



To: Bloomfield Zoning Board of Adjustment & Applicant

From: George Wheatle Williams, PP, AICP Principal
Steven Martini, PP, AICP Senior Associate

Date: February 13, 2026

Re: **D-4 Floor Area Ratio (FAR) Variance Approval**
"C" Variance Approvals
Minor Subdivision Approval
223-225 North 16th Street (Block #19, Lots #36 and 38)

Planning Review Memo

INTRODUCTION

This office has reviewed the application submitted by Nedyia Feliciano, the applicant. The applicant has filed an application with the Bloomfield Zoning Board of Adjustment to subdivide the site into two lots and construct a single-family dwelling on Lot 38. The property in question ("subject site") consists of two tax lots: 223-225 North 16th Street (Block 19, Lots 36 and 38). The subject site is located in the R-2B Two-Family Residential Zone. A "D-4" Floor Area Ratio (FAR) variance is required for exceeding the maximum FAR permitted in R-2B Zone. Additionally, "C" variances are requested for exceeding numerous bulk and area regulations in the R-2B Zone.

In preparation of this report, this office reviewed the following documents:

- Standard Development Application dated November 4, 2025.
- Statement of Applicant Intent and Relief Requested, prepared by Gaccione Pomaco dated October 18, 2025.
- Certification of Applicant, prepared by Gaccione Pomaco undated.
- Fees Explanation for Land Use Application, prepared by Gaccione Pomaco undated.



- Property Tax Records of the subject site as of November 10, 2025.
- Proposed Minor Subdivision prepare by Lauri A. Anderson, PLS of George J. Anderson, LLC dated December 5, 2024.
- Architectural Drawings containing seven (7) sheets prepared by Allende Matos, AIA, LEED AP of AM Architect's Studio dated October 17, 2025.
- Property List Request, prepared by Gaccione Pomaco dated October 27, 2025, List of Property Owners within 200 feet of the subject site and Map showing propertied with 200 feet of the subject site.
- Township of Bloomfield Land Development Ordinance (Chapter 315).
- 2025 Township of Bloomfield Master Plan Reexamination Report.
- Township of Bloomfield Zoning Map.



PROPERTY AND AREA DESCRIPTION

The subject site is located along the western side of North 16th Street. The site contains two Township tax lots: Block 19, Lots 36 and 38. These lots have been deemed merged by law. According to MOD-IV Tax Records, Lot 36 contains an area of approximately 4,000 square feet and a lot width of 40 feet. A 2.5-story, two-family residential dwelling currently stands on Lot 36. Lot 38 contains an area of approximately 3,300 square feet and a lot width of 33 feet. It is a vacant lot with shrubbery planted along its frontage. The subject site is located approximately 390 feet west of the Township's municipal border with the City of Newark.

Surrounding land uses mostly consists of residential uses. Immediately north of the site, along the same side of North 16th Street, there is a 2.5-story, two-family dwelling. South of the site, along the same side of North 16th Street, there is a 2.5-story, two-family dwelling. East of the site, along the opposite side of North 16th Street, there is a stretch of 2.5-story, two-family dwellings. West of the site, along the eastern side of North 17th Street, there is a 2.5-story, two-family dwelling.

