



RESOLUTION 2026-24
ZONING BOARD of ADJUSTMENT
of the TOWNSHIP OF VERONA

Application 2026-19 3 Claridge Drive, Suite 2, Block 103, Lot 3 – Zone: A-3

WHEREAS, Flor Da Vida Women's Wellness, LLC (the "Applicant") made application to the Verona Zoning Board to allow the Applicant to use a portion of the building on the property known as 3 Claridge Drive, Verona, New Jersey (the "Property") as a women's wellness center supporting women with a focus on prenatal, postnatal and menstrual health (the "Application"); and

WHEREAS, the Property is located in the A-3 Zone on the Township of Verona zoning map; and

WHEREAS, the Property is owned by The Claridges, LLC and the Applicant proposes to lease Suite 2 within the building on the Property, an approximately 2,614 square foot tenant space formerly occupied by a financial services office and currently vacant (the "Premises"); and

WHEREAS, on April 14, 2026, the Verona Zoning Office denied the Applicant's zoning permit application (Zoning Application #2026-042) because the proposed use is not a permitted principal use or conditional use in the A-3 Zone pursuant to Verona Code § 150-17.10, and a use variance is therefore required; and

WHEREAS, the Application was deemed complete, and notice duly served to allow the Board to hear the Application at its regular meeting on September 10, 2026; and

WHEREAS, Robert A. Gaccione, Esq. of Gaccione Pomaco, PC represented the Applicant; and

WHEREAS, Dr. Ries and Mrs. DiBartolo recused themselves from consideration of the Application; and

WHEREAS, the Applicant sought a use variance to allow the Premises to be used as a women's wellness center, which is not a permitted use in the A-3 Zone pursuant to Verona Code § 150-17.10, and a parking variance in that a total of 30 parking stalls are required for the three uses in the building where 27 on-site parking stalls exist; and

WHEREAS, the following exhibit was marked and introduced into evidence at the hearing:

A-1 Printed PowerPoint presentation prepared by GSAPC, dated August 13, 2026; and

WHEREAS, Mr. Gaccione stated that the Applicant sought to further amend the prior final major site plan approval for the Property dating from 1995 to permit approximately 2,600 square feet of office space to be used for commercial recreation, and that a d(1) use variance was required because commercial recreation is not a permitted use in the A-3 Zone; and

WHEREAS, Debora Marchetti, the owner of the Applicant, appeared and, after being duly sworn, testified in support of the Application. Ms. Marchetti testified that the Applicant operates a women's wellness center providing education and support relating to pregnancy, childbirth and postpartum care, and that the business previously operated at 21 Grove Avenue in Verona and is relocating because that property was sold. Ms. Marchetti described the proposed operation of the Premises as a low-intensity, appointment-based use, and testified as follows:

- (a) Approximately three to four clients will be served per day;
- (b) Appointments will be approximately one and one-half hours in length;
- (c) There will be a maximum of approximately two clients on the Premises at one time;
- (d) There will be three practitioners/employees;
- (e) Hours of operation will be from approximately 9:00 a.m. to 8:00 p.m.;
- (f) Services will include one-on-one personal training for pregnant and postpartum women;
- (g) A women's book club will meet monthly with a maximum attendance of approximately ten people;
- (h) No loud noise is anticipated;
- (i) No exterior renovations or signage are proposed;
- (j) The Applicant does not intend to rent the Premises to outside parties for events;
- (k) The Premises will be open to the general public, and there will be no exclusivity or preferential treatment for residents of the Claridge House buildings; and
- (l) A licensed physical therapist will use a room within the Premises periodically, approximately every other week, and the physical therapist's appointments will be coordinated with the Applicant's other activities so that the Premises will not experience an increase in simultaneous occupancy; and

WHEREAS, Paul W. Anderson of GSAPC was qualified as an expert in engineering and professional planning. He was sworn and testified on the Applicant's behalf.

Mr. Anderson introduced Exhibit A-1 and testified regarding the existing conditions of the Property and the Premises. He testified that the Property is an irregular lot of approximately 0.767 acres located on the north side of Claridge Drive, a private road, improved with a one-story building and an asphalt parking lot striped for 27 parking stalls. He testified that the building contains three tenant suites: Suite 1, a real estate office of approximately 909 square feet; Suite 2, the vacant Premises; and Suite 3, an approximately 3,581 square foot space occupied by a wellness center that received a use variance approval from this Board in 2025. He testified that the Property adjoins an undeveloped 10.93 acre lot to the north and west and the Claridge House I and Claridge House II buildings, which together contain approximately 610 dwelling units.

Mr. Anderson reviewed the zoning history of the Property, including resolutions of this Board memorialized on August 10, 1978, February 19, 1987 and January 12, 1995 limiting the

tenancy of the building to enumerated non-residential uses; the February 17, 2015 amendment of the Zoning Ordinance and Tax Map by the Township Council associating the Property with the A-3 Zone; and the October 9, 2025 use variance approval for the wellness center in Suite 3. He testified that the non-residential uses within the building have been evolving since 1978.

