



CITY OF SUMMIT - Department of Community Services (DCS) Application for Development - Worksheet

ORIGINAL FILING
 RESUBMITTAL OF "INCOMPLETE"

MODIFICATION OF PRIOR APPROVAL
 AMENDED PLAN(S)

Address: 96 Fernwood Road

Block(s) 2105 Lot(s) 34 Zone(s) R-25

How the property is used (one-family, offices, etc.): Single Family Residential

Property Owner: Caponetti, Christopher & Abigail Phone _____

Email: _____

Owner Address: 96 Fernwood Road

Applicant: (owner) c/o B.W. Farley Esq. Phone: 908 234-2088

Email: bj@farleylaw.net

FILL IN ITEMS 1 THROUGH 5 - MARK EACH BOX OR CIRCLE AS APPROPRIATE FOR YOUR APPLICATION.

① TYPE PROPERTY: RESIDENTIAL OTHER

② Type application:

Appeal Interpretation C – Bulk variance
 D – Use variance Conditional use D – Floor area ratio (FAR)
 Minor subdivision Major subdivision Site plan
 Other _____

CONCEPT PLAN PRELIMINARY FINAL

③ Number of lots: 1 Existing n/c Proposed
④ Number of dwelling units 1 Existing n/c Proposed

⑤ Building area 4,066 Existing
0 Proposed new *

Total site building area _____

*-NEW INCLUDES ADDITIONS AND EXPANDED AREAS AS WELL AS NEW STRUCTURES, BUT DOES NOT INCLUDE AREAS ALTERED WITHIN THE EXISTING BUILDING FOOTPRINT

⑥ Comments: Variance plan for proposed new outdoor improvements.

⑦ Signature: BJ Farley Date: 12/15/2024
Submitted 3/21/25



APPENDIX E-2
ZONING BOARD APPLICATION CHECKLIST
City of Summit, Union County, NJ



Name of applicant Chris & Abigail Caponetti Date May 20, 2025

Address of property 96 Fernwood Road Block 2105 Lot 34

Approval requested: Appeal zoning officer decision Interpret Ordinance or Map
 Bulk variance Use variance

NOTE: This checklist is not a substitute for the specific requirements of the Development Regulations (zoning) Ordinance. See the Ordinance for detailed requirements.

NOTE: You must collate many of the items on this checklist into separate packages – please refer to the *Procedure for Filing Applications to the Zoning Board of Adjustment* for instructions.

	Applicant	City
1. Original and 12 copies of application form	✓	
2. Original and 12 copies of narrative description of project	✓	
3. Original and 12 copies of plat/property survey, showing the existing and proposed building setbacks	✓	
4. Original and 12 copies of proposed structure, including interiors	n/a	
5. Grading plan	n/a	
6. Thirteen copies of the zoning officer's decision (If applicable)	n/a	
7. Thirteen copies of the area map of properties within 200 feet, showing each of the following items: a. street numbers b. date and graphic scale c. north arrow d. Zone district e. uses of each property within 200 ft.	✓	
8. Original and 12 copies of the certified list of owners of property within 200 feet.	✓	
9. Original copy of evidence of paid property taxes	✓	
10. Original copy of the proposed notice to owners within 200'	✓	
11. Original copy of the proposed advertisement	✓	
12. Subdivision submittal (If applicable)	n/a	
13. Site plan submittal (If applicable)	✓	
14. Original copy of this completed checklist	✓	
15. Application fee and escrow deposit	✓	
16. Electronic copies of all submissions shall be submitted by CD, USB drive or other means acceptable to the Summit Department of Community Services staff.		

Applicant - Please do not write below this line

On _____, this submittal was deemed complete _____ incomplete _____.

Application to Zoning Board of Adjustment of Summit, New Jersey

Summit, N. J. May 20 2025

In the matter of the petition of Caporatti residence for relief from the strict application of the provisions of the Development Regulations Ordinance of the City of Summit.

Petitioner Chris & Abigail Caporatti
residing at 96 Fernwood Road says:

I Petitioner is the owner / occupant of property located at 96 Fernwood Rd.

Block 2105, Lot(s) 34 on the Tax Map located in the R-25 Zone.

