

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF SUMMIT  
Wednesday, January 18, 2023**

The January 18, 2023, meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m., with 2 applications on the meeting's agenda.

**Adequate Notice Statement**

The meeting commenced with the Adequate Notice Statement, where Chairman Spurr informed the public 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.

**Oath of Office**

Mr. Ball, Zoning Board Attorney, swore in newly appointed Alternate 3, Mr. Jay Fehskens.

**The Board Members listed below were present for tonight's meeting. Board Secretary Ms. Soulios called the Roll:**

- Chairman, Steve Spurr
- Vice Chairman, Joseph Steiner
- Elizabeth Newell
- Ayman Maleh
- Walter Gonzalez
- Alternate 1, Claire Toth
- Alternate 3, Jay Fehskens
- Alternate 4, Thomas Ucko

**The Board Members listed below were excused from tonight's meeting.**

- Scott Loikits
- David Mollin
- Alternate 2, Diana Sajer

**Board Attorney Andy Ball and Secretary Stephanie Soulios were present. Andy and Stephanie do not vote on Board Applications.**

**IN THE MATTER OF THE AGENDA:**

Chairman Spurr reviewed the agenda for the evening. The following applications were ready to proceed:

- **Application: ZB-22-2159, 709 Springfield Avenue, Relevant Development, LLC, BL: 1702, L: 49**
- **Application: ZB-22-2152, 90 Ashwood, Design, Build, and Management, INC, BL: 4301, L: 26**

**City of Summit Zoning Board of Adjustment Meeting: The applications listed below were heard this evening.**

- **Application: ZB-22-2159, 709 Springfield Avenue, Relevant Development, LLC, BL: 1702, L: 49**

Attorney, Mr. James Webber, submitted a letter to the board requesting their client, Relevant Development, LLC, 709 Springfield Avenue, have their application carried to allow ample time for the application to proceed. Mr. Webber requested March 6 for their applicant. Ms. Soulios confirmed that they can join that evening's agenda. There was a motion to carry by Ms. Newell and it was seconded by Ms. Toth. A roll call vote was completed with the results listed below.

**VOTE:**           **YES:** Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Maleh, Ms. Toth, Mr. Fehskens  
**ABSTAIN:** None  
**NO:** None

- **Application: ZB-22-2152, 90 Ashwood Avenue, Design, Build, and Management, INC, BL: 4301, L: 26**

The applicant is seeking a minor subdivision and variances to construct two new two-family dwellings. All witnesses were sworn in for this application by Mr. Ball. Mr. James Webber, the applicant's attorney, introduced the application for 90 Ashwood Avenue. He also introduced the applicant, Mr. Michael Menza, the owner of Design, Build, and Management, INC. Mr. Menza discussed the background of the property, stating the year it was built as well as the families that have inhabited the property over the years. He talked about the use of the property: it was permitted to be a two-family home but had a third apartment that was used at one time, as at third dwelling, albeit not legally. The board questioned Mr. Menza's testimony regarding the use of the house. The next witness for 90 Ashwood was Mr. Paul Beck, who provided his testimony as a structural engineer. Mr. Beck was asked to examine the structure of the property, and he wrote a report based on his findings. He illustrated his report with pictures from the conditions of the property. Through his testimony, he explained each of the pictures and detailed his findings. He concluded that 90 Ashwood Avenue would need a lot of repairing. He pointed out that houses built in the early 1900s have used different techniques and structures in building their homes, making them less structurally sound than today's new homes. Mr. Ed Snieckus, Board Planner, questioned Mr. Beck's testimony regarding the structural integrity of the house. Mr. Beck deduced that beneath the walls of the property, the condition may be even worse than appearing. Mr. Beck stated that ultimately, everything was covered and plastered so he was not able to fully observe. Ms. Sheth, Board Engineer, also questioned Mr. Beck, asking what he thought the solution for the settlement issues would be. Mr. Beck recommended that a Geotech engineer, specializing in soil, would be able to properly address such concerns. A member of the public, homeowner of 84 Ashwood Avenue, Ms. Lia Meller, had questions about the landscape plan of the property. Following Ms. Meller's questions, Mr. Menza provided testimony once again. The board had further questions regarding this property, necessitating the next witness to provide their testimony. Mr. William Scott spoke about parking, and how it is limited on this street. Mr. Scott spoke about expanding the width of the driveway to maneuver cars safely. Complete details of the discussions regarding the application may be found in the transcript of this meeting. Throughout this testimony, the following exhibits were introduced to the board regarding the application for 90 Ashwood Avenue:

**Exhibit A-1:** *HPC Comment Shared with Board Secretary (January 18, 2023)*

**Exhibit A-2:** *Engineering Reports*

**Exhibit A-3:** *Contractor Quote*

**Exhibit A-4:** *Contractor Quote 2*

**Exhibit A-5:** *HPC Districts, May 31, 2018*

**Exhibit A-6:** *Design Study 6/12; Engineer Drawn*

**Exhibit A-7:** *Response to Dipti Sheth*

**Exhibit A-8:** *Description of Proposed Easement*



