 through #11 - 12 feet setback each from the NW side property line;
  Variances are required;

PARKING:

- Per §150-12.2 A. Each off-street parking space shall measure not less than nine feet by 20 feet exclusive of access drives and aisles and shall be of usable shape and condition. Where front overhang of the vehicle is possible onto a paved or grass area not used for vehicular or pedestrian circulation or parking, the space may be reduced to 18 feet; parking stalls are proposed as 9 feet by 18 feet with no overhang – **A Variance is required;**
- Per RSIS §5:21-4.14 - 2.4 spaces per 3-bedroom unit; there are 11 3-bedroom units proposed: 2.4 x 11 = 26.4 spaces -> 27 spaces required with 35 spaces proposed
- Electrical Vehicle Parking per NJAC 40:55D-66.20 – 27 spaces x 15% = 4.05 spaces; 4 spaces proposed;

  Proposed Parking Calculations per RSIS §5.21 – 4.14 o 2 car garage & driveway combination 3.5 spaces per RSIS
  - o 1 car garage & driveway combination 2.0 spaces per RSIS
  - o Garage and driveway combinations = 18 spaces
  - o 5 two car garages with no driveway parking = 10 spaces
  - o Outdoor lot = 4 spaces
  - o EV Credit (Counts as double up to 10% of requirement = 3 spaces
  - o **Total spaces 35**
- C **Variance for minimum required parking aisle** width where a minimum parking aisle width of 24 feet is required pursuant to Verona Ordinance §150-12.4A (1) and a parking aisle width of 20 feet is proposed.
- **Note**: Engineering with review parking and turn radius for final approval;

TREES:

- 13 trees are proposed to be removed; while the DPM of the trees are shown, the condition of the trees i.e. alive, dead, hazardous, etc. are not shown and therefore the mitigation fee and replacement cannot be verified.
- A tree condition listing must be submitted for mitigation determination and the Tree Planting Schedule on page SP-5 of the Site Plan must be approved by the Township Forester. This must be submitted for Board review.

# of Trees Proposed for Removal	**DPM**
1	24"
1	32"
2	6"
2	8"
4	12"
2	28"

Mr. Gaccione, attorney for the applicant, reviewed the reason for the application.

Witnesses:

Engineer: Shaun Delaney

Property Owner of 21-25 Grove Avenue: Jonathan Goldstein

Licensed Architect: Russell Bodnar

Planner: J. Michael Petry

Exhibits:

A-13: Sheet SP – Turning Template

A-14: Architectural renderings of the Exterior of the units

A-15: Architectural renderings- View of Grove Ave

Witness: Shaun Delaney, Petry Engineering, 155 Passaic Avenue, Fairfield, NJ
Reminded that he is under oath.

Mr, Delaney describes updates made to the Plans addressing points and concerns of the Board and other Departments from testimony heard on January 8, 2026.

Mr. Delaney reviews plans that were submitted originally with revisions dated January 29, 2026. They are still proposing 11 - 3 bedroom units that are the same size as originally shown with the following updates:

- Shift townhomes away from the single-family home on North side of the lot
- Proposing 5 units on the Northern side and shifted them to the rear of site and relocated 1 unit to the grouping on the Southern side.
- Providing refuse enclosure on site
- Provide turnaround are at rear of site with striping

- Removed decks from first two units; units one and two so closest deck to single family home is now 51 feet
- Increased front yard set back from 21.3 feet to 60 feet
- Relocated four visitor parking spaces to the front of the lot
- Parking spaces: 33 physical, 20 within the garages, 9 in front of the garages, 4 EV spaces with credit provides 36 spaces- RSIS requires 27
- Impervious coverage increased to 64.9%, under 65% allowable

Mr. Delaney refers to SP 5- Landscape Plan – Revised 1-29-26

- Revised some of the plant species based on Shade Tree and Environmental Commissions comments
- Increased spacing between evergreens
- Expanded front landscape buffer
- Will now maintain a large 32" Oak
- Added area for two snow stockpiles
- Additional timer to dim outside lighting effective after 11:00pm.

Exhibit A-13- Turning Template for Refuse Trucks
Shows that two vehicles could access site at the same time

Mr. Delaney addresses items from Boswell's Revised report, Items # 2, # 3, # 4, # 15.

Mr. Delaney also reviews comments from the Rescue Squad, and the Fire Chief concerning the size of the largest Fire Engine, requesting fire lanes on both sides of drive aisle, and providing additional fire hydrants.

Board Questions:

- There is an existing water main in Grove Avenue.
- Exhibit A-13- Turning Templates – Questions about how the Refuge truck will access the site and what time of day pick up would be.
- Larger vehicles would cross double yellow line when backing into the site. Fire truck would back out, to the curb across Grove Avenue. Tires would not cross the curb.
- Concern about cars from smaller units needing to use visitor spots and how that would affect snow removal.
- Petry can provide additional turning templates to include intermediate size vehicles.
- Engineer asks about the distance of the first parking space to the right of way
- The newly proposed refuse compactors are an accessory structure and would require a variance for set backs.
- Zoning Official clarifies that this Board will need to review and approve the tree replacement plan and that the applicant will need to pay required mitigation.
- Drainage pipe leading out from a 15-foot storm easement is 15", which is larger than originally thought.

Chair McGinley asks if there is anyone from the public who has a question for the witness- seeing none.

Witness: Jonathan Goldstein- owner of 21-25 Grove Avenue, 2 Claridge Drive, Verona

Mr. Goldstein sworn in by Board attorney Mascera.
Mr. Goldstein has owned the property for about 4 years. He describes the condition of the buildings, that they are commercial use and states that it is about 35% occupied. They have had several offers to buy the property but all have fallen through.

