

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
March 7, 2022**

The March 7, 2022 meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m. Board Secretary Christopher Nicola called the Roll: Steven Spurr, Joseph Steiner, Thomas Ucko, Elizabeth Newell, David Mollin, Ayman Maleh, Scott Loikits, first alternate Claire Toth, second alternate Diana Sajer, third alternate Jaimie Levine, fourth alternate Walter Gonzalez, Board Attorney Andrew Ball 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 Steven Spurr reviewed the evening's agenda. The following applications were ready to proceed:

- **Application: ZB-21-2107, Stephen Chiarello & Margaret Conte, 22 Badeau Avenue, BLOCK 2004, LOT 33**
- **Application: ZB-21-2121, Brian & Allison McLaughlin, 25 Ascot Way BLOCK 4401, LOT 32**
- **Application: ZB-21-2111, Ryan & Daniella Gould, 14 Winchester Road, BLOCK 3007, LOT 10**
- **Application: ZB-21-22097, Pari Holdings, LLC, 119 Hobart Avenue, BLOCK 2303, LOT 3**

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

Application: ZB-21-2107, Stephen Chiarello & Margaret Conte, 22 Badeau Avenue, BLOCK 2004, LOT 33

The applicant is requesting (d) – variance relief for floor area ratio and (c) – variances to construct a rear addition and 2nd story addition. Mr. Stephen Chiarello was sworn in by Mr. Ball and provided his testimony to the Board. The Board then asked questions regarding Mr. Chiarello's testimony. Mr. Steven Hockstein was sworn in by Mr. Ball and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Hockstein'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, denied the variances requested as five affirmative votes were required for approval pursuant to N.J.S.A. 40:55D-70d.

A motion of approval was made by Scott Loikits and was seconded by Elizabeth Newell.

VOTE: YES: Steven Spurr; Elizabeth Newell; David Mollin; Scott Loikits

 NO: Joseph Steiner; Thomas Ucko; Ayman Maleh

Application: ZB-21-2121, Brian & Allison McLaughlin, 25 Ascot Way BLOCK 4401, LOT 32

The applicant is requesting (c) – variance relief for side-yard setback and lot coverage to construct a 2nd story addition. Mr. Brian McLaughlin was sworn in by Mr. Ball and provided his testimony to the Board. The Board then asked questions regarding Mr. McLaughlin's testimony. Mr. Steven Hockstein was sworn in by Mr. Ball and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr.

Hockstein’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. The applicant shall comply with the requirements set forth in the Board Engineer’s Memorandum dated February 14, 2022, annexed hereto as Exhibit A.
2. The applicants shall remove a portion of the driveway along its side, approximately 18 inches in width by 30 feet in length, in order to offset the proposed increase in lot coverage and bring the proposed lot coverage to a pre-application figure.

A motion of approval was made by David Mollin and was seconded by Scott Loikits.

VOTE: YES: Joseph Steiner; Thomas Ucko; Elizabeth Newell; David Mollin; Ayman Maleh; Scott Loikits; Steven Spurr

NO: None were opposed

Application: ZB-21-2111, Ryan & Daniella Gould, 14 Winchester Road, BLOCK 3007, LOT 10

Mr. James Webber from Dempsey, Dempsey & Sheehan represented the applicant. The applicant is requesting (d) – variance relief for floor area ratio and (c) – variances to construct 1st and 2nd story additions. Mr. Ryan Gould was sworn in by Mr. Ball and provided his testimony to the Board. The Board then asked questions regarding Mr. Gould’s testimony. Mr. Andrew Clarke was sworn in by Mr. Ball and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Clarke’s testimony. Mr. Resident Stephen Varley was sworn in by Mr. Ball and asked questions regarding Mr. Clarke’s testimony. Ms. Elizabeth Rush was sworn in by Mr. Ball and provided her testimony to the Board as a licensed architect. The Board then asked questions regarding Ms. Rush’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. The applicant shall comply with the requirements set forth in the Board Engineer’s Memorandum dated February 9, 2022, annexed hereto as Exhibit A.
2. The applicant shall submit revised plans reflecting the final corrected building coverage figure.

A motion of approval was made by Ayman Maleh and was seconded by Thomas Ucko.

VOTE: YES: Joseph Steiner; Thomas Ucko; Elizabeth Newell; David Mollin; Ayman Maleh; Scott Loikits; Steven Spurr

NO: None were opposed

Application: ZB-21-22097, Pari Holdings, LLC, 119 Hobart Avenue, BLOCK 2303, LOT 3

Mr. James Webber from Dempsey, Dempsey & Sheehan represented the applicant. Ms. Nancy Lottinville from Prime & Tuvel represented Joshua & Roberta Weinreich. The applicant is requesting (c) – variance relief for steep slope to construct a single-family home. Mr. Andrew Clarke was sworn in by Mr. Ball and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Clarke’s testimony. Ms. Lottinville then cross-examined Mr. Clarke. Resident Charles O’Connell asked questions regarding Mr. Clarke’s testimony. Mr. William Deveau asked questions regarding Mr. Clarke’s testimony. Mr. George Murphy asked questions regarding Mr. Clarke’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.

A motion to carry this application to the April 18, 2022 meeting without further notice was made by Claire Toth and was seconded by Scott Loikits. All were in favor, and none were opposed

The Board memorialized the following Resolutions:

- 38 Oakley Avenue
- 20 Beacon Road
- 26 Edgewood Road
- 101 Beekman Road
- 11 Greenbriar Drive
- 6 Iris Road

The Board memorialized Minutes from:

- January 19, 2022
- February 7, 2022

The meeting concluded at 10:45 p.m.

Steven Spurr
Chairman
City of Summit
Zoning Board of Adjustment

Christopher Nicola
Board Secretary
City of Summit
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