

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
March 21, 2022**

The March 21, 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, Thomas Ucko, Elizabeth Newell, David Mollin, Ayman Maleh, Scott Loikits, first alternate Claire Toth, 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- **Application: ZB-21-2095, Christopher & Elizabeth Welsh, 129 Blackburn Road, BLOCK 2806, LOT 8 (*Withdrawn*)**
- **Application: ZB-21-2114, Todd & Catherine Rosenthal, 67 Dale Drive BLOCK 5604, LOT 26**
- **Application: ZB-21-2115, Kerry & Natalie Bergman, 1 Sunset Drive, BLOCK 2901, LOT 46**
- **Application: ZB-21-2110, Sheila Jane McCraith Cheney, 52 Blackburn Place, BLOCK 2806, LOT 46**
- **Application: ZB-21-2116, David & Renee Yozzi, 82 Valley View Avenue, BLOCK 3001, LOT 1**
- **Application: ZB-21-2100, Abel & Margarita Flores, 17 Baltusrol Road, BLOCK 4202, LOT 23 (*Carried to 5/2/22*)**

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

Application: ZB-21-2114, Todd & Catherine Rosenthal, 67 Dale Drive BLOCK 5604, LOT 26

The applicant is requesting (c) – variance relief to construct a deck and patio. Mr. Todd Rosenthal was sworn in by Mr. Ball and provided his testimony to the Board. The Board then asked questions regarding Mr. Rosenthal's testimony. Ms. Catherine Rosenthal was sworn in by Mr. Ball and provided her testimony to the Board. The Board then asked questions regarding Ms. Rosenthal's testimony. Mr. Daniel Dubinet was sworn in by Mr. Ball and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Dubinet'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 annexed hereto as Exhibit A.
2. The applicants will supply an as-built survey prior to the issuance of a CO.
3. The applicants will consult with the city forester and add additional screening at the rear of the property.
4. The applicants will confirm the final lot coverage figure. If that proposed lot coverage figure is greater than 38.75 percent, then the proposed walkway will be removed to comply.

A motion of approval was made by Scott Loikits and was seconded by Claire Toth.

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

NO: None were opposed.

Application: ZB-21-2115, Kerry & Natalie Bergman, 1 Sunset Drive, BLOCK 2901, LOT 46

The applicant is requesting (c) – variance relief for front-yard to install an AC unit. Mr. Kerry Bergman was sworn in by Mr. Ball and provided his testimony to the Board. The Board then asked questions regarding Mr. Bergman’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 shall comply with the requirements set forth in the Board Engineer’s Memorandum annexed hereto as Exhibit A.

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

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

NO: None were opposed

Application: ZB-21-2110, Sheila Jane McCraith Cheney, 52 Blackburn Place, BLOCK 2806, LOT 46

Ms. Samantha Alfonso from Dempsey, Dempsey & Sheehan represented the applicant. The applicant is requesting (c) – variance relief for lot coverage to construct a pool. Ms. Sheila Jane McCraith Cheney was sworn in by Mr. Ball and provided her testimony to the Board. The Board then asked questions regarding Ms. Cheney’s testimony. Mr. Anthony Facchino was sworn in by Mr. Ball and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Facchino’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 annexed hereto as Exhibit A.

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

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

NO: None were opposed

Application: ZB-21-2116, David & Renee Yozzi, 82 Valley View Avenue, BLOCK 3001, LOT 1

The applicant is requesting (c) – variance relief for front-yard setback and side-yard setback to construct 1st and 2nd floor additions. Mr. David Yozzi was sworn in by Mr. Ball and provided his testimony to the Board. The

Board then asked questions regarding Mr. Yozzi's testimony. Mr. Stephen Majewski was sworn in by Mr. Ball and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Majewski'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 annexed hereto as Exhibit A.
2. The applicants will move the shed in conformance with Christa's comment and the zoning officer's memorandum.

A motion of approval was made by Claire Toth and was seconded by Ayman Maleh.

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

NO: None were opposed

The Board memorialized the following Resolutions:

- 9 Laurel Avenue
- 24 Prospect Street
- 5 Morris Court

The Board memorialized Minutes from:

- None

The meeting concluded at 9:33 p.m.

Steven Spurr
Chairman
City of Summit
Zoning Board of Adjustment

Christopher Nicola
Board Secretary
City of Summit
Zoning Board of Adjustment