Chair McGinley asks if there is anyone from the public who has a question for the witness- seeing none.

Witness: Russell Bodnar – Licensed Architect, 52 Long Hill Road, Long Valley, NJ

Mr. Bodnar is sworn in by Board Attorney Mascera and is accepted as an expert witness in architecture.

Mr. Bodnar describes the height of the proposed structures as well as changes that were made to the plans.

Rooftop Deck- 267 sq ft and smaller is 204 sq ft.

Deck Railings- solid white vinyl 36" high

Exhibit A- 14- Architectural rendering- Exterior Layout of units

Mr. Bodnar describes the exterior of the different units

Exhibit A- 15- Architectural rendering- Grove Ave view

Mr. Bodnar details the façade of the buildings and the materials proposed from Grove Avenue view.

Board Questions:

- Discussion of ADA requirements for affordable units and for sale units vs. rental units.
- Board asks about outdoor and green area for residents and families.
- Homeowners responsible for their own yard and the association manages everything else
- Because this is an R5 development- individual townhomes – they are not required to be sprinklered.
- Rooftop decks not permitted in Verona. Question about drainage of decks.
- Discussion of garage size and how they would be utilized by owners.
- Back yard accessed from ground floor recreation room.
- Planner, Mr. Delaney answers question about the size of trees at planting and how large they will grow.
- One small light on decks controlled by individual units
- No Generators or Solar Panels proposed.

Public Questions:

Ann Spinweber, Cedar Grove on behalf of Mary Fisher, Verona

Ms. Spinweber wants verify total number of units and total square footage of the lot

Chair McGinley requests a short recess 9:08 pm – Return 9:17

Witness: J. Michael Petry, Licensed Planner, 155 Passaic Avenue, Fairfield, NJ

Mr. Petry sworn in by Board Attorney Mascera

Mr. Petry gives overview of the project noting that this property is in the C2 Zone, along with adjacent property with surrounding properties along Bloomfield Avenue being in the TC Zone and properties along Grove Avenue are Residential.

Mr. Petry reviews the variances being sought: Nine C Variances and Four D variances.

Mr. Petry describes the positive and negative criteria of this project and how it aligns with Verona's Master Plan.

Mr. Petry reviews the parking plan: parking spaces, garage parking, snow removal. They exceed the required number of spots.

Mr. Petry also goes through the Landscaping Plan again.

Board Questions:

- Mr. Petry's testimony regarding common space conflicts with Mr. Bodnar's testimony. There is fee simple area that goes with the unit. Attorney Mascera states that they can condition limited common elements. Mr. Petry states that the association will be responsible for all outdoor area.
- He is not sure what the density of the building on Grove Ave and Bloomfield Ave. The town does not have a requirement on density in the TC Zone. Board asks if comments from VEC regarding density were reviewed. Board asks if a market study was performed. No, but Mr. Petry feels this is the proper density for this site.
- Question about tree height and the decks.
- Question about appropriate zoning for this site and would this project comply if it was in Town home Ordinance. Also, discussion of mixed-use buildings in the TC Zone.

Chair McGinley asks for any statements from the public

Ann Spinweber – Cedar Grove on behalf of Mary Fisher
Comments on negative issues of this development

Bruce Elia – KW Commercial
Hired by property owner to find useful purpose for this property. Makes positive statements why this project should be approved.

Chair McGinley closes public portion

Mr. Gaccione makes closing statement.

Board Deliberation:

- Roof Top decks need to be removed.
- Dramatic improvements from initial plans
- Eleven units are too many units- density to high
- Feels that the lot is not large enough for the project. Not enough parking for residents and guests, the drive aisle is not large enough for delivery vehicles, would cause excess traffic and problems on Grove Avenue.
- Different initiatives are working to make downtown area more robust and more of a destination, even though this is a beautiful "step down" project, it is not the right location.

Discussion of modifying the application.

Recess 11:00pm – Resume 11:06

Mr. Petry reviews with the Board what the applicant will modify to better meet the criteria the Board would be more comfortable with possibly approving.
The Board will vote on the three D variances, individually.

Ms. Murphy-Bradacs **makes motion to approve** the Use with a total of 10 Units; Dr. Ries **seconds.**

Roll Call Vote:

	AYES	NAYS	ABSTENTION	RECUSED	ABSENT
Dr. Ries	**Y**				
Mr. Tully					**X**
Dr. Cuartas	**Y**				

Mrs. Murphy-Bradacs	**Y**				
Mr. Mathewson	**Y**				
Mr, Ryan					**X**
Mrs. DiBartolo		**X**			
Vice-Chair Weston		**X**			
Chair McGinley	**Y**				

Motion passes.

Ms. Murphy-Bradacs **makes motion to approve** the D6 height variance; subject to the elimination of rooftop decks and stair bulk heads and reducing height to 2 ½ stories for Northern units; Dr. Ries **seconds.**

Roll Call Vote:

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

Motion passes.

Dr. Ries **makes motion to approve** the D5 FAR variance; subject to the floor area ration being reduced; Ms. Murphy-Bradacs **seconds.**

Roll Call Vote:

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

Motion passes.

The D Variances voted on and approved. The remaining Bulk variances will be voted on with final site-plan approval.

Chair McGinley states that the application will be carried to the March 12, 2026 meeting. The Board will consider final site plan approval and the tree plan approval. No further notice is required.

EXECUTIVE SESSION (if necessary)

Motion to Adjourn: Vice Chair Weston
Meeting Adjourned at 11:19 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.