

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF SUMMIT  
Wednesday, February 22, 2023**

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The February 22, 2023, meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m., with 4 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.

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

- Chairman, Steven Spurr
- Vice Chairman, Joseph Steiner
- Ayman Maleh
- Alternate 1, Claire Toth
- Alternate 4, Thomas Ucko

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

- Alternate 2, Diana Sajer
- Alternate 3, Jay Fehskens
- David Mollin
- Scott Loikits
- Elizabeth Newell
- Walter Gonzalez

**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:**

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

- **Application: ZB-22-2170, 14 Franklin Place, Sharon Kou and David Lee, BL: 3401, L: 19**
- **Application: ZB-22-2157, 46 Hartley Road, Paul and Dana Stern, BL: 304, L: 2**
- **Application: ZB-22-2171, 26 Edgewood Road, Ruth Ann Blankenheim, BL: 3403, L: 11**
- **Application: ZB-22-2174, 47 Parkview Terrace, Desmond and Vivienne Randall/ Lauren Davis, POA, BL: 4704, L: 15**

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

• **Application: ZB-22-2170, 14 Franklin Place, Sharon Kou and David Lee, BL: 3401, L: 19**

Attorney Mr. James Webber represented the applicants, Ms. Kou and Mr. Lee this evening. Mr. Webber asked the board if the application could be carried to a later date to allow for ample time for this case to be heard. They plan to bring at least three witnesses to provide testimony regarding this application.

Mr. Webber asked for the application to be carried without further notice. Ms. Soulios, Board Secretary, proposed May 1 for this application to be carried to, and agreed to not schedule any further applications to that agenda.

The motion of approval was made by Mr. Ucko, 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, Mr. Maleh, Ms. Toth, Mr. Ucko  
                  **ABSTAIN:** None  
                  **NO:** None

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• **Application: ZB-22-2157, 46 Hartley Road, Paul and Dana Stern, BL: 304, L: 2**

The applicants, Mr. Paul and Ms. Dana Stern, introduced their application this evening. The Sterns' were sworn in by Mr. Ball. Mr. Ball informed the applicants that they would need all affirmative votes for their variance to be granted because they are requesting a 'd' variance and a full board is not present this evening. They were given the option to carry their application to a later date because of this, but they decided to proceed. The professionals for this application, Mr. Andrew Clarke, Engineer, and Mr. John Lyons, Architect, were sworn in by Mr. Ball. Mr. Clarke displayed the grading plan and reviewed it for the board. This plan was included in the application. Mr. Clarke supposed that the dry well can handle the new roof. The driveway was also discussed, because the Sterns' propose to widen it to allow safer conditions to exit and enter the property. Mr. Clarke's complete testimony can be found in a transcription of the hearing. The next professional, Mr. Lyons, reviewed drawings from the application for the existing and proposed conditions and elevations. He also introduced *exhibit A1*, which was a drawing of the existing attic containing its measurements. The board had questions about the shed, and it was clarified that the applicant does not plan to remove it. It was also mentioned that the forester suggested the applicant obtain rear yard screening through landscape. Mr. Stern did not take exception to this. Complete details of the discussions regarding the application may be found in the transcript of this meeting, and the board was in support of this application.

In conclusion, the Board, after careful deliberations, *approved* the variance requested if the following conditions are met:

1. Compliance with the Board Engineer's memo.
2. Applicant consult with Zoning Officer for final numbers regarding building coverage.
3. Applicant must confirm with the Zoning Officer the number for the attic coverage.
4. The applicant will consult with the forester regarding landscaping.

The motion of approval was made by Mr. Maleh, 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, Mr. Maleh, Ms. Toth, Mr. Ucko  
                  **ABSTAIN:** None  
                  **NO:** None

• **Application: ZB-22-2171, 26 Edgewood Road, Ruth Ann Blankenheim, BL: 3403, L: 11**

Ms. Ruth Ann Blankenheim was sworn in by Mr. Ball. She spoke on behalf of her own application. Ms. Blankenheim introduced *exhibit A1*, which was a Landscape Plan. The plan was drawn by her architect. The board had questions regarding the plan, which can be found in a transcript of the hearing. Submission of the Landscape plan to the city forester was included as a condition of approval.

In conclusion, the Board, after careful deliberations, *approved* the variance requested if the following conditions are met:

1. Compliance with the Board Engineer’s memo.
2. Applicant shall submit a Landscape Plan to the forester for review and approval.

The motion of approval was made by Vice Chairman Steiner, and it was seconded by Mr. Ucko. A roll call vote was completed with the results listed below:

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

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• **Application: ZB-22-2174, 47 Parkview Terrace, Desmond and Vivienne Randall, Lauren Davis, BL: 4704, L: 15**

Chairman Spurr recused from this application, and Vice Chairman Steiner led the application. Ms. Lauren Davis, having Power of Attorney, was sworn in and introduced the application. Ms. Davis’ parents own the house but are currently in Australia, where they frequently visit, having lived there previously. They moved to Summit to live near Ms. Davis and her family. Ms. Davis’ parents recently purchased this home on Parkview Terrace, and they would like to make better use of their property.

Mr. Nicholas Giuliano, the architect for this application, was sworn in by Mr. Ball. He spoke about the drawings from the application. The applicant proposes to widen the garage, because they have a need to store their cars while they visit Australia. They would also like to replace the rear yard, and in the front yard build two porticos. When they purchased the house, there was an existing playset that the applicant would like to relocate.

There were questions from the board, which can be found in the transcript for this hearing. The board was in support of this application.

In conclusion, the Board, after careful deliberations, *approved* the variance requested if the following conditions are met:

1. Compliance with the Board Engineer’s memo.

The motion of approval was made by Mr. Ucko, and it was seconded by Ms. Toth. A roll call vote was completed with the results listed below:

VOTE:       **YES:** Vice Chairman Steiner, Mr. Maleh, Ms. Toth, Mr. Ucko  
              **ABSTAIN:** None  
              **NO:** None  
              **RECUSAL:** Chairman Spurr

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**The Board memorialized the following Resolutions:**

- **None**

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**The Board memorialized Minutes from:**

- February 6, 2023

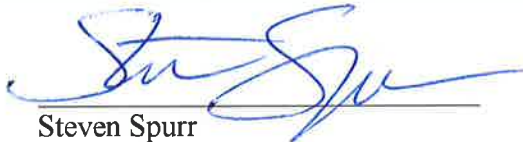
A motion of *approval* was made by Ms. Toth and was seconded by Vice Chairman Steiner.

A voice vote was conducted, and **all** were in favor, **none** were opposed.


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**Adjourn**

The meeting concluded at 8:55 p.m.



Steven Spurr  
Chairman  
City of Summit  
Zoning Board of Adjustment



Stephanie Soulios  
Board Secretary  
City of Summit  
Zoning Board of Adjustment