



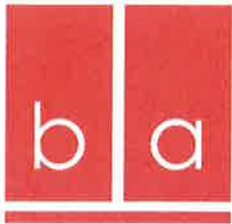
ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

Address:	23 Baltusrol Place
Application #:	ZB-25-2298
Description/Variances:	(c)- variance for building coverage and lot coverage
Sent to Staff for Comments:	June 25, 2025
Due Date:	July 16, 2025

Staff / Commission / Consultant	<u>Delivery Method</u>	<u>Report Attached with Comments</u>	<u>Report Attached with No Objections</u>	<u>Not Submitted</u>	<u>Not Required</u>
Eric Evers, Director Fire Chief	<input type="checkbox"/> Paper <input type="checkbox"/> Email			✓	
Ryan Peters Police Chief	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Engineering: Colliers	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Ralph Maritato Construction Official	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
John Linson City Forester	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Board of Health: Westfield	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Historic Preservation Commission	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Environmental Commission (if required)	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Board Planner Burgis Associates	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			

AT DUE DATE / UPON RECEIPT FROM ALL STAFF:

Sent to Applicant:	____/____/____
Sent to Attorney:	____/____/____



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
A S S O C I A T E S , I N C .

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: City of Summit Zoning Board of Adjustment
From: Ed Snieckus, Jr. PP, LLA and Tom Behrens, PP, AICP
Subject: Nisenson Residence (ZB-25-2298)
23 Baltusrol Place
Block 4201 Lot 5
'c' Bulk Variance Requests
Date: July 23, 2025
BA#: 4269.31

I. INTRODUCTION

The Applicants, Evan and Lauren Nisenson, are requesting 'c' variance relief to construct a two-story addition to the rear of the existing single-family dwelling at the above-referenced site. The addition is intended to provide a new family room, mudroom and half bathroom on the first floor and master bedroom suite on the second floor resulting in a total of 3 bedrooms. The property is located in the R-5 Zone wherein the existing detached single-family dwelling is a permitted use. The extent of proposed improvements and required variance relief are detailed herein.

II. DOCUMENTS SUBMITTED

Our office has received and reviewed the following application documents:

1. Application forms and accompanying materials.
2. Property survey prepared by Benjamin and Wizorek, Inc. dated June 12, 2017.
3. Zoning plan (1 sheet) prepared by Roth Engineering dated November 6, 2024.
4. Architectural plans (2 sheets) prepared by Byrne Design Associates, LLC dated December 3, 2024.
5. Driveway easement dated September 30, 1986.

III. PROPERTY DESCRIPTION

The site, identified as Block 4201 Lot 5 in City tax records, is a 5,407 square foot parcel with 45.7 feet of frontage on Baltusrol Place. Lot 5 is developed with a 2-story single-family dwelling and associated site improvements, including a detached 2-car garage and patio in the rear, paved front walkway and paved driveway shared with adjacent Lot 4 with a driveway easement agreement. The property is generally flat. Development surrounding the site primarily consists of detached single-family uses. The following aerial image provides a general overview of the existing site conditions and surrounding development pattern.

IMAGE 1 - SITE AERIAL PHOTOGRAPH



Source: Google Maps, accessed July 23, 2025. Note: lot lines are approximate.

IV. REQUIRED VARIANCE RELIEF

The development application requires the following variance relief:

1. 'c' Maximum Building Coverage. The R-5 Zone permits a maximum building coverage of 20% where the property has an existing nonconforming building coverage of 23.6% that will be increased to 29.7%.
2. 'c' Maximum Lot Coverage. The R-5 Zone permits a maximum lot coverage of 45% where the property has an existing nonconforming lot coverage of 51.6% that will be increased to 53.5%.

V. GENERAL COMMENTS

1. It is noted that the site has several preexisting nonconforming conditions in addition to those listed above, including a lot width of 44.9 feet where a minimum width of 50 feet is required; minimum front yard setback of 17.7 feet where a minimum setback of 25 feet is required; maximum accessory structure dimension of 26 feet (garage width) where a maximum of 24 feet is permitted; and a detached garage rear yard setback of 3.1 feet and side yard setback of 3.5 feet where a minimum setback of 4 feet is required.
2. The Applicant shall confirm the existing driveway easement between the subject property and adjacent Lot 4 will allow for the proposed encroachment of approximately 0.3 feet into the 16 foot-wide driveway easement.

3. The existing rear patio will be removed to accommodate the proposed addition. There is not proposed rear patio, deck or amenity which a typical accessory feature of single-family dwellings in Summit. The Applicant shall address the intention to include such a rear yard amenity space.
4. The proposed location(s) of a/c units and any other exterior equipment should be shown on the plot plan to demonstrate compliance.
5. No stormwater management improvements are proposed. We defer the review of stormwater management to the Board Engineer.

***Should the application be approved, the Applicant are hereby noticed to read the Zoning Board resolution of approval making note of all required conditions. It is the applicant's responsibility to take action necessary to meet the stated conditions prior to submitting a construction permit. Failure on the part of the applicant to meet the conditions will result in unnecessary delay in processing the construction and grading permit applications, as applicable.**

VI. STATUTORY CRITERIA

The following is a summary of 'c' variance criteria required to be addressed by the Applicant:

'c'(1)"/c'(2) Variance Relief

The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test as described below. The Applicant may apply one or both of these tests in providing justifications for their 'c' variance requests.

