

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF SUMMIT  
March 18, 2019**

The March 18, 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, Elizabeth Newell, Maureen Leuenberger, first alternate David Mollin, second alternate Kathryn Schwartzstein, third alternate Katherine Hensel, 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-18-1943, Valerie & Kevin Sirota, 3 Midland Terrace, BLOCK 4708, LOT 1**
- **Application: ZB-18-1950, Donna Iasello & Janice A. Brody, 10 Gary Road, BLOCK 3705 LOT 14**
- **Application: ZB-18-1955, Serge & Sarah Masyra, 14 Colt Road, BLOCK 3102 LOT 7**
- **Application: ZB-18-1953, Menza & Beissel, 45 Mountain Avenue, BLOCK 3212 LOT 13**

**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**

The applicant is requesting (c) – variance relief for front-facing garage and rear-yard setback to construct a bathroom & 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. Mr. William Scott was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Scott's testimony. Mr. Yuval Wellisch was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Wellisch's testimony. Resident Antonio Paluseo was sworn in by Mr. Galvin and provided his testimony to the Board. 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 is to comply with the Board Engineer's letters which is attached hereto as Exhibit "A".
2. The Board retains drainage jurisdiction for a period of two years from the issuance of the certificate of occupancy.
3. Prior to memorialization of the resolution, there are three things to be completed. One, the applicant is to submit a revised architectural plan to show the elimination of the first floor window and to show the bathroom window on the second floor as being opaque. Two, the applicant must also submit a revised drainage plan to be reviewed and approved by the Board Engineer which must show a 20% reduction in storm water runoff. Three, Mr. Scott must obtain the Zoning Officer's confirmation of the exact variance calculations.

A motion of approval was made by Michael Lardieri and was seconded by Maureen Leuenberger.

VOTE: YES: Michael Lardieri; Joseph Steiner; Elizabeth Newell; Maureen Leuenberger; Kathryn Schwartzstein; Michael Lisowski

NO: David Mollin

**Application: ZB-18-1950, Donna Iasello & Janice A. Brody, 10 Gary Road, BLOCK 3705 LOT 14**

Mr. Joseph Steiner recused himself from this application. Bartholomew A. Sheehan Jr. of Dempsey, Dempsey & Sheehan advised the Board that he represents the applicant. The applicant is requesting (d) – variance relief for FAR and (c) – variance relief for lot coverage, building coverage, and rear-yard setback to construct a rear addition. Ms. Donna Iasello was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked questions regarding Ms. Iasello’s testimony. Mr. Avelino Martinez was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Martinez’s testimony. Mr. Edward Dec was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Dec’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.

A motion of approval was made by Michael Lardieri and was seconded by Elizabeth Newell.

VOTE: YES: Michael Lisowski; Michael Lardieri; Elizabeth Newell; Maureen Leuenberger; David Mollin; Kathryn Schwartzstein; Thomas Ucko

None were opposed.

**Application: ZB-18-1955, Serge & Sarah Masyra, 14 Colt Road, BLOCK 3102 LOT 7**

The applicant is requesting (c) – variance relief for rear-yard setback and lot coverage to construct a second story addition and first floor covered porch. Mr. Serge Masyra was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Masyra’s testimony. Ms. Kimberly Tone was sworn in by Mr. Galvin and provided her testimony to the Board as a licensed architect. The Board then asked questions regarding Ms. Tone’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 generator is only to be exercised weekdays between noon and 3:00 p.m. The generator is to be screened in consultation with the Zoning Officer.
2. The applicant is to plant an evergreen as required by the City Forester.
3. The applicant is to provide an easement agreement with their neighbor, which is to be recorded.

A motion of approval was made by Joseph Steiner and was seconded by Michael Lardieri.

VOTE: YES: Michael Lisowski; Michael Lardieri; Joseph Steiner; Elizabeth Newell; Maureen Leuenberger; David Mollin; Thomas Ucko

None were opposed.

**Application: ZB-18-1953, Menza & Beissel, 45 Mountain Avenue, BLOCK 3212 LOT 13**

Joseph Steiner recused himself from this application. Joshua Koodray of Javerbaum Wurgaft advised the Board that he represents the applicant. The applicant is requesting minor subdivision approval with (d) – variance relief for FAR and (c) – variance relief. Mr. Paul Grygiel was sworn in by Mr. Galvin and provided his

testimony to the Board as a professional planner. The Board then asked questions regarding Mr. Grygiel's testimony. Mr. Frederick Voss was sworn in by Mr. Galvin and provided her testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Voss' testimony. Resident Mike Loeloff was sworn in by Mr. Galvin and provided his testimony to the Board. 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 is to comply with the Board Engineer's letter which is attached as "Exhibit A".
2. The applicant must submit a revised landscape plan to the City Forester for his review and approval.

A motion of approval was made by David Mollin and was seconded by Michael Lardieri.

VOTE: YES: Michael Lisowski; Michael Lardieri; Elizabeth Newell; Maureen Leuenberger; David Mollin; Kathryn Schwartzstein; Thomas Ucko

None were opposed.

**The Board memorialized the following Resolutions:**

- None

**The Board memorialized Minutes from:**

- None

The meeting concluded at 10:20 PM.

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Thomas Ucko  
Chairman  
City of Summit  
Zoning Board of Adjustment

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Christopher Nicola  
Board Secretary  
City of Summit  
Zoning Board of Adjustment