

City of Garfield  
Garfield Zoning Board of Adjustment  
Regular Meeting, March 11, 2024

In the matter of:  
Public Hearings, Public Comment  
March 11, 2024

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

**Appearance:**

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

Reported by Jacqueline Anello, Secretary  
March 11, 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 February 12, 2024 Minutes-** Salvatore Lamendola

**Second-** Alban Gaba  
Alban Gaba- Aye  
Salvatore Lamendola- Aye  
Paul Houllis- Aye  
Francisco Sanchez- Aye  
John Easom- Aye  
Tony Lio- Aye  
Carmin C. Breonte- Aye

**108 Dewey Street**

**Applicant seeking to convert a 1-family into a 2-family dwelling**

Gary Zalarick- attorney for the applicant

- Convert an existing 1-family dwelling into a 2-family dwelling
- This application was originally started but was carried for some changes

David G. Stroup

Sworn in by Beth Calderone

- Revised on February 26, 2024
- Taking an existing residence and adding to it, to the right and adding 2 bedrooms to each floor
- Layout of each floor:
  - o Partial basement that is part of the original building, that will hold utilities and storage.
  - o 1<sup>st</sup> floor is developed around an entrance way with access to the 1<sup>st</sup> floor and access to the 2<sup>nd</sup> floor. There are two bedrooms in the rear, kitchen, living room, and dining room.
  - o Each unit will be the same on each floor
  - o The average height of the building is 24'6", there is no variance for height
  - o 1<sup>st</sup> floor and 2<sup>nd</sup> floor areas have been reduced from 1,270 SF to 1,097 SF. 2<sup>nd</sup> floor has been reduced as well from 1,257 SF to 998 SF.
  - o The number of bedrooms has been reduced from three (3) bedrooms to two (2) bedrooms.
  - o They have four (4) parking spaces for a total of two (2) parking spaces per unit
  - o Where are the air conditioning units?
    - They are in the corner on a slab.
- Carmin C. Breonte asked what they mean by in the corner on a slab?
  - o Mr. Stroup stated it is to the left of the extension.
  - o Mr. Paparozzi stated that they need to be shown on the plans because they need a setback.
  - o Mr. Stroup stated that they did make the revisions already on other plans but are not showing them today.
- Carmin C. Breonte stated that his biggest concern is that the house is on the property line. There is an eave on page 3, how big is it? Will it encroach on the neighboring property?
  - o Mr. Stroup stated that it is about 6 inches from the property line.
  - o Mr. Paparozzi stated that when they build the footing, how is it going to be sided. In the resolution it needs to be stated that they need the neighbor approval to do the siding on the house to go on their property.
- Gary Paparozzi
  - o Side yard for both
  - o Minimum SF per dwelling unit
  - o Parking
  - o Those changes need to be made, also the air conditioner units, as well as the gutters
- Neglia- the calculations need to be on the plan for the drainage as well as grading information. Is there any fencing? What is the plan with the retaining wall in the front
  - o Mr. Stroup stated that the fencing will remain, they will have to review the retaining wall. The owner will provide a new wall.
  - o Neglia stated that it needs to be on the plans
- Carmin C. Breonte stated that looking at the pictures on the drawings, where is the fence?

- Mr. Stroup stated that it starts in the back of the house. If there is damage to the fence they will restore it.

Open to the public

Glen Mati

129 Sampson Street, Garfield

Sworn in by Beth Calderone

- The reason he came because his rear yard was against his rear yard. He appreciates how the board went through everything with the application with the parking etc. After speaking with Mr. Zalarick and the applicant they showed him there would be more parking and they reduced the bedrooms. The house that is there is in poor shape. He is in favor of the project.

Peter Amatio

110 Dewey Street, Garfield

- He is the neighbor that they are talking about. The house is in need of repair. He is in favor of it. He is willing to talk to Mr. Zalarick about them going onto his property if needed.

Nobody else came forward

Public session closed

Carmin C. Breonte asked if they are two (2) full bathrooms?

- Mr. Stroup yes there are two full bathrooms in each unit

Gary Paporozzi – Variances required:

1. Minimum Lot Area
2. Minimum Lot Width
3. Front Setback
4. One Side Setback
5. Both Side Setback
6. Minimum SF per Dwelling Unit

**Motion to Approve-** Tony Lio- with all stipulations, it is a total eyesore.

**Second-** Paul Houlis

Alban Gaba- Aye- with all stipulations

Salvatore Lamendola- Aye- he lik

Paul Houlis- Aye- with all stipulations and he was not sure because not everything was on the plans but after hearing the neighbors.

Francisco Sanchez- Aye- with all stipulations

John Easom- Aye

Tony Lio- Aye

Carmin C. Breonte- Aye- property is in need of rehab, he does not think it will be a deteriminte to the area.

