

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

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

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 Houllis- **Absent**  
Kathy Rozmus  
Salvatore Lamendola  
Francisco Sanchez- 1<sup>st</sup> Alternate- **Absent**  
Tony Lio- 2<sup>nd</sup> Alternate  
Alban Gaba- 3<sup>rd</sup> Alternate  
Daniel Rigoglioso- 4<sup>th</sup> Alternate

**Appearance:**

Wilfredo Ortiz, ESQ., Attorney to the Board  
Beth Calderone, Certified Court Reporter

Reported by Jacqueline Anello, Secretary  
October 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 September 12, 2022 Meeting Minutes with the correction that Alban Gaba  
was present at the meeting not absent-** Kathy

**Second-** John Easom  
Kathy Rozmus- Aye  
Salvatore Lamendola- Aye  
Alban Gaba- Aye  
Paul Houllis- Aye  
John Easom- Aye  
Tony Lio- Abstain  
Daniel Rigoglioso- Abstain  
Arlene Patire- Abstain  
**\*Minutes Approved\***

**50 Jewell Street- 50 Jewell Street LLC**

**Gary Zalarick- attorney for the applicant**

- Block 151 Lot 32
- Application as submitted was convert the 1<sup>st</sup> floor office into an apartment. The initial application was to convert the 1<sup>st</sup> floor office into an apartment and use the finished attic as bedrooms for the 2<sup>nd</sup> floor apartment. The second portion for the attic is withdrawn
- Gary Zalarick stated that the plans do not show the 2<sup>nd</sup> floor apartment at all
- Arlene Patire stated that she was just informed that the second portion of the application is not part of the application they are no longer on the
- Gary Zalarick stated that it was advertised with the second portion
- Wilfredo Ortiz the problem is the advertisement because it was advertised with the second portion included in the notice. The notices that went out to the public is the bigger problem
- John Easom said that this isn't the way we could

**Motion to have the Application Renoticed- Salvatore Lamendola**

Second- Tony Lio

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Alban Gaba- Aye

John Easom- Nay

Tony Lio- Aye

Daniel Rigoglioso- Aye

Arlene Patire- Nay

**\*Application will be renoticed\***

**Gary Paporozzi-** on the site plan and on the survey it says page 1 of 1 and page 2 of 2. The existing garage 284 west in the rear, either it is drawn incorrectly. The north arrow on the key map is incorrect, it says minimum lot width, side yard for one and side yard for two, lot coverage, existing home is 2.5 stories not 2. Architect plans on the 1<sup>st</sup> and 2<sup>nd</sup> floor they have offices with closets. An office with a closet is considered a bedroom. Add lot depth of 100. Everything in Neglia report needs to be addressed.

**Arlene Patire** anyone in the public that is for or against this application will be renoticed. We will be taking a recess.

Carmin C. Breonte has arrived

**71 Bergen Street- PLG Properties LLC**

**Kathy Rozmus will be recusing herself, Alban Gaba will be sitting in**

**Gary Zalarick- attorney for the applicant**

- Block 170.02 Lot 33
- This lot is measuring 100x100 in an R2 zone
- Applicant is requesting a subdivision to two (2) lots each being 50x100. He is proposing to put a duplex on each lot

**Thomas G. Stearns III**

**144 Jewell Street, Garfield, NJ**

**Sworn in by Beth Calderone**

First Request

Site plan dated April 7, 2022

- Lot 33 Block 170.02
- Westerly side of Bergen Street
- 100'x100' lot, split the lot and make two (2) 50'x100' lots
- Currently on the site is a two-story frame dwelling, small size 800 SF with a garage in the back as well as a driveway. Proposed is to remove everything on the site including the trees and propose two (2) new two-family dwellings.

