

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
September 9, 2020

The September 9, 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: Steven Spurr, Elizabeth Newell, Joseph Steiner, David Mollin, third alternate Ayman Maleh, 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 Steven Spurr reviewed the evening's agenda. The following applications were ready to proceed:

- **Application: ZB-20-2006, Kyle & Sara Binnington, 19 Evergreen Road, BLOCK 504, LOT 16**
- **Application: ZB-20-2017, John Scales, 10 Lafayette Avenue, BLOCK 502, LOT 20**

City of Summit Zoning Board of Adjustment Meeting:

In the matter of:

Application: ZB-20-2006, Kyle & Sara Binnington, 19 Evergreen Road, BLOCK 504, LOT 16

The applicant is requesting (c) – variance relief for lot coverage to construct a 1- story addition over the existing garage. Ms. Sara Binnington was sworn in by Mr. Galvin and provided her testimony to the Board. The Board then asked question regarding Ms. Binnington’s testimony. Mr. Kyle Binnington was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked question regarding Mr. Binnington’s testimony. Ms. Cindy Boerner-Lay was sworn in by Mr. Galvin and provided her testimony to the Board as a licensed architect. The Board then asked question regarding Ms. Boerner-Lay’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 Board Engineer’s letter attached hereto as Exhibit “A”

A motion of approval was made by Vice Chairwoman Newell and was seconded by Ayman Maleh.

VOTE: YES: Elizabeth Newell, Joseph Steiner, David Mollin, Ayman Maleh and Chairman Spurr

NO: None were opposed.

Application: ZB-20-2017, John Scales, 10 Lafayette Avenue, BLOCK 502, LOT 20

The applicant is requesting (c) – variance relief for building coverage, lot coverage, side-yard setback & rear-yard setback to construct 1st and 2nd floor additions. Mr. John Scales was sworn in by Mr. Galvin and provided his testimony to the Board. The Board then asked questions regarding Mr. Scale’s testimony. Mr. Alan Leonard was sworn in by Mr. Galvin and provided his testimony to the Board as a licensed architect. The Board then asked questions regarding Mr. Leonard’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:

2. The applicant will remove the sidewalk to reduce lot coverage.
3. The Board retains drainage jurisdiction for a period two years from the issuance of the CO
4. The drainage in the rear of the home is to be directed into the rear yard
5. The applicant shall comply with the Board Engineer's letter attached hereto as Exhibit "A"
6. The mature screening is to remain and no trees are to be

A motion of approval was made by David Mollin and was seconded by Vice Chairwoman Newell.

VOTE: YES: Elizabeth Newell, Joseph Steiner, David Mollin, Ayman Maleh and Chairman Spurr
NO: None were opposed.

The Board memorialized the following Resolutions:

- 41 Oakley Avenue (ZB-20-2014)
- 208 Kent Place Boulevard (ZB-20-2013)

The Board memorialized Minutes from:

- August 3, 2020

38-40 Park Avenue Correspondence – motion to re-consider

At the end of the hearing The Board decided to grant a motion of reconsideration that was filed by Mr. Craig Feldman, the attorney for 38-40 Park Avenue.

YES: Elizabeth Newell, Joseph Steiner, David Mollin, and Chairman Spurr

NO: Ayman Maleh

The meeting concluded at 9:18 p.m.

Steven Spurr
Chairman
City of Summit
Zoning Board of Adjustment

Christopher Nicola
Board Secretary
City of Summit
Zoning Board of Adjustment