

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
June 17, 2019

The June 17, 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, 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-19-1969, Marcus Weldon & Cherie MaCauley, 248 Summit Avenue, BLOCK 2606 LOT 19 (Carried to 7/15/19)**
- **Application: ZB-18-1941-2, New Darlington LLC, 123-127 Summit Avenue, BLOCK 2608 LOT 11**

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

Application: ZB-18-1941-2, New Darlington LLC, 123-127 Summit Avenue, BLOCK 2608 LOT 11

Mr. Bartholomew Sheehan of Dempsey, Dempsey & Sheehan advised the Board that he represents the applicant. The applicant is requesting major site plan approval with D variances for FAR and height to construct 16 residential units. Mr. Mark Yeager was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Yeager's testimony. Mr. Bruce Stieve was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Stieve's testimony. Dan Sehnel was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed engineer. The Board then asked questions regarding Mr. Sehnel's testimony. Craig Peregoy was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed traffic engineer. The Board then asked questions regarding Mr. Peregoy's testimony. Mr. John Barree was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed planner. The Board then asked questions regarding Mr. Barree'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 be bound by all exhibits introduced, all representations made and all testimony given before the Board at its meeting of June 17, 2019.
2. The applicant will have one (1) year from the date of this resolution to obtain a building permit.
3. The applicant shall be responsible for obtaining any other approvals or permits from other governmental agencies, as may be required by law, including but not limited to the Municipality's and State's affordable housing regulations; and the applicant shall comply with any requirements or conditions of such approvals or permits.
4. This approval is subject to the applicant's continuing obligation to ensure that the fees generated on this application by the Board's Planner, Engineer, and Attorney are fully paid prior to the issuance of a building permit and/or the issuance of the Certificate of Occupancy.
5. This application is subject to the Common Council's approval of the removal of a parking meter space on Summit Avenue.

6. The Applicant is to comply with the City Engineer’s letter dated June 12, 2019, which is attached hereto as Exhibit “A”.
7. The sign is to be externally lit and will be conforming with the ordinance.
8. The generator is to be exercised weekdays between noon and 3 p.m.
9. The Applicant shall be under a continuing obligation to meet the conditions of the prior resolution, except as herein modified.
10. The Applicant is to provide wiring for electric car charging stations.
11. The plantings on the roof are to be maintained for the life of the building.
12. The lighting on the roof terrace and the parapets are to be downlit.
13. The Applicant must fully comply with the city and state regulations for the provision of three affordable housing units.
14. The Board retains drainage jurisdiction for a period of two years from the issuance of the certificate of occupancy.
15. The Applicant shall install a stop bar and stop sign at the exit.
16. The Applicant will work with the County to locate the no left turn sign on the arm of the traffic light going south on Summit Avenue.

A motion of approval was made by Joseph Steiner and was seconded by Kathryn Schwartzstein.

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

None were opposed.

The Board memorialized the following Resolutions:

- None

The Board memorialized Minutes from:

- May 20, 2019

The meeting concluded at 10:08 PM.

Thomas Ucko
 Chairman
 City of Summit
 Zoning Board of Adjustment

Christopher Nicola
 Board Secretary
 City of Summit
 Zoning Board of Adjustment