

**MINUTES OF THE VERONA  
PLANNING BOARD MEETING  
Thursday, February 27, 2025**

**PRESENT:**

Chairperson Pearson  
Mayor Tamburro  
Manager. O'Sullivan  
Vice Chair Freschi  
Mr. Hyndman  
Mr. DeOld  
Mr. Lilley  
Mrs. Parker

Mr. Mascera, Planning Board Attorney  
Mr. Navarro, Engineer  
Ms. Tanweer, Engineer  
Ms. Miesch, Acting Board Secretary/Zoning Officer

Absent from the meeting: Councilman Roman; Mr. Camuti; Mr. Katzeff

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**CALL TO ORDER** - The meeting was called to order at 7:35 PM by Chairperson Pearson.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ANNOUNCEMENT** - Chair Pearson announces that the agenda was amended and that the application for Wedgewood Gardens would not be heard due to a noticing issue. The application is expected to be heard at the March 27, 2025 Planning Board meeting.

**OPEN PUBLIC MEETINGS ACT STATEMENT** - Read by Ms. Miesch, Acting Board Secretary

**PUBLIC PARTICIPATION** – Chair Pearson asks if anyone from the public would like to make a statement or ask a question:

**Scott Primmer – Verona – Regarding 383 Bloomfield Avenue**

- Raises a concern about the Resolution for 383 Bloomfield Avenue being memorialized this evening citing the Malanga vs. West Orange case and questioning the validity of the resolution under NJSA 40A:12A-5d;
- Mr. Primmer elaborates on the Malanga vs. West Orange case, explaining the criteria for redevelopment areas and the need for substantial evidence of actual harm and argues that the Planner's report lacked testimony of actual harm, making the resolution invalid. Mr. Primmer requests the Board to reconsider the previous vote on resolution 2024-147 and to oppose the current resolution. Mr. Primmer asks for the Board to make a motion to reconsider the previous vote on have a no vote on the redevelopment of 383 Bloomfield Avenue;
- Board Attorney Mascera clarifies that the passing of the resolution is a memorialization of the action already taken; the resolution is merely a recommendation, and the final decision lies with the town council. Mr. Mascera explains the two-step process: the Planning Board makes a recommendation, and the Town Council makes the final decision; addresses the Malanga case; addresses Mr. Primmer's concerns and explains Board actions and votes; discusses further Malanga v West Orange;
- Chair Pearson asks if there was a change to NJSA 40A:12A-5d to make redevelopment more stringent;
- Mr. Hyndman answers and explains again that the Town Council makes final decision;

- Mr. Primmer expresses concerns about the potential precedent set by the redevelopment and the impact on taxation;
- Mayor Tamburro recommends following the Council procedures at this point and encourages public participation and mentions that the council is the appropriate venue for further comments.

### **APPROVAL OF MINUTES:**

Chair Pearson asks for a motion to approve minutes from the Regular meeting held on January 23, 2025. **Mayor Tamburro** moves the minutes with edits; seconded by **Vice-Chair Freschi**. Chair Pearson asks for all in favor; Mrs. Parker and Mr. Lilley abstained; all other commissioners in attendance voted in favor. **Minutes Pass.**

### **RESOLUTIONS**

1. Memorialization of Recommendation of Redevelopment of 383 Bloomfield Avenue by Resolution 2025-03

Chair Pearson asks for a motion to approve Resolution 2025-03

**Mayor Tamburro** makes a motion to approve; **Vice-Chair Freschi** seconds the motion

#### **Roll Call Vote:**

	AYES	NAYS	ABSTENTION
<b>Mr. Hyndman</b>	X		
<b>Mr. DeOld</b>	X		
<b>Manager O'Sullivan</b>	X		
<b>Mayor Tamburro</b>	X		
<b>Vice Chair Freschi</b>	X		
<b>Chair Pearson</b>	X		

**Motion/Resolution Passes.**

2. Extension of terms for Planning Board Attorney by Resolution 2025-04

Chair Pearson asks for a motion to approve Resolution 2025-04

**Mr. Hyndman** makes a motion to approve; **Mayor Tamburro** seconds the motion

#### **Roll Call Vote:**

	AYES	NAYS	ABSTENTION
<b>Mrs. Parker</b>	X		
<b>Mr. Lilley</b>	X		
<b>Mr. Hyndman</b>	X		
<b>Mr. DeOld</b>	X		
<b>Manager O'Sullivan</b>	X		
<b>Mayor Tamburro</b>	X		
<b>Vice Chair Freschi</b>	X		
<b>Chair Pearson</b>	X		