**\*Application Approved\***

## **60 Dewitt Street**

### **Applicant seeks to demolish existing structure and construct three (3) townhouses**

Gary Zalarick- attorney for the applicant

- Applicant intends to demolish the existing structure and construct three (3) townhouses

Thomas G. Stearns III

Sworn in by Beth Calderone

144 Jewell Street, Garfield

Engineer

- Plan dated October 9, 2023 with no revisions
- Existing Structure: 75' wide 100' deep
- There is a wood shed and aluminum shed in the rear
- There is a curb cut on the right side of the property 11' with a dirt driveway
- Proposed is to build three (3) new townhouses
- They will provide new sidewalks and apron
- The AC units are shown in the back of the property, they will be setback
- The building height they are complying, but are not complying with the story height
- They have storm deck units to catch the water in the driveway only. There are three (3) seepage pits in the rear of the property, the entire roof will go into those pits. They are exceeding the RSIS requirement
- Max Building Coverage they need a variance
- Lot Coverage- they comply
- Building Height- asking for a variance for the 3 story
- SF per dwelling unit- they comply
- Side Yard Both- variance required
- Width of a townhouse- variance required
- Open space- they comply

Tony Lio asked where the refuse and recycling will be stored

- Thomas Solfaro stated that the architect will testify

Afhsan Vandel

Sworn in by Beth Calderone

Architect

- Drawings dated February 22, 2024- the changes that were made was the grading.
- Ground Floor- parking, utilities
- Main Floor- open floor plan- ½ bathroom, living room, dining room, kitchen
- 2<sup>nd</sup> Floor- three bedrooms, master bedroom has a bath, laundry room, and a common bathroom. There is an attic access in each unit
- There is an open space in the garage now for the refuse and recycling, she is reducing the size of the utility and sprinkler room

Gary Paparozzi asked how to access the attic

- Afhsan stated that there is pulldown stairs and it will remain unfinished

Neglia asked if you need to walk through the garbage area to get to the utility room. Need a report for the ground water because they need to know if the ground water is contaminated or not. The utilities are going out to the three different trenches. How many parking spaces are you losing on street? Please push drywalls a little further back.

- Afhsan stated that there is going to be a wall.
- Thomas Solfaro stated they are losing two parking spaces on the street.

Gary Papparozzi

- Minimum lot area and lot width- needs to be changed
- Rear setback- is not a variance needs to be changed.

Open to the public

David M.

76 Dewitt Street

Sworn in by Beth Calderone

- They are a residential street, one issue that they have is parking. The factory is down the street, the venetian is down the street and they all park on the street. They are taking up the whole lot there is no yard.

Carmin C. Breonte stated that there is going to be 30 feet of yard in the back.

Robert Jujun

- Part of his property is behind the property going up. His main concern was about if there was going to be a change in elevation, but he got clarification that there will be no change.

Brian

76 Dewitt Street

- He spoke to the old owner and he thought that he told him that the house was history, but now they are tearing it down. A lot of the soil is contaminated.
  - o Gary Papparozzi stated that they need to get the soil tested before building

Anthony Swistak

70 Dewitt Street

- He lives next door. The existing house has been dishelved for the past 2 years. His concern is about the fence. Who will maintain the property?
  - o Gary Zalarick stated that they will continue the fence. There will be an HOA and there will be common laws and each owner will have to maintain their own property.

**Elvane Kellembi**

- She wanted to add that there is no parking where they are now. There is a new building at 40 Dewitt Street and there is many cars.

**Nobody else came forward**

**Public Session Closed**

Salvatore Lamendola his concern is that the windows are to code

- Carmin C. Breonte stated that the building official will be responsible to make sure of that.

**Gary Papparazzi- variances**

1. Use variance
2. Minimum Lot Area
3. Minimum Lot Width
4. Side Setback One
5. Maximum Building Coverage

6. Maximum Building Height
7. Side Setback Both
8. Parking
9. Minimum Width
10. Setback on townhouses

**Wilfredo Ortiz-** subject to professional approval, curb to curb repave and application will continue the neighbors fence, as well as the shade trees. Garbage and recycling inside the utility room.

**Motion to Approve Application-** Salvatore Lamendola- a lot of people are complaining about parking, if you drive around there is a lot of changes and believes it will enhance the area.

**Second-** Tony Lio

Alban Gaba - Aye- with all stipulations

Salvatore Lamendola- Aye

Paul- Houlis Aye

Francisco Sanchez- Aye – he thinks it is a good project.

John Easom- Aye

Tony Lio- Aye

Carmin C. Breonte- Aye- it is a nice project, the variances are all minimal and thinks it will be a big improvement to the area.

