TOWNSHIP OF VERONA
COUNTY OF ESSEX, NEW JERSEY

MINUTES OF THE VERONA BOARD OF ADJUSTMENT SPECIAL MEETING
OF TUESDAY, AUGUST 4, 2026

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

PRESENT:

Chairman Daniel McGinley	Mr. Tully
Mrs. DiBartolo	Mr. Konrad-Parisi
Mr. Ryan	
Mrs. Murphy-Bradacs	Mr. Gregory Mascera, Board Attorney
Dr. Cuartas	Ms. Kathleen Miesch, Zoning Official
Dr. Ries	Mrs. Dolores Carpinelli, Board Secretary
Absent: Vice Chair Weston, Mr. Mathewson	

CALL TO ORDER: Chair McGinley calls the meeting to order at 7:42 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.

NEW BUSINESS

1. Application # 2026-20 – 96 Pompton Avenue, Block 807, Lot 13 C2 Zone District. Applicant is seeking approval to expand one existing non-permitted tenant use, to continue an existing non- permitted use with a new tenant and to permit a new non-permitted tenant use in an existing commercial building.

The Board was advised that the required notice of the hearing had been properly served and published and that the application had been deemed complete.

WITNESSES: Phil Harrison, attorney; Gaccione and Pomaco, PC appearing on behalf of Applicant, Penguin Holdings LLC
Mr. Messineo, Applicant/Owner, 96 Pompton Avenue
Joe Staigar- Principal, Dynamic Traffic, LLC, Chester, New Jersey
Exhibit A-1- The applicant's colored tenant diagram- Colored version corresponds to submitted plans

Mr. Harrison explained that the property contains an existing two-story commercial building that had previously been approved for office/professional use. The property is located in the C-2 Zone. The applicant proposed no changes to the existing site plan, building footprint, building height, site access, parking layout, or exterior character of the property. The requested relief concerned the use of portions of the existing building by three tenants whose proposed uses were not permitted in the C-2 Zone.

The three uses identified were:

1. **True Bliss Medical LLC** – an existing medical spa seeking to expand its first-floor premises into two adjoining treatment rooms;
2. **Grateful Massage New Jersey LLC** – a personal-services/massage business already operating in the building and proposed to occupy additional/different space; and
3. **The Plunge Room** – a new wellness and recovery business offering contrast therapy, red-light therapy, and related wellness services.

The applicant indicated that the requested use variance was necessary because the proposed uses were not permitted in the C-2 Zone.

Frank Messineo, the owner of the property and applicant, was sworn and presented as an expert in architecture. He is the owner of Penguin Holdings and the principal of Solutions Architecture, which occupies the second floor of the building. The property was acquired in 2016.

Mr. Messineo described the existing and proposed tenant arrangement. He testified that the building has historically accommodated professional, counseling, and wellness-related tenants. Solutions Architecture would remain the principal occupant of the second floor.

Mr. Messineo introduces Exhibit A-1- to distinguish the different tenant spaces

Proposed First-Floor Uses

- True Bliss Medical LLC is an existing first-floor tenant and seeks to expand into two adjoining vacant rooms for additional treatment space.
- Grateful Massage is currently operating in the building and would occupy the identified green area on the plan.
- The Plunge Room would occupy the remaining space and provide contrast therapy, red-light therapy, wellness, and recovery services.
- A common area would serve the massage and Plunge Room uses.
- All of the proposed uses would operate by appointment.
- The uses would be indoor-only and would not involve overnight, emergency, or surgical services.

Second-Floor Office Use

The Board questioned Mr. Messineo concerning the existing second-floor office occupancy. He testified that Solutions Architecture has operated from the property since 2016 and has approximately 27 employees. The proposed expansion was intended primarily to relieve cramped conditions and provide a more functional work environment rather than materially increase staffing. He also testified that employees work on multiple shifts and frequently travel to project sites. As a result, the full complement of approximately 27 employees is not present at the building simultaneously.

