

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
November 21, 2016

The November 21, 2016 meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m. Secretary Dennis Galvin called the roll: Chairman Thomas Ucko; Vice Chairman Mark Hurrell; Marybeth Robb; David Trone; Jesse Butler; Stephen Bowman. Second Alternate Chris Dunn was also present. Board Secretary/Attorney Dennis Galvin was also present. Attendees were then informed that in accordance with N.J.S.A. 10:4-10, adequate notice of this meeting has been provided by publication in the City's officially designated newspapers and by posting at City Hall.

IN THE MATTER OF THE AGENDA:

Chairman Thomas Ucko reviewed the evening's Agenda.
The following applications were ready to proceed:

APPLICATION: Application #ZB-16-1824, Manny and Adriana Costeira, 248-250 Morris Avenue, BLOCK 3204, LOTS 8 & 9. This matter was not heard and was carried to a hearing on December 19, 2016.

APPLICATION: Application #ZB-16-1831, Arvinder and Harmita Khehar, 57 Edgewood Road, BLOCK 3401, LOT 46.

APPLICATION: Application #ZB-16-1835, Kellan Building Co., 6 Garden Road, BLOCK 4711, LOT 7.

APPLICATION: Application #ZB-16-1837, Joanne Peotter LLC, 186 Broad Street, BLOCK 4009, LOT 5.

APPLICATION: Application #ZB-16-1846, John C. Salerno, 4 Watchung Place, BLOCK 4610, LOT 23. This matter was not heard and was carried to a hearing on December 5, 2016.

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

APPLICATION: Application #ZB-16-1831, Arvinder and Harmita Khehar, 57 Edgewood Road, BLOCK 3401, LOT 46.

Applicants requested variances pursuant to N.J.S.A. 40:55D-70(c)(1) and (c)(2) to demolish the existing home, wood deck, patio, shed and wood walkways and construct a new two-story frame dwelling on the property. There were exhibits introduced to the Board as evidence. Details of this discussion regarding the application may be found in the transcript of this meeting. In conclusion, the Board, after careful deliberations approved the variances requested. In addition to their regular conditions, the Board included the following:

1. The applicant is to comply with the City Engineer's letter of September 9, 2016, which is incorporated herein and attached as Exhibit "A".
2. The applicant must submit a landscape plan to the City Forester for his review and approval. As part of the plan, they will utilize the plants from the Environmental Commission.
3. The Board retains landscape jurisdiction for a period of two (2) years from the issuance of the Certificate of Occupancy.
4. The Board retains drainage jurisdiction for a period of two (2) years from the issuance of the Certificate of Occupancy.

A motion was made by Mark Hurrell and seconded by Stephen Bowman.

VOTE: Chris Dunn; Stephen Bowman; Jesse Butler; David Trone;

Marybeth Robb; Mark Hurrell; Thomas Ucko. . . YEA.

None were opposed.

APPLICATION: Application #ZB-16-1835, Kellan Building Co., 6 Garden Road, BLOCK 4711, LOT 7.

Applicant requested variances pursuant to N.J.S.A. 40:55D-70(c)(2) and (d)(4) to construct a screened porch having dimensions of 21 feet by 17 feet 5 inches at the rear of the existing house on the property. There were exhibits introduced to the Board as evidence. Details of this discussion regarding the application may be found in the transcript of this meeting. In conclusion, the Board, after careful deliberations approved the variances requested. In addition to their regular conditions, the Board included the following:

1. The Board retains drainage jurisdiction for a period of two (2) years from the issuance of a Certificate of Occupancy.
2. The Board retains landscape jurisdiction for a period of two (2) years from the issuance of a Certificate of Occupancy.
3. The applicant is to submit their landscape plan to the City Forester for his review and approval.
4. The patio is to be removed.
5. The jungle gym is to be relocated to a conforming location.

A motion was made by Jesse Butler and seconded by David Trone.

VOTE: Chris Dunn; Stephen Bowman; Jesse Butler; David Trone; Mark

Hurrell; Tom Ucko. . . YEA.

Marybeth Robb was opposed.

APPLICATION: Application #ZB-16-1837, Joanne Peotter LLC, 186 Broad Street, BLOCK 4009, LOT 5.

Applicant requested Preliminary and Final Site Plan approval pursuant to N.J.S.A. 40:55D-46.1 and N.J.S.A. 40:55D-50, as well as variances pursuant to N.J.S.A. 40:55D-70(c)(2) for the approval of the existing work and prep area, which was enclosed with a roof rather than open as approved in the April 21, 2003 Resolution of Approval for the property. There were exhibits introduced to the Board as evidence. Details of this discussion regarding the application may be found in the transcript of this meeting. In conclusion, the Board, after careful deliberations approved the variances requested. In addition to their regular conditions, the Board included the following:

1. The paint booths are not to be simultaneously operated.
2. The signage above the first floor in the windows must be removed or covered up.
3. The applicant is to comply with the City Engineer's letter of November 15, 2016, which is incorporated herein and attached as Exhibit "A".
4. The dumpster must be enclosed. The plans are to be revised to show the dumpster enclosure which is to be reviewed and approved by the Board's Engineer.

A motion was made by Mark Hurrell and seconded by Chris Dunn.

VOTE: Dennis McGuire; Chris Dunn; Stephen Bowman; Jesse Butler;
David Trone; Mark Hurrell; Thomas Ucko. . . YEA.

None were opposed.

EXECUTIVE SESSION:

The following matters were discussed:

None.

The Board memorialized the following Resolutions:

**APPLICATION: Application #ZB-6-1839, Michael J. Shea, 226
Hobart Avenue, BLOCK 2203, LOT 2.**

**APPLICATION: Application #ZB-16-1828, Ash Prithipaul, 22
Sherman Avenue, BLOCK 1203, LOT 37.**

**APPLICATION: Application #ZB-16-1832, Lisa & Don Kessler, 1
Garden Road, BLOCK 4701, LOT 5.**

**APPLICATION: Application #ZB-16-1833, Alec & Danielle Serban,
153 Colonial Road, BLOCK 1403, LOT 43.**

**APPLICATION: Application #ZB-16-1822, Sunrise Development Inc.,
14-26 River Road, BLOCK 201, LOTS 8-11.**

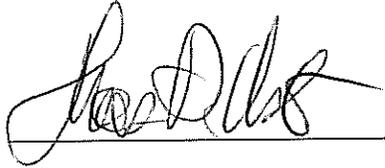
**APPLICATION: Application #ZB-16-1816, David Feldman, 18 Stony
Hill Court, BLOCK 5205, LOT 11.**

The Board memorialized Minutes from:

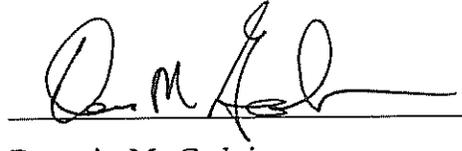
None

The meeting concluded.

Attested:



Thomas Ucko
Chairman
City of Summit
Zoning Board of Adjustment



Dennis M. Galvin
Secretary and Counsel
City of Summit
Zoning Board of Adjustment