**Motion/Resolution Passes.**

3. Setting Planning Board Meeting Dates for August through December 2025 by Resolution 2025-06

**Mr. Hyndman** makes a motion to approve; **Chair Pearson** seconds the motion

**Oral Vote:**

	AYES	NAYS	ABSTENTION
<b>Mrs. Parker</b>	X		
<b>Mr. Lilley</b>	X		
<b>Mr. Hyndman</b>	X		
<b>Mr. DeOld</b>	X		
<b>Manager O’Sullivan</b>	X		
<b>Mayor Tamburro</b>	X		
<b>Vice Chair Freschi</b>	X		
<b>Chair Pearson</b>	X		

**Motion/Resolution Passes.**

**SUBCOMMITTEE UPDATES**

**MASTER PLAN SUBCOMMITTEE**

- Mr. Hyndman provides an update on the Master Plan Subcommittee meeting held February 5, 2025 discussing vacant land adjustments and proposals; revised data is coming through;
- The deadline of June for the draft; draft review for the Planning Board should be at the May meeting; and the follow-up meeting for the subcommittee is March 10, 2025.
- Mr. Lilley asks if the properties at the end of Brookside and Prospect are a part of green acres – were part of the discussion.
- Mr. Hyndman confirms they were and that they are working through the vacant land adjustment;
- Chair Pearson asks if there is a timeline as to when those properties will be properly registered/certified as green acres properties and discusses impact if not properly registered before the midsummer date of Affordable Housing and the impact;
- Manager O’Sullivan working with Green Acres to address as quickly as possible; discusses how they would be counted;
- Discussion on Fair Share and DCA.

Chair Pearson asks if there are any further questions; seeing none.

**NEW BUSINESS**

**Case #2025-01 - 60 Pompton Avenue; Block 807, Lot 16 – C-2 Zone.** Applicant is seeking for the Board to allow the entirety of the building to be used for medical use where per a Resolution from 2004 a variance is required or any expansion of medical use in the building;

- Applicant’s attorney is **Robert A. Gaccione, Esq.**, Gaccione Pomaco, PC., One Boland Drive, Suite 102, West Orange, NJ 07052
- Board Attorney Mascera – Application is deemed complete and the notice was proper;
- Mr. Gaccione makes his opening statement – representing SAR Realty LLC, seeking to convert commercial tenant space to medical tenant space with 33% of the building being vacant;
- POP’s Therapy would like to add an additional 2870 SF of space with the applicant seeking additional medical tenants 11,600 square feet inclusive of POP’s Therapy;

- explains the current occupancy and the proposed expansion of medical use, including the need for additional parking spaces.
- 1 space for 180 square feet of gross square area, requiring an additional 1.1% more space or 7 spaces;

A Resolution from 2004 resolution requires a variance for any expansion of medical use in the building;

- **Witnesses** will be:
  - **Dr. Samir Patel** – SAR Realty - 266 King George Road, Warren, NJ
  - **Mr. Joseph Sterba**, AIA – 44 Redman Place, Totowa, NJ
  - **Mr. Joseph Staigar** – Traffic Expert & Planner
- Available if necessary:
  - Mr. Richard Cross – POP's Therapy

Board Attorney swear is **Dr. Samir Patel** – 266 King George Road, Warren, NJ

**Dr. Patel** testifies to the following:

- Ownership; length of building ownership – 2 years; 55% of building occupancy at time of purchase; actions to rent vacant space through realtors; existing tenant looking for additional space – POPs Therapy; POP's currently leases 2870 square feet; all potential tenants have been medically related; looking for the rite to lease available existing space to medical;
- Chair Pearson asks if there are any questions of the Board for Dr. Patel;
- Chair Pearson asks if DR. Patel was aware of any restrictions on the use of the building at the time of purchase for parking – Dr. Patel responds not really and states that the tenants and occupancy has not changed since his purchase;
- Clarification was made that the square footage number is inconsistent between the application and the plans; Mr. Gaccione verifies that the plans are correct and the application number was an error;
- Dr. Patel clarifies that there is one non-medical tenant that takes approximately 2000 square feet on the second floor but would like the ability to lease the entire building if so needed to be medical.
- Chair Pearson asks if there are any other questions from the Board – seeing none.

