

City of Garfield
Garfield Zoning Board of Adjustment
Regular Meeting, February 10, 2025

In the matter of:
Public Hearings, Public Comment
February 10, 2025

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

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

Appearance:

William Fenwick., Attorney
James Lyle- Engineer
Beth Calderone Certified Court Reporter

Reported by Jacqueline Anello, Secretary
February 10, 2025 (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 January 13, 2025 minutes- Paul
Second- Carmin V. Breonte
Kathy Rozmus- Aye
Tony Lio- Aye
Danielle Marcello- Aye
Paul Houllis- Aye
John Easom- Aye
Carmin V. Breonte- Aye
Arlene Patire- Aye

382 River Drive (JD Consulting Group LLC)

Gary Zalarick- attorney for the applicant

- Located in the R2 Zone
- Alter the existing structure & construct the 2nd floor as a commercial flexi-space for 5 units and each space will have a storage space

Thomas G. Stearns III

GB Engineering

144 Jewell Street, Garfield, NJ

Sworn in by Beth Calderone

- Site Plan Drawings dated 4/15/2024 revised 1/24/25
- Sheet 4- existing conditions: frontage on River Drive and there is frontage on Faber Place. 110'x120' is the current property dimensions
- Currently there are driveways, the driveway narrows down to a walkway
- There is a 1-story dwelling right now where the roof as caved in and is in terrible condition. The existing building is 9,968 SF
- The idea is to keep the footprint of the existing building, keep the driveway on Faber, keep the paved area adjacent to River Drive
- Sheet #2 of 4- site plan sheet- showing improvements
 - o Existing building 9,968 SF and will be reduce to 9,914 SF
 - o They will keep the footprint of the building and if there are any walls that need to be replaced, they will replace them

Gary Pappozzi asked if the building will have a new façade because there is a concern since it is over a foot in some areas in the North and the South. The stairs/walkway seem to be over as well.

Thomas G. Stearns Testimony Continued:

- There will be a bay door that gives access to the parking area that has nine (9) parking spaces.
- Each unit will have their own loading area.

Gary Pappozzi asked if there will be five (5) tenants or ten (10) tenants.

Gary Zalarick responded stating that there will be five (5) tenants, their offices on the 1st floor and their warehouse on the 2nd floor

Thomas G. Stearns Testimony Continued:

- Due to River Drive being a county road, they provided a striped off area in the parking so the cars can turn around in the driveway.
- There will be a handicap space/EV space
- The fence will be moved because it is currently on the neighbor property
- There will be landscaping in the back
- Sheet #3: Drainage: currently there is no drainage for the facility, the water for the building runs off onto neighboring properties, River Drive and Faber Place.
 - o They are proposing a seepage pit that will catch the water running down the driveway off Faber Place.
 - o It will pick up the entire roof runoff

Gary Pappozzi raised a concern about the water line that was put in.

Thomas G. Stearns stated that they will need to locate the water line, if needed they will move it.

Thomas G. Stearns Testimony Continued:

- Sheet #1: Zoning/Key Map: currently this is located in the R2 Zone, they analyzed it as being in the B1 Zone
 - o He discussed the current variances, what is required and what is proposed.
 - o Gary Paparozzi stated that it is 19 parking spaces required but with the EV credit space it brings it to 18 required.

Carmin V. Breonte raised a question about the size of spot #11,12,13

Thomas G. Stearns stated they are 9'x18'

Gary Paparozzi stated that since the parking space measurements were not indicated, that would create another variance. Also, the building coverage should be reduced since they are removing a portion of the building does not increase that was a mistake.

Gary Zalarick stated that the variances that Thomas G. Stearns went over were all pre-existing.

Gary Paparozzi stated that it is an expansion of a non-confirming use.

Carmin V. Breonte asked about the refuse/recycling area. There are six (6) and six (6). He does not see how the cans are going to suffice, there should be a dumpster.