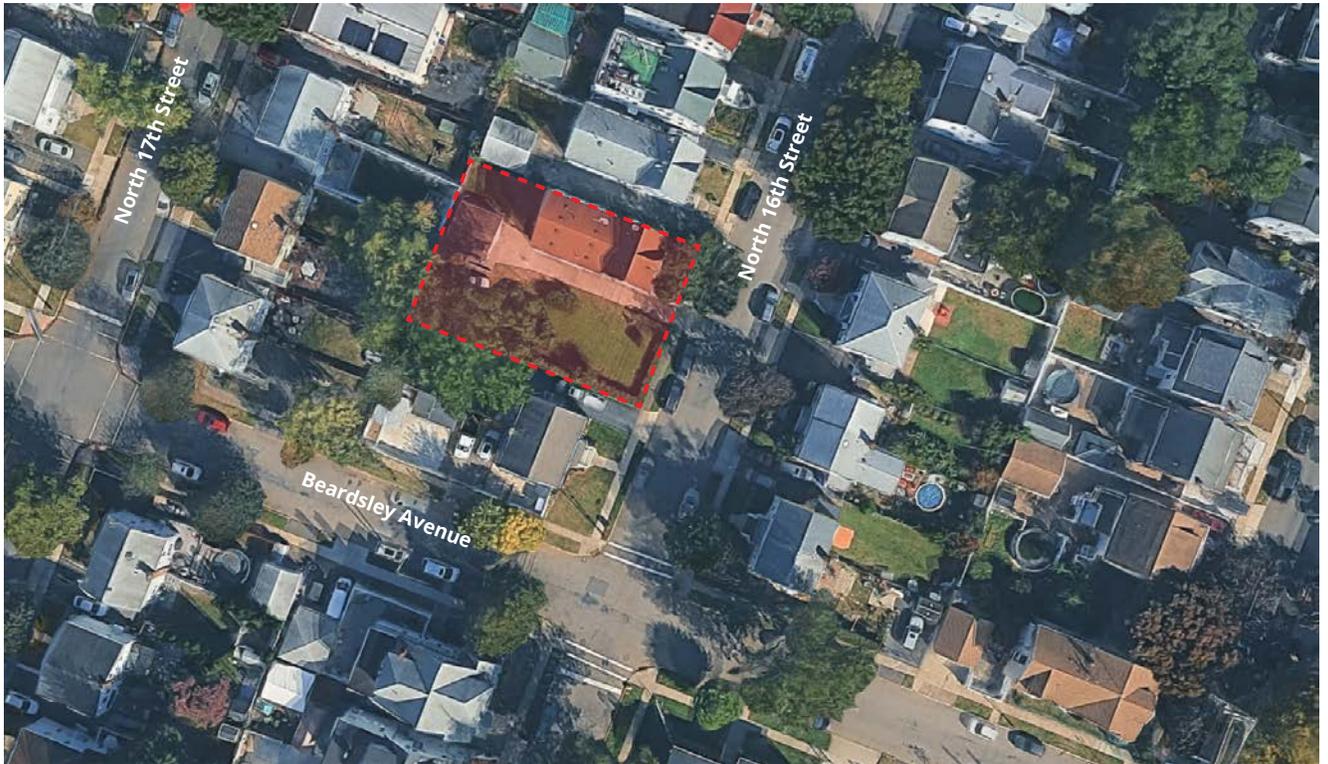


Exhibit 1. Aerial showing subject site, outlined in red (Source: Google Maps, Accessed January 2026).



Exhibit 2: Excerpt of Bloomfield Township Zoning Map showing the site in the R-2B as outlined in red.



Photo 1: View of existing vacant lot (Lot 38) from its North 16th Street frontage. The existing dwelling on Lot 36 shown at the right (immediately north of Lot 38).



Photo 2: View of existing two-family residential dwelling on Lot 36 from its North 16th Street frontage.



Photo 3: Contiguous to the site along its southerly boundary, there is a 2.5-story, two-family dwelling along the northwestern corner of North 16th Street and Beardsley Avenue.



Photo 4: North of the site, along the same side of North 16th Street, there are 2.5-story, two-family dwellings.



Photo 5: East of the site, along the eastern side of North 16th Street, there are 2.5-story, two-family dwellings.



PROJECT DESCRIPTION

The Applicant is proposing to subdivide the site into two lots and on Lot 38 construct a 2.5-story, single-family dwelling. At the basement level, there will be two storage rooms, bathroom, utility room (electrical panel and water meter, and mechanical room with hot water heater and HVAC equipment. Stairwell access will be provided from the first floor to the basement level. It is note on the proposed basement plan on Sheet A-100 that 'the basement will be used for storage only'.

