

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF SUMMIT  
May 6, 2019**

The May 6, 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, Joseph Steiner, Steven Spurr, Elizabeth Newell, fourth alternate Christina Davis, Attorney Peter Chacianas, substituting for 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-19-1960, Jon Flax, 57 Prospect Street, BLOCK 2709, LOT 15**
- **Application: ZB-19-1962, Urmila Shetty, 8 Friar Tuck Circle, BLOCK 2406 LOT 1**
- **Application: ZB-19-1965, Menza & Beissel, Inc., 42 Shadyside Avenue, BLOCK 2001 LOT 14.**  
*(Carried to 6/3/19)*

**City of Summit Zoning Board of Adjustment Meeting:**

In the matter of:

**Application: ZB-19-1960, Jon Flax, 57 Prospect Street, BLOCK 2709, LOT 15**

The applicant is requesting (c) - variance relief for side-yard setback and total side yard % to construct a one-story addition and interior renovations. Mr. Jonathan Flax was sworn in by Mr. Chacianas and provided his testimony to the Board. The Board then asked questions regarding Mr. Flax's testimony. Cindy Boerner-Lay was sworn in by Mr. Chacianas and provided her testimony to the Board as a licensed architect. The Board then asked questions regarding Ms. Boerner-Lay's testimony. Mr. Mark Gimigliano was sworn in by Mr. Chacianas and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Gimigliano'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 will be exercised weekdays between noon and 3 p.m.
2. The Applicant shall submit a landscaping plan prior to the issuance of the building permit to the City Forester and the plan is subject to his review and approval.
3. The Board retains drainage jurisdiction for a period of two years from the issuance of the certificate of occupancy.

A motion of approval was made by Steven Spurr and was seconded by Elizabeth Newell.

VOTE: YES: Joseph Steiner; Steven Spurr; Elizabeth Newell; Christina Davis; Thomas Ucko

None were opposed.

**Application: ZB-19-1962, Urmila Shetty, 8 Friar Tuck Circle, BLOCK 2406 LOT 1**

Mr. Jay DeLaney of Lindabury, McCormick, Estabrook & Cooper advised the Board that he represents the applicant. The applicant is requesting (c) – variance relief for steep slope. Ms. Urmila Shetty was sworn in by

Mr. Chacantias and provided her testimony to the Board. The Board then asked questions regarding Ms. Shetty’s testimony. Mr. William Hoke was sworn in by Mr. Chacantias and provided his testimony to the Board. The Board then asked questions regarding Mr. Hoke’s testimony. Mr. William Scott was sworn in by Mr. Chacantias and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Scott’s testimony. Mr. Thomas Biro was sworn in by Mr. Chacantias and provided his testimony to the Board as a landscape architect. The Board the asked questions regarding Mr. Biro’s testimony. Resident Arun Gunewardena was sworn in by Mr. Chacantias and provided his testimony to the Board. Resident Jina Chae was sworn in by Mr. Chacantias and provided her testimony to the Board. Resident Dana Hiyanadeniya was sworn in by Mr. Chacantias and provided her 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 Board retains drainage jurisdiction for a period of two years from the issuance of the certificate of occupancy.
2. The Applicant is to comply with the City Engineer’s letter dated April 9, 2019, which is attached hereto as Exhibit “A”.
3. The Applicant shall continue to work with the City’s Forester, John Linson to come up with a finalized landscaping plan.

A motion of approval was made by Steven Spurr and was seconded by Christina Davis.

VOTE: YES: Steven Spurr; Christina Davis; Thomas Ucko

No: Joseph Steiner; Elizabeth Newell

**The Board memorialized the following Resolutions:**

- 3 Midland Terrace (ZB-18-1943)
- 22 Hughes Place (ZB-19-1958)
- 66 Tulip Street (ZB-19-1957)
- 11 Lewis Avenue (ZB-19-1961)

**The Board memorialized Minutes from:**

- April 1, 2019
- April 15, 2019

The meeting concluded at 10:24 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