

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
January 4, 2023

The January 4, 2023, meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m., with 3 applications on the meeting's agenda. Tonight's meeting was the Board's reorganization meeting. The meeting commenced with the Adequate Notice Statement, where 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.

Reorganization

Board Appointments

The reorganization took place prior to hearing the applications on the agenda. It was announced by Mr. Spurr that Jay Fehskens will be joining the board as Alternate 3. Mr. Ucko will be moving to the Alternate 4 position, and Mr. Gonzalez will be a board member.

Stephanie Soulios requested nominations for the Chair position, to which Mr. Steiner nominated Mr. Spurr. A motion for Steve Spurr as the Chairman was made by Ms. Newell and seconded by Mr. Gonzalez.

A roll call vote was completed with the following outcome:

VOTE: YES: Mr. Maleh, Mr. Gonzalez, Mr. Steiner, Ms. Newell, Mr. Ucko, Mr. Mollin, Mr. Loikits, Ms. Toth, Ms. Sajer.
NO: None

Mr. Spurr requested nominations for the Vice Chair position. A nomination was made for Mr. Steiner and was motioned by Mr. Ucko. It was seconded by Ms. Toth.

VOTE: YES: Mr. Spurr, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth, Ms. Sajer, Mr. Ucko.
NO: None

Mr. Spurr requested nominations for the Secretary position. A nomination was made for Stephanie Soulios and was motioned by Ms. Sajer. It was seconded by Mr. Mollin.

VOTE: YES: Mr. Spurr, Mr. Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth, Ms. Sajer, Mr. Ucko.

Professional Appointments

Davison, Eastman, Munoz, Paone, PA was nominated for Zoning Board Attorney. A motion to approve was made by Mr. Steiner and was seconded by Ms. Toth.

VOTE: YES: Mr. Spurr, Mr. Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth, Ms. Sajer, Mr. Ucko.
NO: None

Colliers Engineering and Design was nominated for Zoning Board Engineer. A motion to approve was made by Ms. Newell and seconded by Mr. Ucko.

VOTE: YES: Mr. Spurr, Mr. Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth, Ms. Sajer, Mr. Ucko.

NO: None

Burgis Associates, Inc was nominated for Zoning Board Planner. A motion to approve was made by Mr. Loikits, and was seconded by Mr. Mollin.

VOTE: YES: Mr. Spurr, Mr. Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth, Ms. Sajer, Mr. Ucko

NO: None.

The Board Members listed below were present for tonight's meeting. Board Secretary Stephanie Soulios called the Roll:

- Chairman, Steve Spurr
- Vice Chairman, Joseph Steiner
- Elizabeth Newell
- Ayman Maleh
- Walter Gonzalez
- Scott Loikits
- David Mollin
- Alternate 1, Claire Toth
- Alternate 2, Diana Sajer
- Alternate 4, Thomas Ucko

The Board Members listed below were excused from tonight's meeting.

- Alternate 3, Jay Fehskens

Board Attorney Andy Ball and Secretary Stephanie Soulios were present. Andy and Stephanie do not vote on Board Applications.

IN THE MATTER OF THE AGENDA:

Chairman Spurr reviewed the agenda for the evening and asked if each of the applicants could provide their testimony within thirty minutes. Chairman Spurr recused from the application for 29 Plymouth Road, ZB-22-2119-2, where Vice Chairman Steiner led the portion of the meeting when this application was heard. Chairman Spurr rejoined and led the meeting once the application for 29 Plymouth was completed.

The following applications were ready to proceed:

- **Application: ZB-21-2119-2, 29 Plymouth, Michael and Nancy Polisin, BL: 5101, L: 9**
- **Application: ZB-22-2161, 22 Crescent, Inigo Mazquaran and Jade Tan, BL: 1903, L: 6**
- **Application: ZB-22-2162, 58 Hobart, Christopher and Meghan Mazza, BL: 2610, L: 15**

City of Summit Zoning Board of Adjustment Meeting: The applications listed below were heard this evening.

- **Application: ZB-21-2119-2, 29 Plymouth, Michael and Nancy Polisin, BL: 5101, L: 9**

The applicant is requesting c- variances for lot area, building coverage, rear yard setback, side yard set back, and a d- variance for FAR. All witnesses and board professionals were sworn in by Mr. Ball. Nancy Polisin spoke on behalf of her application. The board questioned Nancy regarding the prior resolution of this property,

and why there was not compliance with that resolution. David Rosen, an architect from Rosen, Kelly, Conway explained the application through a PowerPoint presentation. Mr. Rosen spoke about resolving issues from the Polisin's previous application. He stated that three of the non-conforming variances will be reduced, while four will be eliminated. Mr. Rosen also introduced two new exhibits, A1 and A2, which depicted pictures from March 30, 2022 and from September 20, 2021. The board asked questions regarding Mr. Rosen's testimony. Ms. Sheth, board engineer, addressed a comment made by fire chief in the staff comments. Peter Korzen, the applicant's engineer was also present and available to answer questions, but there were none for Mr. Korzen at this time. Complete details of the discussions regarding the application may be found in the transcript of this meeting. In conclusion, the Board, after careful deliberations, *approved* the variances requested if the following conditions are met:

1. Comply with conditions in the Board Engineer's Memorandum.
2. The applicant shall submit revised plans reflecting a reduction in the total patio size to 390 square feet, not including the walkway.

