

**MINUTES  
ZONING BOARD OF ADJUSTMENT  
CITY OF SUMMIT  
May 18, 2020**

The May 18, 2020 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, Steven Spurr, Joseph Steiner, Elizabeth Newell, David Mollin, first alternate Kathryn Schwartzstein, third alternate Ayman Maleh, fourth alternate Scott Loikits, Board Attorney Dennis Galvin and Board Secretary Christopher Nicola were participants in the virtual meeting. 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-19-1960-2, Jonathan Flax, 57 Prospect Street, BLOCK 2709, LOT 15** (*Carried to 6/1/2020*)
- **Application: ZB-19-2005, Mark Negus, 9 Prospect Hill Avenue, BLOCK 3501, LOT 22**
- **Application: ZB-19-2001, Cardone Contracting Inc., 149 Hill Crest Avenue, BLOCK 2105, LOT 29**
- **Application: ZB-19-2010, Elizabeth & John Culley, 162 Oak Ridge Avenue, BLOCK 4803, LOT 10.01**
- **Application: ZB-20-2007, Sharon French, 1 Sweetbriar Road, BLOCK 5102, LOT 16** (*Carried to 6/1/2020*)
- **Application: ZB-19-2009, Mr. & Mrs. Meiring, 18 Ruthven Place, BLOCK 2613, LOT 20** (*Carried to 6/1/2020*)
- **Application: ZB-20-2011, Daniel & Cheryl Brown, 18 Joanna Way, BLOCK 5604, LOT 8** (*carried to 6/1/2020*)
- **Application: ZB-19-1986, Bergen Capital Partners, LLC, 38-40 Park Avenue, BLOCK 4004, LOT 15, BLOCK 3907 LOT 5** (*Carried to 6/15/2020*)
- **Application: ZB-19-2000, Beacon Unitarian Church, 4 Waldron Avenue, BLOCK 2608, LOTS 1 & 2** (*Carried to 7/6/2020*)

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

In the matter of:

**Application: ZB-19-2005, Mark Negus, 9 Prospect Hill Avenue, BLOCK 3501, LOT 22**

David Mollin recused from this application. The applicant is requesting (c) - variance relief for total side yard percentage, building coverage, and side-yard setback to construct a garage and second story addition. Mr. Mark Negus was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Negus' testimony. Mrs. Tara Nicole Farris Negus was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked questions regarding Ms. Farris Negus' testimony. Mr. John Lyons was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Lyons' 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. A landscape plan is to be submitted to the City Forester for his review and approval.

2. The plan is to be revised to delete “Gen.” that was noted on the patio. This plan does not provide for a generator.

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

VOTE: YES: Joseph Steiner, Steven Spurr, Elizabeth Newell, Kathryn Schwartzstein, Ayman Maleh, Scott Lokits, and Chairman Ucko

NO: None were opposed.

**Application: ZB-19-2001, Cardone Contracting Inc., 149 Hill Crest Avenue, BLOCK 2105, LOT 29**

Ms. Samantha Alfonso of Dempsey, Dempsey & Sheehan advised the Board that she represents the applicant. The applicant is requesting (c) - variance relief for steep slope to construct a new single family home. Mr. William Hollows was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Hollows’ testimony. Resident Didier Peron asked questions of Mr. Hollows. 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 dated February 24, 2020 which is attached hereto as Exhibit “A”.
2. Compliance with the city forester review letter including the provision of a tree save plan and a landscape plan both for his review and approval.
3. The generator is to only be exercised between the hours of noon and 3 pm between Monday and Friday.
4. In response to the safety concerns of the neighbors, the applicant agreed that it will only stage vehicles on one side of the road and will stay away from the curve in the road.
5. The applicant is to submit a revised plan showing the home dimensions.

A motion of approval was made by Steven Spurr and was seconded by Michael Lardieri.

VOTE: YES: Michael Lardieri, Joseph Steiner, Steven Spurr, Elizabeth Newell, David Mollin, Kathryn Schwartzstein, and Chairman Ucko

NO: None were opposed.

**Application: ZB-19-2010, Elizabeth & John Culley, 162 Oak Ridge Avenue, BLOCK 4803, LOT 10.01**

The applicant is requesting (c) - variance relief for lot coverage to construct a patio. Ms. Elizabeth Culley was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked questions regarding Ms. Culley’s testimony. Resident Didier Peron asked questions of Mr. Hollows. 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 dated March 18th, 2020 which is attached hereto as Exhibit “A”.
2. A landscape plan is to be submitted to the City Forester for his review and approval.

A motion of approval was made by Elizabeth Newell and was seconded by Joseph Steiner.

VOTE: YES: Michael Lardieri, Joseph Steiner, Steven Spurr, Elizabeth Newell, David Mollin, Kathryn Schwartzstein, and Chairman Ucko

NO: None were opposed.

**The Board memorialized the following Resolutions:**

- None

**The Board memorialized Minutes from:**

- April 20, 2020

The meeting concluded at 9:09 p.m.

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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