

City of Garfield  
Garfield Zoning Board of Adjustment  
Regular Meeting, January 8, 2024

In the matter of:  
Public Hearings, Public Comment  
January 8, 2024

Commencing at 7:30pm

**The Garfield Zoning Board of Adjustment:**

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

**Appearance:**

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

Reported by Jacqueline Anello, Secretary  
January 8, 2024 (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 December 11, 2023 Minutes-** Frank Sanchez

**Second-** Carmin V. Breonte

Kathy Rozmus- Abstain  
Salvatore Lamendola- Abstain  
Francisco Sanchez- Aye  
John Easom- Aye  
Carmin V. Breonte- Aye  
Arlene Patire- Aye  
Carmin C. Breonte- Aye

**\*December 11, 2023 Minutes Approved\***

**Motion to Approve the January 2, 2024 Reorganization- Arlene Patire**

**Second- John**

Kathy Rozmus- Abstain  
Salvatore Lamendola- Aye  
Francisco Sanchez- Aye  
John Easom- Aye  
Carmin V. Breonte- Aye  
Arlene Patire- Aye

Carmin C. Breonte- Aye

**\*January 2, 2024 Reorganization Minutes Approved\***

**381 Van Bussum (Elzbieta and Jacek Szczachor)**

**Applicant is seeking to convert a 1-family into a 2-family.**

**Gary Zalarick- Attorney for the Applicant**

- Covered sun porch, this was approved by the Zoning Board in 2010, when the addition was built it was built slightly bigger. The survey shows that it was built bigger than it should have been.
- The additional 4 feet would not require a variance. The permits that were taken out were for what the plans called for. The sun porch was four feet larger than it should've been. The porch was covered and on the plans which were not originally on the plans.

**Arlene Patire** asked if that presents another variance.

**Gary Pappozzi** stated that he is not sure what he applied for back then. The proposal was for 20.7 the building came out to 24.7 ft. the covered porch was just a stairway and it is now 12'x10'.

**Carmin C. Breonte** stated that the other thing is that the work was done without permits. He suggests they go get the proper permits and then come back with the correct drawings.

**Gary Pappozzi** stated that he is not sure if it would require a variance because he went off of the 2010 survey when he did his report because he did not receive the new survey until after.

**Carmin C. Breonte** stated that the applicant should go pull the proper permits, get it inspected.

**Wilfredo Ortiz** stated that the application has been withdrawn.

**213 Division Avenue (Hanna Jenczelewska & Dennis Sondej)**

**Applicant seeks to demolish existing dwelling and build five-unit apartment building.**

**Gary Zalarick- attorney for the applicant**

- Applicant intends to build a 5-unit building. You will hear testimony from the Engineer, Planner and Architect

**Thomas G. Stearns III**

**144 Jewel Street, Garfield, NJ 07026**

**Planner**

**Sworn in by Beth Calderone**

- Site Plan dated May 25, 2023
- Lot 49 Block 190
- Northerly side of Division, East of Ray Street
- Currently there is a 1-story dwelling
- Large driveway on the right side, a shed with driveway access on the left side, plantings, pond
- 9,926.25 SF
- Proposal is to demolish the existing structure and all structures on the property
- Driveways will be on each side of the property with 12' curb cuts, planted area in the front of the property, in the back will be the parking, refuse/recycling area. One way entry exit. There is a 24' drive in aisle. 5' walkway that allows for handicap access. There is a handicap space in the back of the building. The two corners of the building there is the recycling and refuse area with plantings behind it for screening. PVC fence surrounding the property. There will be a curb and then the fence adjacent to the curb. There will be four (4) seepage pits in the back and two trench drains that will pick up the runoff of the parking lot. The entire building will go into that system. There will be no water runoff onto the neighboring properties.
- Zoning: R2 Multi-Family Residential
  - o Minimum Lot Area: 10,000 SF required, 9,920 SF proposed
  - o Minimum Lot Width: 100' required, 75' proposed
  - o Minimum Lot Depth: 100' required, 132.27' proposed
  - o Front Setback: 20' required, 20' proposed
  - o Rear Setback: 30' required, 64.27' proposed
  - o Side Setback (one): 10' required, 12.50' proposed
  - o Side Setback (both): 22' required, 25' proposed
  - o Main Building Coverage: 25% required, 22.50% proposed