2a.) With respect to said property petitioner desires a variance, special exception, or other relief from the bulk requirements of the Zoning Ordinance of the City of Summit to permit the use of the property in the following manner: single family residential with bulk variances for coverage and setback requirements

2b.) The proposed use described above requires the following variance(s):

lot coverage, side yard setback and two pre-existing conditions

3. The premises affected are more particularly described as follows:

Area of Plot 15,631 square feet

Area of existing structures which will remain 4,912 square feet

Total area of plot to be occupied by structures 5,211 square feet

Percentage of lot to be occupied by structures 33.3 (proposed) 31.4 (exist) percent

Proposed set-back, front line 39.9 feet;

Proposed sidelines (specify if corner) 39.88 feet;

Proposed rear yard 77.52 feet.

Year house built 2020.

Other pertinent characteristics _____

4. There has been no previous petition for relief involving these premises except: _____

upon original construction.

5. The reasons which support petitioner's claim of the right to relief are as follows: _____

Proposed removal of existing slate patio and replacement with slightly larger & new stone patio with new outdoor kitchen facilities and associated landscaping. Proposed improvements will enhance not only the property but also the neighborhood and the community while also furthering the purposes of zoning as codified under WJSA 40.550 et. seq.

6. Attached hereto and made a part hereof are the following:

(a) Complete set of plans of any proposed building alteration or extension including schematic floor plans and elevations with sufficient notations to clearly establish the extent and character of the proposed structure:

(b) Plot plan showing size of plot bounding streets: compass point, size, type and location of all existing buildings and improvements on the plot: size and location of proposed building and improvements: distance of all property lines from buildings and improvements including the proposed building or buildings.

7. By signing this section, the petitioner hereby gives consent for City Officers and Board Members to enter upon this property for the purpose of reasonable inspections to investigate representations made herein.

*Brian J. Fahy Esq. on behalf
of owners*
Petitioner

Petitioner's Phone Number 908 234-2088

Petitioner's Email bj@fahylaw.net

Attorney's name, address, phone, email and fax numbers.

Brian W. Fahy Jr. Esq.

5 Elliot Farm Lane

Towaco NJ 07830

(908) 234-2088 (908) 234-1622

bj@fahylaw.net

State of New Jersey

County of Union

Christopher Abigail Caporatti being duly sworn, says that she/he is the petitioner, or one of the petitioners, in the above action; that permission of the owner has been obtained if the petition is filed by a party other than the owner; and that all of the matters and things set forth herein are true.

Christopher Caporatti
Petitioner's printed name

Brian J. Fahy Esq.
Petitioner's signature *Attorney in fact*

Sworn and subscribed before me this

11th day of March, 2025

Sonia Fahy
Notary Public

Check here if additional pages are attached.



ORIGINAL



Sender:

Brian W. Fahey Jr., Esq.
bj@faheylaw.net

Phone: 908.234.2088

Reply to:

5 Elliot Farm Lane
Tewksbury, NJ 07830

FAX: 908.234.1622

MAY 23, 2025

Re: Narrative Description of Proposed Plan for 96 Fernwood Road

The project that is the subject of the land use application for which this narrative is being prepared is a fairly simple and ~~straightforward~~ one.

The applicants, who own and occupy the subject property as their family residence, said property being within the municipal boundaries of the City of Summit and subject to the jurisdiction thereof, seek to make improvements to the rear yard of their home.

The specific improvements they seek, should the zoning board grant the requested relief necessary therefor, are to remove an existing, rounded slate patio and replace it with a slightly larger, rectangular bluestone patio with the addition of what is typically described as an "outdoor kitchen" associated therewith. Finally, the applicant also includes a request for improved hardscaping and landscaping improvements as well, both for aesthetic purposes as well as to provide appropriate screening for the benefit of both the applicant and for the surrounding community, at least to the limited extent that the surrounding community may be able to see said improvements, as same are designed to go largely unnoticed by those not actually within the applicant's yard itself.

Should the relief sought be granted accordingly, it will result in an overall increase in lot coverage of slightly less than 2%, from the existing conditions of 31.4% to 33.3% as proposed. In addition, the outdoor kitchen shall require a side yard setback variance in addition to the coverage variance detailed herein.

We hope the requested relief is received by the Board, the neighborhood and the community in the same spirit of good faith as it is being offered and thank the Board for its time, consideration and anticipated cooperation.