Mr. Anderson testified that the Applicant proposes to occupy the Premises as-is, that no building expansion and no interior or exterior construction is proposed, that the existing building will be reused for the Applicant's operation, and that no changes are proposed to the parking areas or the site. He testified that the existing non-conforming bulk conditions, including lot coverage, improved lot coverage and front and rear yard setbacks, are existing conditions that will remain unchanged. He testified that for parking purposes the proposed use is similar to a commercial recreation use, that the parking requirement for the Premises decreases from 15.66 stalls under the prior office use to 10.44 stalls under the proposed use, and that a total of 30 parking stalls are required for the three uses in the building where 27 stalls exist and 35 stalls were previously required, such that the proposal improves the existing parking conditions. He further noted that many users are anticipated to walk to the Premises from the adjacent Claridge House buildings.

Mr. Anderson testified that the treatment rooms within the Premises will be used by the Applicant's practitioners working with clients on a one-on-one, appointment-only basis with staggered schedules; that the use is quiet in nature; and that the maximum occupancy of the Premises would be limited notwithstanding the greater occupancy permitted by the building code.

Mr. Anderson provided planning testimony as to the statutory criteria for a d(1) use variance. He testified that the use promotes the general welfare and other purposes of zoning set forth in the Municipal Land Use Law, including providing sufficient space in appropriate locations for a variety of uses and promoting a desirable visual environment. He opined that the site and building are particularly suited to the proposed use given the existing interior layout, the on-site parking, the location on a private road, the proximity to the Claridge House residents, the low-intensity nature of the operation and the adaptive reuse of existing space. He further opined that the use is compatible with surrounding development, that the variances could be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and Zoning Ordinance, and that the relief sought is not inconsistent with the Master Plan; and

WHEREAS, the Board and its professionals discussed the parking requirement for the Premises, particularly because the proposed operation would involve both commercial recreation and medical/physical therapy activity, and the testimony established that the intensity of the physical therapy use would be limited and coordinated with the Applicant's other activities; and

WHEREAS, members of the public were given the opportunity to question each of the witnesses upon completion of their testimony and to provide statements to the Board at the conclusion of the Applicant's case, and no member of the public asked questions or offered comments; and

WHEREAS, in its deliberations the Board discussed the prior approvals applicable to the Property, the existing use of the building, parking demand, ingress and egress, and the anticipated

intensity of the proposed operation, and considered the proposed use as a relatively low-intensity adaptive reuse of an existing commercial space; and

WHEREAS, during the Board's deliberations, Mr. Gaccione requested that the Application be amended to seek a d(1) use variance for two separate uses within the Premises: (a) a medical facility for physical therapy; and (b) a commercial recreational facility for the women's wellness space, and the Board considered the Application as so amended; and

WHEREAS, at the conclusion of the hearing on September 10, 2026, on motion by Mr. Ryan, seconded by Mr. Tully, the Board voted six (6) in favor and none (0) opposed to approve the Application as amended, including parking relief of three (3) stalls, subject to the conditions set forth below; and

WHEREAS, this Resolution is adopted pursuant to N.J.S.A. 40:55D-10(g) to memorialize in writing the action taken by the Board on September 10, 2026, and

WHEREAS, the Board established the following findings:

1. The Application, as amended at the hearing, seeks a d(1) use variance pursuant to N.J.S.A. 40:55D-70(d)(1) to permit two uses within the Premises, neither of which is a permitted principal or conditional use in the A-3 Zone pursuant to Verona Code § 150-17.10: (a) a commercial recreational facility for the women's wellness space; and (b) a medical facility for physical therapy. The Application further seeks a parking variance of three (3) stalls, where thirty (30) parking stalls are required for the three uses in the building and twenty-seven (27) on-site parking stalls exist.
2. The building in which the Premises are located has housed non-residential uses pursuant to variance approvals dating to 1978, and a wellness center use was approved by this Board for Suite 3 of the same building in 2025.
3. The Applicant does not propose modifications to the building, exterior, interior, or parking lot. The Applicant proposes no exterior renovations and no signage, and does not intend to rent the Premises to outside parties for events.
4. The proposed use reduces the parking demand of the building as compared to the prior office use of the Premises.
5. The Board relies upon the testimony of the Applicant's owner as to the operational characteristics of the proposed use, including the number of clients, the length of appointments, the maximum number of clients present at one time, the number of practitioners, the hours of operation and the frequency and attendance of the book club, which testimony confirms that the proposed use is a low-intensity, appointment-based adaptive reuse of an existing commercial space.
6. The physical therapy use is limited in intensity, consisting of periodic use of a single room by a licensed physical therapist approximately every other week, with appointments coordinated with the Applicant's other activities so as not to increase the simultaneous occupancy of the Premises. The physical therapy use, as so limited, does

not materially change the intensity of the operation or the parking demand of the Premises.