Community Benefit / Nature of Uses

In response to Board questions concerning the expansion of nonconforming uses, Mr. Messineo testified that wellness and recovery services are increasingly prevalent and that the proposed Plunge Room would provide a service not otherwise readily available in the immediate area. He noted that massage and wellness uses would complement one another and that the proposal would permit the building to remain occupied rather than leave portions of the property vacant.

Traffic and Parking

Mr. Messineo testified that the proposed uses would be appointment-based and would have limited customer turnover. The Plunge Room would accommodate no more than two customers at a time, while the massage use would involve one therapist and one customer at a time. True Bliss was described as having one aesthetician and another employee, with only one or two customers being served at a given time.

The applicant compared the proposed uses with a prior counseling center that had occupied the space and reportedly accommodated approximately eight to ten persons during sessions. Mr. Messineo's position was that the proposed uses would not generate greater parking or traffic demand and could result in less intensive use of the site.

Mr. Messineo testified that the property contains two visitor spaces and two barrier-free spaces. Certain tenant principals and designated staff have reserved spaces, but the applicant does not assign individual spaces to every employee.

The Board was advised that occasional parking shortages had occurred during unusually large meetings at the office, but that such circumstances were described as unusual. The applicant was not aware of recurring problems involving tenants or customers parking on neighboring properties.

Chair McGinley asks if any other members of the Public have questions for the applicant – Seeing none.

Joseph Staigar was sworn and accepted by the Board as a professional engineer and planner.

Site Observations

Mr. Staigar testified that he had visited the property on numerous occasions during the preceding two weeks, primarily on Tuesdays, Wednesdays, and Thursdays, to observe traffic entering and leaving the site and parking accumulation.

He testified that on his observations there was available parking on the site and that traffic activity was generally light. He characterized the parking lot as having relatively limited vehicle activity, with activity tending to occur around appointment changes at the hour or half-hour.

Mr. Staigar noted that during afternoon peak periods, traffic associated with a signal at Claremont Avenue could back up across the driveway, but that the condition cleared when the signal changed and did not create an insurmountable traffic-flow problem.

Traffic Generation

Mr. Staigar distinguished the proposed personal-service and medical/wellness uses from conventional office use. He testified that office uses tend to generate concentrated morning and afternoon peak traffic, whereas the proposed appointment-based uses would distribute trips throughout the day.

He concluded that the proposed uses would not increase traffic on the surrounding roadway network and could reduce peak-period traffic compared with a conventional office use.

Parking Requirements

Mr. Staigar testified that the applicable parking ratio for office use was greater than that applicable to personal services. He stated that the proposed personal-service uses required approximately 3.33 spaces per 1,000 square feet, compared with six spaces per 1,000 square feet for office use under the current ordinance. He therefore concluded that conversion of space from office use to personal-service use would reduce the applicable parking demand.

The Board discussed the site's 25 parking spaces, consisting of 23 regular spaces and two barrier-free spaces. Mr. Staigar testified that the 25 spaces were sufficient for the proposed clientele and that the appointment-only nature of the uses further reduced the likelihood of overlapping parking demand.

Parking Designations

The Board questioned the allocation of designated tenant spaces. Mr. Staigar indicated that fewer than half of the 25 spaces were designated and that the remainder were generally available. The applicant subsequently clarified that six spaces were designated for particular users, leaving 19 spaces generally available.

Parking Variance

The Board discussed the status of the property's prior parking approval.

The applicant's attorney explained that an earlier approval had referenced a requirement for 27 parking spaces while allowing 25 spaces, including two barrier-free spaces. The applicant initially maintained that no new parking variance was necessary because the proposed uses would have a lower parking demand than the office use previously approved.

Board counsel advised that, because the use mix had changed and the applicable zoning requirements had subsequently changed, the prior parking relief did not necessarily carry forward automatically. Counsel's opinion was that the Board should address the parking variance as part of the present application.

The Board discussed that, under the current ordinance, the proposed mixed uses would require approximately **39 parking spaces**, while the property contains **25 spaces**. The Board considered whether the existing parking relief should be formally renewed or restated as part of the current application.

The Board ultimately proceeded on the basis that the applicant would seek and receive parking relief for the 25-space configuration, thereby establishing the current parking variance on the record. The proposed relief represented a variance of 14 spaces from the current calculated requirement.