On the first floor, there will be a living area, dining area, kitchen, bathroom and office. The front entrance will be accessible via a concrete patio. At the rear, there will be a treated wooden deck access via sliding doors from the living area. This deck provides access to the rear yard via a staircase.

The second floor will consist of three bedrooms and two bathrooms, which includes a primary suite with its own bathroom, and walk-in closet. There will also be a laundry room/closet, linen closet, and stairwell access to the floors below.

A driveway, accessed from a curb cut along North 16th Street will lead to an new 1.5-story accessory garage. The garage will contain a motorized opening and a retractable stair to an attic space. Materials to be used for the garage's exterior consist of vinyl siding and asphalt shingle roof. There will also be a door along the right side of the proposed garage.

Exterior materials proposed for the front façade will consist of culture stone and veneer for the patio and steps and batten board siding on the upper level and a portion of the first floor. A standing seam metal roof is proposed above the front entrance and a shingle roof on top of the building. Materials at each side of the proposed dwelling will consist of vinyl siding and batten board siding. Stucco will be installed at the foundation. A condensing unit is proposed at the rear of the dwelling and immediately north of the deck, and on the opposite site of the deck, there will be a trash and refuse area. A 6-foot vinyl fence will be installed.

There are no improvements proposed to Lot 36. It will remain as is as a two-family residential dwelling.



RELIEF SOUGHT ACCORDING TO THE APPLICATION

The relief that the Applicant is requesting is summarized below:

- **“D” Variances:**
 - **Maximum FAR (“D-4”):** 0.5 is the maximum permitted in the R-2B Zone, whereas approximately 0.60 is proposed for the existing two-family dwelling on Lot 36 and 0.5073 is proposed for the proposed single-family dwelling on Lot 38.
- **“C” Variances:**
 - **Lot 36 (Existing two-family dwelling):**
 - **Minimum Side Yard Setback:** 6 feet is the minimum required in the R-2B Zone, whereas 2.82’ is proposed.
 - **Maximum Building Coverage:** 25% is the maximum permitted in the R-2B Zone, whereas 36.1% is proposed.
 - **Maximum Lot Coverage:** 60% is the maximum permitted, whereas 65.5% is proposed
 - **Minimum Rear Yard Setback to an Accessory Building:** 5’ is the minimum required in the R-2B Zone, whereas 2.3’ is proposed.
 - **Minimum Side Yard Setback to an Accessory Building:** 5’ is the minimum required in the R-2B Zone, whereas 2.57’ is proposed.
 - **Lot 38 (Proposed single-family dwelling):**
 - **Minimum Lot Area:** 4,000 square feet is the minimum required, whereas 3,300 square feet is proposed.
 - **Minimum Lot Width:** 40 feet is the minimum required, whereas 33 feet is proposed.
 - **Minimum Front Yard Setback:** 20 feet is the minimum required, whereas 12 feet is proposed.
 - **Minimum Side Yard Setback:** 6 feet is the minimum required, whereas 3.08 feet is proposed for one side.
 - **Maximum Building Coverage:** 25% is the maximum permitted, whereas 30.1% is proposed.
 - **Minimum Driveway Setback:** 5 feet is the minimum required from side or rear yards, whereas 0 feet is proposed for the side yard (as per Section 315-30. (O) (13) (d)).



LAND USE AND ZONING ANALYSIS

As shown on Exhibit 2, the subject site is located in the Two-Family Higher-Density Residential Zone (R-2B).

R-2B

According to Section 315-38. A. (1) of the Land Development Ordinance, the intent of the R-2B zone is to preserve the integrity of the existing residential areas by preventing the intrusion of nonresidential uses into residential neighborhoods and by maintaining existing development intensity and population density consistent with residential neighborhood patterns and the specified one- or two-family density for the zone.

Principal Permitted Uses

- (a) Single-family detached dwellings.
- (b) Public parks and playgrounds.
- (c) Two-family dwellings.

