



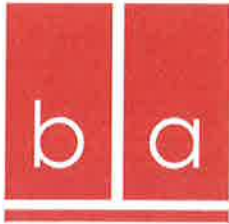
ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

Address:	32 Montrose Avenue
Application #:	ZB-25-2310
Description/Variances:	(d) – variance for FAR and (c) – variance for lot coverage, building coverage, and garage requirement to construct a 2nd story addition, covered front porch, new driveway, shed, and patio.
Sent to Staff for Comments:	September 16, 2025
Due Date:	October 7, 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:	____/____/____



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

COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

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 & Tom Behrens, PP, AICP
Subject: Levine Residence (ZB-25-2310)
32 Montrose Avenue
Block 505 Lot 13
'd'(4) FAR & 'c' Bulk Variance Requests
Date: October 8, 2025
BA#: 4269.54

I. INTRODUCTION

The Applicants, Francesca and Douglas Levine, are requesting 'd'(4) FAR and 'c' variance relief to construct a one-story addition in the rear, two-story box window, covered front porch, new driveway, walkway, shed and patio at the above-referenced property. The property is located in the R-6 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. Engineering plans (3 sheets) prepared by E 2 Project Management, LLC dated July 15, 2025.
3. Architectural plans (4 sheets) prepared by Klesse Forbes Architects dated June 23, 2025.

III. PROPERTY DESCRIPTION

The site, identified as Block 505 Lot 13 in City tax records, is a 6,250 square foot parcel developed with a two-story single-family dwelling with associated site improvements including a paved driveway and front walkway, rear deck and rear shed. Development surrounding the site generally 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: Parcel Explorer, Rowan University. Accessed October 8, 2025.

IV. REQUIRED VARIANCE RELIEF

The development application requires the following variance relief:

1. 'd'(4) Maximum Floor Area Ratio. The R-6 Zone permits a maximum FAR of 35% where the existing dwelling has a FAR of 26.8% that will be increased to a nonconforming 35.3% as a result of the proposed improvements. The application shall confirm if this calculation includes attic space with headroom of 7 feet or more as measured from the attic floor to the underside of the roof rafters.
2. 'c' Maximum Lot Coverage. The R-6 Zone permits a maximum lot coverage of 40% where the property has an existing nonconforming lot coverage of 41.4% that will be increased to 41.7% as a result of the proposed improvements.
3. 'c' Maximum Building Coverage. The R-6 Zone permits a maximum building coverage of 20% where the property has an existing building coverage of 18.7% that will be increased to a nonconforming 21.5% as a result of the proposed improvements.
4. 'c' No Garage Provided. The R-6 Zone requires at least one garage space where the property does not have a garage and no garage is proposed. The existing driveway with a nonconforming side yard setback of 1 foot appears to be able to accommodate parking for at least 4 vehicles on the property based on its approximate length of 83 feet. The proposed 31.5 foot by 18 foot driveway can accommodate the parking of two vehicles on the property. The Applicant shall address RSIS compliance and the adequacy to provide sufficient on-site parking in light of the proposed improvements.

V. GENERAL COMMENTS

1. The Applicant shall confirm the extent of all proposed improvements.
2. The existing and proposed a/c units in the side yard area shall be sufficiently screened with dense landscaping and/or fencing.
3. An 8 foot by 16 foot shed is proposed in the rear eastern corner of the property with compliant setbacks. Two unspecified evergreen trees are proposed behind the shed.
4. The Applicant shall confirm the extent of any proposed exterior lighting improvements.
5. We defer the review of stormwater management requirements 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: September 16, 2025
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 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:	32 Montrose Avenue	Block: 505	Lot: 13
Application #:	ZB-25-2310	Applicant Names: Francesca and Douglas Levine	
Description/Variances:	(d) – variance for FAR and (c) – variance lot coverage, building coverage, and garage requirement to construct a 2 nd story addition, covered front porch, new driveway, shed, and patio.		

Comments Due Date:	October 7, 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: Build to code _____

Print Name:	Eric Evers		Print Title:	Chief SFD	Date:	9/17/25
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<input type="checkbox"/>	Planner	Burgis Assoc.
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Property Address:	32 Montrose Avenue	Block: 505	Lot: 13
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COMMENTS: *No objection*
[Signature]

Print Name:		Print Title:		Date:	
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Memorandum

To: Zoning Board

From: Marie Raffay, P.E.

Date: October 8, 2025

Subject: 32 Montrose Avenue
Block 505, Lot 13
Summit, Union County, NJ

Summit No.: ZB-25-2310

We have reviewed the application and associated submissions prepared by the Applicants, Francesca and Douglas Levine of the subject property as referenced below:

- a. Application to Zoning Board of Adjustment, signed, dated July 21, 2025;
- b. Dept of Community Services Application for Development Worksheet, dated July 22, 2025;
- c. Zoning Board Application Checklist dated July 17, 2025;
- d. Project Narrative prepared by Robert Forbes, AIA, dated July 21, 2025;
- e. Property Owners List with map;
- f. Tax Payment Certification dated July 9, 2025;
- g. Variance Plan, entitled "Variance Plan Approval for 32 Montrose Avenue, City of Summit, County of Union, New Jersey, Block 505, Lot 13" consisting of three (3) sheets, prepared by Harrison Barany, PE of E2 Project Management LLC, dated July 15, 2025;
- h. Existing Partial Site Plan, prepared by Harrison Barany, PE, consisting of one (1) sheet, undated;
- i. Proposed Partial Site Plan, prepared by Harrison Barany, PE, consisting of one (1) sheet, dated July 15, 2025;
- j. Architectural Plans, entitled "Alteration to Residence of: Mr. and Mrs. Levine, 32 Montrose Ave, Summit, New Jersey", prepared by Klesse Forbes Architects, consisting of four (4) sheets, dated of June 23, 2025.

