

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, May 10, 2021

In the matter of:
Public Hearings, Public Comment
May 10, 2021

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

Carmin C. Breonte- Chairman
Arlene Patire-Vice-Chairwoman
Carmin V. Breonte
John Easom
Paul Houlis
Kathy Rozmus
Salvatore Lamendola
Francisco Sanchez- 1st Alternate- **Absent**
Tony Lio- 2nd Alternate- **Absent**
Irv Harrove- 3rd Alternate- **Absent**
Alban Gaba- 4th Alternate

Appearance:

Alyssa Cimino, ESQ., Attorney to the Board
Susan Bischoff, Certified Court Reporter
Gary Paparozzi, Planner
Thomas R. Solfaro, Engineer

Reported by Jacqueline Anello, Secretary
May 10, 2021 (Work Session) 7:00pm
Board members reviewed submitted plans for the evening's agenda

GARFIELD ZONING BOARD MEETING CALLED TO ORDER: 7:30PM

(Flag Salute)

SUNSHINE LAW: Read by Chairman Carmin Breonte PUBLIC LAW 1975 CHAPTER 231 "OPEN
September 23, 2019 Council Chambers, City Hall Commencing at 7:30pm.

Motion to Approve the April 12,2021 Meeting Minutes- Paul Houlis

Second- Tony Lio
Salvatore Lamendola- Aye
Kathy Rozmus- Aye
Paul Houlis- Aye
John Easom- Aye
Tony Lio- Aye
Arlene Patire- Aye
Carmin C. Breonte- Aye

April 12, 2021 Meeting Minutes Approved

Applications:

85 Westminster Place (Charles and Nuccia LaSala)

- Applicant is requesting permission to add 1-bedroom residential unit in existing basement and 1 additional parking space in existing garage

Carmin C. Breonte stated that he will need to recuse himself from this application

Arlene Patire will be stepping in as Chairwoman for the application

Alban Gaba will be sitting in on the application

Frank Ciabrone

Attorney for the applicant

- Lot 2 Block 44
- The unit in the basement existed when the applicant purchased the property. It exists, it is there, they are making some site improvements.

Thomas G. Stearns III

144 Jewell Street, Garfield, NJ

Engineer

Sworn in by by Susan Bischoff

- **Existing conditions:**
 - 1.5 story dwelling
 - Driveway on the left side of the property with a large garage across the entire rear of the property
 - Square Footage is 5,588 SF
 - R2 zone
 - There are two (2) bedroom apartments on the first floor and they are proposing a one (1) bedroom apartment in the basement
 - They are utilizing the first three spaces in the garage for parking and the other space in the garage for storage and the refuse area. You can back out of the garages but will have to do some maneuvering
- There will be no changes to the actual dwelling
- The applicant is not proposing any additions to the proposed unit that is currently existing

Lisa Phillips

Planner

Sworn in by Susan Bischoff

- January 13, 2020- Pictures taken of some dwellings that are in the area
- They are seeking a variance but compared to surrounding dwellings they do have half of the spaces required

Charles LaSala- Applicant

Sworn in by Susan Bischoff

- **Mr. Paparozzi** asked when the applicant bought the property. Do you know how long the apartment was there in the basement? On the half story above the two apartments states it is a family room. There was not a fourth meter, mailbox, etc.
 - **Charles LaSala** stated that it was about 1.5 to 2 years ago. He stated that it seems like it has been there for at least 20-30 years. The family room that is marked on the architectural plans will not be used as a bedroom. He is going to open the garage up to put four (4) parking spaces. All utilities will be separate: meter, mailbox, etc.

Open to the public

Nobody came forward

Gary Paparozzi

Variances

1. Minimum Lot Area
2. Minimum Lot Width
3. Parking
4. Density 2,500 SF per dwelling unit (D-Variance)

Motion to Approve the Application- Paul Houlis- it is already existing and there are no major changes

Second- Tony Lio- he doesn't see a detremite to the area and as the owner stated it has been that way for years. On site garbage and adding the additional parking space

Salvatore Lamendola- Aye

Kathy Rozmus- Aye- It is just a matter of documenting this with the town because it is existing and has been there for a long time

Paul Houlis- Aye- it is existing and does not see any problems

John Easom- Aye- he is all for compliance with everything

Tony Lio- Aye

Alban Gaba- Aye

Arlene Patire- Aye- she agrees with all board members

Application Approved

Carmin Breonte will be sitting back in

377 Harrison Avenue (Rui Pereira and Christina DiLeo)

- Applicant is requesting permission to subdivide the existing lot into 2 properties and build a new 1-family residential dwelling on lot 23.01.