Thomas G. Stearns stated that they can provide a dumpster for the refuse and keep the cans for the recycling.

James (Neglia) what impact would the flood hazard have on the proposed area. Any comments from Bergen County? Signage? Drainage calculations? The water line & sanitary connection? The garage entrance that is being proposed seems to be very narrow, will there be a signage to help if a car is coming in or out of the garage? Is the property vacant? If so, has there been a traffic study done? Proposed motion sensor security lighting on the 15-foot pole that is facing the adjacent neighbor, is there a reason why they chose that area?

Thomas G. Stearns stated that the property is not located in the flood hazard. They need to apply for Bergen County. The architect will go over the signage. The drainage calculations will be submitted. They will provide a sign to indicate about a car pulling in or out of the garage. There was no traffic study done yet. If they need to relocate the security motion light, they will.

John Easom asked if there are going to be employees that stay while the workers go out to jobs. Do the units have a bathroom?

Gary Zalarick stated that these types of units will be for a self-employed plumber, electrician, etc. that instead of having their materials and working from their home. The worker would go to this building get the material they need for the job go do the job(s), go back submit their billing or any office work and then go home. There is one (1) common bathroom

Danielle Marcello asked if these owners have employees will they be parking their vehicles in the lot and leaving them there.

Gary Zalarick stated that he is unsure if the workers would be leaving their vehicles

Open to the Public

Bozenna Jakubaszuk

378 River Drive

Sworn in by Beth Calderone

- She is the neighbor of the parking on River Drive. Her concern is about the traffic in that parking lot, this is not a commercial zone on the map. She does not like any commercial

vehicles parked there because they are right by her window. She has lived there for 34 years. There is already a lot of traffic on River Drive and then with the new storage warehouse by Monroe Street there is going to be a lot more traffic. Her concern is that they are going to take the parking away from the residents that currently live there now. The lighting in that area is not well at all, it is very dark and people have an issue crossing the street.

Lorena Benabeiz

384 River Drive

Sworn in by Beth Calderone

- She shares a lot of the same concerns as her neighbor. More traffic, noise, lights, construction is not needed. This property is right on her backyard, she sees it deteriorating.

Patricia Cappadoccia

15 Blakely Place

Sworn in by Beth Calderone

- Her concern is on the Faber Place side, her driveway is directly across the property. There is a box truck currently on that property and cannot easily get into that driveway. Her concern is that there are going to be box trucks going in and out, right now they are saying sprinter vans. How are you going to get a fire truck in that space because it is too narrow. Her other concern is where they are going to put the dumpsters and the in and out of the driveway on Faber Place.

Gary Zalarick stated that the public is coming forward before hearing the full application.

Gary Paporozzi stated that he made that suggestion to the chairwoman because there are so many revisions, and he felt that we should hear the public because he is going to want to see the revisions. There are many things that need be addressed.

Barbara Rurka

29 Blakely Place

Sworn in by Beth Calderone

- She is opposed to putting a 2nd floor on the building. Her house is directly behind this factory, putting another story on this area. This would be too big for the area.

James Mazzer

15 Faber Place

Sworn in by Beth Calderone

- There was a two-inch water main that goes right through the parking lot where the seepage pits are going to be, it is not a problem it can be moved. The driveway on the right side, it is under 14 feet. His property goes 2 feet from his garage and then there is a wall there, he does not understand how he will get any truck in there. There is a small box truck there and that truck needs to go back and forth and up people driveway to get into the current driveway. it goes on his property about 18 inches, it cannot be changed but what happens is public service came to put the gas meter in and they did not want to go through the loading dock, they put it through his property and it is on his property. He wants to see him do something with this property. There is no sewer there, there was one toilet there and the sewer collapsed 10 years ago.

