

**PLANNING BOARD
TOWNSHIP OF VERONA
ESSEX COUNTY, NEW JERSEY
RESOLUTION No. 2025-07**

APPLICATION 2024-10: 30 POMPTON AVENUE, BLOCK 807, LOT 16 ETC ZONE

WHEREAS, SAR Realty, LLC (the “Applicant”) is the owner of 60 Pompton Avenue, Verona, New Jersey (the “Property”); and

WHEREAS, the Property is located in the C-2 Professional Office and Business Zone District on the Township of Verona zoning map; and

WHEREAS, The Property was the subject of a Planning Board application in July 2004, whereby the applicant at the time was granted permission to utilize 10,200 square feet of the building on the property for a medical use for a single medical practice and whereby the Board’s approval prohibited further medical uses within the building without further variance approval.

WHEREAS, the Applicant made an application to the Verona Planning Board for approval to allow a medical use for the entire building on the Property; and

WHEREAS, the building is 32,500 square feet requiring 141 parking spaces to accommodate medical uses throughout the building, four of which must be accessible spaces and one of the four spaces to be van accessible; and

WHEREAS, there are 98 spaces on the Property, three of which are accessible spaces; one of those spaces is van accessible; and

WHEREAS, the Applicant sought a parking variance from Verona Code Section 150-12.6 to allow the entire building to be used for medical offices requiring 141 parking spaces where 98 spaces are provided; and

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

WHEREAS, During the course of the Application, the Applicant introduced the following Exhibits:

Exhibit A-1 – A colorized version of site plan map SP-1.1 dated August 14, 2024, prepared by Joseph Sterba, AIA which map was included in the Applicant’s application before colorization;

Exhibit A-2 - A colorized version of alteration and renovation map A-1.0 dated August 14, 2024, prepared by Joseph Sterba, AIA which map was included in the Applicant’s application before colorization;

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Exhibit A-3 - A colorized version of the second page of alteration and renovation map A-1.1 dated August 14, 2024, prepared by Joseph Sterba, AIA which map was included in the Applicant's application before colorization;

Exhibit A-4 – A colorized version of the third page of alteration and renovation map A-1.2 dated August 14, 2024, prepared by Joseph Sterba, AIA which map was included in the Applicant's application before colorization; and

WHEREAS, Dr. Samir Patel, a member of the Applicant, testified in support of the application; and

WHEREAS, the following professionals were sworn, accepted as experts in their fields, and testified on the Applicant's behalf:

Joseph Staigar, PE, PP, traffic and planning
Joseph Sterba, AIA, architecture

WHEREAS, Dr. Patel testified to the Board that his company purchased the Property in March, 2023 and the building is only 55 percent occupied and that he has not been able to fill the building with commercial tenants. He testified that a commercial tenant occupies approximately 2000 square feet on the second floor of the building, but otherwise, the building is vacant or occupied with medical uses. He further advised the Board that he has a current tenant who wishes to expand their current occupancy from 3204 square feet to 5007 square feet; an expansion of for use by a physical therapy practice, expanding by 1803 square feet for a total of 5007 square feet.

Dr. Patel addressed questions from the Board and from members of the public, including about fencing, dumpsters, and snow removal. When responding to concerns, Dr. Patel agreed to have snow removed from the Property within 24 hours of snowfall, to install a privacy fence on the southern property line, to install screening around the dumpster, and that garbage pickup from the dumpster would occur only after 7:00 a.m.

WHEREAS, Mr. Sterba testified to the size and layout of the building, its current occupancy, and the location within the building that the prospective physical therapy establishment would occupy. Mr. Sterba further testified as to the size and layout of the parking area and described the general condition of the Property.