Gary Zalarick

Attorney for the applicant

Rui Pereira

Sworn in by Susan Bischoff

- Christina DiLeo (his fiance) mother lives at the property with both her daughters
- They currently live on Frederick Street and they own that property
- Their intention is to build the one-family home next to the existing dwelling and live there

Christina DiLeo

Sworn in by Susan Bischoff

- Her and Rui Pereira are engaged
- Her mother currently resides at the property with her other two sisters
- Their plan is to subdivide the lot and construct a one-family dwelling to live next door

Thomas G. Stearns III

Sworn in by Susan Bischoff

- Site Plan dated March 11, 2021
 - Lot 23 Block 124
 - Westerly side of Harrison Avenue
 - Existing 2.5 story dwelling
 - Front yard setback of 9.13 feet
 - There is a masonry garage on the westerly side of the property
 - 7,822 SF for the property
 - The shed in the back is going to be removed
 - Proposed:
 - 2-story frame one-family dwelling
 - 2 car garage
 - Double spaced garage
 - There will be a drop curb on Harrison Avenue
 - Proposing a seepage pit
- There is only one space currently for the existing property
- Variances:
 - 1. SF per dwelling unit
 - 2. Lot Width
 - 3. Front Yard Harrison Avenue
 - 4. Front Yard Leonard Avenue
 - 5. Side Yard
 - 6. Side Yard Both
 - 7. Maximum Lot Coverage Building

- 8. Maximum Lot Coverage Total

Mr. Solfaro asked if there were any issues with his letter

- **Mr. Stearns** stated that he is agreeable to the letter

John Bryjak

Sworn in by Susan Bischoff

Architect for Applicant

PROPOSED PLANS

- Front Elevation: shows front entrance as well as the two car garage. Their intention is to break up the front facade
- Left Side Elevation: grade steps down towards the rear of the property
- Rear Elevation: walk out from the basement or lower level
- Right Side Elevation: shows the grade steps down towards the rear of the property
- **Basement Plan:**
 - Intended to remain open
 - There is a full bathroom
 - Wet bar area
 - Sliding door that leads out to the backyard
- **1st Floor Plan:**
 - Entrance foyer
 - Stairs going up to second floor
 - Dining room
 - Living room
 - Kitchen
 - Mechanical closet
 - closets
 - Full Bathroom
 - Entrance to garage
 - Fireplace in the living room
- **2nd Floor Plan:**
 - Bathroom
 - Bedroom #3 in the front of the property
 - Bedroom #2
 - Laundry Room
 - Master Bedroom Suite, Walk-in closet, master bathroom

Mr. Gaba asked why they are saying 2.5 stories

- **Mr. Bryjak** stated that the 2.5 stories includes the basement

Mr. Paparozzi asked the architect to note where the pull down stairs will be for the attic. The room is labeled as basement what type of room is it

- **Mr. Bryjak** stated that the pull down stairs for the attic is located in the laundry room

Rui Pereira stated that he works with a lot of lead and asbestos and would like to use the basement for all his work clothes and equipment so he could shower and then go upstairs. He would possibly use it as a rec room but mainly for his work clothes and equipment

Open to the public

Nobody came forward- Public Session Closed

Gary Paparozzi

Variations- Lot 23.01

1. Density D-Variance
2. Minimum Lot Area
3. Minimum Lot Width
4. Side Setback for one
5. Maximum Building Coverage
6. Maximum Total Building Coverage
7. SF per dwelling unit

Variations- Lot 23.02

1. Minimum Lot Area
2. Minimum Lot Width
3. Minimum Side Setback for one
4. Maximum Building Coverage
5. Maximum Total Building Coverage
6. Parking
7. SF per dwelling unit

There needs to be changes made to the Engineer's plans

Gary Zalarick

- He finds it to be a fresh breath, someone who wants to construct a one-family home rather than a two-family home, a mother who wants her daughter and future son-in-law to live next to her and for her daughters to be living near each other
- The empty space next to the existing dwelling looks like something is missing

Motion to Approve the Application- Salvatore Lamendola- on Harrison Avenue on that particular area a one-family house will enhance the area, passing that particular house on the corner and how clean and beautifully kept.