Mountain Colony Professional Services
Professional Corporation

**PROPERTY OWNERS LIST / 200 FOOT LIST**Application for a *Certified List of Property Owners Within 200 feet of the following:*DEPT. OF SUMMIT, NJ 07901
RECEIVED**PROPERTY INFO:**Address: **96 Fernwood Road**
City, State, Zip Code: **Summit NJ**FEB 28/2025
By **BJ** Date: **2/28/2025**
Block: **2105** Lot: **34**
App'd By**APPLICANT INFO:**

	Applicant	Owner (if different)
Name:	B. W. Fahy Esq.	Christopher Caponetti
Address:	5 Elliott Farm Lane, Tuckersburg	96 Fernwood Road
Email: (required)	bj@fahyelaw.net	bj@fahyelaw.net
Phone:	908 234-2088	

PAYMENT INFO: **WITH Map (\$11)** **WITHOUT Map (\$10) * Applicant must attach their own map if selected.**Fee Paid: YES NO
Date: **2/28/25** Emp.: **CN** Check
Check #: _____ Cash**Zoning/Planning Board Secretary****Date****To Eng:** **2/28/25****10:35 am/pm**

Block	Lot(s)
2105	1-3,29-33,35
2204	5,8-13

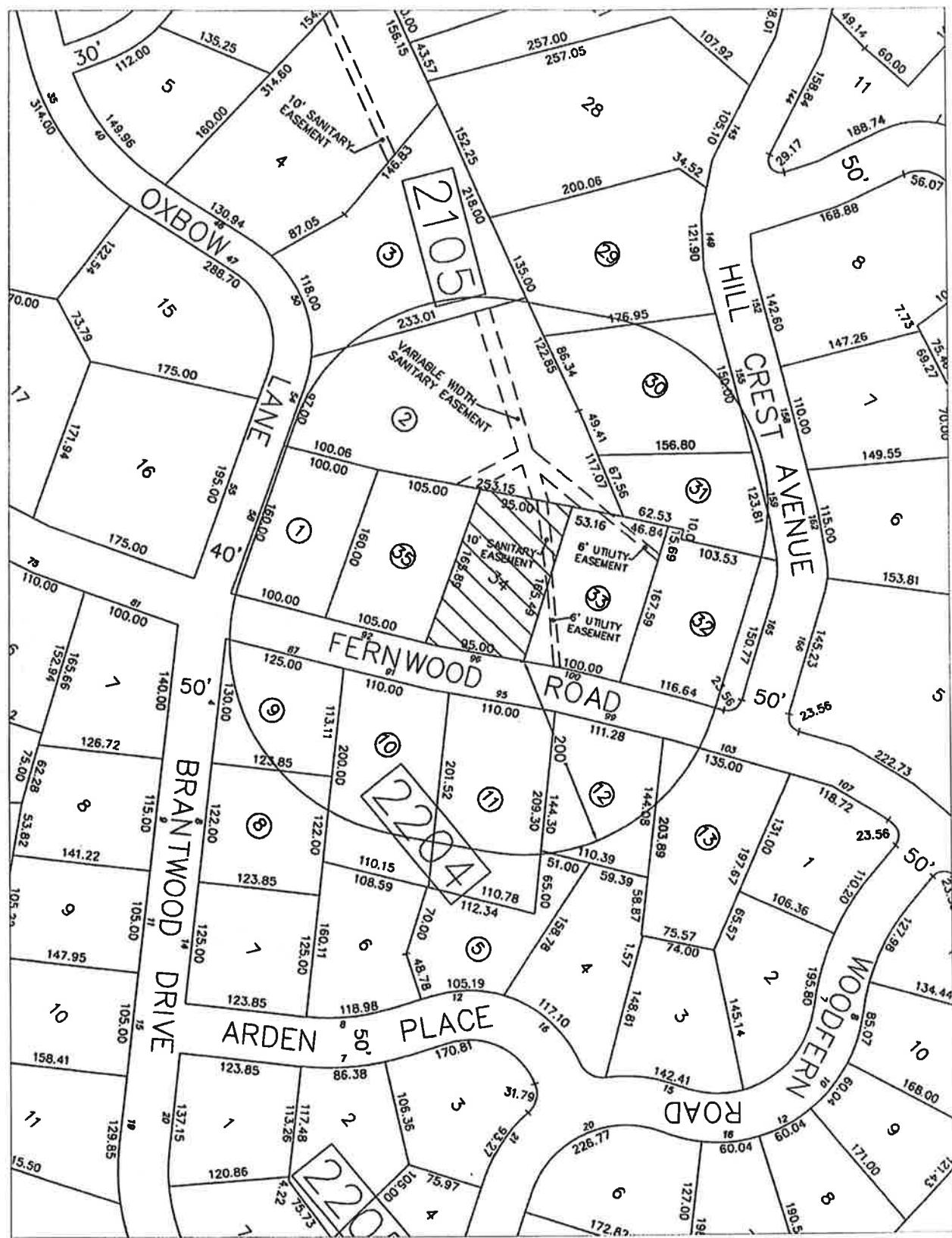
Block	Lot(s)