**\*Application approved\***

**5 minute recess**

**Meeting called back to order:**

Roll call:

Alban Gaba- Here

Salvatore Lamendola- Here

Paul Houlis- Here

Francisco Sanchez- Here

John Easom- Here

Tony Lio- Here

Carmin C. Breonte- Here

### **23 Frederick Street**

#### **Applicant seeks to construct three townhouses**

- R2 zone
- This applicant has been before the board two other times with this property

**Thomas G. Stearns III**

**144 Jewell Street, Garfield**

**Sworn in by Beth Calderone**

- Site plan dated June 8, 2023 second revision 11/26/23
- There is an existing 1-story dwelling- the building has been removed. The existing wall at 21 Garfield Avenue has been restored
- Proposal is to construct a new three-story three townhouse dwelling
- The driveways are on Westervelt Place.
- There is 1 garage space for each unit
- Two of the units have 1 space behind the garage and 1 unit has 2 spaces behind the garage

- The air conditioning units will be under the decks of each unit, it will be gravel and each AC unit will be on a pad on the gravel
- They are taking the entire building footprint into two seepage pits.
- The refuse and recycling will be stored in the garage of each unit.
- The utilities go out to the back of the property. They will provide the property easement.
- There will be 1 sewer for all three townhouses.
  - o Neglia asked who will be responsible for the sewer?
    - Mr. Stearns stated that the association will be responsible.
- Mr. Stearns reviewed the Zoning Chart

Neglia:

1. will you be getting temporary easements? Mr. Stearns stated that they do not need a temporary easement anymore because the building is demolished that was on their site.
2. Show the site triangle on the site plan. Mr. Stearns stated he will make that change.
3. Reconstructing sidewalk and curb on Frederick and Westervelt. Mr. Stearns stated they will comply.
4. Corner ADA Ramp needs to be reconstructed. Mr. Stearns stated they will comply
5. Fencing? Mr. Stearns stated that they will have PVC fencing.
6. Stormwater maintenance manual. Mr. Stearns stated they will ensure
7. Lighting/Landscaping? Mr. Stearns stated that they will have lighting by the doors only.
8. Shaded trees. Mr. Stearns stated they will comply

Michael Capo

1037 Route 46, Suite G5, Clifton, NJ

Sworn in by Beth Calderone

- Drawings dated 12/18/2023
  - o Gary Paparozzi stated that the professionals do not have those plans, theirs are dated 10/26/23

Wilfredo Ortiz stated that this is a legal issue because the professionals do not have the plans. The board has a different plan than the professionals.

We will have a 5 minute recess

Roll Call

Alban Gaba- here

Salvatore Lamendola- here

Paul Houliis- aye

Francisco Sanchez- aye

John Easom- aye

Tony Lio- aye

Carmin Breonte- here

Yasseen Saad

Carmin C. Breonte stated that the decision needs to be made whether to move forward or not. Mr. Paparozzi stated that the height would be less and would not create a variance.

**Motion to proceed-** John Easom

**Second-** Tony Lio

Alban Gaba- abstain

Salvatore Lamendola- aye  
Paul Houlis- aye  
Francisco Sanchez- abstain  
John Easom- aye  
Tony Lio- aye  
Carmin C. Breonte- aye

- Plans are dated 12/18/23 and the change that was made was the building height, it went from 29'8" to 29'
- Garage, center entry walkway and entry to 2<sup>nd</sup> and 3<sup>rd</sup> floors
- 2<sup>nd</sup> floor: kitchen, ½ bath, dining room, and living area, each unit has a deck in the back
- 3<sup>rd</sup> Floor: laundry area, bedroom in back with own bathroom, bedroom in the front with its own bathroom
- Attic- is unfinished
- Each unit has 2 bedrooms
- The refuse/recycling will be stored in the garage. Each unit will take out their own refuse and recycling.

Open to the public

Randazzo

61 Garfield Avenue, Garfield

- His home is right behind this property. His concern is water as far as how big the tanks are. There was an old building there and he likes the way this application looks. He just wants to make sure the tanks are large enough to hold all the water. He hopes it goes through and everything gets finalized
  - o Carmin C. Breonte stated that the applicants engineer prepares the size of the seepage pits and then our engineer reviews it and if he feels it is not enough he will tell them.

Vincent Randazzo

Alberto Mary

102 Cambridge co owner

- When the owner took down the house he redid his siding. His concern was the water and that was addressed

Nobody else came forward

Public session closed

Gary Paparozzi went over variances:

1. Use variance
2. Minimum Lot Area
3. Minimum Lot Width
4. Rear Setback
5. Minimum Lot Depth
6. Maximum Building Coverage
7. Building Height
8. SF per Dwelling Unit
9. Minimum Lot Width

Conditions are: subject to board professional

**Motion to Approve-** Tony Lio

**Second-** Salvatore

Alban Gaba - Abstain

Salvatore Lamendola- Aye

Paul Houlis- Aye- with all stipulations and it is an improvement .

Francisco Sanchez- Absain

John Easom- Aye

Tony Lio- Aye- with the shade tree and non-finished attic

Carmin C. Breonte- aye- they will regrade the property and this should help. The property needed to be built and it is a beautiful project.

**\*Application Approved\***

Carmin C, Breonte stated that the resolution for 256 Lanza Avenue we are not voting on it because no updated drawings were provided to our professionals. 499 Van Bussum Avenue resolution will not be voted on because our professionals did not receive updated drawings.

**Motion on 499 to not pass until updated drawings-** Tony Lio

**Second-** Paul Houlis

**All in favor- aye**

**Motion on 256 Lanza Avenue to not pass resolution until updated drawings are received-**

John Easom

**Second-** Tony

**All in favor- Aye**

**Motion to Adjourn Meeting-** Tony Lio

**Second-** Alban Gaba

**All in Favor- Aye**