Mr. Staigar presented planning testimony concerning the requested use and parking variances.

He characterized the use variance as a **D(1) variance** and testified regarding the positive and negative criteria and special reasons supporting the requested relief.

Mr. Staigar reviewed the Township's **2022 Master Plan**, particularly its treatment of Pompton Avenue as a connector road between major highways and its recognition that changing commercial demands may require adjustments to zoning regulations.

He testified that office vacancies have increased substantially while demand for medical spas and personal-service/wellness uses has increased. In his opinion, the proposed uses were consistent with the Master Plan's objectives concerning changing commercial conditions and the efficient use of existing properties.

He further testified that the proposal:

- Makes productive use of an existing building;
- Requires no expansion of the building or alteration of the parking lot;
- Maintains existing open space and site characteristics;
- Would not create significant traffic impacts;
- Would not generate substantial noise, odors, or other neighborhood nuisances; and
- Would utilize uses having lower parking demand than conventional office use.

Mr. Staigar also noted that other permitted C-2 uses, including certain commercial schools and daycare uses, could generate greater traffic and parking demand than the uses proposed by the applicant.

The Board questioned the relationship of the property to neighboring residential and commercial properties. Mr. Staigar testified that the proposed uses were compatible with the mixed commercial and residential character of the surrounding area and that similar personal-service uses existed in the vicinity of Pompton Avenue.

Chair McGinley asks if any other members of the Public have questions for the Planner – Seeing none.

Mr. Harrison gave a closing statement

Chair McGinley asked if any members of the Pubic wished to make a statement concerning the application.

There being no members of the public who wished to speak, the public portion of the hearing was closed.

Board Deliberation

The Board engaged in detailed deliberation regarding the requested use and parking variances.

Members discussed the tension between the existing C-2 zoning requirements and the property's longstanding pattern of professional, wellness, and personal-service uses. Particular consideration was given to whether the application represented an inappropriate expansion of a pre-existing nonconforming use or instead reflected changing commercial conditions contemplated by the Township's Master Plan.

The Board discussed the parking issue at length. Members recognized that the current ordinance would result in a calculated requirement of approximately 39 spaces, while the property has 25 spaces. At the same time, the Board considered the substantial testimony that the proposed uses would have relatively limited parking demand and that the existing 25-space configuration had operated for many years without significant documented problems.

Members also discussed the importance of limiting the approval to the uses actually presented to the Board and preventing the approval from becoming a blanket authorization for future, materially different uses.

The Board specifically considered conditioning the approval upon the uses and square-footage allocations represented in the application and testimony. The Board further discussed ensuring that any medical-spa use would conform to the applicable current zoning definition and that any change to the approved uses would require appropriate zoning review.

The Board recognized that the C-2 zoning regulations and parking standards predated significant changes in the manner in which professional offices and commercial properties are currently used. Members discussed the reduced demand for traditional office space and the resulting need to consider whether existing zoning regulations remain consistent with current commercial conditions.

Mr. Ryan makes motion to approve application # 2026-20, 96 Pompton Avenue **granting the applicant's requested use variance**, together with a **parking variance**, as acknowledged and amended during the hearing; **Dr. Ries** seconds.

The motion included the following substantive conditions and limitations:

1. The approval is limited to the specific uses presented and testified to by the applicant, including the identified medical-spa, massage/personal-service, and Plunge Room uses.
2. The medical-spa use shall conform to the applicable current zoning definition of a medical spa.
3. The approved square footage and allocation of space for the respective uses shall conform to the application, plans, testimony, and representations made to the Board.
4. The parking variance shall authorize the continued provision of **25 parking spaces**, including **two barrier-free spaces**, notwithstanding the current calculated requirement.
5. The approval shall not constitute blanket authorization for unrelated or materially different future uses of the property.
6. The applicant shall comply with the representations made during the hearing concerning the nature and operation of the approved uses.

Roll Call Vote:

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

Motion passes.

EXECUTIVE SESSION (not necessary)

Motion to Adjourn: Mr. Ryan
Meeting Adjourned at 9:28 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.