

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

**PRESENT:**

Chairperson Pearson

Mayor Tamburro

Vice Chair Freschi

Mr. Camuti

Mr. DeOld

Mr. Hyndman\*

Mr. Lilley

Mr. Katzeff

Mr. Mascera, Planning Board Attorney

Dr. Gonzales, Engineer

Mr. Wolowicz, Forester

Mr. Purtell, Forester

Ms. Miesch, Acting Board Secretary/Zoning Officer

Absent from the meeting: Councilman Roman; Township Manager O'Sullivan; Mrs. Parker

\*Arrived at 8:42pm

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**CALL TO ORDER** - The meeting was called to order at 7:37 PM by Chairperson Pearson.

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**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 – seeing none the Chairperson closes general public participation.

**APPROVAL OF MINUTES**

Chair Pearson asks for a motion to approve minutes from the Regular meeting held on February 27, 2025 with amendment to add Mr. Lilley's name to the present list.

**Mayor Tamburro** moves the minutes with edits; seconded by **Mr. Lilley**.

Chair Pearson asks for all in favor; Mr. Camuti and Mr. Katzeff abstain; all other commissioners in attendance voted in favor. **Minutes Pass.**

**CONSISTENCE DETERMINATION:**

Amendment to § 150-7.5 Permanent and portable swimming pools and § 150-7.13 Mechanical equipment. Board discussion on need for change to bring the ordinance into compliance with the NEC. Board was to send a recommendation memo for the updates to the Zoning Code sections 150-7.13 and 150-7.5 regarding placement of pool mechanical equipment to align with National Electrical Code requirements. Board cannot vote on consistency as it needed to go through Council first. Determination will be revisited after Council review.

**RESOLUTIONS**

**2025-06:** Appointment of Kathleen Miesch Acting Planning Board Secretary

Chair Pearson asks for a motion to approve Resolution 2025-06

Vice Chair Freschi makes the morion; Mr. DeOld seconds

Chair Pearson asks for all in favor; Voice Vote: All Commissioners in attendance voted in favor.  
**Resolution Passes.**

**2025-07: Memorialization of Resolution 2025-07** - Application 2025-01: 60 Pompton Avenue-Block 807, Lot 16 – Expansion of a total of 5007 square feet of the building (medical physical therapy) with conditions.

Chair Pearson asks for a motion to approve:

**Mayor Tamburro** makes the morion; **Mr. Lilley** seconds

	AYES	NAYS	NOT ELIGIBLE	ABSENT
<b>Mrs. Parker</b>				<b>X</b>
<b>Mr. Lilley</b>			<b>X</b>	
<b>Mr. Hyndman*</b>				
<b>Mr. DeOld</b>	<b>X</b>			
<b>Mr. Camuti</b>			<b>X</b>	
<b>Township Manager O’Sullivan</b>				<b>X</b>
<b>Councilman Roman</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>			

\***Mr. Hyndman** arrived after the vote.

**Resolution Passes.**

#### **MASTER PLAN SUBCOMMITTEE UPDATE**

The Subcommittee met in February. Data submitted by the Planner was reviewed and discussed.

The next planned meeting is for April 2, 2025 via Zoom;

That section of the master plan has to be adopted by June 30th.

Mr. Mascera states that the noticing he believes is 20 days, publishing twice 10 days and then 10 days.

Chair Pearson is concerned about the timeline and has engaged the Planner frequently regarding the data. Mayor Tamburro notes that a principal person that the Township was working with is no longer with DMR so there have been some changes on their end.

#### **NEW BUSINESS**

**Extension of Time Request:** Verona Sunset Urban Renewal, LLC; 1 Sunset Avenue, Verona NJ Block 303, Lot 4.

Board Attorney Mascera addresses the extension of time request.

The applicant’s attorney sent a detailed letter dated February 26, 2025 to the Board outlining the request. There have been some issues that are a result of circumstances beyond their control.

Verona had presented to the applicant that there was more water capacity to service the development, located at 1 Sunset Avenue but then was required to shut off the wells for remediation, which provides much of the water to Verona, and is now being contracted out; there have been no permits granted yet by DEP. The property is currently occupied by the school, they have to be cognizant of the schedule of the school and it would either have to they would either have to close at the beginning of the school year or the January. They need the extension.

Board discusses reasons for extension and also the timeline of the extension; the extension would be granted and run until September 28, 2026. The one year extension of the time from which

they were approved is a protection against the municipality taking any action that would impact their application and it is preserved for another year.

