

**MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
Monday, March 6, 2023**

The March 6, 2023, meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m., with two applications on the meeting's agenda.

Adequate Notice Statement

The meeting commenced with the Adequate Notice Statement, where Chairman Spurr informed the public 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.

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

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

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

- Alternate 3, Jay Fehskens
- Alternate 4, Thomas Ucko

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. The following applications were ready to proceed:

- **Application: ZB-22-2172, 64 Canoe Brook Parkway, Jamal Jumani, BL: 105, L: 5**
- **Application: ZB-22-2159, 709 Springfield Avenue, Relevant Development, LLC, BL: 1702 L: 49**

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

- **Application: ZB-22-2172, 64 Canoe Brook Parkway, Jamal Jumani, BL: 105, L: 5**

Ms. Toth recused from this application.

Applicant, Mr. Jamal Jumani was sworn in by board attorney, Mr. Andrew Ball. Mr. Jumani introduced his application by providing information regarding his house, which he resides at with his wife and two children. The Jumani's live in a 1950's split level house. They are proposing to add an addition to provide more room for their family. Mr. Jumani states that the addition will, in his opinion, aesthetically conform to the homes in his neighborhood. Mr. Jumani's architect, Mr. Chris Teeter, was sworn in by Mr. Ball to provide his testimony. Mr. Teeter discussed the side yard variance and coverage for this proposal. Colliers had questions regarding the survey, wondering if it represents the current conditions of the property, to which Mr. Teeter confirmed it does. The board questioned Mr. Teeter, stating that it was noticed that there was water pooling on the property. Mr. Jumani responded that they have never had any issues with water on their property. Complete testimony can be found in the transcript of this hearing.

In conclusion, the Board, after careful deliberations, *approved* the variance requested if the following conditions are met:

1. Compliance with the board engineer's memo.

The motion of approval was made by Mr. Loikits, and it was seconded by Ms. Newell. A roll call vote was completed with the results listed below:

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

• **Application: ZB-22-2159, 709 Springfield Avenue, Relevant Development, LLC, BL: 1702 L: 49**

Mr. James Webber, Esq, introduced the application on behalf of his client, Relevant Development, LLC. The proposal is to develop two townhouses from a single-family residence. Mr. Webber acknowledged that the property is in the R-15 zone, which is known for its diversity of development in the area. Mr. Manny Costeira, owner of Relevant Development, LLC, was sworn in by Mr. Ball. Mr. Costeira stated that he was encouraged to do a 1031 exchange, which is why he purchased 709 Springfield Avenue. This means that he utilized the money from a previous house sale to purchase 709 Springfield. The next witness for this property was David Robinson from SUAD Architecture. He was sworn in by Mr. Ball. Mr. Robinson spoke about the property and that he proposes to bring the buildings close to the front of the property. Mr. Robinson spoke about particulars regarding the details of the house and discussed floor plans. Mr. Sneickus, board planner, had questions for the witness and asked for confirmation regarding the variance calculations. He also wanted confirmation that there will not be bedrooms located in the basement. It was also confirmed that emergency vehicles will be able to get through. The board asked if there were any members of the community present, to which Mr. Benjamin Bowen, of 10 Hillview Terrace came forward to speak. He was sworn in by Mr. Ball. Mr. Bowen had questions following each witness's testimony. Mr. Bowen first asked about the safety of exiting the driveway having its steep slope leading to Springfield Avenue. Another question Mr. Bowen had was if the garage variance triggered any changes to the architectural plans. Mr. Bowen also asked about driveway parking on architectural plans. He also wondered if an analysis had been conducted regarding the illumination of cars at night. The next witness providing testimony was Mr. Fred Stewart. Mr. Stewart was sworn in by Mr. Ball as an Engineer and Land Surveyor. Mr. Stewart discussed the proposed site plans and the proposed dry wells in front of each building. Visitor parking was confirmed. Mr. Stewart talked about the site lighting and landscape plan. Complete details of the discussions regarding the application may be found in the transcript of this meeting.

After careful deliberations, and discussing with the applicant's attorney, in lieu of time constraints and more witnesses remaining to provide testimony, it was decided that 709 Springfield Avenue will be carried to May 15, without providing further notice.

The motion of approval to carry this application was made by Mr. Mollin, and it was seconded by Ms. Sajer. A roll call vote was completed with the results listed below:

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:

- **30 Hawthorne Place, ZB-22-2167**

Eligible voting members: Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth.

VOTE:

Motion: Ms. Newell **Seconded:** Mr. Gonzalez
YES: Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth
NO: None were opposed.
ABSTAIN: None

- **17 Stockton Road, ZB-22-2169**

Eligible voting members: Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth.

VOTE:

Motion: Ms. Toth **Seconded:** Mr. Gonzalez
YES: Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits, Ms. Toth
NO: None were opposed
ABSTAIN: None

The Board memorialized Minutes from:

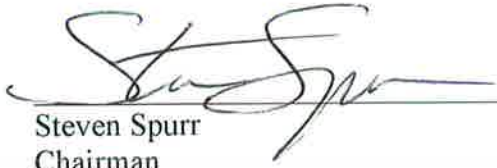
- February 22, 2023

A motion of *approval* was made by Vice Chairman Steiner and was seconded by Ms. Toth.

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

Adjourn

The meeting concluded at 10:20 p.m.



Steven Spurr
Chairman
City of Summit
Zoning Board of Adjustment



Stephanie Soulios
Board Secretary
City of Summit
Zoning Board of Adjustment