Brandon Bruke
384 River Drive

Sworn in by Beth Calderone

- His wife spoke earlier about the privacy since they moved here. For there to be more commercial and more noise it just is going to be too much

Public Session Closed

John Bryjak
345 Boulevard, Hasbrouck Heights
Architect

Sworn in by Beth Calderone

- Dated January 28, 2025
- **Sheet A1- Elevations-** they will be adding approximately 3 feet to the existing structure.
- They will be adding five dormers to bring some light to those areas
- **Sheet A2- East Elevation (East Side)**
- **Sheet A3- Floor Plan:**
 - o Top of the drawing shows the entrance for the vehicles 12'x12' overhead door. The other half would have the 5 storage units. Each unit is 10'x60', there will also be an overhead door. They are proposing that the parking spaces in front of each unit will be dedicated to that unit. There is also a men's and women's restroom.
- **Sheet A4- Second Floor:**
 - o Corridor will lead to the offices; they are approximately 16'x23'. There are 2 stairwells on each side to lead to the 2nd floor.

Gary Paporozzi asked if the building is going to have a new façade? There was testimony from the engineer that some areas may need to be removed.

John Bryjak stated that they will need to take a look at the areas and if any repairs need to be made, they will have to ask the neighbors to go onto their property to make those repairs.

William Fenwick asked if the large smokestack is going to be removed

John Bryjak stated that it will be removed.

Gary Zalarick stated that he is going to ask for an adjournment

Anthony Mercedes

Sworn in by Beth Calderone

Owner

- He is the managing member of JD Consulting Group LLC, and they own this property. When he purchased the building, the structure was in the condition as it is now. He tried to put residential in there, which could not happen because of the flood zone being into the entrance of the driveways. He was trying to work with the building department to see what the best option for them would be for this building. After many years, he saw that a lot of HVAC guys and electricians were using their garage for their workspace, he figured that those guys may want a space to store their material and work from that space. The person that is renting it, he would see what type of business they do and put in the lease that they cannot have a vehicle over a certain size.

Paul Houllis asked who told him that they cannot build a residential unit there

Anthony Mercedes said that from what he heard in the building department is that he would have an issue because of the flood zone. He sat with many different engineers to figure out

what to do in that area and this was the only area. He is also trying to get the parking inside the building so that it eliminates the noise there.

Gary Paparozzi stated that the zoning chart needs to be revised, turning templates, drainage calculations, utilities (showing them and the sewer line), moving the water line, moving the sensor, letter from the fire marshall, also the letter from DEP stating that he could not put residential units there.

James Mazzer

- A couple years ago FEMA changed everything. If you go there with elevation plans, they may give an exception.

Gary Zalarick is requesting an adjournment

Motion to adjourn to a later date- John Easom

Second- Tony Lio

Kathy Rozmus- Aye

Tony Lio- Aye

Danielle Marcello- Aye

Paul Houlis- Aye

John Easom- Aye

Carmin V. Breonte- Aye

Arlene Patire- Aye

This will be adjourned to the April 14, 2025 meeting

616 River Drive KDRJJI LLC

Gary Zalarick- attorney for the applicant

- This is in a B2 zone
- Manufacture and infuse cannabis

Robert Meehan

Sworn in by Beth Calderone

- Class II manufacturing license
- Take the flower, process the flower, extract the liquid, and use the liquid.
- All the products that will be coming in will go into the building
- Total employees 3-5, there will be 2 people at a time.
- There is a 10x10 booth that is 50 state compliant where air comes in and comes out for safety reasons
- Hours of operation will be Monday to Friday from 9am-5pm. The location will be open on Saturday for administration only.
- There are no renovations being made to the exterior of the building, only the interior.
- There will be no signage on the building only the address

Arlene Patire asked what the actual product is

Robert Meehan stated that you take the oil out and create a product

Paul Houlis asked if he owns the property or only rents it

Robert Meehan stated that he only rents the property

Gary Pappozzi stated that this not allowed in a mixed-use building. You are only allowed four (4) manufacturing and right now in Garfield there is only two (2). Will there be a generator? Exhaust? Security?