A motion of *approval* was made by Mr. Mollin. The motion was seconded by Mr. Loikits.

VOTE: **YES:** Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth
 ABSTAIN: None
 RECUSED: Chairman Spurr
 NO: None

• **Application: ZB-22-2161, 22 Crescent Avenue, Inigo Mazquaran and Jade Tan, BL: 1903, L: 6**

The applicant is seeking a c- variance for bulk to build a patio in the back of their house. All witnesses were sworn in for this application by Mr. Ball. Mr. Mazquaran, the homeowner, introduced his application to the board to explain the variance he is seeking and the work he would like done to his home. Mr. Tarquinio, a licensed architect from Studio 1200, further explained the variances sought by the applicant. Mr. Tarquinio also explained that the applicant will be removing non-conforming structures to bring the house into compliance. The final witness for this application was John Ferrante, a civil engineer. He discussed the comments made by Colliers and were not opposed to any of them. The board had questions for each of the witnesses' testimonies. Complete details of the discussions regarding the application may be found in the transcript of this meeting. In conclusion, the Board, after careful deliberations, *approved* the variances requested if the following conditions are met:

1. Comply with conditions in the Board Engineer's Memorandum.

A motion of *approval* was made by Ms. Toth. The motion was seconded by Ms. Newell.

VOTE: **YES:** Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits
 ABSTAIN: None
 NO: None

• **Application: ZB-22-2162, 58 Hobart Avenue, Christopher Mazza, BL: 2610, L: 15**

The applicant is seeking a c-variance for bulk and a d-variance for FAR. All witnesses were sworn in by Mr. Ball. Mr. Mazza, the homeowner, introduced the application and explained the work being proposed. Robert

Emert was the architect for this application. He further explained the variances being sought. The board questioned the architect's testimony. Mr. Emert confirmed that he felt the lot will be able to handle the extra coverage for the FAR. In conclusion, the Board, after careful deliberations, *approved* the variances requested if the following conditions are met:

1. Compliance with the conditions in the Board Engineer's Memorandum.
2. Applicant shall consult with the City Forester regarding plantings in the rear yard to add screening.

A motion of *approval* was made by Mr. Mollin. The motion was seconded by Mr. Gonzalez.

VOTE:

YES: Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits

ABSTAIN: None

NO: None

The Board memorialized the following Resolutions:

- **58 Beverly, ZB-22-2160.**

Eligible voting members: Chairman Spurr, Ms. Newell, Mr. Maleh, Ms. Toth, Ms. Sajer, Mr. Gonzalez

VOTE:

Motion: Ms. Sajer

Seconded: Ms. Newell

YES: Chairman Spurr, Ms. Newell, Mr. Maleh, Ms. Toth, Mr. Gonzalez

NO: None were opposed.

- **113 Hobart, ZB-22-2158**

Eligible voting members: Chairman Spurr, Ms. Newell, Mr. Mollin, Mr. Maleh, Ms. Toth, Ms. Sajer, Mr. Gonzalez.

VOTE:

Motion: Mr. Gonzalez

Seconded: Mr. Maleh

YES: Chairman Spurr, Ms. Newell, Mr. Maleh, Ms. Toth, Mr. Gonzalez, Mr. Mollin, Ms. Sajer

NO: None were opposed.

- **266 Oak Ridge, ZB-22-2154**

Eligible voting members: Chairman Spurr, Ms. Newell, Mr. Mollin, Mr. Maleh, Ms. Toth, Ms. Sajer, Mr. Gonzalez.

VOTE:

Motion: Ms. Sajer

Seconded: Ms. Newell

YES: Chairman Spurr, Ms. Newell, Mr. Mollin, Mr. Maleh, Ms. Toth, Ms. Sajer, Mr. Gonzalez

NO: None were opposed.

- **743 Springfield, ZB-22-2156**

Eligible voting members: Chairman Spurr, Ms. Newell, Mr. Mollin, Mr. Maleh, Ms. Toth, Ms. Sajer, Mr. Gonzalez.

VOTE:

Motion: Ms. Newell

Seconded: Ms. Sajer

YES: Chairman Spurr, Ms. Newell, Mr. Mollin, Mr. Maleh, Ms. Toth, Ms. Sajer,
Mr. Gonzalez
NO: None were opposed.

Calendar For Approval

The Calendar for 2023 to the beginning of 2024 was voted upon. A voice vote was conducted. Vice Chairman Steiner made a motion to approve, and Ms. Sajer seconded the motion. All were in favor, and none were opposed.

The Board memorialized Minutes from:

- December 22, 2022

A motion of *approval* was made by Ms. Newell and was seconded by Ms. Toth.

A voice vote was conducted, and **all** were in favor, **none** were opposed.

Adjourn

A motion to adjourn the meeting was made by Ms. Sajer and was seconded by Ms. Newell.
All were in favor, **none** were opposed.

The meeting concluded at 10:18 p.m.



Steven Spurr
Chairman
City of Summit
Zoning Board of Adjustment



Stephanie Soulios
Board Secretary
City of Summit
Zoning Board of Adjustment

