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DEPARTMENT OF PUBLIC WORKS  
10 COMMERCE COURT  
VERONA, NEW JERSEY 07044

February 28, 2022

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Michael C. DeCarlo  
Engineering and Zoning Department  
10 Commerce Court  
Verona, NJ 07044

Township of Verona Board of Adjustment  
Ms. Ashley Neale – Land Use Administrator  
660 Bloomfield Avenue  
Verona, NJ 07044

**RE: Board of Adjustment Case No. 2021-22**

Owner/Applicant: Mr. Peter Gaynor and Mrs. Catherine Gaynor  
12 Beechwood Road  
Verona, NJ 07044  
Property: 12 Beechwood Road  
Lot 9 Block 1301  
Zone: R-50 (High Density)

Dear Ms. Neale, on February 10<sup>th</sup> of 2022 this case had appeared before a regularly scheduled Board of Adjustment meeting. The case involved a variance request for a patio which was constructed without first having been granted zoning approval by this office. The patio was constructed only **3 feet away** from the sideline where **5 feet is required**. This forced a variance request (post factum) under the current zoning code under **\$150-5.3 C (6)**. At the meeting during testimony and cross examination the topic of improved lot coverage was discussed because it was mentioned and calculated in the Verona Environmental Commissions review letter to the Board. Unfortunately that calculation was missed by me during my initial review and should have been included. The applicant was asked to reappear at the next Board meeting to discuss the matter once more information was obtained.

I would like to note that I have calculated both the lot area and the total improved lot coverage for both the existing and proposed conditions and can verify that the calculations which were provided by the Verona Environmental Commissions (VEC) review letter dated January 24, 2022 are in fact correct, however there is one minor discrepancy. The VEC had marked up a copy of the applicant's property survey and markup called for two areas of existing improved lot coverage to be removed. They are shown on the VEC sketch as "Area III" and "Area IV" those are actually lawn/grass areas and do not need to be removed and my recalculation of the coverages do not add or remove these areas.

Therefore;  
The existing improved lot coverage is 50% (scaled) and proposed is 53% (scaled).  
This would require that an additional variance be requested by the applicant and granted by the Board.

The original letter of denial which is still in question:  
Area, Yard and Bulk Regulations: C-Variations in accordance with *N.J.S.A. 40:50-70 (c)*  
Variance required (post-factum) Yard Regulations: Patios may be located in any side or rear yard, provided that they are not closer than five feet to a property line.  
**The patio is offset from the adjoining property line by 3 feet where 5 feet is required as per \$150-5.3 C (6).**

**The additional variance would be exceeds maximum improved lot coverage:  
\$150-17.5 D (4) 40% permitted. 50% Existing; 53% Proposed.**

Some helpful numbers and calculations: (all numbers are rounded off therefore are ±)  
Lot Area: 7,030 sq.ft.  
Existing Improved Lot Coverage: 50% which equals 3,515 sq.ft. of impervious area.  
Proposed Patio: 247 sq.ft. (Irregular shaped)  
Proposed Improved Lot Coverage: 53% which equals 3,762 sq.ft. of impervious area.

Continued.

Mitigation Possibility:

Remove 2 feet x 33'-4" (66.5 sq.ft.) length of patio along sideline.

Existing Non-conforming patio = 247 sq.ft. Patio – 66.5 sq.ft. (Mitigated area) = 180.5 sq.ft. (New patio area)

3,515 sq.ft. (Exist. Impervious Area) + 180.5 (Mitigated Patio) = 3,695.5 (Newly calculated impervious area)

$3,695.5 / 7,030 \text{ sq.ft.} = 52\%$

There could be any number of mitigation possibilities, removing some of the existing impervious coverage(s) to offset the new patio could be a suggestion as well.

My sincere apologies to you and to the Board for the confusion. I would like to thank the Verona Environmental Commission for their diligence during their review.

Respectfully,

*Michael C. DeCarlo*

Michael C. DeCarlo

Engineering Manager and Zoning Official