

November 13, 2025
CE Proj. #15869

Chairman of Zoning Board of Adjustment
City of Summit
512 Springfield Avenue
Summit, NJ 07901

Applicant/Site: Caponetti Residence
Application # ZB-25-2294
96 Fernwood Road
Block 2105, Lot 34
Summit, Union County, NJ

Dear Mr. Chairman,

Pursuant to Planning Review Memo from Burgis Associates, Inc. dated September 10, 2025 and Engineering Review Letter from Colliers Engineering & Design dated September 8, 2025 & Memo from the City of Summit Construction Official dated September 5, 2025. Please find the itemized responses along with responses/revisions from associated comments:

Burgis Associates Inc., Planning Review Memo, dated September 10, 2025

General Comments

1. The Applicant shall confirm the extent of all proposed improvements.

Applicant has provided revised plans showing all proposed improvements.

2. The application materials indicated that landscaping is proposed though no landscape details are provided.

A landscaping plan has been prepared by landscaper design as part of this submission.

3. The Applicant shall confirm the extent of any proposed exterior lighting improvements.

The Applicant does not intend to install any exterior lighting improvements.

4. No fence details have been provided for the fencing depicted along the rear lot line and segment of the south side lot line.

Fence detail has been provided in the revised variance plans.

5. The proposed boulder retaining wall will have a maximum height of approximately 3.15 feet the review of which we defer to the Board Engineer.

Statement of fact, no response required.

6. We defer to the review of stormwater management requirements to the Board Engineer.

Statement of fact, no response required.

Colliers Engineering & Design Engineering Review Memo dated, September 8, 2025

1. The 15,631 square foot (0.36-acre) property is located on the west side of Fernwood Road, approximately 205 feet north of Brantwood Drive.

Statement of fact, no response required.

2. The property is in the R-25 Single-Family Residential Zone, with surrounding properties in the same zone and across the street from the R-15 zone.

Statement of fact, no response required.

3. The property is a rhombus in shape with 95 feet of frontage along Fernwood Road, an average depth of 165 feet and a rear yard width of 95 feet.

Statement of fact, no response required.

4. The property slopes down from the south-east corner at elevation 358 to western property line at elevation 348. The southwest corner has 1,534 square feet of steep slopes.

Statement of fact, no response required.

5. The property is encumbered with a 10-foot-wide sanitary easement extending from the center of the northern property line diagonally to the center of the rear property line.

Statement of fact, no response required.

6. The property is currently improved with a dwelling, porch, walkways, asphalt driveway, slate patio, and related site improvements. The Applicant should provide testimony on the existing conditions on the property.

Testimony will be provided.

7. The Applicant is proposing to demolish the existing slate patio at the rear of the dwelling to construct a newly configured blue stone patio, improved stairs, additional walls, an outdoor kitchen and additional landscaping.

Statement of fact, no response required.

8. The Applicant is seeking a variance for disturbance of 1,485 square feet of steep slopes in excess of 15 percent where 1,000 square feet of disturbance is permitted. The disturbance will be accomplished with the use of retaining walls along the rear and southern property line to level the rear yard behind the proposed patio.

Statement of fact, no response required.

9. The Applicant is also seeking a variance for lot coverage of 33.3% where the maximum

permitted in the R-25 zone is 30%. The existing lot coverage is 4,912 square feet where the proposed coverage is 5,211 square feet for an increase of 299 square feet of additional impervious coverage. The applicant should confirm the coverage and if the walls were included in the impervious coverage.

All existing and proposed walls were not included in the impervious coverage calculations.

10. The increase in impervious coverage of 299 square feet is less than 300 square feet so no stormwater mitigation is required. The Applicant should be aware that any increase in impervious coverage in excess of 300 square feet will require stormwater mitigation as required by Summit Ordinance Section 35-15.2E.

An additional stormwater drywell has been added to the plan to mitigate the increase of impervious coverage of 300 square feet, see revised plan.

11. The Applicant is proposing to build the new patio configuration encroaching into the side and rear yard setback. We defer to the Board Planner for review and comment on whether or not a variance is required.

A side yard variance is being proposed for the proposed outdoor kitchen area.

12. Testimony should be provided by the Applicant regarding the heights of the proposed walls along the south property line and the rear of the lot. It appears the wall height exceeds 4 feet at one location. We defer to the Building department for review and approval of the wall.

The applicant will obtain building permits for all proposed walls greater than 4 feet in height.

13. The Applicant should provide testimony on the proposed grading on site and where runoff will be directed for the site improvements.

Testimony will be provided.

14. The Applicant should provide testimony regarding the utility easement and ensure that the proposed boulder wall will not impact this area, and open access will remain for the existing easement on site during construction.

Testimony will be provided.

15. The Applicant should provide the location of all trees greater than eight inches in diameter particularly within the area of steep slopes.

All existing tree locations have been shown on the revised plan.

16. We defer to the City Forester for reviewer and approval of landscaping on site.

Statement of fact, no response required.

17. The Applicant is proposing to disturb 4,457 square feet of the lot. The Applicant should be aware that lot disturbance greater than 5,000 square feet require a soil permit from Somerset-Union Soil Conservation District. The Applicant should revise the Soil Erosion and Sediment Control Plan to reflect the correct Soil Conservation District.

Disturbance of the property will not exceed 5,000 square with proposed improvements therefore no soil erosion permit is required.

18. The Applicant shall be aware of their responsibility to repair any damage to improvements within the City right-of-way including, but not limited, curb and asphalt caused by construction activities associated with the installation of the improvements on the subject lot.

Applicant will comply.

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.

Applicant will comply.

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.

Applicant will comply.

Construction Official Memo dated September 5, 2025

- Please note that if any part of the proposed retaining wall exceeds 4 feet in height, building permits will be required. These permits must be accompanied by signed and sealed plans from a licensed Architect or Engineer.

The applicant will obtain building permits for all proposed walls greater than 4 feet in height.

- According to N.J.A.C. 5:23-2.14(g), walls are measured from the bottom of the footing to the top of the wall. Ensure that all measurements are accurately documented to comply with this regulation.

The applicant will obtain building permits for all proposed walls greater than 4 feet in height.

- Site conditions may necessitate the installation of a guard on the retaining wall for safety.

Proposed fence has been moved to top of the wall.

- If the project includes steps, please be aware that handrails and/or guardrails may be required for safety compliance.

Noted.

Enclosed please find thirteen (13) copies of the following documents:

- Site Plans entitled "Variance Plan 96 Fernwood Road Lot 34, Block 2105 situated in City of Summit", dated April 30, 2024 last revised November 4, 2025, as prepared by Careaga Engineering Inc.

If you should have any questions or require any additional information, please contact this office at the above address/phone.

Best regards,

Careaga Engineering, Inc.
Robert J. Brown