

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
June 3, 2019**

The June 3, 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 Lardieri, Joseph Steiner, Steven Spurr, Elizabeth Newell, Maureen Leuenberger, first alternate David Mollin, second alternate Kathryn Schwartzstein, third alternate Katherine Hensel, fourth alternate Christina Davis, 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-19-1965, Oxford Realty Partners LLC, 42 Shadyside Avenue, BLOCK 2001 LOT 14**
- **Application: ZB-19-1964, Michael & Alicia Bohlinger, 1 Crestwood Lane, BLOCK 3105 LOT 8**
- **Application: ZB-19-1967, Christopher & Jean Marie Volpe, 290 Summit Avenue, BLOCK 2101 LOT 3**
- **Application: ZB-19-1966, Lotus of North Jersey LLC, 36 River Road, BLOCK 201 LOT 6**

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

Application: ZB-19-1965, Oxford Realty Partners LLC, 42 Shadyside Avenue, BLOCK 2001 LOT 14

Mr. Richard C. Sherman advised the Board that he represents the applicant. The applicant is requesting (c) – variance relief for lot coverage and building coverage to construct a driveway expansion. Mr. Fredrick Voss was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Voss' 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 is to submit a landscape plan to the City Forester for his review and approval, which will include screening the condenser by fencing if necessary.
2. The Applicant will obtain City Council relief regarding the curb cut, if necessary.
3. The Applicant is to comply with the City Engineer's letter dated May 31, 2019, which is attached hereto as Exhibit "A".
4. The Board retains drainage jurisdiction for a period of two years from the issuance of the certificate of occupancy.
5. The Board retains landscape jurisdiction for a period of two years from the issuance of the certificate of occupancy.

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

VOTE: YES: Michael Lardieri; Steven Spurr; Elizabeth Newell; Maureen Leuenberger; Kathryn Schwartzstein; Thomas Ucko

No: Joseph Steiner

Application: ZB-19-1964, Michael & Alicia Bohlinger, 1 Crestwood Lane, BLOCK 3105 LOT 8

The applicant is requesting (c) – variance relief for combined side-yard percentage, lot coverage, and building coverage to construct a front porch entrance addition. Mr. Michael Bohlinger was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Bohlinger’s testimony. Ms. Alicia Bohlinger was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked questions regarding Ms. Bohlinger’s testimony. Mr. Michael Chiarella was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Chiarella’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 is to comply with the City Engineer’s letter dated May 15, 2019, 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.

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; Maureen Leuenberger; David Mollin; Thomas Ucko

None were opposed.

Application: ZB-19-1967, Christopher & Jean Marie Volpe, 290 Summit Avenue, BLOCK 2101 LOT 3

A. Jude Avelino of Avelino & Hartlaub, LLP advised the Board that he represents the applicant. The applicant is requesting (c) – variance relief for the location of air conditioner units. The Board asked questions of Mr. Avelino. 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 Joseph Steiner and was seconded by Maureen Leuenberger.

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

None were opposed.

Application: ZB-19-1966, Lotus of North Jersey LLC, 36 River Road, BLOCK 201 LOT 6

Mr. Bartholomew A. Sheehan Jr. of Dempsey, Dempsey & Sheehan advised the Board that he represents the applicant. The applicant is requesting amended site plan approval with (c) – variances for signage. Mr. Sean Flanagan was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Flanagan’s testimony. 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. Mr. James Ramentol was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Ramentol’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 is to comply with the City Engineer’s letter dated May 24, 2019, which is attached hereto as Exhibit “A”.

2. No unloading of vehicles is to occur on River Road.
3. The outside lighting will be on a timer and shut down within one hour of the close of business.
4. The Applicant is to install some planter boxes on the Volvo Dealership property in consultation with the City Forester. The Board understands these will need to be replaced annually.
5. The plan is to be revised to move the circular sign facing River Road to the other side of the building.
6. Notwithstanding this amended approval and the above conditions, the Applicant must fully comply with the conditions of the prior approval.

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

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

None were opposed.

The Board memorialized the following Resolutions:

- 8 Friar Tuck Circle
- 57 Prospect Street

The Board memorialized Minutes from:

- May 6, 2019

The following matters were discussed:

- The Board discussed the Annual Report.

The meeting concluded at 9:20 PM.

Thomas Ucko
Chairman
City of Summit
Zoning Board of Adjustment

Christopher Nicola
Board Secretary
City of Summit
Zoning Board of Adjustment