

**ZONING BOARD OF ADJUSTMENT  
BOROUGH OF ESSEX FELLS**

**MINUTES OF THE MEETING OF JANUARY 30, 2025**

The meeting was called to order at 7:05 p.m. The Open Public Meetings Act announcement was read as required by law. Those present were: Michael Candido, Michael Spellman, Thomas O'Beirne, Oscar Bate, MJ Jolda, Allison Semaya, Bernard D'Avella and William Kovacs. In addition, Michael D. Sullivan, Board Attorney, was present.

Board Member Jolda moved Michael Candido to be Chairman, Michael Spellman to be Vice-Chairman and Tom O'Beirne to be Secretary for the ensuing year, which was seconded by Board Member D'Avella, there were no further nominations and the vote was unanimous.

On motion made by Board Member Semaya, seconded by Board Member Bate, the minutes of the December 11, 2024 meeting were adopted unanimously by all those eligible to vote.

Board Member D'Avella moved resolutions appointing Michael D. Sullivan, Esq., as Board Attorney for 2025, establishing the meeting dates for 2025 and the first meeting of 2026 and designating the Star Ledger and the Progress as the official newspapers which was seconded by Vice-Chairman Spellman and was approved by unanimous vote.

The next matter to come before the Board was the application of Property Owner, 354 Roseland Avenue a/k/a 3 Lenfell Lane, Block 12.02, Lot 3.04 for a floor area ratio variance. Derek Orth, Esq. of Inglesino Taylor was present on behalf of the applicant. Mr. Orth noted that the applicant requests a floor area ratio variance pursuant to N.J.S.A. 40:55D-70d(4) for an additional 245 square feet. No bulk variances are required and the preexisting nonconforming side yard setback and impervious coverage are not impacted by the application. The proposed increase in floor area ratio is minor and addresses a hole in the roof.

Mr. Orth called the homeowner who resides at 354 Roseland Avenue, a/k/a 3 Lenfell Lane. The homeowner indicated that approximately a year ago damage to the ceiling in the entrance way was noted which got worse and leaked and further investigation revealed mold in the ceiling. The leak was due to a flat terrace above. A contractor suggested enclosing the terrace with a new roof adding 245 square feet adjacent to the master bedroom.

Mr. Orth called Ali Qureshi of GML d3sign, 61 Hollow Brook Road, Califon, New Jersey. Mr. Qureshi referred to the plans, Sheets A-000, A-100, A-101 and A-200 dated June 28, 2024 revised through November 6, 2024. He noted the proposed second floor addition includes a gable roof and added 245 square feet of floor area. The enclosed terrace would now expand the area of the master bedroom. The new asphalt roof and new siding would match the existing home.

Mr. Qureshi referred to a proposed rendering which was included in the materials submitted as part of the application. The proposed addition does not encroach into any of the setbacks and

does not add any building coverage. The applicant requires a floor area ratio variance which blends into the house and doesn't impact any neighbors. The proposed increase in floor area ratio over existing conditions is approximately 1.1%.


Mr. Orth stipulated the applicant would comply with comments 4.5 and 5.1 through 5.4 contained in the review memorandum of Petry Engineering, LLC dated December 13, 2024. Mr. Orth noted the deviation from the floor area ratio requirement is minor and does not impact any preexisting nonconforming conditions. Approval of the application will address the roof issue and increase the floor area ratio minimally by 245 square feet.

The matter was opened to the public and no one wished to be heard.

The Board began deliberations. Board Member Jolda had no concerns and the application represented a reasonable request given the challenges faced by the homeowner. Secretary O'Beirne noted the floor area ratio of 18.9% was large, but the proposed improvements made sense. Vice-Chairman Spellman said he recognized the home repairs were necessary and the additionally master bedroom space was reasonable. Board Member Semaya had no further comments. Board Member Kovacs noted the proposed addition would not result in any additional massing from the front of the home and there would be no negative impact. Board Member D'Avella stated the addition would improve the appearance of the home. Board Member Bate stated approval of this application would result in a large FAR and would have a distinct impact on the neighbor to the right, nonetheless it was not out of line with the visual bulk of area homes. Chairman Candido stated that numerically the floor area ratio was high, however, in these circumstances the proposed addition made sense and was de minimis. On motion made by Board Member D'Avella, seconded by Board Member Jolda to approve a floor area ratio variance of 18.92% where a maximum of 13% is allowed subject to the following conditions: (1) compliance with comments 4.5, 5.1, 5.2, 5.3 and 5.4 contained in the review memorandum of Petry Engineering, LLC dated December 13, 2024; (2) the applicant shall be bound by all representations made in testimony presented to the Board and (3) the applicant shall be responsible for the payment of all escrow charges incurred in connection with review of this matter was approved by a vote of 7-0 (Chairman Candido, Vice-Chairman Spellman, Secretary O'Berine and Board Members Bate, Jolda, Semaya and D'Avella voting in the affirmative).

On motion made by Board Member Semaya, seconded by Vice-Chairman Spellman, a resolution adopting the 2024 Annual Report passed unanimously.

There being no further business to come before the Board, on a motion made by Board Member D'Avella, seconded by Board Member Jolda, the meeting was duly adjourned at 7:40 p.m. by unanimous vote.



A. MICHAEL CANDIDO, Chairman  
Zoning Board of Adjustment  
February 27, 2025