- Maximum Building Height: 2.5 Story/27' required, 2.5 story/>27' proposed
- Parking RSIS: 10 spaces required, 10 spaces proposed
- Minimum SF/Dwelling Unit: 2,500 SF required, 1,984 SF proposed
- Lighting will be provided
- Three (3) variances and one (1) D-Variance

**Gary Paporozzi** stated that on the zoning chart it says pre-existing which it is not. There needs to be a correction about the fencing it should say 8 feet north on the one side not west.

**John Bryjak**

**345 Blvd, Suite 4, Hasbrouck Heights, NJ**

**Sworn in by Beth Calderone**

- Construct a 5-unit building
- Plan dated June 14, 2023
- One (1) one-bedroom and four (4) two 2-bedroom
- Sheet A1.1: South Elevation- front elevation facing Division Avenue- 2.5 story structure.
- Sheet A1.2: A & B show the other two elevations
- Sheer A2.1: Main entrance, stairs leading to 2<sup>nd</sup> floor, hallway that leads to the two units. Unit 101 & 102 are exactly the same. Upon entering to the right you have the kitchen, living/dining area, linen closet, hallway leading to a fully bathroom, full closet, stacked laundry with water heater, two bedrooms (each have their own closet). There will be a sprinkler system in each
  - Breakdown of sizes 101: 987 SF, 102: 987 SF,
- Sheet A2.2: 2<sup>nd</sup> Floor Plan: stairs leading from the entrance with the stairs. Unit 201, Unit 202 which is a mirror to 201, the 203.
  - Breakdown of apartment sizes: Unit 201 & 202 are 804 SF, Unit 203 is 503 SF.
- There will be a pull-down staircase in each unit for access to the unfinished attic.

**Salvatore Lamendola** asked the sizes of the bedrooms.

**Arlene Patire** asked if there is one bathroom in each unit and one laundry in each.

- **John Bryjak** stated that is correct.

**Carmin V. Breonte** asked if they park in the back they need to walk to the front to enter.

- **John Bryjak** stated that they will park in the back and enter through the back.

**Alexander Mccleen**

**137 Heckle street,**

**Sworn in by Beth Calderone**

**Planner**

- Lot is on the south side
- Ariel map shows all the properties surrounding the property
- Land Use map- the area is surrounded by residential dwellings, there are also commercial dwellings as well.
- Aerial drone view to give a better idea of the surrounding area.

**Gary Paporozzi** stated that the Master Plan is to have dwellings not only conforming but also to the dwellings around it which are primarily one or two family if not commercial. The Master Plan is trying to avoid these type of situations. There is no home on that block that is covered 99%, this proposed dwelling is covered 99%.

**Carmin C. Breonte** stated that on page 5, the building is not going to look like the rest of the buildings in the area.

**Carmin V. Breonte** who is going to be picking up the refuse and recycling? Snow removal? Are they going to have a scheduled pick up?

- **Thomas Stearns** stated that they are going to have a private hauler picking up the garbage. It will have to be removed off site.
- **Gary Zalarick** stated that they will do a 8am/9am pick up time.

**Salvatore Lamendola** asked about the lighting

- **Thomas Stearns** stated that they are going to submit their lighting plan to Neglia Engineering for review.

**Thomas Solfaro** asked for Thomas Stearns to provide a traffic diagram showing how the trucks will turn.

- **Thomas Stearns** stated that

**Hanna Jenczewska**

**Owner**

**Sworn in by Beth Calderone**

**Arlene Patire** asked if she is going to be living at the property.

- **Hanna** stated that she may be living in the one-bedroom unit. She does not currently live at the current dwelling now.