Block	Lot(s)

Notes:**NOTE: In addition to the owners on the above list, the following entities **MUST** also be notified if checked:**

- UTILITY:** NJ American Water Co., Inc. Attn: Donna Short, GIS Supervisor ~ 1025 Laurel Oak Road - Vorhees, NJ 08043
- UTILITY:** PSE&G, Attn: Manager -Corporate Properties ~ 80 Park Plaza, T6B – Newark, NJ 07102
- OTHER MUNICIPALITY:** Property owner(s) in an adjacent municipality Clerk in an adjacent municipality
- COUNTY:** County Planning Board if the property is on a county road
- STATE:** Commissioner of Transportation if on/adjacent to state highway/property ~ P.O. Box 600 Trenton, NJ 08625-0600

Engineer/Assistant Engineer**3/4/25****Date***I certify that the attached/above is an accurate & complete list of property owners and addresses from the Tax Assessor record***Tax Assessor / Staff Assessor****3-4-25****Date****4-10-98****100-1400**



OWNER & ADDRESS REPORT

SUMMIT

2105-34 96 FERNWOOD RD - CAPONETTI, CHRISTOPHER C & ABIGAIL
CHRISTOPHER CAPNETTI

03/04/25 Page 1 of 1

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
2105	1		2	BUCKLEY, JOSEPH L. 58 OX BOW LANE SUMMIT, NJ	58 OX BOW LANE 07901	
2105	2		2	PRESENT, DOUGLAS A & SUSAN 54 OX BOW LANE SUMMIT, NJ	54 OX BOW LANE 07901	
2105	3		2	DAVIS, ROBERT & NANCY 50 OX BOW LANE SUMMIT, NJ	50 OX BOW LANE 07901	
2105	29		2	DIAS-SOTIRIOU, LORRAINE/SOTIRIOU, E 149 HILL CREST AVE SUMMIT, NJ	149 HILL CREST AVE 07901	
2105	30		2	DEFAZIO, ANDREW & SKOCZYLAS, JILL	155 HILL CREST AVE 07901	
2105	31		2	ZACHARIAS, MICHAEL A & REBECCA L 159 HILL CREST AVE SUMMIT, NJ	159 HILL CREST AVE 07901	
2105	32		2	MORETTI, ANTHONY & TINA M 165 HILL CREST AVE SUMMIT, NJ	165 HILL CREST AVE 07901	
2105	33		2	MILHALTER, GUY & CASSIDY, JULIA	100 FERNWOOD RD 07901	
2105	35		2	SHAH, CHINTAN T. & RESHMA L. 92 FERNWOOD RD SUMMIT, NJ	92 FERNWOOD RD 07901	
2204	5		2	GRUEN, FRED R & IBATOUULLINA, ANNA	12 ARDEN PL 07901	
2204	8		2	HORAN, JOHN J, JR.	8 BRANTWOOD DR 07901	
2204	9		2	SHEIMAN, JONATHAN CRAIG & CAROLYN	87 FERNWOOD ROAD 07901	
2204	10		2	LORENZ, WILLIAM A. & VICTORIA A.	91 FERNWOOD RD 07901	
2204	11		2	NICHOLAS, JOHN & SUSAN	95 FERNWOOD RD 07901	
2204	12		2	MC GARRY, ROBIN & FRANCIOSA, JOSEPH	99 FERNWOOD RD 07901	
2204	13		2	KOWALCZYK, LUDWICK & TERESA	103 FERNWOOD ROAD 07901	

