

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, April 11, 2022

In the matter of:
Public Hearings, Public Comment
April 11, 2022

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

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

Appearance:

Wilfredo Ortiz, ESQ., Attorney to the Board
Beth Calderone, Certified Court Reporter
Gary Pappozzi, Planner
Thomas Solfaro, Engineer

Reported by Jacqueline Anello, Secretary
April 11, 2022 (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 C. Breonte PUBLIC LAW 1975 CHAPTER 231 "OPEN
September 23, 2019, Council Chambers, City Hall Commencing at 7:30pm.

Motion to Approve the March 14, 2022 Minutes- Tony Lio

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

Minutes Approved

92 Gaston Avenue/154 Charles Street (92 Gaston Place LLC)

Gary Zalarick

Attorney for the Applicant

- One Three-bedroom and one two-bedroom
- The building that this application is for is the one that is on the corner of the property

- This is an R2 zone, it is not in conformity
- Convert commercial units into two residential units. One will be a one-bedroom apartment and the other will be a two-bedroom apartment
- The buildings cover most of the lot

John Easom will be recusing himself
Alban Gaba will be sitting in

Thomas G. Stearns III
144 Jewell Street, Garfield, NJ
Engineer

Sworn in by Beth Calderone

- 92 Gaston Avenue is a two-story brick building
- 154 Charles Street is the corner building
- The lot is 50x100
- 92 Gaston is the building that will remain as is
- Proposal is to renovate the interior 154 Charles Street; the only exterior change will be to remove 56 SF which is the boiler and 38SF portion on the Easterly side of the building. The rest of the footprint will remain as is except some cosmetic changes.
- They are proposing two garage doors on Charles Street, the loading dock will be removed. They will have one (1) parking spot for each unit
- Garage: pulling cars in and out
 - o The adjacent building to the south, which is lot 46, they have two garage doors. There is a sign in striping that indicates no loading. There is no parking from the sign to Malcolm Avenue.
 - o There will be a clear site distance when backing out because there is no parking in a certain area.

Gary Zalarick stated that Mr. Stearns has a sketch that indicates the way cars will back out.

Wilfred Ortiz stated that any submissions and exhibits need to be submitted with plans when the application is submitted.

Carmin C. Breonte stated that there seems to be an issue when Gary Paparozzi sends out his letter requesting information and it not being submitted in time. At this time we might have to either move forward without the sketch or have to adjourn the application to get the information that we need if we are going to use the site information as needed.

Gary Zalarick stated that it is an issue, if they want it on the site plan then it will have to be revised and placed on the site plan.

Wilfred Ortiz stated that if they want to withdraw the sketch that was just submitted to the board that is fine, but if the professionals feel that they can move forward without it.

Gary Paparozzi stated that he marked this as dangerous for cars

Carmin C. Breonte stated that we are going to have to adjourn this application. The next time this could be heard is July.

Gary Paparozzi stated that he is a problem with the dumpsters that are not indicated on the drawings.

Gary Zalarick asked why do they need to have dumpsters?

Motion to Adjourn this Application to the July Meeting- Tony Lio

Second- Carmin V. Breonte

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Paul Houllis- Aye

Alban Gaba- Aye

Carmin V. Breonte – Aye

Tony Lio- Aye

Carmin C. Breonte- Aye

Application adjourned to the July 11, 2022 Meeting

John Easom will be sitting in

23 Frederick Street (Russell Rothstein)

Gary Zalarick- Attorney for the applicant

- R2 zone 7,153 SF
- Demolish everything on the lot and construct a five (5) unit residential dwelling

Thomas G. Stearns III

Engineer

144 Jewell Street, Garfield

Sworn in by Beth Calderone

- The two buildings are touching, if you were driving pass, if you would think they were the same address
- They are proposing to demolish the existing building and construct a three (3) story dwelling with five (5) units.
- Currently there was one driveway access, no real driveway there is just grass
- There will be a two (2) car garage, have a new curb cut on Westervelt Place
- There is going to be a 6-foot fence along the Southerly Side and come down the Westerly Side
 - o **Mr. Zalarick** asked why they cannot make it a 4-foot fence instead of a 6-foot fence?
 - o **Mr. Paparozzi** stated that they need to resubmit drawings with the 4-foot fence and the building height.
- They have a handicap accessible space
- They have parking within 5-feet of the right of way

Gary Paparozzi stated that the front yard parking variance is not listed on the zoning chart, so that needs to be revised and shown on the site plan

Carmin C. Breonte asked if that would be considered stacked parking

- o **Gary Paparozzi** stated that it would be considered stacked parking, but it is considered a norm to have the stacked parking because you are parking a car in front of the garage.