WHEREAS, Mr. Staigar testified about the configuration of the parking lot, the number of parking spots, and the underutilization of the parking lot. He further testified that there are 98 existing parking spaces, and that the Applicant proposed no changes to the number of parking spots. He opined that the proposed medical use of the entire building would not impact the current parking layout. He further testified that there would be no impact on impervious coverage, drainage, ingress, and egress from the Property, or on pedestrian traffic. He cited the ITE manual as a source for projected trip generation and projected three additional trips during the morning peak hour and 19 additional trips during the weekday evening peak hour.

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Mr. Staigar opined as a professional planner that the benefits of granting the parking variance outweigh the detriments because the parking lot is underutilized, and the building is partially vacant.

WHEREAS, members of the public were given the opportunity to question each of the witnesses upon completion of their testimony. Public questions included the perceived lack of maintenance of the Property, the noise generated from trash pickup during early morning hours, lighting, and hours of operation. Members of the public were also allowed to provide statements to the Board at the conclusion of the Applicant's case.

WHEREAS, while presenting its case and having heard comments from the Board and from the public, the Applicant modified the Application to request relief only for a parking variance to allow for medical physical therapy use in a portion of the basement and a portion of the first floor. The Applicant withdrew its request for a parking variance to allow medical use in the entire building.

WHEREAS the Board established the following findings:

1. There are no changes proposed to the existing building footprint.
2. The existing medical tenants occupy 13,085 square feet of space.
3. The Applicant proposed a specific use for an additional 1803 square feet totaling 5007 square feet of the building (medical physical therapy) and provided testimony relating to the traffic impact and parking needs specific to that use.
4. The physical therapy use will occupy an additional 1803 square feet on the first floor and 3204 feet on the ground floor.
5. Allowed total medical space is 14,888 square feet including the allowance for 5007 use for physical therapy.
6. There is sufficient parking available to accommodate the medical therapy use in the proposed areas.
7. There is a need for screening around the dumpster in the southwest corner of the Property.
8. There is a need for a privacy fence along the southerly sideline.
9. Because of the potential for limited parking, snow must be removed from the parking lot to an off-site location within 24 hours of a snowfall.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Verona, that the referenced Application as modified, is approved with the following conditions:

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1. The Applicant will comply with all representations made by and on behalf of the Applicant during the hearing. All of the Applicant’s and the Applicant’s expert testimony is incorporated herein as if fully set forth and shall continue for so long as the Property is used pursuant to the approval granted herein.
2. The Applicant will install a privacy fence along the southerly and western side lines adjacent to residential properties.
3. The Township engineer will approve the location and type of the privacy fence of the planting plan for the buffer to be created on the westerly portion of the Property.
4. The parking lot will be re-stripped to provide four accessible spaces, one being van accessible.
5. The dumpster will be screened.
6. The Township engineer will approve the size and type of the dumpster screen.
7. The Applicant will remove all snow from the Property within 24 hours of a snowfall.
8. There shall be no further expansion of medical space without the approval of the Board.

THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE PLANNING BOARD OF THE TOWNSHIP OF VERONA AT THE REGULAR MEETING HELD ON MARCH 27, 2025.

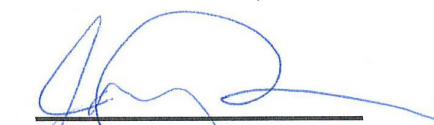
MOVED: Mayor Tamburro **SECONDED:** Mr. Lilley

Roll Call Vote:

	Y	N	Abstain	Absent	NE		Y	N	Abstain	Absent	NE
Ms. Parker (Alt. 2)				X		Mr. O'Sullivan				X	
Mr. Katzeff (Alt. 1)					X	Councilman Roman				X	
Mr. Lilley	X					Mayor Tamburro	X				
Mr. Hyndman				X		Vice Chair Freschi	X				
Mr. DeOld	X					Chair Pearson	X				
Mr. Camuti					X						

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 KATHLEEN MIESCH,
 Acting Secretary, Verona Planning Board


 JESSICA PEARSON,
 Chairperson, Verona Planning Board