Chair Pearson asks if there are any questions from the public:

- Members of the public express concerns about the condition of the property, including trash, lighting issues, and landscaping.
- **Paul Petrangeli, 9 Martin Road, Verona, New Jersey**
  - asks the applicant about their plans to address these issues and ensure proper maintenance; lights on the building; landscapers blowing debris into the creek.
  - Dr. Patel assures the Board that they will address the concerns and comply with any conditions set by the board.
- Mr. Hyndman asks about medical waste and the current tenant;
- Dr. Patel – current tenant has their own medical was pick up. Medical waste picked up from within the premise of their own interior and general waste is picked up from dumpster in parking lot; discusses schedule of trash pick-up from outside.

- Mayor Tamburro discusses that there is currently more than one medical tenant in the building with one tenant interested in expansion; Discusses observations of parking lot when dermatologist is open;
- Chair Pearson discusses snow removal taking up parking spots and salt chemicals going into brook;
- Condition of Approval – All snow would be carted off and removed from the parking lot.

**Public Question:**

**Deborah Curry, Verona, New Jersey**

- Dumpster is not large enough for the existing tenants; questions follow-up.
- Board Attorney Mascera answers questions regarding follow-up with the township;

**Tony Fabrizio, Verona, NJ**

- Asks about the possibility of the removal of a large tree; Board Attorney states that the questions need to be about the application.

**Rohdeena Hudson, 17 Martin, Verona, NJ**

- Asks about dumpsters and the timing of when they are emptied; Board Attorney corrects that the application is not to increase the number of spaces and explains application;

Chair Pearson asks if there are any other questions for the owner – seeing none.

- Board Attorney swears in the Architect.
  - Mr. Joseph Sterba, AIA – 44 Redman Place, Totowa, NJ.
  - Accepted as an expert witness.
  - Mr. Sterba explains the layout of the building; 32,500 square feet in total space; no expansion; reviews current occupation;
- The architect provides detailed plans of the building, including the current occupancy and proposed expansion.
- The architect explains the layout of the building and the location of the dumpster, which does not occupy any parking spaces.
- Dumpster area is not screened;

**Marked Colorized Version of plan Exhibits: SP11 will be A1, A-1.0 will be A2, A-1.1 will be A3, A-1.2 will be A4.**

**Chair Pearson asks if the Board has any questions;**

- Engineer Navarro asks about expansion and how the existing space and new space would be connected;
- Manager O’Sullivan asks about whether there were any reserved parking spaces designated for each tenant;
- Buffer in rear is 20 feet; parking from brook varies as it meanders;
- EVC recommendation to plant to help with the run-off;

Chair Pearson opens questions from the Public:

**Paul Petrangeli, 9 Martin Road, Verona, New Jersey**

- If there is an expansion into medical, what are the hours of operations and lighting on the building;

Board discussion on the correct number of spaces and restriping; ADA spot and accessibility;  
**Closes Public Portion.**

**Witness:**

**Mr. Joseph Staigar – Traffic Expert & Planner – 245 Main Street, Chester, NJ**

Sworn in by Board Attorney Mascera

- 98 spaces confirmed on site currently and proposed;
- The traffic expert analyzes the parking requirements and confirms that the proposed expansion will not impact the current parking layout.
- No increase in impervious coverage, drainage, ingress and egress;
- 67% occupied or 1990 square feet of non-medical occupancy and 13085 square feet of medical that is occupied;
- Traffic Study explained. 67 spaces determined as parking demand or 2/3 of the lot for a 2/3 occupied building;
- ITE – Institute of Transportation Engineers – medical parking explained;
- Parents usually drop-off children for therapy and do not park;
- Cannot add buffer without losing parking; can make changes to the existing buffer i.e. landscaping, fencing;
- C2 benefits outweigh the detriments; pavement that is underutilized; building partially vacant; parking and expansion variance is only thing stopping the medical expansion;
- EV Chargers discussion;
- Discussion occurs regarding the peak hours and the determination of data;
- Optional parking observations on Claremont Avenue;
- Pedestrian traffic is discussed; sidewalks, walking through the parking lot;
- Discussion regarding tele-med appointments and patients not needing;

Board Questions:

- Mr. Freschi disagrees with calculations and weight for tele-med appoints;
- Chair Pearson discusses that the medical use changes by practice and intensifications and expressed speculation of the traffic, peak hours and parking findings;
- There is a Board discussion on the correct number of spaces existing and proposed;
- Discussion on smaller spaces be configured to increase number;
- Mayor asks if variance granted for POPs Therapy only would client be willing to accept that; Mr. Gaccione states yes it would be considered;
- Amend application, additional 2870 square feet to their current space, relief 2 spaces and withdraw without prejudice;
- Discussion of the square feet for POPs is 5007 square feet
  - 1803 square feet on ground floor currently vacant to POPs
  - Increases requirement by two spots

Chair Pearson opens questions from the Public:

**Public Questions:**

**Paul Petrangeli, 9 Martin Road, Verona, New Jersey**

- Consideration on Parking or traffic; new traffic light; medi center building; other medical;

- answer yes, taken into consideration

**Rohdeena Hudson, 17 Martin, Verona, NJ**

- Consideration regarding tele-health; post pandemic; statistics of tele-health
- Answer: No, not for a specific tenant;

Chair Pearson closed public portion for this witness.

**Board:**

Mr. Hyndman asks if the medical use, does this tenant or medical practitioners' control by appointment or walk ins.

Answer – this tenant is by appointment only; controlled by tenant and could modify appointments;

**Public Comments/Statements Regarding application:**

**Paul Petrangeli, 9 Martin Road, Verona, New Jersey**

- No issue with applicant being limited to just POPs Therapy; no crazy flow of traffic; concern about what if POPs leaves; as long as owner keeps a good relationship with owner; issue with pulling out on Pompton; believes space could be reconfigured; adding a curb by dumpster; no water draining into the creek.

**Chair Pearson closes public participation**

Board discusses motion by Mayor Tamburro and discusses EV charging stations and the definition of medical use and physical therapy as well as additional conditions.

**Mayor Tamburro amends and makes a motion as follows:**

- Board grants a variance for the addition of 5,000± square feet of medical space;
- Restricting the 5,007 square feet of medical space to be physical therapy practice only;
- Solid privacy fence facing the residential homes on Martin Road or Claremont Avenue, south and west ends of parking lot be installed by building owner;
- Garbage Collection – applicant provide information to Engineer for determination as to whether trash collections sufficient and increase frequency as necessary;
- Limit trash collection pick-up hours to after 7:00 AM;
- Dumpster to be screened with privacy fencing to create an enclosure;
- Snow must be removal off-site;

**Motion is seconded by Vice Chair Freschi.**

**Board Discussion:**

- Mayor Tamburro provides rationale for the public.
  - Compelled by use of the building for physical therapy and its limited impact on parking;
  - Did not find the rest of the parking study or testimony compelling or credible;

- Asks the Township Manager to direct the Construction Official and Zoning to take a more active monitoring of that site to meet the needs of the neighbors;
  - Confidence the owner of the building will be a good neighbor and rectify issues;
  - Does not limit the ability of the municipality to ensure the facility is meeting our obligation to the rest of the code.
- Chair Pearson suggests details be added to the recitation portion of the resolution limiting the medical use to 14,888 square feet for the building unless the applicant comes back for a variance; Board discussion.
- Jason Hyndman has requested that in the factual recitation could the Board Attorney take the numbers from the plans and state how much is current medical.
- This is an amendment to a previous condition; Board discusses previous approval.

**Motion stands:**

**Roll Call Vote:**

	<b>AYES</b>	<b>NAYS</b>	<b>ABSTENTION</b>
<b>Mrs. Parker</b>	<b>X</b>		
<b>Mr. Lilley</b>	<b>X</b>		
<b>Mr. Hyndman</b>	<b>X</b>		
<b>Mr. DeOld</b>	<b>X</b>		
<b>Township Manager O'Sullivan</b>	<b>X</b>		
<b>Mayor Tamburro</b>	<b>X</b>		
<b>Vice Chair Freschi</b>	<b>X</b>		
<b>Chair Pearson</b>	<b>X</b>		

**Motion Passes.**

**Executive Session not needed.**

**Mayor Tamburro** makes a motion to adjourn  
**Chair Pearson** approves motion.

**Meeting Adjourned at 10:55 PM**

Respectfully submitted,

**Kathleen Miesch**  
Verona Township  
Acting Secretary – Planning Board



*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 Office at 973-857-4772*