Accessory Uses

- (a) Uses that are customarily incidental and accessory to the principal use as permitted herein.

Conditional Uses

- (a) Home occupations.

Definitions

- **Building coverage:** The ratio of the horizontal area of all principal and accessory buildings measured from the exterior surface of the exterior walls of the ground floor on a lot to the total lot area. (Section 315-6 of the Bloomfield Land Development Ordinance)
- **Floor Area:** The sum of the area of all floors of buildings measured to the dimensions of the outside walls of the buildings inclusive of ground floor parking, but excluding attics, basements, cellars, sheds and detached garages, except to the extent such areas are finished for use as bedrooms,



family rooms, studies or other such living quarters; open porches, decks, patios, terraces, balconies, breezeways and arcades; utility, mechanical and emergency power equipment areas; stairwells and elevator shafts in commercial buildings and multifamily dwellings; guard houses; and any open area above the ground floor within an open atrium space (Section 315-6 of the Bloomfield Land Development Ordinance)

- **Floor Area Ratio (FAR):** Representing the floor area divided by the lot area (Section 315-6 of the Bloomfield Land Development Ordinance)
- **Yard, Rear:** The space between the rear building wall of the principal building, as extended from side lot line to side lot line, and the nearest lot line, and measured perpendicular to the building at its closest point to the nearest lot line. (Section 315-6 of the Bloomfield Land Development Ordinance)
- **Yard, Side:** The space between a side building wall of the principal building and a side lot line, extending from the front yard to the rear yard and measured perpendicular to the building at its closest point to the side lot line. (Section 315-6 of the Bloomfield Land Development Ordinance)
- **Impervious coverage:** Any material which generally reduces or prevents absorption of stormwater into the ground, including but not limited to buildings, parking areas, driveways, sidewalks, paving, decks and patios, but excluding outdoor swimming pools accessory to one- or two-family dwellings. All required parking areas that are permitted to remain unimproved and all gravel areas shall be considered as impervious surfaces. (Section 315-6 of the Bloomfield Land Development Ordinance)



BLOOMFIELD MASTER PLAN

The Township's Planning Board adopted the most recent Township Master Plan on April 10, 2025. The following goals, objectives recommendations, and excerpts from the Master Plan are relevant to this application:

2025 Bloomfield Master Plan

R-2B: The Two-Family Higher-Density Residential category is located in the southern end of Ward 2; the northern and southeastern end of Ward 1; and throughout Ward 3. The purpose of this land use category is to provide detached two-family residential medium density development on both larger and smaller lots that contribute to the housing stock diversity in Bloomfield. The **R-2B Zone** district is the implementing zoning mechanisms of this land use. The minimum lot size for R-2B is 4,000 square feet with a minimum lot width of 40 feet. The maximum height is 40 feet. Current bulk regulations in the District provide for modest yards based upon a minimum front yard setback of 20 feet, rear yard setback of 25 feet and side yard setback of 6 feet. The maximum permitted building coverage is 25 percent; lot coverage is 60 percent; and floor area ratio (F.A.R.) is 0.5. Most lots in the District are large enough to provide limited off-street parking in a detached garage or side yard driveway. (Land Use Plan Element, pg. 53)

It is important to note that this property was specifically cited in the Master Plan as the following: *"A small lot at 223 N. 16th Street is vacant and within a flood hazard area, but it is used as the side yard of an adjacent single-family property under common ownership, and it is unlikely to be developed."* (Build-Out Analysis; Vacant Land, pg. 90)



STANDARDS FOR GRANTING VARIANCE RELIEF

The New Jersey Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70 sets forth the statutory requirements for variance relief.

D Variances

D-4 Floor Area Ratio (FAR) Variance

Floor area ratio controls are controls on intensity of use. They apply primarily to nonresidential and multi-family residential structures. There has been a trend, however, toward using floor area ratio provisions in single-family residence districts.