The City of Summit
New Jersey

Public Utility Registration List

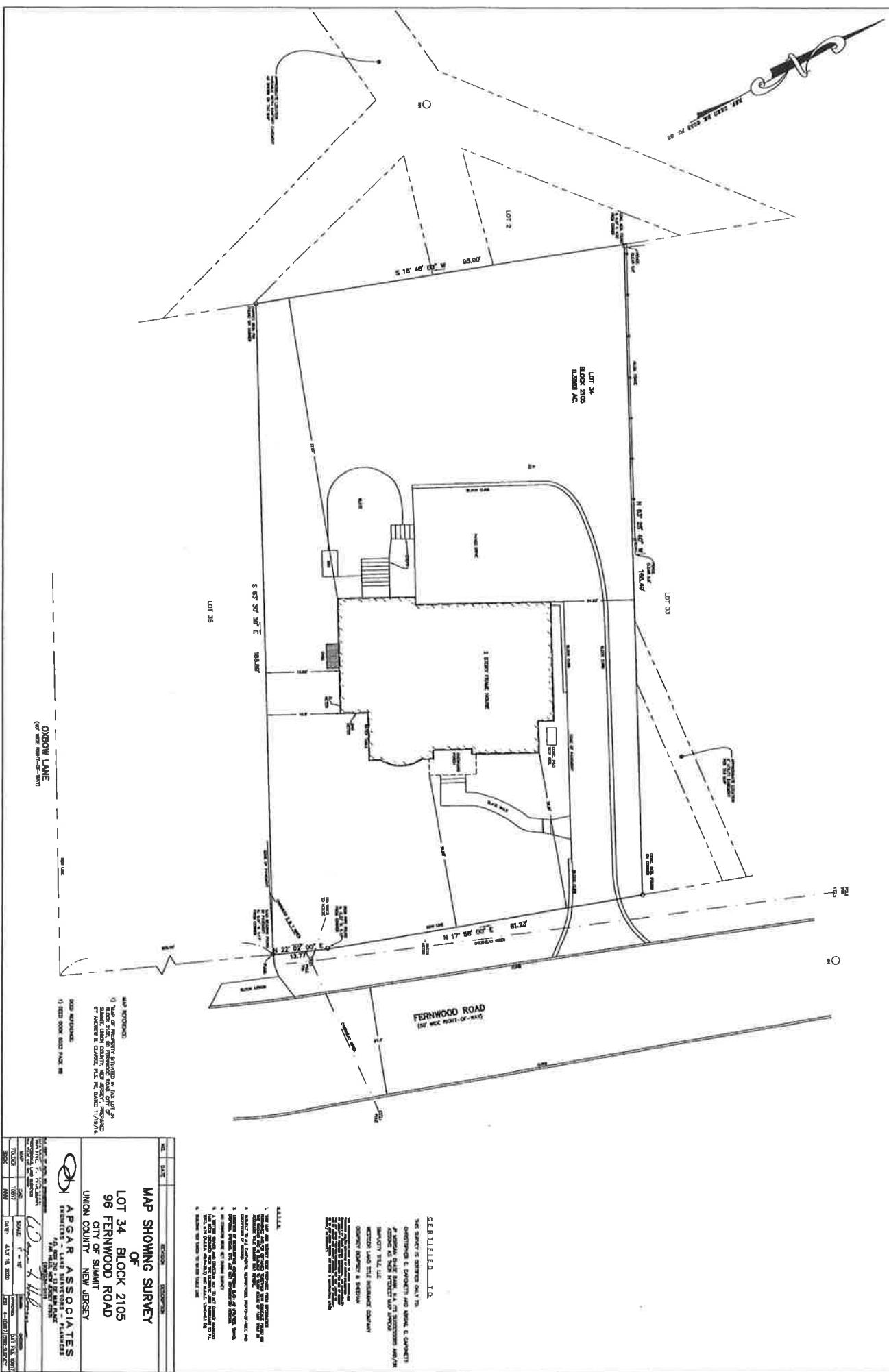
Request for Notice of Hearings

Any public utility, cable television company, local or other utility may request service of notice of hearings for development, pursuant to N.J.S.A. 40:55D-12, et. seq., provided the utility has an easement or other form of right-of-way.

The following listed utilities have registered to receive service of any notice of hearing for development in the City of Summit. Proof of service, as required by the Municipal Land Use Law, shall include service to this utility.