Gary Zalarick asked about drainage

- o **Thomas Stearns III** stated that the water goes onto the site and down Westervelt Place. There will be a seepage pit

Engineer- will there be anything along the side to tie into the pit?

- o **Thomas Stearns III** stated that they can put a spout to be tied into the seepage pit
- **Refuse and Recycling:** they do show an area of refuse and recycling area on the Westerly side of the building
 - o **Gary Paparozzi** stated that they refuse, and recycling needs to be covered. How do the tenants get to this area?
 - **Thomas Stearns III** they have about 2.5 feet to get by to the refuse/recycling area. You would have to carry the cans in between the cars. They will show a cardboard bin and a walkway from that area around to Frederick Street.

Neglia:

- Parting wall- when the building is demoed, there would have to be approval from the adjacent property owner to demo the building
- Retaining Wall- along Lot 5, do you have access to Lot 5 to construct the retaining wall? His suggestion would be that the property owner be notified and approval about the retaining wall.
 - o **Carmin C. Breonte** asked the height of the retaining wall
 - **Thomas Stearns III** stated that it is not even 1 foot
- Site Triangle Requirements- they should provide site triangle for the driveway
- If Vehicle #1 wants to get out and Vehicle #3 is parked how would that work?
 - o **Thomas Stearns III** stated that they would have to move vehicle #3. The cars will park according to the unit.
 - o **Carmin C. Breonte** asked about parking permits for five (5) units

- **Gary Paparozzi** stated that if one unit has more than two (2) cars then they are out of luck and cannot apply for a parking permit

Carmin C. Breonte asked if there will be all new curbs and sidewalks

- Stearns stated that they will be providing new curbs and sidewalks on Westervelt Place and Frederick Street

John Easom asked if the DPW has looked at this

Carmin C. Breonte stated that that is part of the resolution that the DPW will make recommendations

Gary Paparozzi

Variances

1. Minimum Lot Area
2. Minimum Lot Width
3. Rear Set Back
4. Minimum Lot Depth
5. Maximum Building Coverage
6. Maximum Lot Coverage
7. Building Height
8. SF per Dwelling Unit
9. No Parking 5 feet to the right of way
10. No Front Yard Parking

Wilfred Ortiz stated that all changes that are required on the site plan be submitted if the board looks favorably on the application

John Bryjak – Architect

345 Boulevard, Hasbrouck Heights, NJ

Sworn in by Beth Calderone

- Sheet A1.1- North Elevation that faces Westervelt Place. There are four (4) garage doors
 - West Elevation
- Sheet A1.2
 - South Elevation
 - East Elevation facing Frederick Street
 - Sprinkler closet door
 - Utilities
- Sheet A2.1 Lower Level
 - Stairs leading to the 1st floor of the building, entrances to the four (4) private garages, entrance to sprinkler closet.
 - Dwelling Unit 1.1- living room, dining room, hallway bathroom, laundry area, Bedroom #2, Master Bedroom. Each bedroom has a closet.
 - Carmin C. Breonte stated that looking at the garage details. 9x18 is a parking space. Would you be able to put the car in the garage and open the door.
 - Gary Paparozzi stated that it is tight, but you can get in and out. It is possible but not ideal
 - John Bryjak stated that it is functional.
- **Sheet A2.2**
 - Stair leading up to entrance to Dwelling 201 and 202.
 - Kitchen, Dining Room, Living Room, Powder Room, Laundry Room, Master Bedroom, Bedroom #2, Hallway Bathroom (the units are mirrored), attic access
- **Sheet A2.3 2nd Floor Plan**
 - Units 301 and 302
 - Kitchen, Dining Room, Living Room, Powder Room, Laundry Room, Master Bedroom, Bedroom #2, Hallway Bathroom (units are mirrored),attic access

Carmin C. Breonte asked what would be in the attic and what is the height of the ceiling

- John Bryjak stated that there will be no mechanicals

Tony Lio asked if there is adequate lighting because it is not shown

- **John Bryjak** stated that they will put lighting by the dwelling units, the refuse/recycling area, garages, parking lot

Carmin V. Breonte- Unit #101, there is a 1-foot cabinet, where do you put all your pots/pans/utensils. That kitchen cannot even be used in a studio apartment. The other apartments have huge kitchens.

- **John Bryjak** stated that this is not a final kitchen layout it is a suggestion.

Gary Paparozzi stated that Sheet A1.1 he needs to adjust the building height.

