

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

**MINUTES OF THE MEETING OF MARCH 27, 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: Chairman Michael Candido, Vice-Chairman Michael Spellman, Oscar Bate, Chris Shearin, MJ Jolda and Allison Semaya. In addition, Michael D. Sullivan, Board Attorney, was present.

On a motion made by Board Member Jolda seconded by Vice-Chairman Spellman, the minutes of the meeting of February 27, 2025 were adopted unanimously by all those eligible to vote.

The next matter to come before the Board was the application of Cyrus Loghmanee, 254 Fells Road, Block 6.03, Lot 17 for side yard setback and impervious coverage variances. Mr. Loghmanee was out of the country and participated by telephone. Also present was Julie Anne Cecere, 175 Fairfield Avenue, 4C, West Caldwell, New Jersey a licensed architect in the State of New Jersey who was accepted as an expert. Ms. Cecere explained the goal of the application was to construct a two-car garage on the side of the house so that a total of four cars could be kept in garages which would avoid parking in the driveway. In addition, approval of the application would clean up the side of the property where water gathers. Ms. Cecere referred to Sheet A-1 of her plans dated June 14, 2023 revised through February 18, 2025. She noted the existing home is 315 feet from the street and the proposed garage addition will be located further back than the home of the adjacent neighbor. The location of the garage would not block light and air. Ms. Cecere referred to Sheet A-2 of her plans dated June 14, 2023 revised through January 21, 2025. She noted the proposed garage will match the architectural details of the existing house including arches, brick and roof. The side yard setback requirement is 45 feet and the proposed garage setback varies between 40 feet and 44 feet 3inches. Only a small triangular area of 66 square feet encroaches into the side yard. With respect to impervious coverage, a maximum of 25% is allowed, 25.461% is existing and 26.23% is proposed. The applicant is proposing to install drywells to capture runoff from the addition plus additional runoff equivalent to impervious coverage of 25%. Ms. Cecere referred to a series of 12 photographs of the property submitted as part of the application. She noted the view from the street is minimized by existing trees.

Ms. Cecere identified the 20-foot-wide water pipeline easement which is currently partially covered by existing driveway. A portion of the new driveway will also cover the water pipeline easement. She stated the property owner understood that in the event access was required to the water pipeline it would be the property owner's responsibility and not the Borough's.

Ms. Cecere stated that the variances could be granted under both c(1) and c(2). She stipulated the applicant would comply with comments 4.1, 4.6, 4.7, 4.8, 4.10, 4.11 and 5.1 through 5.4 contained in the review memorandum of Petry Engineering, LLC dated March 7, 2025. She stated there would be no negative impacts from the application and it would alleviate the water issue. In response to a question from a Board Member, she noted the proposed garage has one

garage door while the existing garage has two garage doors, however, she believed they were compatible. She confirmed the applicant obtained DEP approval to build the proposed garage.

Mr. Loghmanee stated he bought the property approximately four years ago and his family expanded to four children. This required a larger car and the additional two-car garage will allow four vehicles to be stored in doors including the larger vehicle.

The matter was opened to the public. Sal Locascio, 258 Fells Road, Essex Fells, New Jersey, the adjacent property owner, stated he was in favor of the project. He believed it would help with the water problem and be a benefit to him and an enhancement to the house.

The Board began deliberations. Board Member Shearin stated he was in favor of the application noting neighbors would not be impacted. Board Member Jolda indicated she was also in favor of the application. Vice-Chairman Spellman said the proposed garage provides architectural balance to the home, gets cars out of the driveway and into the garage, addresses runoff and would not be visible from the street. Chairman Candido stated that getting cars off the driveway and into the garage was a goal of the municipality. Board Member Semaya stated she was in support of the application. Board Member Bate said he was in agreement with the other Board Members. Chairman Candido reiterated the project would be an overall enhancement of the property without any detriment and would address the water problem and put cars under cover.

On motion made by Vice-Chairman Spellman, seconded by Board Member Shearin to approve a side yard setback of 40 feet where a minimum 45 feet is required and an impervious coverage variance of 26.23% where a maximum of 25% is allowed subject to the following conditions: (1) compliance with comments 4.1, 4.6, 4.7, 4.8, 4.10, 4.11 and 5.1 through 5.4 contained in the review memorandum of Petry Engineering, LLC dated March 7, 2025, (2) the Borough is not responsible for any required driveway restoration in connection with the water pipe right-of-way, (3) the applicant shall be bound by all representations made in testimony presented to the Board and (4) 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 6 – 0 ( Chairman Candido, Vice-Chairman Spellman and Board Members Bate, Shearin, Jolda and Semaya voting in the affirmative).

Chairman Candido reminded Board Members that financial disclosure forms are due at the end of April.

There being no further business to come before the Board, on a motion made by Vice-Chairman Spellman, seconded by Board Member Shearin, the meeting was duly adjourned at 7:35 p.m. by unanimous vote.



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A. MICHAEL CANDIDO, Chairman  
Zoning Board of Adjustment  
April 24, 2025