**Donna Short
GIS Supervisor
New Jersey-American Water Company, Inc.
1025 Laurel Oak Road
Voorhees, NJ 08043**

**Public Service Electric and Gas Company
Manager - Corporate Properties
80 Park Plaza, T6B
Newark, NJ 07102**



NOTICE OF HEARING

DATE: _____

TO: _____

YOU ARE HEREBY NOTIFIED, as provided in the Municipal Land Use Law, that the Zoning Board Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on _____, 20____ at 7:30 p.m. in the City Hall Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as 96 Fernwood Road.

The conditions affecting this property and the reasons for the application being heard are as follows: Applicant seeks variance relief for maximum lot coverage, side yard setback on one side, and for two - pre existing conditions not related to this application, being minimum lot area and minimum lot width.

Applicant requests any other waivers or variances as may be required by the Board or its professionals at the time of the hearing.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, and may be inspected any workday between the hours of 8:30 a.m. and 4:00 p.m. Any interested party may appear at the hearing and participate therein, subject to the rules of the Board.

Chris Capparelli by Brian Faherty
Applicant's signature

Christopher Capparelli
Applicant's printed name
by Brian W. Faherty Jr.,
his attorney.

NOTICE OF HEARING FOR PUBLICATION

The Union County Local Source
1291 Stuyvesant Avenue
Union, NJ 07083

Tel: 908-686-7700

TAKE NOTICE THAT the Zoning Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on _____, 20____ at 7:30 p.m. in the City Hall Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as

96 Fernwood Road, Summit, Block 2105, Lot 34

The conditions affecting this property and the reason for the application being heard are as follows: *Applicant seeks variance relief for maximum lot coverage and side yard setback (one side), plus pre-existing nonconformities including minimum lot area and minimum lot width requirements.*

Applicant requests any other waivers or variances as may be required by the Board or its professionals at the time of the hearing.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, and may be inspected on any workday during business hours, 8:30 a.m. to 4:00 p.m. Any interested party may appear at the hearing and participate therein, subject to the rules of the Board.

Chris Caponetti by Brian Tracy
Applicant's printed name
EOD.

The City of Summit New Jersey

City Hall 512 Springfield Avenue Summit NJ 07901

CAROLYN M. BRAFFORD
Collector of Taxes

Telephone (308) 271-0011
Fax 208-271-0011

ADDRESS: 96 Fernwood Road DATE: 2/28/2025
OWNER(S): Caponetti, Christopher & Abigail

BLOCK: 2105 LOT(S): 34

PURSUANT TO THE PROVISIONS OF THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-1 ET. SEQ. PERTAINING TO THE ZONING BOARD OF ADJUSTMENT AND/OR PLANNING BOARD APPLICATIONS. I, HEREBY CERTIFY THAT THE TAXES OR ASSESSMENTS FOR PUBLIC IMPROVEMENTS, OR BOTH, ARE NOT DUE OR DELINQUENT ON THE ABOVE PARCEL(S), AND HAVE BEEN PAID TO DATE ACCORDING TO LAW.

E. W. W. ⁹
E. W. W.
ELSA Y. LAKE
DEP. Collector of Taxes

For Office Use Only:

Department of Community Services

Date filed:

File ZB/PB -

Received by:

AFFIDAVIT OF PROOF OF SERVICE
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT

PROOF OF SERVICE OF NOTICES REQUIRED BY THE MUNICIPAL LAND USE LAW
MUST BE FILED WITH THE ADMINISTRATIVE OFFICES OF THE BOARD AND VERIFIED
AT LEAST TWO DAYS PRIOR TO THE DATE OF THE HEARING.

STATE OF NEW JERSEY }
 } ss
COUNTY OF UNION }

Christopher Caporetti, of full age, being duly sworn according to law, deposes
and says that he/she/they reside(s) at 96 Fernwood Rd in the city
of Summit, County of Union, and he/she/they is (are) the applicant(s) in
a proceeding before the Zoning Board of Adjustment of Summit, New Jersey, said proceeding
being an appeal or an application under the Development Regulations Ordinance, and which
relates to premises known as 96 Fernwood Road and that on
_____, 20_____, gave written notice of the hearing on this application to each and all of
the persons upon whom service must be made, in the required form and according to the
attached list(s), and in the manner attached hereto.

Christopher Caporetti
Applicant's printed name

Brian Jelny Esq.
Applicant's signature
(POA)

Sworn and subscribed before me

this 20th day of May, 2025

Brian Jelny
Notary Public