- A. Physical Features Test: An applicant may be granted 'c'(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
- B. Public Benefits Test: An applicant may be granted 'c'(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the MLUL; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition, the Applicant must address the Negative Criteria of the statute. Specifically, the Applicant must demonstrate: 1) the variance can be granted without substantial detriment to the public good; and 2) that granting the relief will not substantially impair the intent and purpose of the master plan and zoning ordinance.



STAFF COMMENTS REPORT

DATE:

FROM: Land Use Assistant / Board Secretary

☐ FLOOD ZONE

TO:

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	Donna Patel	Environmental Commission

Property Address:	23 Baltusrol Place	Block: 4201	Lot: 5
Application #:	ZB-25-2298	Applicant Names: Evan & Lauren Nisenson	
Description/Variances:	(c)- variance for building coverage and lot coverage		

Comments Due Date:	July 16, 2025	Please email landuse@cityofsummit.org if you are unable to meet this date.
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Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated above. Attach additional pages or reports, if necessary.

COMMENTS: No objections
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Print Name:		Print Title:		Date:	
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Memorandum

To: Zoning Board

From: Marie Raffay, P.E.

Date: July 16, 2025

Subject: 23 Baltusrol Place
Block 4201, Lot 5
Summit, Union County, NJ

Summit No.: ZB-25-2298

We have reviewed the application and associated submissions prepared by the Applicants, Evan and Lauren Nisenson of the subject property as referenced below:

- a. Application to Zoning Board of Adjustment, signed, dated April 1, 2025;
- b. Application for Development Worksheet, May 1, 2025;
- c. Zoning Board Application Checklist, dated April 15, 2025;
- d. Narrative Description of Planned Home Improvements dated April 1, 2025;
- e. Certified List of Property Owners with map, dated March 18, 2025;
- f. Certification of Tax Payments, dated May 1, 2025;
- g. Copy of Essex County Agreement for Driveway Easement dated September 30, 1986;
- h. Architectural Plans, entitled "Nisenson Residence, 23 Baltusrol Place, Summit, New Jersey" prepared by Byrne Design Associates, LLC, consisting of two (2) sheets, dated December 3, 2024;
- i. Survey Map of Property for 23 Baltusrol Place, prepared by Benjamin and Wizorek, Inc., dated June 12, 2017; and
- j. Zoning Plan, entitled "23 Baltusrol Place, Zoning Plan, Block 4201, Lot 5, City of Summit, Union County, New Jersey", prepared by Roth Engineering, consisting of one (1) sheet, dated November 6, 2024.

Based on our review of the above-referenced documents, this office offers the following comments:

1. The 5,407-square foot (0.124-acre) property is located on the north side of Baltusrol Place approximately 45 feet southeast of Glenside Avenue.
2. The property is in the R-5 Single Family Residential Zone, with surrounding properties in the same zone.

3. The property is mostly rectangular with approximately 45 feet of frontage along Baltusrol Place and an average depth of 120 feet.
4. The property is mostly level, featuring a predominantly flat terrain.
5. The property is currently improved with a 2-story frame dwelling, detached garage, patio and walkway, asphalt driveway, and related site improvements. The Applicant should confirm in testimony.
6. The Applicant has submitted a survey of the property dated June 12, 2017. The Applicant should confirm no improvements have been made since the date of the survey.
7. The Applicant is proposing to remove the rear patio and walkway and construct a two-story addition to the rear of the dwelling. The Applicant should confirm in testimony.
8. The Applicant is seeking bulk variances for the proposed improvements. The Applicant is proposing to increase the building coverage by 303 square feet from 1,275 Square feet (23.6%) to 1,608 square feet (29.7%) where the maximum permitted is 20%. The Applicant should provide testimony regarding the requested variance.
9. The Applicant is proposing an increase in lot coverage by 101 square feet from 2,792 (51.6%) to 2,893 square feet (53.5%) where the maximum permitted is 45%. Since the increase in impervious coverage is less than 300 square feet, no stormwater mitigation is required.
10. The Applicant has a shared driveway with the adjacent property to the southeast. The Applicant's property is encumbered with an eight-foot-wide driveway easement for the shared driveway. The Applicant should confirm if there are any proposed improvements that impact the shared easement.
11. The Applicant should provide testimony regarding the downspouts from the proposed addition and the grading of the lot to confirm no water is directed onto adjacent properties.
12. The proposed plans show proposed stairs and overhangs at the rear of the dwelling as part of the two-story addition. Testimony should be provided regarding these stairs, any proposed landings and details regarding their style and materials.
13. The Applicant shall provide testimony regarding any changes made to the landscaping around the site and if there will be any changes made to the other lot features such as the garage, driveway, or other related improvements.
14. The Applicant does not appear to be removing any trees for this project. We defer to the City Forester for review and approval of the proposed improvements.