Second- Tony Lio- with all provisions

Salvatore Lamendola- Aye

Kathy Rozmus- Aye

Paul Houllis- Aye- the house does look beautiful and like Sal said it is one family

John Easom- Aye

Tony Lio- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye- it is really nice to have a one-family on Harrison Avenue and for Garfield people to stay in Garfield

Application Approved

5 minute recess

Roll Call

Salvatore Lamendola- here

Kathy Rozmus- here

Paul Houlis- here

John Easom- here

Tony Lio- here

Alban Gaba- here

Arlene Patire- here

Carmin Breonte- here

416 Van Bussum Avenue (Johnny Batista)

- Applicant is requesting permission to demolish existing 1-family residential dwelling in order to construct a new 2-story duplex-style 2-family dwelling

Adam Tuttle

Attorney for the Applicant

- Lot 34 Block 208.06
- The intention of this is to demolish a current one-family and construct a side by side duplex style two-family
- There are about six or seven variances required

Mark Stefanelli

Sworn in by Susan Bischoff

Architect

- This application had similar variances back in 2017
- Current zone is R1 zone
- They were approved for a two-family house back in August 2017, they are modifying it to a duplex side-by-side
- The revised site plan is dated 5/6/2021 and the revisions were in response to Thomas Solfaro letter
- The site plan shows a duplex side-by-side, garage, 1st floor, and 2nd floor
- There is a split driveway with landscaping in the middle
- The grade slopes slight from 0-4 feet
- In the rear there is an uncovered patio for each unit which is a few steps up from the rear
- There are a few trees on the property that will remain, the one in the front will be removed to allow for the curb cut

- There is a stacking block retaining wall, they can keep it and grade up or propose to remove it
- **Basement:**
 - Single garage with access to the basement
 - Small utility room
 - Set of stairs to the 1st floor
- **1st Floor:**
 - Dining room
 - Powder room
 - Kitchen
 - Closet
 - Juliet balcony
- **2nd Floor:**
 - Master bedroom, master bathroom
 - bathroom
 - 2 bedrooms each have their own closet

Carmin Breonte asked about the wall on the left side of the property, is it on this property

- Mark Stefanelli stated that the block wall is on the neighboring property. They would like to ask the neighbor if they could remove the block wall and make it flat and then build a wall near where the house will be

Paul Houlis asked about drainage

- Thomas Solfaro stated that they are proposing drainage

Gary Paporozzi stated that behind the garage there is an area called basement, is it finished or unfinished

- Mark Stefanelli stated that it would be finished with maybe tile and sheetrock to make it as an office, den, playroom, whatever they may need

Guy Lagomasino

Engineer

Sworn in by Susan Bischoff

- They designed a storm detention system instead of doing dry wells (which might be an issue)
- The front is the best option because it slopes down to the street

Kathy Rozmus asked if the property to the East size

- **Mark Stefanelli** stated that he is unsure of the dimensions of that property

Open to the public

Johnny Batista

Applicant

Sworn in by Susan Bischoff

- He will finish the basement and will consider it as storage
- He has not approached the neighbor regarding the stack block wall

Carmin C. Breonte asked Johnny Batista if he understands that he cannot put a bedroom in the basement

- **Johnny Batista** stated that he understands which is why he also didn't put any type of bathroom down there

Public session closed- nobody came forward

Gary Paporozzi

Variances

1. Minimum Lot Area for 2-family
2. Minimum Lot Width
3. Side setback for one
4. Side setback for both
5. Main Building Coverage
6. Total Building Coverage
7. Density - SF per dwelling unit

Motion to Approve the Application- Arlene Patire- looking at the house next door and what they want to put there. Her only concern is the wall, if they agree on something the two professionals agree with it and we receive the topo as well as the revise site plan

Second- Paul Houlis- same thing with the neighbor and he agrees with Arlene

Salvatore Lamendola- Aye

Kathy Rozmus- Aye with all stipulation

Paul Houlis- Aye

John Easom- Aye

Tony Lio- Aye- with all stipulations

Arlene Patire- Aye- with all stipulations she recommended before

Carmin C. Breonte- Aye- as long as everything is met with our planner and engineer

Application Approved

Resolutions:

418 Madeline Avenue

Motion to Approve Resolution- John Easom

Second- Tony Lio

Salvatore Lamendola- Aye

Kathy Rozmus- Aye

Paul Houllis- Aye

John Easom- Aye

Tony Lio- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye

Resolution Approved

151 Dewey Street

Motion to Approve Resolution- Arlene Patire

Second- John Easom

Salvatore Lamendola- Aye

Kathy Rozmus- Aye

Paul Houllis- Aye

John Easom- Aye

Tony Lio- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye

Resolution Approved

397 Van Bussum Avenue Resolution is not memorialized because amended plans were required and asked for by the professionals and those plans were not submitted.

Motion to Adjourn Meeting- Arlene Patire

Second- John Easom

All in Favor- Aye