

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, August 9, 2021

In the matter of:
Public Hearings, Public Comment
August 9, 2021

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

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

Appearance:

Alyssa Cimino, ESQ., Attorney to the Board
Susan Bischoff, Certified Court Reporter
Gary Paparozzi, Planner
Evan M. Jacobs, Engineer

Reported by Jacqueline Anello, Secretary
August 9, 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 June 14, 2021, Meeting Minutes: Tony Lio

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

Motion to Approve the July 12, 2021, Meeting Minutes: Tony Lio

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

Minutes Approved

370-376 Semel Avenue

Gary Zalarick- Attorney for the applicant

Mr. Carmin C. Breonte stated that the board never received drawings for this project.

Mr. Zalarick stated he was under the impression that the board was going to go ahead and hear the application. He did not hear anything about anyone not getting any plans. He was not aware that some board members were missing plans

Mr. Carmin C. Breonte stated that it seems there was a mix up going back to the res judicata,

Ms. Cimino stated that her office does not have enough drawings to be submitted to the board members, there were only enough for her to have a copy sent to Mr. Paparozzi and Mr. Solfaro.

Mr. Zalarick stated that they can have the drawings to Ms. Cimino's office by Wednesday.

Mr. Carmin C. Breonte asked Mr. Zalarick to make sure that they have the plans in the office.

Ms. Cimino stated that they would like to put this on the next month

Motion to Adjourn this Application on September 13, 2021- Arlene Patire

Second- Paul Houlis

Salvatore Lamendola- Aye

Kathy Rozmus- Aye

Paul Houlis- Aye

John Easom- Aye

Tony Lio- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye

Application adjourned to the September 13, 2021 Meeting

56 Ann Street

Gary Zalarick- Attorney for the Applicant Randa Issa

- Property is 75,000 SF
- The applicant plans to demolish the existing structure and construct three (3) townhouses

Thomas Stearns III

144 Jewell Street, Garfield, NJ

Engineer

Sworn in by Susan Bischoff

- Existing Structure: currently non-conforming.
- They will be demolishing the existing structure and constructing three (3) townhouses
- Currently the water runs off into the street
- Proposed is to create two seepage pits in the rear of the property and they will take all the roof runoff
- There are going to be three (3) driveways, there will be trench drains in front of each garage
- **Mr. Breonte** asked if they could discuss the rear yard and side yard setback because they could eliminate the rear yard setback by bringing the structure closer.
 - o **Mr. Stearns** stated that the reason why they did that was because the garage was lower and in order to do so they needed to set the structure further back more
- **Mr. Jacobs** had concerns about the trench drains being the only means to hold runoff and if rains more, what will they do?
 - o **Mr. Stearns** stated that they will recommend sump pumps be placed in the garage
- **Mr. Paparozzi** stated that the deck setback shows 13 feet, but the deck on the architect plans are not on the ground floor.
 - o **Mr. Stearns** stated that the architect will explain

Afshan Vandal

Architect

Sworn in by Susan Bischoff

- **Ground Level**- Garage, entrance to the house, basement, utilities, and half bathroom
- **1st Floor**- Living Room, Dining Room, Kitchen, walk out from the 1st floor onto the deck
- **2nd Floor**- Two (2) Bedrooms, with common bathroom, laundry, Master Bedroom with a bathroom
- All three (3) townhouses are identical
- **Exterior**- overhang will be stucco finish, the outside will have stone finish, trim finish and standard shingles on the roof, siding on the side and the back
- **Mr. Paparozzi** asked if only the upper floor is going to have the overhang
 - o **Ms. Vandal** stated that only the floor where the bedrooms are is going to have an overhang
- Recycling and refuse area will be in the garage for the middle unit and the two end units will put them on the sides
- **Mrs. Patire** asked if there is going to be any lighting outside
 - o **Ms. Vandal** stated that there is a standard light with a motion detector over the garage, there will be lights that light up the front and the sides as well as the deck area

William Stimmel

Planner

Sworn in by Susan Bischoff

- Site is located in an R2 zone, it doesn't allow townhouses in this zone.
- Positive criteria- applicant needs to show that variances can be demonstrated that are being requested. This site is suited for the area and is one of the larger lots in the area and has excessive frontage. Site can accommodate parking.
- **Mr. Paparozzi** stated that although the parking variance states that there are two (2) spaces required per unit, but RSIS takes precedent over any municipality. Having an 11% slope in the driveway, it may not be able to be used because of the pitch. He would rather see less of a pitch
 - o **Mr. Zalarick** stated that Mr. Stearns is going to review the structure to bring the structure up a little more to reduce the pitch of the driveway because they have room to bring the structure up
 - o **Evan** stated that he agrees with Mr. Paparozzi
 - o **Mr. Stearns** stated that they can increase the height without exceeding 30 feet to lessen the pitch of the driveway
- **Mr. Jacobs** stated that currently there is only one (1) driveway off the site, will that decrease the on-street parking going from one (1) driveway to three (3) driveways?
 - o **Mr. Stimmel** stated that you can fit one (1) car to one side of the driveway and one (1) car on the other side.

Sam Issa

Applicant

He is not the owner of the property his aunt Randa Issa is the owner and he received permission to speak on behalf of her

- The units are going to be for individual owners and will not be rented. He is actually going to purchase one himself
- **Garbage and Recycling**- he can build a small platform within each garage and put the garbage and recycling there and each unit will be responsible for bringing out their own garbage and recycling
- **Privacy**- he is intending to put a fence up of about 5.5-6 feet from the entrance door on both sides and go down to the back. There is already a fence in the rear of the property
- **Mr. Breonte** asked if the existing fence is on this property or neighbor property
 - o **Mr. Stearns** stated that it is the neighbor's fence
 - o **Mr. Issa** stated that he can either put a new fence up right against the neighbor fence or replace the fence for the neighbor. He will work with the neighbor regarding the fence. The fence will be white vinyl 6 feet high
- He is in agreement that they will raise the building slightly to lower the pitch of the driveway

Open to the Public

Isant Fertoski

66 Division Avenue, Garfield

- Main problem is parking, with all the new developments coming up on Jewell Street, it puts a strain on parking.
- Many people use garages as storage, so if that's the case more parking will be taken away
- Backing out of a sloped driveway can be very hazardous

Nobody Else Came Forward

Public Session Closed

Mr. Stearns stated that what they can do is get the slope under 5% and lose the rear yard variance by moving the property forward

Ms. Cimino stated that should this application be granted it will be contingent upon lighting, driveway slope reduced, rear yard setback being brought forward, revised plans submitted, and resolution not be adopted until everything is corrected. Architect will have to revise her plan to show the lighting plan. Fencing as well.

Motion to Approve the Application- Paul Houlis- he understands that parking is an issue, it is not up to them how they use the garage, he believes it will be an improvement and all stipulations are met

Second- Tony Lio- he understands parking is a premium, the structure outweighs that one spot that it will lose. He believes it will improve that area and those stipulations subject to the new height, lighting, fence.

He also likes the structure itself

Salvatore Lamendola- Aye

Kathy Rozmus- Aye

Paul Houlis- Aye

John Easom- Aye

Tony Lio- Aye

Arlene Patire- Aye- she understands about the parking, the way this is designed they will use the garage because they can enter right into the home from the garage.

Carmin Breonte- Aye

Application Approved

Motion to adjourn- Patire

Second- Easom

All in favor- Aye