15. The Applicant should provide testimony regarding any proposed lighting improvements.
16. The Applicant shall be aware that disturbances of greater than 5,000 square feet require a permit from Somerset-Union Soil Conservation District.
17. The Applicant shall be aware of their responsibility to repair any damage to improvements within the City right-of-way including, but not limited to, curb and asphalt caused by construction activities associated with the installation of the improvements on the subject lot.
18. The Applicant shall remove all excavated and excess soil from the site and shall not use excess soils elsewhere on site.
19. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties because of the construction of the proposed improvements, it is the Applicant's responsibility to remedy that drainage issue.
20. As a condition of approval, signed digital plans shall be transferred to the City of Summit for use in updating the GIS database for the property. Coordination with the City's Engineering Department shall be the responsibility of the Applicant after the application is approved by the City and prior to the issuance of a Certificate of Occupancy.

Should the Board approve the project, the approval may be subject to the issuance of a grading permit (Chapter 35, Article 15) and any required Board conditions. The Applicant shall verify the need for a grading permit with the City which will not be issued until all conditions of the resolution of approval are satisfied.

If you have any questions or require anything further, please contact me.

MKR/gd



STAFF COMMENTS REPORT

DATE:

FROM: Land Use Assistant / Board Secretary

TO:

☐ FLOOD ZONE

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input checked="" type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	Donna Patel	Environmental Commission

Property Address:	23 Baltusrol Place	Block: 4201	Lot: 5
Application #:	ZB-25-2298	Applicant Names: Evan & Lauren Nisenson	
Description/Variances:	(c)- variance for building coverage and lot coverage		

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COMMENTS: _____

In accordance with NJAC 5:23-6.32, the following requirements must be met for smoke detectors:

At least one AC-powered, interconnected smoke detector with battery backup is required on each level of the building, including the basement.

Smoke detectors must be installed in all sleeping areas and a Smoke/Carbon Monoxide detector within 10 feet of all bedroom doors.

If the variance is granted, ensure that the compliance with these smoke detector provisions is clearly indicated on the construction plans submitted for permit approval.

All plans must adhere to current building codes.

Print Name:	Ralph Maritato	Print Title:	Construction Official	Date:	6-26-25
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STAFF COMMENTS REPORT

DATE:

FROM: Land Use Assistant / Board Secretary

☐ FLOOD ZONE

TO:

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

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<input type="checkbox"/>	Health Dept.	Westfield
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COMMENTS: No trees or landscaping are affected.

The existing evergreens will eventually screen the proposed improvements.

No objection.

Print Name:	John Linson	Print Title:	Forester	Date:	6/26/25
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STAFF COMMENTS REPORT

DATE:

FROM: Land Use Assistant / Board Secretary

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☐ FLOOD ZONE

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
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Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated above. Attach additional pages or reports, if necessary.

COMMENTS: NO COMMENTS - Not Requested by the Health Dept.

Print Name:	<u>George Koss</u>	Print Title:	<u>REHS</u>	Date:	<u>4/24/25</u>
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STAFF COMMENTS REPORT

DATE:

FROM: Land Use Assistant / Board Secretary

☐ FLOOD ZONE

TO:

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	Donna Patel	Environmental Commission

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COMMENTS: 23 BALTUSROL PLACE, A. 1925 COLONIAL REVIVAL HOUSE IS LOCATED IN THE DEANTOWN HISTORIC DISTRICT. THE PROPOSED ADDITION IS IN THE REAR OF THE HOUSE AND NOT VISIBLE FROM THE PUBLIC RIGHT OF WAY. THE MASSING OF THE ADDITION IS CONSISTENT WITH THE HOME

Print Name:	JAMES BURGMEYER	Print Title:		Date:	7.11.25
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STAFF COMMENTS REPORT

DATE:

FROM: Land Use Assistant / Board Secretary

☐ FLOOD ZONE

TO:

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
X	Francie Cho	Environmental Commission

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COMMENTS: _____

The application is for variances necessary to construct a modest, rear two-story addition on an existing, non-conforming house. The addition will be where a patio exists now, and will greatly increase the functionality of the property. It does not appear that any trees will be removed for this project.

For alterations of this nature, the Environmental Commission encourages the homeowners and their architect to: minimize the size of paved surfaces and use green infrastructure for patios and parking areas, such as permeable paving and rain gardens, to assist with drainage, mitigate heat island effects, decrease VOC (Volatile organic compounds) emissions from asphalt paving and markings, and reduce pollution from runoff. We also encourage the use of solar panels on appropriately oriented roof areas.

In addition, we would strongly encourage planting native shade trees and shrubs on the open spaces of the property to assist with site hydrology. We will note that native species are beautiful and cost effective. They require far fewer inputs (water, fertilizer, and pesticide), protect our soil and waterways, and provide habitat for native birds and butterflies. This [Guide to Landscaping with Native Plants](#) and searchable [database](#) can be helpful in finding native replacements, as well as the Rutgers list of native plants (<https://njaes.rutgers.edu/fs1140/>).

On behalf of the Summit Environmental Commission, I recommend approval of the requested variances.

Print Name:	Francie Cho	Print Title:	Environmental Comm. Alt.	Date:	7/9/2025
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