

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, July 11, 2023

In the matter of:
Public Hearings, Public Comment
July 11, 2023

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

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

Appearance:

Wilfredo Ortiz., Attorney
Sharon , Certified Court Reporter
Gary Paparozzi, Board Planner
Thomas Solfaro, Engineer

Reported by Jacqueline Anello, Secretary
July 11, 2023 (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 June 12, 2023 Minutes with the correction that Carmin C. Breonte and Daniel Rigoglioso were not absent & Albano was Absent- Carmin V.

Second- Tony Lio
Daniel Rigoglioso- Aye
Alban Gaba- Abstain
Tony Lio- Aye
Francisco Sanchez- Aye
Carmin V. Breonte- Aye
Arlene Patire- Abstain
Carmin C. Breonte- Aye

62 Schley Street- the secretary has reached out multiple times and the attorney has not responded

Motion- Arlene Patire
Second- Francisco Sanchez
Daniel Rigoglioso- aye
Alban Gaba- aye
Tony Lio- aye
Francisco Sanchez- ye
Carmin V. Breonte- aye
Arlene Patire- aye
Carmin C. Breonte- aye

send a letter stating that the application was dismissed without prejudice

67 Farnham Avenue (Charles Messina)
Gary Zalarick- Attorney for the applicant

Arlene Patire asked if there was ever a CO for the office above the garage.
Gary Zalarick stated

Thomas G. Stearns III
144 Jewel Street, Garfield, NJ 07026
GB Engineering
Sworn in by Sharon

- Site Plan dated April 15, 2018 revised January 14, 2019
 - o Northerly side of Farnham west of Clark Street
 - o 71.86 frontage 95.71 on the left, 100 on the right
 - o When you pull up to the property it is a three-story brick building
 - o On the left side there is a parking lot which is six (6) spaces with a drive aisle
 - o There is a masonry garage and an attached shed
 - o Three-story building is a six (6) unit building. Currently the tenants park on the right
 - o Three (3) doors on the garage, two (2) doors on the easterly side will be for the upstairs proposed 1 bedroom unit.
 - o Refuse area in the rear that will be fenced in

Arlene Patire asked if the six (6) units are one (1) bedroom units?

- Gary Zalarick stated that they have the drawings that they will go over

Thomas Stearns stated that there will be no site changes

Carmin C. Breonte asked if you can get into the two garage spaces without any other cars being in the way

- Thomas Stearns stated that the two spaces in the garage can be accessed

Gary Paparozzi stated that the state requires an ADA Space and they may lose another space

- Thomas Stearns stated that they would lose a parking space putting in the ADA space.

Arlene Patire asked how many spaces short they would be

- Gary Paparozzi stated that they would be short seven (7) parking spaces.

Carmin C. Breonte asked what the one-story building was, will they need to add any drainage?

- Thomas Stearns stated that is the attached shed
- Gary Paparozzi stated that nothing new is being added

Vangea
Architech
Sworn in by Sharon

Architectural Drawings dated August 2, 2017 revised April 17, 2019

- 1st Floor- three (3) car garage

- Attached shed
- The third garage door will not be able to be used because of the parking
- There was an office, bathroom, pantry, sink, refrigerator. Currently that unit is one-bedroom, living room, kitchen, and a bathroom
- The changes that were made were a stove was put in, a full refrigerator, and an exit window
- 6-unit structure:
 - Basement- furnaces, hot water heaters
 - 1st floor- 2 units: 1 is a one bedroom and the other is a 2 bedroom
 - 2nd & 3rd Floor- 2 units on each floor and each are 2-bedroom units
 - Five 2-bedroom units and One 1-bedroom units

Arlene Patire asked where the garbage would go

- Vangea stated that it is proposed to be in the left rear

Carmin C. Breonte asked the dimensions of the refuse area

- Thomas Stearns stated 4 x 10

Gary Paparozzi stated that there have been multiple violations for this property and two (2) of the violations are from September 15, 2022.

Charles Messina

Applicant/Owner

Sworn in by Sharon

- Owned the building for 48 years
- The six (6) family unit was there
- It was a two-family house right before he bought it, then they put the garage with the office above the garage
- He had his business in that office and utilized the garage for storage and parking
- Parking lot was used for all his trucks
- The six-unit did not utilize the parking lot
- He never received a violation for having the office
- He would get inspections and never received a ticket
- He relocated to 98 Hudson Street because he outgrew the space and moved all the trucks.
- After his business moved they gave each tenant a parking space
- 2010 the stove was put and it was converted to a residential unit
- 2018 they filed an application to clear up things
- It has been a residential unit since 2010 and two tenants have been there since
- Everyone who occupies the 6-unit dwelling and the unit above the garage utilizes the parking spaces on site

Arlene Patire stated that there was a violation in 2012, there were 6 tickets in 2018 and then there were also 2 tickets issued in 2022.

Gary Paparozzi stated that the two tickets in 2022 remain unpaid and were for no CO for the office or the residential unit.

Carmin V. Breonte asked the shed that is attached to the garage, how do you get into it?

- Thomas Stearns stated that it is a one-story added to the existing garage and the only access is from the garage.

Open to the Public

Wilfredo Ortiz stated that there was a neighbor that submitted a letter due to her mother being ill and not being here tonight. He read the letter into the record. He marked them as exhibit B1.

Carmin C. Breonte- Nobody came forward and we read the email that came in, the Public Session is Closed

Gary Paporozzi

Variances:

1. Minimum Lot Area
2. Minimum Lot Width
3. Parking
4. SF per dwelling unit

There are six (6) existing variances

Tony Lio stated the parking and tickets are what they are, parking will be given to the tenant in the unit above the garage.

Motion to Deny the Application due to parking, density of the area going from a 6-unit to 7-unit with garage, there is a huge mechanical room above, proposed drawings with work that was complete and done years ago, he doesn't see it being in favor of the city and a negative impact- Carmin V. Breonte

Second- Francisco Sanchez for the same reasons

Daniel Rigoglioso- Aye

Alban Gaba- Aye

Tony Lio- No- he is not concerned with the variances, not concerned with the parking, he feels that them providing the parking space is good. He is on the fence

Francisco Sanchez- Aye

Carmin V. Breonte- Aye

Arlene Patire- Aye- her big concern is the parking, when she references years ago Garfield is not as crowded as it is now. Being short 7 parking spaces is a lot, she drives around

Carmin C. Breonte- Aye

Application Denied

Resolutions:

33 Schley Street

Motion to Approve- Carmin V. Breonte

Second- Francisco Sanchez

Daniel Rigolioso- Aye

Tony Lio- Aye

Francisco Sanchez- Aye

Carmin V. Breonte- Aye

Carmin C. Breonte- Aye

Motion to close meeting-Carmin V. Breonte

Second- Tony Lio

All in Favor- Aye