Robert Meehan stated that he is currently living there right now. He stated that there will not be a generator. He will handle all the security and there will be cameras put around the entire facility.

Danielle Marcello asked if this is only oil extraction?

William Fenwick in terms of the residential leases, how long are those for? How much butane do you plan on storing.

Robert Meehan stated that the residential leases are tied in with the downstairs. They will have 200-pound cylinders.

Marcy Lebenthal

Sworn in by Beth Calderone

- She is one of the founders/one of the owners.
- They purchase biomass which has been tested, they process it into oil. It is their intention to create infused rolled paper. This is not a retail shop. They will sell to licenses retailers, licensed delivery folks, licenses consumption. If it has any smell, it would be within the enclosed box within the building. They will be the exhaust system in place. They will have a keyless entry system, if an employee scans their card to get into any part of the building and if needed, they can go back and time stamp and date every entry. The state will have access to all their security cameras. They are considered a Class II Manufacturer and are not a micro business so they do not have any limitations on the amount they are allowed to manufacture.

John Easom asked who their customer base is. Marketing or signage.

Marcy Lebenthal stated that they will make finished product. They will not advertise or have any signage of where they are located.

Thomas G. Stearns III

GB Engineering

Sworn in by Beth Calderone

Engineer

- Revised 1/27/25
- There is a 2-story residential building, and it will remain
- The existing building on the northerly side is 2415 SF, this building is going to be the location of the cannabis operation which is 2-story.
- There is a proposed office area in the front, the back is the processing area
- The exterior of the building there is a man door and an existing garage door. This is where the delivery truck will bring in the product. There are two bay doors on DeWitt, those two are going to remain, they will be reinforced. There will be no signage, just the address. The only change for parking will be striping. The parking lot will remain as is, the only change is the striping.
- Drainage will remain as is
- The roof will stay as is
- Existing grading will remain as is
- Refuse & recycling- they did provide a refuse & recycling behind building 614
- Parking: 12 spaces required, they are providing 5 spaces.

James asked the size of the spaces and if they applied with the county.

Thomas G. Stearns stated that they are 9'x18' spaces.

Robert Meehan stated that they did apply with the county but did not hear back yet

**Mr. Cauker
Planner**

Sworn in by Beth Calderone

- Photos that were passed to the board were taken by him on February 4, 2025
- The aerial photo shows the two buildings next to one another
- There is a D1 use variance

Gary Pappozzi stated that the town ordinance stated that cannabis manufacturing cannot be in a mixed-use building. Would you agree with me that since one of the stockholders who owns the facility lives there it would be ok.

**Maria Galowitz
21 Dewitt Street**

Sworn in by Beth Calderone

- The reason she is here is because she has a lot of concerns. It is hard to believe that there will be no smell. Her concern is that this is going to affect her investment property because who is going to want to live next to it.

Robert Meehan & Marcy Lebenthal stated that all the waste that they generate needs to be put in a container lock and key and a company has to come pick it up which is a requirement by the state. There is also no smoking on the site that is required and there is a code of conduct that is going to be signed by all employees that they are not allowed to smoke.

Open public session closed

Gary Pappozzi stated that there is a use variance, and the other is the parking variance. It would be subject to any if any county approvals. Everything on the city ordinance has been addressed.

Motion to Approve- Tony Lio- he does not think it will be a detriment to the area, they explained the security, lighting, parking variance the parking is short but it is ok, he does not agree that it will devalue any real estate.

Second- Carmin V. Breonte

Kathy Rozmus- Aye

Tony Lio- Aye

Danielle Marcello- Aye

Paul Houllis- aye- we asked them for a stronger exhaust system and they complied with it

John Easom- Aye

Carmin V. Breonte- Aye- the ventilation will be suitable for the project and there are two other facilities and there have been no issues with odor. With the parking there is limited people that are going to be there, the owners

Arlene Patire- Aye- taking all things into consideration and understanding her concern and it is by the state of new jersey marijuana is legal, they met all our requirements that we asked of them, there are other manufacturers in Garfield and you would not know if you walked past them.

