

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

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

Commencing at 7:30pm

The Garfield Zoning Board of Adjustment:

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

Appearance:

William Fenwick., Attorney
Neglia Engineering
Beth Calderone Certified Court Reporter

Reported by Jacqueline Anello, Secretary
March 10, 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 10, 2025 Minutes-
Second-**

Kathy Rozmus- Aye
Tony Lio- Aye
Danielle Marcello- Aye
Paul Houllis- Aye
John Easom- Aye
Carmin V. Breonte- Aye
Arlene Patire- Aye

The February 10, 2025 Meeting Minutes Approved

25 Shaw Street

Gary Zalarick- attorney for the applicant

- Gary stated that he is requesting to withdraw the application.

Carmin C. Breonte stated to the public that if anyone is at the meeting for or against the application, it is being withdrawn and will not be heard.

475 MacArthur Avenue

Gary Zalarick- attorney for the applicant

- He is seeking an adjournment because the original application was in 1988, it does not prohibit from the application from moving forward and is not considered res judicata, asking for an adjournment to get the original application from 1988

Gary Pappozzi- there was also a denial in 2008 according to the building inspector to go from a 1 family to 2 family and he agrees with the board attorney that it is res judicata

William Fenwick Esq stated that the board needs to make a decision whether they would like to vote on them adjourning the application or dismiss the application res judicata, but it is entirely up to the board.

Carmin Breonte stated to the board members that he needs a motion to adjourn the application or dismiss it res judicata.

Motion to Adjourn the Application- John Easom

Second- Paul Houlis

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Danielle Marcello- Aye

Paul Houlis- Aye

John Easom- Aye

Arlene Patire- Aye

Carmin C. Breonte- Aye

Application adjourned to the May 12, 2025 meeting

131 Jewell Street

Charles Sarlo- attorney for the applicant

- He did submit the legal notices and publication in the paper to the board secretary.
- The application is for redevelopment single family house on lots 3 &4 which are already merged with a detached garage. Proposed tear down of single family and detached garage and construct twelve (12) one-bedroom units, ground floor parking with 3-4 floors above. Application requires a few density variances and every bulk variance as well as a parking variance.

Arlene Patire stated that in December 2019 there was a parking ordinance was passed that there will be no parking permits given to any property over five (5) units.

Allende Matos

545 Lexington Avenue, Clifton, NJ

Sworn in by Beth Calderone

Architect

The board will accept him as an expert in architecture

- Drawings dated 4/18/2024

- The property is on the corner of Jewell Street and Banta
- Construct single bedroom units (12)
- There is an existing drop curb, they are proposing to have an ingress and egress to accommodate 11 parking spaces. They are located in an R2 zone.
- With the parking, they are required to have 19 parking spaces and are providing 11 parking spaces which includes the charging station for electric cars
- Drawing A100- there is a partial basement level with an elevator which will have the utilities, garbage compact. The parking is also shown on the same drawing. They are creating a one-way type of driveway, you enter on Jewell and then exit on Banta.
- Drawing A101- typical floor plan- four units per floor. They are proposing three (3) floors with the same layout. Kitchen, Living Room, Bathroom, Bedroom and a balcony. On the roof they are proposing solar panels, recreation area, and mechanicals
- Drawing A200- shows what the exterior is going to look like.
- Drawing A201 shows the rear façade with the balcony with the same aesthetics

Carmin C. Breonte asked when they are pulling out of the egress, what kind of site clearance do they have because there are two schools. How are they going to see the pedestrians walking.

- **Allende Matos** stated that there is a large curb cut now and it is the same scenario.

Arlene Patire asked if the egress is right on the sidewalk?

- **Allende Matos** stated that every egress is right on the sidewalk.

John Czjuco asked if that is a one-way street

Carmin C. Breonte asked how far the building is from the property next door. What is your total lot coverage?

- **Allende Matos** stated that there is about 0.5 feet. Existing total lot coverage is 42.9, proposed is 83.5. When he designs these projects he took into consideration either less parking or more lot coverage it is a balance. The building is going to be constructed with fire rated material.

Salvatore Lamendola stated that Jewell Street is very narrow street, would a fire truck be able to get down the street with cars on both sides.

John Czjuco stated that it is very difficult for a firetruck to get down Jewell Street.

John Easom asked if they plan on having a recreational space on the roof?

- **Allende Matos** stated yes they plan on having a recreational space on the roof.

Gary Paporozzi stated that the testimony from Mr. Matos was 19 parking spaces are required, but it is 22 parking spaces required but with the two credits for the EV charge it is 20. The balconies go over the property line.

- **Allende Matos** stated that they will recess the balconies.

Salvatore Lamendola asked if they need fire escapes.

- **Allende Matos** stated that they have two egresses from the building, and it will be sprinkled which is a code requirement.

Neglia Engineering stated that right now there is open land, with the property being built right on the property line you are going to lose that site clearances. There is a corner site clearance requirement. There are two arrows on the Banta Avenue. How is the refuse collection going to work. The truck is going to have to back in on the one-way. Are the tenants going to have a garage clicker to enter the garage.

- **Allende Matos** stated that it will be a private refuse company, which would have to come into the building and collect the garbage. They have a 9-foot clearance. The tenants will have a clicker to open the garage on Jewell Street.

Arlene Patire asked about the snow removal, what are you going to do with the snow?

- **Allende Matos** stated that they will push the snow to the

John Czjuco asked how the tenants will get to the rooftop

- **Allende Matos** stated that there are stairs and the elevator
Salvatore Lamendola asked how many air conditioner units will be on the roof

- **Allende Matos** stated there will be 14 units.