7. The testimony offered on the Applicant's behalf was credible and adequately supported the Application. The Applicant met its burden of proof with regard to both the positive and negative criteria as set forth in the New Jersey Municipal Land Use Law as to both uses. The Applicant proved the positive criteria – that the site is particularly suited to the proposed uses given the history of non-residential use of the building, the existing interior layout, the on-site parking, the location on a private road, the proximity to the Claridge House residents, and the low-intensity adaptive reuse of existing space, such that the uses promote the general welfare.
8. The Applicant met its burden to prove the negative criteria – that the relief could be granted without substantial detriment to the public good and would not substantially impair the intent and purpose of the zone plan or the Verona Master Plan. The Board further finds, with the enhanced quality of proof required for a use that is not inherently beneficial, that the grant of the variance is reconcilable with the omission of the proposed uses from the A-3 Zone, given the long history of non-residential uses in the building pursuant to approvals of this Board, the 2025 approval of a similar wellness use in Suite 3 of the same building, and the absence of any physical change to the building or the site.
9. The Board considered the parking demand of the proposed uses, ingress and egress, and the anticipated intensity of the operation, and finds that the parking relief of three (3) stalls can be granted without substantial detriment to the public good in light of the low intensity of the use, the appointment-only and staggered scheduling, the coordination of the physical therapy appointments, and the reduction in the overall parking requirement for the building from thirty-five (35) stalls to thirty (30) stalls. The Board further discussed the location of accessible parking relative to the building, which is addressed in Condition 6 below.
10. The Board finds that the proposed wellness center with limited occupancy, appointment-only scheduling, one-on-one sessions and limited group gatherings represents a low-intensity use compatible with the A-3 Zone and surrounding residential areas.
11. The Premises will be open to the general public. While the proximity of the Claridge House buildings supports the Board's finding that the site is particularly suited to the proposed use, the approval does not depend upon, and the Applicant will not provide, any exclusivity or preferential treatment for Claridge House residents.
12. The testimony offered was particular to the proposed women's wellness center and physical therapy uses. Any approval granted by the Board shall be construed only as the Applicant's right to operate these specific uses.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of the Township of Verona, that the referenced Application, as amended at the hearing, is APPROVED, including a

d(1) use variance for a commercial recreational facility (women's wellness space) and a medical facility for physical therapy within the Premises, and a parking variance of three (3) stalls where thirty (30) stalls are required and twenty-seven (27) stalls exist, with the following conditions;

1. The Applicant will comply with all representations made by and on behalf of the Applicant during the hearing, including the operational representations set forth in subparagraphs (a) through (l) above. All of the Applicant's testimony and testimony on the Applicant's behalf are incorporated herein as if fully set forth and shall be continuing for so long as the Premises is used in accordance with the approval granted herein.
2. The approval granted herein shall be construed only as the Applicant's right to operate the specific uses described in the Application and testimony, and no other use.
3. Services will be provided on an appointment-only basis.
4. The women's book club/women's circle use shall be limited to the purposes described in the testimony and to an attendance of not more than ten (10) people at a time.
5. The Applicant will satisfy all municipal and administrative agency requirements and shall obtain all required permits and approvals.
6. The Applicant shall request that the Claridge House Condominium Association provide an ADA-compliant parking space in closer proximity to the building.

NOW THEREFORE, BE IT FURTHER RESOLVED that a copy of this resolution be provided to the Applicant, Township Manager, Township Council and Township Clerk, and that notice of its adoption be published in accordance with N.J.S.A. 40:55D-10(i).

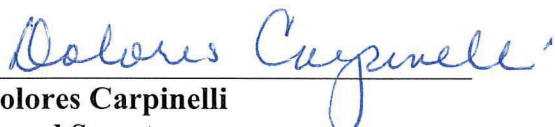
MOTION TO APPROVE: Mr. Ryan

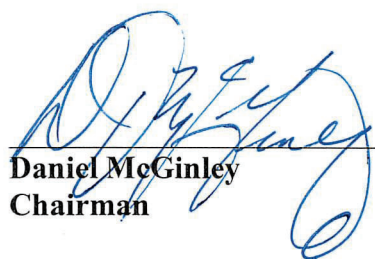
SECOND: Mr. Tully

Roll Call Vote:

	AYES	NAYS	NOT ELIGIBLE	RECUSED	ABSENT
Mr. Konrad-Parisi	Y				
Mr. Tully	Y				
Dr. Ries				X	
Dr. Cuartas	Y				
Mrs. Murphy-Bradacs	Y				
Mr. Ryan	Y				
Mr. Mathewson			X		
Mrs. DiBartolo				X	
Vice-Chair Weston			X		
Chair McGinley	Y				

**THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF
A RESOLUTION ADOPTED AND MEMORIALIZED BY THE BOARD OF
ADJUSTMENT AT ITS REGULAR MEETING HELD ON SEPTEMBER 10, 2026.**


Dolores Carpinelli
Board Secretary


Daniel McGinley
Chairman