**Open to the Public**

**Susan Scudilo**

**216 Division Avenue**

**Sworn in by Beth Calderone**

- Her main concern is that the water comes up from the ground, after a rainstorm the sum pumps are constantly going off. The sewer system since the infrastructure has not been updated, the sewer is backed up. Even with parking, you do not know how many cars they are going to have for a two-bedroom. Her main concern is the water and sewer.

**Amelia Kata**

**220 Division Avenue**

**Sworn in by Beth Calderone**

- Her home is one property down from the proposed construction site. The traffic in that area is a lot with the schools and businesses. She has a difficult time pulling into her driveway. She is a teacher and the classrooms are bursting at the seams.

**Erin Delaney**

**226 Market Street**

**Sworn in by Beth Calderone**

- She can attest to that entire area about the flooding and sewer. Market street the sum pumps are constantly going. There being two-bedrooms are more likely to have students being enrolled in the school system and it is adding a lot more students to the schools.

**Jason Olejarz**

**205 Division Avenue**

**Sworn in by Beth Calderone**

- He sees this as an apartment complex but scaled down. His issue is the parking, the backyard is basically a parking lot, what about the people that live behind this property; they will need to hear the cars shutting the doors, car alarms, etc.

**Nobody Else Came Forward**

**Public Session Closed**

**Gary Paporozzi: Variances**

1. Minimum Lot Area
2. Minimum Lot Width
3. Minimum SF per dwelling unit
4. D-Variance

**Wilfredo Ortiz** stated that however you vote please give reason

**Motion to Deny the Application-** Arlene Patire- she said it is a beautiful project, but it is putting an elephant in a shoebox.

**Second-** Salvatore Lamendola- it is too much going on in the lot based upon the circumstances going on and the people living in the area.

Kathy Rozmus- Aye- she agrees with Sal and Mrs. Patire, it is too much in that ara

Salvatore Lamendola- Aye

Francisco Sanchez- Aye- he believes the same, five family with two-bedrooms, if there are children there, there is nowhere for them to play.

John Easom- Aye- there is a number of reasons, one of the residents stated it perfect with quality of life that there is no grass or play area, trucks picking up garbage, taking the snow off the property.

Carmin V. Breonte- Aye- way too large for this property, snow removal, garbage pick up, too much traffic going on for this. He thinks it would stand out and does not conform at all. The quality of life with no place for the children to go.

Arlene Patire- Aye- too much house for the property.

Carmin C. Breonte- Aye- they have 9,900 SF and are only a little short but when you take the overall project itself it is too big for the property. Also looking at the drawing from the planner page 5, it shows all the houses in the area and there is nothing built in that area, there are backyards, front yards for the children to play. The properties are not as big but they still have green area for the tenants that are going to live there.

### **Application Denied**

### **Resolutions:**

#### **11 Bellport Avenue & 598 Midland Avenue (Ken-Dan, Inc)**

Applicant approved permission to pave and make certain other improvements to the existing gravel parking lot located at Block 6.11 Lot 113 (11 Bellport Avenue).

**Motion to Approve-** Arlene Patire

**Second-** Francisco Sanchez

Kathy Rozmus- Abstain

Salvatore Lamendola- Abstain

Francisco Sanchez- Aye

John Easom- Aye

Carmin V. Breonte- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye

\*Resolution Approved\*

### **Zoning Board Reappointments**

**Motin to Approve-** Francisco Sanchez

**Second-** Carmin V. Breonte

Kathy Rozmus- Abstain

Salvatore Lamendola- Aye

Francisco Sanchez- Aye

John Easom- Aye

Carmin V. Breonte- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye

\*Resolution Approved\*

**Motion to Adjourn Meeting-** Carmin V. Breonte

**Second-** John Easom

**All in Favor-** Aye