Danielle Marcello the Banta Avenue for handicap, that will not be gated. What is going to be done to prevent cars from going into the garage on that side.

- **Allende Matos** stated that is his concern about car entering through that area, they can put a garage door.

Thomas Ricci

92 Park Avenue, Rutherford, NJ

Sworn in by Beth Calderone

Planner

Board will accept him as a planner

- Aerial Exhibit March 10, 2025, showing the property and surrounding area. Exhibit A1
- This is an application for a multi-family building. Property is planned to use two lots. This is in R2 zone, which is a zone that permits 1-family dwellings, 2-family dwellings, multi-family dwelling (three or more). There are bus stops within the area. He believes that since they are 1-bedroom units, they will attract either a single person or a couple. If a couple has more than one car, they would know that this apartment is not fit for them.
- Exhibit A2- Density Exhibit dated March 10, 2025- same aerial exhibit examining the surrounding apartment buildings in the area. There are two adjacent apartment buildings 127-129 Jewell Street has six (6) units with no parking, 126 Jewell Street is nine (9) units. 91 Jewell Street has six (6) units no parking, etc.

John Czjucio asked what side the utility poles are on

- **Thomas Ricci** stated that the utility poles are on the other side of the street.

Carmin C. Breonte asked why you need the D5 density variance. These variances are being created because of the size of this project.

- **Thomas Ricci** stated that it is because of the number of units for this property.

Gary Pappozzi stated that it does have a negative impact on the neighborhood, they are 100 years old and the city did not require parking. The setbacks if they were not met were not meant to meet. All the variances, none of them are small. The 2,500 SF you need per unit you are at 466 SF. Parking where you are almost one to one, RSIS also includes visitors going to the site. Housing stock in the city, the city just recently approved 10 redevelopments with residential housing, the housing stock in the city is at its capacity. The reason is there is a parking problem in Garfield, they created an ordinance, overnight stickers and even parking enforcement. What was prevalent 70 years ago does not apply today because the city cannot handle the parking. Additionally, the master plan also calls for compliance in the neighborhood, some are two or three stories, this project is four stories. He disagrees with the planners testimony of parking, housing stock, other properties having no parking and density and entire testimony except it is a new building.

Arlene Patire stated that a two-family home can have a parking permit, anything over five (5) family cannot get a parking permit.

Open to the Public

Nazmr Nehmedi

136 Division Avenue

Sworn in by Beth Calderone

- There is going to be a rooftop, he is sure there is going to be parties. Between the two elementary schools and Middle School a lot of the teachers park on the surrounding streets. As a father of a three-year old, all the cars come flying down the streets. His

concern is the fire company can handle the size of this building because if that building goes up the entire street can go up. 91 Jewell Street has parking in the rear. He is against this project.

**Blaze & Patricia
133 Jewell Street**

Sworn in by Beth Calderone

- His mother owns the property at 133 Jewell Street, there is 6 inches to be exact. After the proposed building is put up he will be looking at a block wall, instead of seeing sunlight he will see a block wall. In order to put the egress on Banta Avenue, they will need to remove a parking space off Banta Avenue. Her concern is about the rooftop recreation center, they are going to have party, and it is going to be noisy in that area.

**Kevin Skirpan
110 Division Avenue**

Sworn in by Beth Calderone

- There is a convenience store right across the street and many times people park over there to go to the store. You are losing parking space. If people are drinking on the rooftop, are they going to throw things off the roof, he is unsure. There is going to be EV charging stations, his concern is that the EV is very difficult to put the fire out. There is a huge litter problem in that area. The member that brought up the snow removal, where are you going to put the snow?

**Andrezj Kotowski
119 Banta Avenue**

Sworn in by Beth Calderone

- There is no way there is going to be 1 car for a 1 bedroom because a lot of them will have two cars.

**Justin Szot
123 Banta Avenue**

Sworn in by Beth Calderone

- He leaves his how everyday around 8:30am, there is traffic all the time because of the schools nearby. There is no parking for people that come to visit him now, when this is built where those visitors are going to park.

Nobody Else Came Forward, Public Session Closed

Gary Paparozzi

Variances:

1. Minimum Lot Area
2. Minimum Lot Width
3. Front Setback on Jewell Street
4. Rear Setback
5. Side Setback on Jewell Street
6. Front Setback on Banta Avenue
7. Main Building Coverage
8. Total Lot Coverage
9. Maximum Building Height
10. Parking
11. Minimum SF per Dwelling Unit

12. Ingress & Egress

There are two D-Variances

Charles Sarlo thanked the board for their consideration and taking the time to listen to the application.

Motion to Deny- Arlene Patire- she agrees with a lot of things Mr. Sarlo said, but this project is overwhelming for this area. To put 12 units, that should only be a 2 maybe a 3-family home, you are trying to put an elephant in a shoebox.

Second- Danielle Marcello

Kathy Rozmus- Aye

Salvatore Lamendola- Aye

Danielle Marcello- Aye

Paul Houllis- Aye- He believes it is a beautiful building but his negatives outweigh his positives, the teachers have trouble parking, you used every inch of the land and there is no grass.

John Easom- Aye- You mention balanced, he does not see the balance. Everything seems one-sided, new housing stock, there has to be another project that can be put there that is more reasonable

Arlene Patire- Aye

Carmin C. Breonte- Aye- He feels when you look at the variances they are not even minimal. The variances are big. This is why he asked about the D-Variances because you are trying to put too much in a small property. Parking is number one with everyone, you do not meet the parking.

Application Denied

Motion to Adjourn Meeting- Salvatore Lamendola

Second- John Easom

All in favor- aye