

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
January 7, 2019**

The January 7, 2019 meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m. Board Secretary Christopher Nicola called the Roll: Thomas Ucko, Michael Lisowski, Michael Lardieri, Joseph Steiner, Steven Spurr, Elizabeth Newell, Maureen Leuenberger first alternate David Mollin, second alternate Kathryn Schwartzstein, third alternate Katherine Hensel, fourth alternate Christina Davis, Board Attorney Dennis Galvin and Board Secretary Christopher Nicola were present. Attendees were informed in accordance with N.J.S.A. 10:4-10 that 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: ZB-18-1938, Morris habitat for Humanity, 146 Morris Avenue, BLOCK 4208 LOT 1 (carried to 2/4/19)**
- **Application: ZB-18-1943, Valerie & Kevin Sirota, 3 Midland Terrace, BLOCK 4708, LOT 1**
- **Application: ZB-18-1944, Thomas O'Flynn & Cheryl Barr, 21 Glendale Road, BLOCK 3501, LOT 46**
- **Application: ZB-18-1949, Todd & Elissa Glasband, 42 Fernwood Road, BLOCK 2201, LOT 24**

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

Application: ZB-18-1943, Valerie & Kevin Sirota, 3 Midland Terrace, BLOCK 4708, LOT 1

Chairman Ucko recused himself from this application. The applicant is requesting (c) – variance relief for front-facing garage and rear-yard setback to construct a bathroom and mudroom addition. Mr. Kevin Sirota was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Sirota's testimony. Ms. Valerie Sirota was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked questions regarding Ms. Sirota's testimony. Details of this discussion regarding the application may be found in the transcript of this meeting.

A motion to carry this application to a meeting on February 20, 2019 was made by Michael Lardieri and was seconded by Steven Spurr. All were in favor and none were opposed.

Application: ZB-18-1944, Thomas O'Flynn & Cheryl Barr, 21 Glendale Road, BLOCK 3501, LOT 46

Mr. Matthew Coppolecchia of Avelino & Hartlaub advised the Board that he is the attorney for the applicant. The applicant is requesting (c) – variance relief for rear and side-yard setback to construct a first- and second-story addition with second floor dormers. Mr. Thomas O'Flynn was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. O'Flynn's testimony. Mr. Michael Gray was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Gray's testimony. Mr. Kevin Page was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Page's testimony. 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, the Board included the following conditions:

1. All outstanding building permits must be closed out prior to the issuance of a certificate of occupancy.
2. The generator is to have screening in consultation with the Board Engineer.

A motion of approval was made by Michael Lardieri and was seconded by Steven Spurr.

VOTE: YES: Michael Lisowski; Michael Lardieri; Joseph Steiner; Steven Spurr; Elizabeth Newell; Maureen Leuenberger; Thomas Ucko

None were opposed.

Application: ZB-18-1949, Todd & Elissa Glasband, 42 Fernwood Road, BLOCK 2201, LOT 24

David Mollin and Katherine Hensel recused themselves from this application. Ms. Samantha Alfonso of Dempsey, Dempsey & Sheehan advised the Board that she is the attorney for the applicant. The applicant is requesting (c) – variance relief for steep slopes and front-yard setback to construct a new single family home. Mr. Todd Glasband was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Glasband’s testimony. Ms. Elissa Glasband was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked questions regarding Ms. Glasband’s testimony. Mr. Andrew Clarke was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Clarke’s testimony. Resident Gerald Donini was sworn in by Mr. Galvin and provided his testimony to the Board. Resident John Kilby was sworn in by Mr. Galvin and provided his testimony to the Board. Mr. Jarrett Kest was sworn in by Mr. Galvin and provided his testimony to the Board as a landscape architect. The Board then asked questions regarding Mr. Kest’s testimony. Mr. Tom Conway was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Conway’s testimony. 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, the Board included the following conditions:

1. The applicant is to fully comply with the Board Engineer's report of December 19, 2018, which is attached hereto as Exhibit A.
2. The landscaping plan is to be revised to preserve the 30-foot diameter red oak tree, if possible, in consultation with the City Forester.
3. The Board retains landscaping jurisdiction for two years from the issuance of the CO.
4. The Board retains drainage jurisdiction for two years from the issuance of the CO.
5. The wall facing the Donini property is to be faced in consultation with Mr. Donini.

A motion of approval was made by Steven Spurr and was seconded by Michael Lardieri.

VOTE: YES: Michael Lisowski; Michael Lardieri; Joseph Steiner; Steven Spurr; Elizabeth Newell; Maureen Leuenberger; Thomas Ucko

None were opposed.

The Board memorialized the following Resolutions:

- 6 Primrose Place (ZB-18-1947)

The Board memorialized Minutes from:

- December 3, 2018
- December 17, 2018

At the start of the meeting, the following matters were discussed:

The following appointments were made:

A motion was made was made by Steven Spurr and seconded by Michael Lardieri to nominate Mr. Ucko as Chairman of the Board for the year of 2019. All were in favor and none were opposed.

A motion was made was made by Steven Spurr and seconded by Michael Lardieri to nominate Michael Lisowski as Vice Chairman of the Board for the year of 2019. All were in favor and none were opposed.

A motion was made was made by Joseph Steiner and seconded by Michael Lardieri to nominate Christopher Nicola as Secretary of the Board for the year of 2019. All were in favor and none were opposed.

A motion was made by Michael Lisowski and seconded by Michael Lardieri to appoint Dennis Galvin, Esq of Davison, Eastman, Muñoz, Lederman & Paone, P.A. as Counsel for the Board for the year of 2019. All were in favor and none were opposed.

A motion was made by Joseph Steiner and seconded by Michael Lardieri to appoint Andrew Hipolit, of Maser Consulting as Board Engineer for the year of 2019. All were in favor and none were opposed.

A motion was made by Michael Lardieri and seconded by Steven Spurr to appoint Ed Snieckus, of Burgis Associates, Inc. as Board Planner for the year of 2019. All were in favor and none were opposed.

The meeting concluded at 9:35 PM.

Thomas Ucko
Chairman
City of Summit
Zoning Board of Adjustment

Christopher Nicola
Board Secretary
City of Summit
Zoning Board of Adjustment