Application Approved

William Fenwick the condition would be waiting for county approval

46 Washington Place

Andrew Bolson- attorney for the applicant

- This is in a R2 zone
- They are here to convert the single-family home to a two-family home

Barry Poskanzer

550 North Maple Avenue, Ridgewood

Sworn in by Beth Calderone

Architect

- There are many two-family homes around the property
- The client is seeking to convert this to a two-family home to bring her sister and her family to come live near them
- The lot is 5,000 SF and for a two-family home they need 6,000 SF
- Drawings dated 10/25/24 revised 1/24/25- the only revision he made was highlighted certain areas
- A02- basement area belongs to the 1st floor unit.
- The second floor where the bedrooms were will be converted into an apartment
- A04- shows the additions they are proposing
- The access to the upstairs apartment is from the front, they are adding another door on the side and that will be the new entrance for the 1st floor

Arlene Patire asked if the family lives there right now. 1st floor will be one bedroom, and the 2nd floor is going to be a three (3) bedrooms.

Barry Poskanzer stated that the owner lives there right now. Yes, that is correct.

Gary Pappozzi stated that the garage is in disrepair, it looks like it is over the line. The survey shows that it is over the property line. Although it is family that plans to live there which is why you put the 4 tandem parking spaces, if the property ever gets sold it is a variance.

Barry Poskanzer stated that they will do everything and make every attempt to get approval from the neighbor to make any necessary repairs.

Carmin V. Breonte stated that he notices they currently have a half bathroom, but proposed is a full bathroom. Also, the third bedroom would prefer to take out the closet and make it a den.

Barry Poskanzer stated that they are proposing a full bathroom, but if the board looks favorably, they will take out the shower and leave it as a half bathroom. They will have no problem taking out the closet and making it a den.

Charles Baldanzn

Sworn in by Beth Calderone

Engineer

- Plans dated 1/24/2025
- They are proposing a seepage pit in the eastern side of the property
- The property grades from the high point in the rear corner and grades down.
- They did a coverage diagram to determine the stormwater requirements, currently there are 3,279 SF of coverage and are reducing that because of the removal of the patio to 3,239 SF.
- Neglia Engineering approved the drainage calculations that were submitted

James (engineer) asked if there are any proposed lighting, although it is just family right now, who will be responsible for the refuse/recycling, any AC unit modifications, Barry stated that there is no proposed lighting, the current owner and next owner will be responsible for the refuse/recycling area, no AC unit because it will be window AC

Vivian Vargas

Sworn in by Beth Calderone

- She has been the owner for 20 years
- Her sister is going to come live with her
- She will be responsible to put the refuse and recycling out and will remain in the same spot
- Her driveway is consistent with other driveways in the area
- She allows many neighbors to park in the driveway when it snows

Carmin V. Breonte her sister is moving up there with two girls

Vivian Vargas stated that her sister will be moving there with the two girls which is why they want a three bedroom

Gary P Aparozzi stated that they board will retract that comment about removing the closet in the one bedroom

Open to the public

Public session closed

Gary Paparozzi stated that the City of Garfield does not have impervious coverage only for structures. There are two variances, one is density and parking. One condition is to do whatever you can for the garage and the other condition is to remove the shower in the basement and leave it as a half bathroom.

Motion to Approve- Carmin V Breonte- most if not all of the houses in the area are two family, with the parking unfortunately it is what it is. There are only two variances that are minor and helping family is very important

Second- Tony Lio

Kathy Rozmus- Aye

Toni Lio- Aye

Danielle Marcello- Aye

Paul Houllis- Aye

John Easom- Aye

Carmin V. Breonte- Aye

Arlene Patire- Aye- it is a nice project and there are a lot of two family homes in the area.

Motion to Adjourn the Meeting- Carmin V. Breonte

Second- John Easom

All in favor- Aye