Chair Pearson asks for a motion to grant Verona Sunset Urban Renewal LLC for an extension of time for one year; extension of the final approval of the site plan is the applicant's time to act in accordance with the final approval of the site plan is extended from September 28, 2025 to September 28, 2026 pursuant with NJ 40:55D-52.

**Mr. Katzeff** makes the morion; **Mr. DeOld** seconds

**Roll Call Vote:**

	<b>AYES</b>	<b>NAYS</b>	<b>NOT ELIGIBLE</b>	<b>ABSENT</b>
<b>Mrs. Parker</b>				<b>X</b>
<b>Mr. Katzeff</b>	<b>X</b>			
<b>Mr. Lilley</b>	<b>X</b>			
<b>Mr. Hyndman*</b>				
<b>Mr. DeOld</b>	<b>X</b>			
<b>Mr. Camuti</b>	<b>X</b>			
<b>Township Manager O'Sullivan</b>				<b>X</b>
<b>Councilman Roman</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>			

**\*Mr. Hyndman arrived after the vote.**

**Motion Passes.**

**PB Application 2025-02:** 1 Wedgewood Drive; Block 1712, Lot 1: Application Hearing for Tree Removal of approximately 43 Trees.

- The Chairperson introduces Rich Wolowicz, RichView Consulting and Tom Purtell;
- Rich Wolowicz - Arborist, NJ Licensed Tree Expert and NJ approved Forester, 50 years of Forester and Horticulture, Utility Work, Municipal Work and Consulting
- Mr. Purtell - NJ Licensed Tree Expert; Manages towns on Bloomfield Avenue Corridor
- **NOTE:** Mr. Camuti is recusing himself from the application; Mr. Camuti asks if he can ask questions as a resident; Board Attorney states that while he is allowed, it is not recommended.

**Applicant's Attorney: Daniel Heinkel, Heinkel Law LLC, West Caldwell, New Jersey**  
Counsel for Wedgewood Gardens Condominium Association regarding a tree replacement project being done in connection with the road paving project. Tree removal is A necessary part of repaving the roads.

- **Board Attorney Mascera swears in:**
- **Expert Witness: Ben Heller, Licensed Landscape Architect, Root Landscape Architecture, 105 Dean Rd Mendham, NJ**
- Licensed Landscape Architect in the State of New Jersey, New York and Connecticut, graduate of Rutgers University; licensed since 2017; license in good standing with the State of NJ; Former Chairman of the Planning Board of West Orange.
- Board Attorney Mascera states that notice is proper and the Board has jurisdiction to hear the case;

- Mr. Heller explains the project and that it is in connection with a road resurfacing and explains that often trees have a negative impact when close to the roads;
- Their Licensed Tree Expert from Bartlett Associates is not in attendance;
- Bartlett prepared the list and the removals plan that is in conjunction with plans
- Applicant recognizes the following:
  - the trees that were deemed on their plan as poor still require replacement;
  - the trees that were listed as fair require replacement;
  - the trees that were listed as good by our license tree expert also require replacement.
  - The error is recognized and they are in agreement with the VEC as well as RidgeView Consulting taking no exception to the requirements as laid out and situated by both letters;
- Chair Pearson states that they also received letters from the Shade Tree Commission and Boswell Engineering;
- Richview Consulting did not stipulate any of the replacement values in their report - they measured the trees' Diameters at Point of Measure and assessed tree health. The applicant's Landscape architect stated that they came up with the 69 trees based upon Richview's report, vs the VEC's 103. In addition, once re-reviewed according to the Richview report based upon those DPMs, it appeared that the requirement grew to 108 trees, based upon their proposed removal schedule. The Applicant stated on the record that they made a mistake on adding that they would be happy to replace 108 trees, that they wouldn't argue that point.
- Chair Pearson discusses a differential between the DPM that Wedgewood lists to the DPM that Verona's Foresters citing multiple trees that are over 24 that the applicant has listed at 17 which would require even further replacement;
- Mr. Heller and Chair Pearson discuss the number of trees for replacement 69 versus 103 versus 108;
- Mr. Heller states that the applicant is here to discuss what trees they are removing versus how many trees they can remove;
- Chair Pearson explains the Planning Board's ability to make determinations in terms of removal of trees; not all of those trees are in the way of building plans nor in the way of a curb line; the assertion of the ordinance will be made by the Board;
- Mr. Heller states that they are asking for the removal of the trees on the list;
- The applicant's report was signed by a former employee who was not a licensed tree expert, as required by Verona's Tree Ordinance; the LTE that took over is Doug Bocchino;
- Board Attorney Mascera asks if the applicant is relying on work from an individual who is unable to substantiate that work? Applicant's Attorney Daniel Heinkel states that Mr. Bocchino will substantiate the work. Board Attorney Mascera verifies that Mr. Bocchino is an LTE and in Mr. Heinkel's opinion can substantiate that work. – Yes.
- Board Attorney Mascera addresses the Chair that it is acceptable for an expert to substantiate the work.
- Board Attorney Mascera asks Mr. Heinkel if the number of trees to be removed is the foundation of their presentation;