The term "floor area ratio" is defined in N.J.S. [40:55D-4](#) as meaning "the sum of the area of all floors of buildings or structures compared to the total area of the site". The term "building" is defined in N.J.S. [40:55D-3](#) as meaning "a combination of materials to form a construction adapted to permanent, temporary, or continuous occupancy and having a roof." The term "structure" is defined in N.J.S. [40:55D-7](#) as "a combination of materials to form a construction for occupancy, use or ornamentation whether installed on, above or below the surface of a parcel of land."

According to N.J.S. [40:55D-70d\(4\)](#), variances from FAR controls may be granted only by boards of adjustment under subsection d(4) and not by planning boards. The reason is that variances of this type can pose a greater threat to the zone plan and public good than other dimensional controls, which are regulated by subsection (c).

Any application to "increase ... the permitted floor area ratio" is cognizable only under subsection d(4) of the statute and relief can be granted only upon the showing of "special reasons." However, it has been held that in establishing special reasons for a FAR variance, *Coventry Square v. Westwood Zoning Bd. of Adjustment*, [138 N.J. 285](#) (1994) and **not** *Medici v. BPR Co.*, [107 N.J. 1](#) (1987) controls. Therefore, the applicant for a FAR d(4) variance need **not** show that the site is particularly suited for more intensive development. Rather, such an



applicant must show that the site will accommodate the problems associated with a floor area larger than that permitted by the ordinance. (Cox & Koenig)

C Variances

The Municipal Land Use Law (MLUL) at N.J.S.A. 40:55D-70c sets forth the standards for variances from the bulk regulations of a zoning ordinance. A c(1) variance is for cases of hardship due to a) exceptional narrowness, shallowness or shape of a specific property, or b) by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property or c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.

A c(2) variance may be granted where the purposes of the Municipal Land Use Law would be advanced by deviation from the zoning ordinance requirements, that the variance can be granted without substantial detriment to the public good, that the benefits of the deviation would substantially outweigh any detriment and that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The benefits identified in granting a c(2) variance must include benefits to the community as a whole, not only the applicant or the property owner. A c-variance applicant must address the “negative criteria,” and affirmatively demonstrate that the variance can be granted “without substantial detriment to the public good” and “without substantial impairment to the intent and purpose of the zone plan and zoning ordinance”.



PLANNING COMMENTS

1. The Applicant shall provide proofs relevant to exceeding the maximum floor area ratio (FAR) permitted in the R-2B Zone (“D-4” variance). The Applicant should address that the site can accommodate the greater FAR than permitted, as outlined in the *Coventry Square* case.
2. The subject site is located in a FEMA-designated flood zone (Letter of Map Revision - LOMR 09-02-0153P effective November 24, 2008). The Applicant shall confirm any flood mitigation efforts that are proposed.
3. The Applicant shall provide testimony regarding safety, parking and vehicular/pedestrian circulation and access. The Applicant shall confirm if any improvements to the sidewalk or curb are proposed.
4. The Applicant should confirm if there will be any lighting proposed. If so, the Applicant should indicate if there will be any spillover onto adjacent residential properties.
5. The Applicant shall confirm if any landscaping will be planted as part of the applicant. If so, the types of plants and their planting location shall be identified.
6. The Applicant shall confirm that the office room proposed at the first floor cannot be converted into an additional bedroom.
7. The Applicant shall confirm that the proposed accessory detached garage will only be used for storage purposes.
8. The Applicant shall confirm the proposed trash and refuse area will be enclosed and screened.
9. Although there are details provided regarding installing a 6-foot vinyl fence, it does not appear to be clear where this fence will be installed. The Applicant shall confirm where the proposed fence will be installed (i.e., along the perimeter of both lots).



105 Grove Street, Suite 3
Montclair, NJ 07042
www.Nishuanegroup.com
973.954.2677

CONCLUSION

The above comments are based on the review of the materials submitted to date. Nishuane Group reserves the right to provide new or updated comments as additional information becomes available. This Report should be cross-referenced with the Board Engineer's Review Letter.