- The duplex are identical, they will each have a garage, there is a downward slope from the street, there will be a trench on the bottom of the driveway by the garage.
- Salvatore Lamendola asked if the existing dwelling is on the existing lot or the new lot
- There will be decks on the rear of the property
- Take the entire footprint and run it into the seepage pits and handle the runoff.
- Variances:
  1. SF per dwelling unit- required is 3,000 SF proposed is 2,500 SF
  2. Building Coverage- required is 25% proposed is 30.5%
- He shows the deck as a variance but it might not be
- No refuse/recycling will be stored in the garage. They will be stored underneath

**Carmin C. Breonte** stated that we have 4 points of entry for the utilities, how much work would be into the street and how much would it be broken up. He asked what the grade is of the driveway

**Gary Paparozzi** stated that the building department might require a performance bond to ensure that it is done correctly. Whatever they dig up it will have to be paved.

**Gary Zalarick** stated that the developer that is here tonight is currently doing a project a few houses down and he said that he is paving curb to curb and is willing to do the same for this property.

**Thomas Stearns** stated that it is a 12% grade

**Gary Paparozzi** stated that whenever you have a driveway, you would like to keep a 6% slope on the driveway so that it can be used in the winter, snow, ice, rain. When you get a steep driveway it is not usable.

**Carmin C. Breonte** stated that he rather see a driveway that is usable than one that cannot be used due to the grade.

**Gary Paparozzi** stated that they also don't need 9-foot ceilings in the garage if they want to change that

**Thomas Stearns** stated that if they went down to 8-foot ceilings in the garage and raised the building 2 feet, they would get 6% slope driveway

#### **Thomas Stearns- reviewed architect plans**

##### **AAVCON LLC dated 6/21/22**

**Gary Paparozzi** stated that the plans that he has are dated 5/11/22

**Thomas Stearns** stated that they will submit revised plans if the board looks favorably on it

- Basement plan- there is a utility closet for each dwelling
- Garages will be split and each unit has access to their own garage
- 1<sup>st</sup> floor- kitchen with the deck, dining area, living area
- 2<sup>nd</sup> floor- master bedroom in the front with walk-in closet and bathroom, two additional bedrooms with them sharing a bathroom. There is also laundry

**Gary Paparozzi** asked if the driveways are going to be split?

**Thomas Stearns III** stated that they can put a block curb down the center of the driveway to split them.

They will be 12 foot each driveway

**Alban Gaba** stated that there are four (4) sum pumps, where will they be going

**Thomas G. Stearns III** stated that the sum pumps go to grass area on the property, they will be used as an emergency. The sum pumps are used as a backup in case the seepage pits fill up

#### **Open to the public**

**Nobody came forward- Public Session Closed**

#### **Gary Paparozzi**

##### **Variances:**

1. SF per dwelling unit (D-Variance)
2. Maximum building coverage
3. Height variance to meet the 6% pitch for the driveway
4. Side yard setback- to him it is a variance

If the board looks favorably upon the application the architect plans need to be revised, Mr. Stearns plans need to be changed as well.

**Carmin C. Breonte** asked what type of fence will they install  
**Thomas Stearns** stated that they will be 6' PVC fencing  
**Gary Zalarick** stated that the applicant agrees to everything in Neglia's report.

**Motion to Approve the Application**- Arlene Patire- **looking at the street, this would fit right into the neighborhood, although there is the question about setback. Subject to conditions of Mr. Pappozzi**

**Second**- Salvatore Lamendola- **he agrees with Arlene and it will enhance the area.**

Alban Gaba- Aye- with all conditions

Salvatore Lamendola- Aye

Daniel Rigoglioso- Aye

John Easom- Aye- subject to all modifications

Tony Lio- Aye – subject to all conditions, he really likes the building

Arlene Patire- Aye

Carmin Breonte- Aye

**\*Application Approved\***

**Carmin C. Breonte** stated to **Thomas Stearns** and **Gary Zalarick** that we cannot approve the resolutions until we receive plans for 25 Shaw Street and 52 Dewitt.

**Motion to Close Meeting**- Tony Lio

**Second**- John Easom

**All in Favor**- Aye