

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

MINUTES OF THE MEETING OF JULY 24, 2025

The meeting was called to order at 7:01 p.m. The Open Public Meetings Act announcement was read as required by law. Those present were: Chairman Michael Candido, Vice-Chairman Michael Spellman, Allison Semaya, Chris Shearin and Oscar Bate. In addition, Michael D. Sullivan, Esq., Board Attorney, was present.

On motion made by Board Member Bate, seconded by Vice-Chairman Spellman, Board Member Chris Shearin was designated as Acting Secretary by unanimous vote.

On motion made by Vice-Chairman Spellman, seconded by Acting Secretary Shearin, the minutes of the meeting of June 26, 2025 were adopted unanimously by all those eligible to vote.

On motion made by Acting Secretary Shearin, seconded by Board Member Semaya, the resolution of Anthony and Jenna Forte, 21 Windsor Place, Block 2.04, Lot 10.02 for front yard setback, side yard setback and floor area ratio, retaining wall in the front yard and retaining wall setback variances was approved by a vote of 4 – 0 (Chairman Candido, Vice-Chairman Spellman, Acting Secretary Shearin and Board Member Semaya voting in the affirmative).

The next matter to come before the Board was the application of Jacquelyn Burke, Robert Burke, Jr. and Robert Burke, III, 15 Essex Road, Block 106, Lot 14 for floor area ratio, impervious coverage, front yard setback and maximum dormer width variances. Jacquelyn Burke was present along with Julie Anne Cecere, 175 Fairfield Avenue, 4C, West Caldwell, New Jersey, a licensed architect in the State of New Jersey who was unanimously accepted as an expert. Ms. Cecere described the applicants' proposal which consists of a two-story addition to the rear of the existing dwelling and a portico roof over the existing first floor landing. The applicants require a floor area ratio variance where a maximum of 25% is permitted and 20.07% is existing and 26.49% is proposed, an impervious coverage variance where a maximum of 25% is allowed and 31.92% is existing and 31.75% is proposed, a front yard setback variance where a minimum of 62 feet is required and 59.75 feet is existing and 59.75 feet is proposed and a maximum dormer width variance where a maximum of 9.02 feet is allowed and 10 feet is proposed. The proposed addition to the rear will not be visible from the street and will not increase massing. The small increase of the maximum allowed floor area ratio is justifiable to modernize and upgrade the existing small house.

Ms. Cecere referred to Sheet A-1 titled "Site Plan, Zoning Analysis, Plans, Elevations, Section" dated May 28, 2025 revised through June 12, 2025 and described the floor plans noting the addition will increase functionality and modernize the home. Ms. Cecere stated the existing detached garage in the rear corner of the property requires substantial impervious coverage associated with the driveway. The proposed portico roof over the existing first floor landing provides protections from the elements and increases curb appeal.

Ms. Cecere referred to Sheet A-2 titled "16 Photographs" dated May 28, 2025 and noted a number of homes in the area also have similar front portico roofs. Ms. Cecere stated the proposed addition is the most appropriate location as an addition to either side would necessitate side yard setback variances. The proposed two-story addition to the rear will not be visible from the street and complies with the maximum height and would not be detrimental to area neighbors. The proposed addition would be cedar shake or hardie board.

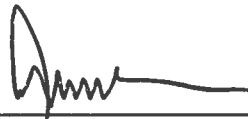
The matter was opened to the public. Ed Heffernan, 18 Essex Road inquired about tree removal. He noted that a cherry tree, oak tree and several ornamental trees had been removed. Jacquelyn Burke stated that tree removal was necessary because a number of the trees were dead or dying and the oak tree was destroying the foundation. She stated that additional plantings will be added.

The matter was closed to the public, Board Member Semaya indicated the proposal would improve the neighborhood, the front of the home would look nice and the requested variances were nominal. Board Member Bate stated the application was sensitive to the neighborhood and he was in favor of approval, Acting Secretary Shearin reiterated comments from Board Members and agreed the application was positive, Vice-Chairman Spellman stated he was in favor of the application and complimented the applicants' architect on the presentation. Chairman Candido stated the variances were de minimis and was confident the applicants would do additional plantings and he was in favor of the application.

On motion made by Board Member Semaya, seconded by Acting Secretary Shearin, to approve floor area ratio, impervious coverage, front yard setback and maximum dormer width variances was approved subject to the following conditions: (1) compliance with comments 4.2, 4.4, 4.5, 5.1 through 5.5 contained in the review memorandum of Petry Engineering, LLC dated June 30, 2024, (2) the applicants shall be bound by all representation made in testimony presented to the Board and (3) the applicants shall be responsible for the payment of all escrow charges incurred in connection with review of this matter was approved by a vote of 5 - 0 (Chairman Candido, Vice-Chairman Spellman, Acting Secretary Shearin and Board Members Semaya and Bate voting in the affirmative).

On motion made by Vice-Chairman Spellman, seconded by Acting Secretary Shearin, the Board unanimously scheduled a special meeting for Wednesday, August 27, 2025, at 7:00 p.m. by unanimous vote.

There being no further business to come before the Board, on a motion made by Board Member Semaya, seconded by Vice-Chairman Spellman, the meeting was duly adjourned at 7:40 p.m. by unanimous vote.



A. MICHAEL CONDIDO, Chairman
Zoning Board of Adjustment
August 27, 2025