

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, June 13, 2022

In the matter of:
Public Hearings, Public Comment
June 13, 2022

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

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

Appearance:

Wilfredo Ortiz, ESQ., Attorney to the Board
Beth Calderone, Certified Court Reporter
Gary Paparozzi, Planner
Michael Gormley, Engineer

Reported by Jacqueline Anello, Secretary
June 13, 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 May 9, 2022 Meeting Minutes- Tony Lio

Second- Francisco Sanchez

Kathy Rozmus- Aye
Salvatore Lamendola- Aye
Francisco Sanchez- Aye
John Easom- Aye
Tony Lio- Aye
Alban Gaba- Aye
Carmin C. Breonte- Aye

Minutes Approved

101-105 Harrison Avenue

Gary Zalarick- attorney for the applicant

Requesting an adjournment

Gary Paparozzi stated that he sent a letter stating that the application was incomplete

Motion to Adjourn to the September 12, 2022 Meeting- Tony

Second- John Easom

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Francisco Sanchez- Aye

John Easom- Aye

Tony Lio- Aye

Alban Gaba- Aye

Carmin C. Breonte- Aye

Application adjourned to the September 12, 2022 Meeting

25 Shaw Street

Gary Zalarick stated that they were ready to go for tonight

Motion to Adjourn August 8th, 2022 Meeting- Tony Lio

Second- Alban Gaba

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Francisco Sanchez- Aye

John Easom- Aye

Tony Lio- Aye

Alban Gaba- Aye

Carmin C. Breonte- Aye

Application Adjourned to the August 8,2022 Meeting

499 Midland Avenue- Samir

Gary Zalarick- Attorney for the Applicant

- B2 Zone
- 7 apartments and 2 stores are proposed

Thomas Stearns III- Engineer

144 Jewel Street, Garfield, NJ

Sworn in by Beth Calderone

- **Existing Conditions:**
 - o Westerly Side of Midland Avenue
 - o Currently there is a mixed-use building on the corner
 - o It is over the right of way
 - o Garage adjacent in the back of the property on New Schley Street, it encroaches onto the neighboring property by 7.39 feet. There is an encroachment agreement, once the garage is removed the encroachment agreement is removed
 - o There is a dwelling adjacent to the property and they have a parking lot that appears to be on this property.
 - o Two driveways in the front, one driveway in the back
- **Proposed:**
 - o Everything will be removed from the site including the encroachments

- There will be a new building on the property
- There will be parking within the building- 15 parking spaces including a handicap space
- Two (2) commercial spaces on the ground level. They are both under 2,000 SF
- There will be one (1) unit dwelling on the ground level and six (6) units on the second floor
- They will take the roof and direct it directly to a seepage pit and a stone bed
- The entryway to the property is off New Schley Street
- **Refuse:** there is a spot by the entryway within the building to store the refuse and recycling, they will have a private carting company to remove the refuse and recycling
 - **Gary Paparozzi** stated that there should either be a fence in between the two dumpsters, or they need to be labeled, so they can distinguish between the refuse and recycling

Gary Paparozzi stated that there are two (2) "D" Variances

Thomas Stearns stated that they are proposing a six (6) foot fence, it will be a solid fence

Carmin C. Breonte asked what is on the south side of the building it states chainlink fence.

- **Thomas Stearns** stated that the solid fence would cover that area as well so the south and west side of the property

Carmin C. Breonte stated that he is concerned with the stairs in the back, how will the cars see if people are crossing the street or cars are coming.

- **Thomas Stearns** stated that they can put a mirror up on that structure so that the cars can see if there are pedestrians crossing

Tony Lio did the owner ever think about setting the property further back

Gary Paparozzi stated that the variances he has are correct, but there are two variances that Mr. Stearns lists are existing but that is incorrect they would be existing if it was a B2 zone

Michael Gromley asked if there is an agreement with the adjacent neighbor to remove the garage that is on encroaching on their property

- **Thomas Stearns** stated that they will have to get an agreement prior to removal.
- **Michael Gromley** stated that if the board looks favorably upon the application, they must receive an agreement with the neighboring property to remove the garage structure.

Michael Gromley asked if they will put any wheel stop where the cars park near the walkway

- **Thomas Stearns** stated that they will put wheel stops in the parking spaces that are near the walkway

Michael Gromley asked if they had any lighting proposed, he recommends that they have ceiling lights in the parking lot. Will the parking spaces be designated? He recommends that all sidewalks be reconstructed.

- **Thomas Stearns** stated that the architect will testify to that.
- **Gary Zalarick** stated that the parking spaces will only be for residents

Michael Romanik- Architect & Planner

291 Crooks Avenue, Paterson, NJ

Sworn in by Beth Calderone

- Date of Plans 1/5/2021
- Two-story building
- Two commercial dwellings on the first floor
- One residential dwelling on the first floor
- Six residential dwellings on the second floor
- They can reduce the building height if the board would like
- They are all two-bedroom apartments
- Parking in the rear 15 spaces

- There will be security cameras and security for the ground floor
- Exterior lighting in the parking area, ceiling mounted lights
- Fire protection- fire alarm and sprinkler system
- Heating and cooling will be provided for all residential and commercial spaces
- There will be laundry area
- They do not need to provide parking for the commercial spaces because they are both under 2,000 SF
- **Sheet 2: Ground Floor Plan**
 - o Parking in the rear
 - o Two commercial spaces- less than 2,000 SF combined
 - o One two bedroom apartment unit
 - o There will be tire bumpers preventing the cars from going onto the walkway
 - o Basement Area- mechanical equipment and utilities. It is below the two (2) commercial spaces
 - o There are two stairwells on each side of the parking lot to get to the residential units on the 2nd floor
 - o **Salvatore Lamendola** asked how many steps to get to the 2nd floor
 - **Michael Romanik** stated there is no elevator, there is two landings from the ground floor to the 2nd floor
- **Sheet 3: 2nd Floor**
 - o Six (6) apartments and they each have two bedrooms
 - o There are two spaces in the middle
 - o Laundry area for the tenants
 - o Tenant activity room
- **Sheet 4: Elevations**

Carmin C. Breonte asked if there is an overhang

- **Michael Romanik** stated that the only overhang is on the corner

Gary Pappozzi stated that using stairway #2, they have to walk along the street to bring their garbage down.

- **Michael Romanik** stated that they can switch spaces #14 and #15 to create that walkway in between the parking space and refuse area

Salvatore Lamendola asked the width of the stairway

- **Michael Romanik** stated that the stairway will be wide enough

Carmin C. Breonte stated that his concern is with the cars pulling out of the driveway. If you are pulling out on the right side you need to go onto the sidewalk before you have any view

- **Michael Romanik** stated that he thinks it will be adequate. They can move the stairway to Space #8 and either swap them or completely remove that space and go from 15 spaces to 14 spaces. On the other side they can swap the refuse area with the space next to it.

Tony Lio stated that his concern that corner makes him nervous because the cars are pulling completely out onto Midland Avenue. Did you consider giving more setback on the building?

- **Michael Romanik** stated that they can give 5 feet more

Carmin C. Breonte stated that there are significant number of changes, and at this point it might be better to withdraw the application. He does not like doing these changes because it gives the applicant false sense that the application will be approved.

Gary Zalarick stated that they will withdraw the application

Motion to Approve the Resolution- John Easom

Second- Tony Lio

Kathy Rozmus- Abstain

Salvatore Lamendola- Aye

Francisco Sanchez- Aye

John Easom- Aye

Tony Lio- Aye

Alban Gaba- Aye

Daniel Rigoglioso- Aye

Carmin C. Breonte- Aye

Resolution Approved