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

1. The 6,250 square foot (0.1435-acre) property is located on the east side of Montrose Avenue, approximately 100 feet north of Gates Avenue.
2. The property is in the R-6 Single-Family Residential Zone, with surrounding properties in the same zone.

3. The property is rectangular in shape with 50 feet of frontage along Montrose Avenue and a lot depth of 125 feet.
4. The property is mostly level, featuring a predominantly flat terrain.
5. The property is currently improved with a 2-story dwelling, deck, shed, play set, walkways, asphalt driveway, and related site improvements.
6. The Applicant should provide testimony if any conditions on the property have changed since that date of the survey.
7. The Applicant is proposing to construct a two-story addition, a covered front porch, new driveway, shed, and patio. The Applicant should confirm the improvements in testimony.
8. The Applicant is seeking variances for lot and building coverage in which lot coverage is a pre-existing non-conforming condition. The proposed lot coverage is 41.7% where the maximum permitted is 40%. The proposed building coverage is 21.5% where the maximum permitted is 20%. The Applicant should confirm in testimony.
9. The Applicant is seeking additional variances to exceed the maximum floor area ratio and for the lack of an enclosed garage. We defer to the Board Planner for review and comment.
10. The Applicant shall provide testimony regarding the nonconforming lot coverage and how the proposed increase will exacerbate this condition.
11. The Applicant shall provide testimony to confirm the accuracy of the lot coverage calculations, and the information provided in the zoning bulk chart.
12. The Applicant shall provide testimony regarding how stormwater drainage will be affected by the proposed changes to the roof line from the addition, including where runoff will be directed.
13. The increase in impervious lot coverage is less than 300 square feet and no stormwater mitigation is required. However, the Applicant appears to be collecting surface yard runoff from the rear yard in a trench drain and daylighting the runoff through a pipe at the curb in the right of way in front of the neighboring property. The Applicant should provide testimony on the proposed drainage system and the reason for daylighting to the curb. The Applicant should manage the stormwater on site rather than discharging to the curb.
14. No trees appear to be removed for the proposed project. We defer to the City forester for review and comment.

15. 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.
16. 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.
17. 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/mt



STAFF COMMENTS REPORT

DATE: September 16, 2025
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:	32 Montrose Avenue	Block: 505	Lot: 13
Application #:	ZB-25-2310	Applicant Names: Francesca and Douglas Levine	
Description/Variances:	(d) – variance for FAR and (c) – variance for lot coverage, building coverage, and garage requirement to construct a 2nd story addition, covered front porch, new driveway, shed, and patio.		

Comments Due Date:	October 7, 2025	Please email landuse@cityofsummit.org if you are unable to meet this date.
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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:	9-16-25
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STAFF COMMENTS REPORT

DATE: September 16, 2025

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
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<input type="checkbox"/>	Donna Patel	Environmental Commission

Property Address:	32 Montrose Avenue	Block: 505	Lot: 13
Application #:	ZB-25-2310	Applicant Names: Francesca and Douglas Levine	
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COMMENTS:

The two proposed evergreens for the right rear corner of the property must be 12-14' in height to start with in order to provide partial screening of the neighbor's deck.

The rest of the yard is well screened.

Print Name:	John Linson	Print Title:	Forester	Date:	10/3/25
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DATE: September 16, 2025
FROM: Land Use Assistant / Board Secretary
TO:

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	Name	Title / Committee
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COMMENTS: No comments.

Print Name:	George Kostas	Print Title:	AEHS	Date:	9/16/25
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STAFF COMMENTS REPORT

DATE: September 16, 2025

FROM: Land Use Assistant / Board Secretary

TO:

☐ **FLOOD ZONE**

<input type="checkbox"/>	Name	Title / Committee
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<input type="checkbox"/>	Donna Patel	Environmental Commission

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COMMENTS: _____

The scale and massing of the proposed addition is consistent with the neighborhood. The property is not located in a historic district.

Print Name:	Caroline King	Print Title:	Chair, HPC	Date:	09.23.2025
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STAFF COMMENTS REPORT

DATE: September 16, 2025
FROM: Land Use Assistant / Board Secretary
TO:

☐ FLOOD ZONE

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<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 checked="" type="checkbox"/>	Francie Cho	Environmental Commission

Property Address:	32 Montrose Avenue	Block: 505	Lot: 13
Application #:	ZB-25-2310	Applicant Names: Francesca and Douglas Levine	
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COMMENTS: _____

The application is for variances for FAR and lot coverage, building coverage and garage requirement necessary to construct a very modest rear one story addition, small 2 story addition on side, new covered front porch, driveway and patio and enlarged shed. This is an undersized lot with pre-existing non-conformities. The enlarged shed will increase storage space as there is no existing garage. No trees will be removed for this project. We appreciate that a portion of the existing impervious driveway will be removed as part of 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 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://njacs.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:	9/30/2025
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