- **Thomas Stearns III** stated that the height should be 32.83 feet

Carmin V. Breonte asked ceiling heights for each dwelling unit

- **John Bryjak** stated that the 2nd and 3rd floor are 8 feet and the ground level is 8.6 feet

Neglia stated that the lighting plan should be submitted if the board looks favorably upon this application to the engineer and planner

- **Thomas Stearns III** asked if they need to provide the lighting plan if it is just a residential dwelling

Carmin V. Breonte asked how the parking will be set up

- **Gary Zalarick** stated that whatever unit has the garage has the space directly behind the garage.

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Russell Rothstein- Owner

324 Franklin Avenue, Ridgewood, NJ

Sworn in by Beth Calderone

- There were some changes that were made, he agrees with all changes that were made
- They reviewed the report from Neglia Engineering. They will comply with everything from Neglia Engineering.
- All curbs and sidewalks will be replaced on Frederick Street and Westervelt Place
- He agrees to put shade trees wherever DPW recommends.

Paul Houlis asked if he will be putting security cameras

- **Russell Rothstein** stated that he owns a six (6) unit dwelling and has security cameras there and will put them

Open to the Public

Nobody came forward

Carmin C. Breonte positives and negatives of the property from the architect

Gary Paparozzi stated that what is proposed is better than what is there now and they are providing parking. The negative is they are taking parking spaces off of Westervelt Place. They have 10 variances is another negative criteria.

Motion to Deny the Application- Carmin V. Breonte- this is just too big for this property. The green area for children to play, your giving 14 feet in the back. Beautiful building, but just for the property it is too big.

Second- Tony Lio- Beautiful building, he appreciates that the owner agreed to all the modifications.

There are 10 variances, looking at the closets and the garage, he believes it is a bit big for the property.

Kathy Rozmus- Aye- she agrees with Mr. Breonte and Mr. Lio it is too tight for that property

Salvatore Lamendola- Aye- same thing beautiful building, but just very large

Paul Houlis- Aye- he agrees just a little too big

John Easom- Aye- he likes the project would like to see something come back for better quality of life for residents and neighborhood

Carmin V. Breonte- Aye

Tony Lio- Aye- he also wants to piggy back on Mr. Easom

Carmin C. Breonte- Aye- the density, the height and the size of the building, the lot coverage, garages are a little tight

Application Denied

561 Harrison Avenue (Osmar Olivo)

Gary Zalarick- attorney for the applicant

- Lot is 14,692 SF
- R1 Zone
- 2-family house, applicant and his mom currently reside there
- Convert 1st floor to an apartment

John Bryjak- architect

Sworn in by Beth Calderone

Sheet A1

- Site plan dated 4/14/2021
- Property is 14,692 SF
- Cellar entrance
- Walkway leading to front door
- Depth of property is 229.58 ft. by 190 ft.

1st Floor Plan- Sheet A.3

- Front entry door
- Living room, dining room, kitchen with door leading to sunroom, master bedroom and bedroom #2

2nd Floor Plan

- Stairs
- Hallway, bedroom #1, Bedroom #2, hallway bathroom, living room, kitchen

Basement

- Existing
- Several rooms- storage area, utility area, laundry, kitchen, full bathroom

Proposed Basement

- convert two spaces to bedrooms and have egress windows
- Separation to storage space for applicant to access
- Existing entrance in rear of property

Parking:

- Required 6
- Proposed 5
- **Mr. Bryjak** stated that there is no way to have the parking not stacked. They can put parking in the rear. They did not put them in the rear because then they would be taking away green space
- **Gary Paparozzi** stated that required is six (6) not five (5). Stacked parking does not work because if a tenant wants to get out they would have to get the other tenant to move their car. They can only have two (2) parking spaces. Cannot park across the street because Lodi required parking permits.
- **Carmin V. Breonte** asked if you are allowed to back out onto a county road
 - o **Gary Paparozzi** stated that this is an existing situation
- **Neglia Engineering** stated that if they move the parking to the rear it must be paved and drainage must be provided

Gary Zalarick stated that the applicant pulled permits and the inspector came out and approved it. The applicant is willing to move the parking to the rear

Motion to Adjourn the Application to the July 11, 2022 Meeting- John Easom

Second- Salvatore Lamendola

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Paul Houlis- Aye

John Easom- Aye

Carmin V. Breonte- Aye

Alban Gaba- Aye

Carmin C. Breonte- Aye

Application adjourned to the July 11, 2022 Meeting

Resolutions:

49-51 Jewell Street (Everett Garnto, Jr)

Motion to Approve Resolution- John Easom

Second- Alban Gaba

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

John Easom- Aye

Alban Gaba- Aye

Resolution Approved

Motion to Close the Meeting- Carmin V. Breonte

Second- John Easom

All in Favor- Aye