- Mr. Heinkel believed the primary focus of the application was determining the number of trees to be replaced, not the number of trees to be removed.
- Mr. Katzeff asks if the Applicant is open to removing less trees – Mr. Heinkel states yes but they would need to confer with the Engineer to ensure that the trees the Board would like to preserve would not interfere with the road project; Mr. Katzeff states that it is fair to say that the Board will likely have questions as to the veracity of the decision to take certain trees down, which may or may not be, in our opinion, be necessary to be taken down.
- The Board continues with discussion about the DPMs;
- Discussion about adjournment, collaboration of experts
- Vice Chair Freschi adds the topic of how in some areas trees can grow with roads for years and years and in Verona they cannot; Forester, Rich Wolowicz adds that it depends on species, some construction techniques that allow roots to grow; it comes down to location, species, and what do you have to work with.
- Mr. Heller discusses radius from tree to roadway, the drip line and Dr. Gonzalez weighs in on concerns of stormwater;
- Chair Pearson asks that applicant prepare the following for the next meeting: prepare a replanting plan to locations, varieties of trees, species, and utilize the list of recommended species in our zoning code for trees, shade and evergreen, both ornamental and major;
- Chair Pearson states for the record that the applicant should bring a properly mapped and marked replanting plan with the correct number of trees that need to be removed versus what can stay;
- **Board Attorney Mascera** verifies with Counsel that this matter be adjourned to the next Planning Board meeting of April 24, 2025 in the Ball Room of the Community Center at 7:30pm with no further notice being required;
- Plans for the Board should be submitted no later than 10 days prior to the meeting sooner would be appreciated; the Applicant will arrange to speak to the Township Professionals.
- No public participation on this application because the application has been adjourned;

**Chair Pearson** recuses herself from the balance of the meeting; the Foresters and Dr. Gonzales, Engineer are excused;

5 minute Break;

**Board Attorney Mascera** states that at this time to open part of this meeting is being temporarily adjourned and the Board is going into Executive Session to discuss the litigation DMH2 vs the Verona Planning Board, more specifically, to the settlement discussions with regard to that amount. Once the board has finished that business in Executive Session, this meeting will reopen to the public. When the Board comes back into the public meeting, official action may be taken.

**Mr. Hyndman arrives at 8:42pm**

**EXECUTIVE SESSION** – All commissioners in attendance vote Aye to adjourn into Executive Session at 8:43PM

**BOARD RETURNS TO PUBLIC SESSION AT 9:12PM** - All commissioners in attendance vote Aye to return to Public Session

**BOARD ATTORNEY MASCERA TO CHAIR FRESCHI** – In Executive Session, the Board was presented with a proposal to settle the DMH2 v Planning Board case. The Board had discussion about the content of the settlement agreement in two parts; one part was in regard to the concept of the site plan and the building plan that is proposed was with regard to the financial terms of the settlement agreement that was proposed. The Board is ready to vote on the plans as they relate to the architectural site and Exhibit A, Exhibit B, specifically, in the agreement.

**Mr. Hyndman** makes a motion to approve, subject to the ultimate approval of the Council of the financial agreement, and other terms within the Council's purview, approve the conceptual plan as embodied by exhibits A and B.

**Mr. Camuti** seconds.

**Roll Call Vote:**

	<b>AYES</b>	<b>NAYS</b>	<b>RECUSED</b>	<b>ABSENT</b>
<b>Mrs. Parker</b>				<b>X</b>
<b>Mr. Katzeff</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>Mr. Camuti</b>	<b>X</b>			
<b>Township Manager O'Sullivan</b>				<b>X</b>
<b>Councilman Roman</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.**

**Mayor Tamburro** makes a motion to adjourn  
**Vice Chair Freschi** approves motion.

**Meeting Adjourned at 9:15 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*