

RESOLUTION 2023-03

IN THE MATTER OF THE APPLICATION

OF

NOEL & DORI SEDRANSK

BOARD OF ADJUSTMENT
TOWNSHIP OF VERONA
ESSEX COUNTY, NEW JERSEY

WHEREAS, Noel and Dori Sedransk (collectively the “Applicant”) are the owners of property located at 62 Afterglow Avenue, Verona, New Jersey, said property also being known as Block 302, Lot 34 (the “Property”), which is located in an R-100 (Very Low Density) Single Family Residential Zone;

WHEREAS, the Applicant filed an application with the Verona Zoning Board of Adjustment (the “Board”) requesting the approval of a bulk variance pursuant to N.J.S.A. 40:55D-70(c) to install an emergency standby generator in a side yard at the Property;

WHEREAS, the Applicant requested a bulk variance for locating mechanical equipment in a side yard which is prohibited by Verona Chapter 150-7.13.B and where an emergency standby generator is proposed to be installed in a side yard at the Property; and

WHEREAS, the Board, after carefully considering the evidence presented by the Applicant at a public hearing conducted on March 9, 2023 and giving due consideration to any questions and/or comments having been raised by residents who were properly notified, and having made the following factual and general findings:

- (1) The subject property is located in a R-100 (Very Low Density) Single Family Residential Zone;
- (2) The Applicant seeks to install an emergency standby generator in a side yard at the Property;
- (3) Chapter 150-7.13.B of the Township of Verona Zoning Ordinances prohibits mechanical equipment from being located in a side yard prompting the need for variance relief;
- (4) Applicants Noel Sedransk and Dori Sedransk were sworn in and began to present testimony in support of the application;
- (5) Dori Sedransk began their testimony explaining the reason for their application was to install an emergency standby generator in the side yard at the Property and further why the generator was to be installed in the side yard as opposed to the rear yard as required by ordinance;
- (6) Specifically, Dori Sedransk stated that in order to place the generator behind the house they would have to destroy mature vegetation, which includes two large pine trees. Dori Sedransk also stated that there is a finished patio and deck behind the house that would make a rear yard

installation difficult. Dori Sedransk then described the proposed location of the proposed emergency standby generator in the side yard and stated that they installed a fence to prevent the neighbors from seeing where the generator would be located. Additionally, Dori Sedransk stated the equipment will run testing for 10 minutes, once a week, during the day while the applicants are home and will not be a noise disturbance; and

- (7) Dori Sedransk testified that she would add a native plant vegetation screening around the proposed emergency standby generator to provide cover so that the generator cannot be seen from the street.

AND WHEREAS, the Board having made the following legal and general conclusions:

- (1) The proposal to install an emergency standby generator in a side yard at the Property will be an appropriate improvement to the subject property;
- (2) The proposal to install an emergency standby generator in a side yard at the Property will advance the purposes of the Municipal Land Use Law in that it will enable the Applicant to enhance the use of the subject property, thereby promoting the general welfare of the Township and its residents;
- (3) The benefits of allowing the applicant to install an emergency standby generator in a side yard at the Property outweigh any detriments;
- (4) The proposal to install an emergency standby generator in a side yard at the Property will be an upgrade of the property that will not adversely affect the intent or purpose of the zone plan; and
- (5) The proposal to install an emergency standby generator in a side yard at the Property will not cause a substantial detriment to the public good.

NOW THEREFORE, be it unanimously resolved by the Board of Adjustment of the Township of Verona that the Applicant's proposal to install an emergency standby generator in a side yard at the Property and for the approval of a bulk variance pursuant to N.J.S.A. 40:55D-70(c) for locating mechanical equipment in a side yard which is prohibited by Verona Chapter 150-7.13.B and where an emergency standby generator is proposed to be installed in a side yard with regard to the property located at 62 Afterglow Avenue, Block 302, Lot 34, based upon the testimony taken on March 9, 2023, be granted, subject to the following conditions:

- (1) The Applicant shall be bound by the content of his testimony as if this testimony was incorporated herein;
- (2) All construction shall be completed in accordance with the plans submitted and/or the testimony of the Applicant;
- (3) The Applicant will comply with the condition that they are required to use at least a 4-foot-high vegetation screen of native plants for landscaping around the proposed emergency standby generator; and

- (4) The approvals granted herein shall expire unless construction is begun within two years of the date of the memorializing resolution.

IN THE MATTER OF THE APPLICATION OF:

NOEL & DORI SENDRASK
62 AFTERGLOW AVENUE
BLOCK 302 LOT 34

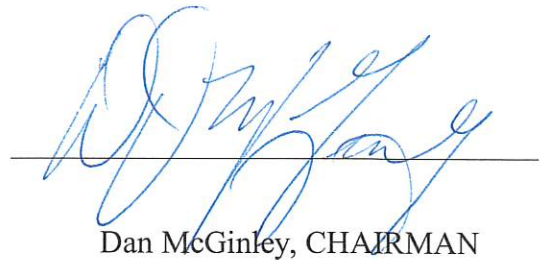
VOTE : TO GRANT

AYES

NAYS

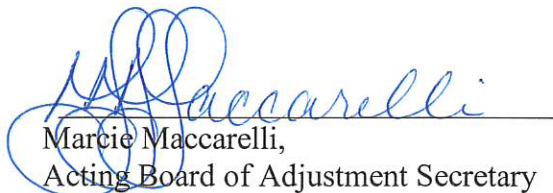
ABSTENTIONS

Chairman Dan McGinley
Vice Chairman Scott Weston
Ms. Genevieve Murphy-Bradacs
Ms. Christy DiBartolo
Mr. Paul Mathewson
Mr. Kevin Ryan



Dan McGinley, CHAIRMAN

The foregoing is a true copy of a resolution adopted by the Board of Adjustment at their meeting on March 9, 2023 and memorialized on April 13, 2023.



Marcie Maccarelli,
Acting Board of Adjustment Secretary