

**MINUTES**  
**ZONING BOARD OF ADJUSTMENT**  
**CITY OF SUMMIT**  
**Monday, May 15, 2023**

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The May 15, 2023, meeting of the City of Summit Zoning Board of Adjustment was opened at 7:30 p.m., with one application 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
- Walter Gonzalez
- Ayman Maleh
- Scott Loikits
- Elizabeth Newell
- Alternate 1, Claire Toth
- Alternate 2, Diana Sajer

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

- Vice Chairman, Joseph Steiner
- David Mollin
- Alternate 3, Jay Fehskens
- Alternate 4, Thomas Ucko

**Board Attorney Andy Ball and Secretary Stephanie Soulios were present.**

**IN THE MATTER OF THE AGENDA:**

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*Chairman Spurr reviewed the agenda for the evening. The following application was ready to proceed:*

- **Application: ZB-23-2179, 104 Woodland Avenue, Aaron and Anne Karp, BL: 1203 L: 26, C variance for bulk to construct a two-story addition at the rear of the home to enlarge the kitchen, living area, and primary bedroom suite.**
- **Application: ZB-23-2179, 7 Linda Lane, Huang Shengbo and Jia Song, BL: 4710 L: 10, C variance for bulk and D variance for FAR to construct a master bedroom suite over existing garage, and enlarge existing driveway. Variances for front yard setback.**
- **Application: ZB-22-2159, 709 Springfield Avenue, BL: 1702 L:49, Major site plan with FAR, building coverage, lot coverage, and steep slope. Revisions to proposed plans to address recommendations from first hearing held on March 6, 2023.**

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

- **Application: ZB-23-2179, 104 Woodland Avenue, Aaron and Anne Karp, BL: 1203 L: 26, C variance for bulk to construct a two-story addition at the rear of the home to enlarge the kitchen, living area, and primary bedroom suite.**

Mr. and Mrs. Karp were sworn in by Mr. Ball. The Karp's reside at 104 Woodland Avenue with their three small children. The applicants purchased their home in October 2022. Their residence is a center hall colonial, built in the 1980's. Their house is consistent with the layout and design for the time it was built.

The Karp's architect Mr. Daniel Encin was sworn in by Mr. Ball. Mr. Encin represented Mendham Design. Mr. Encin spoke about the Karp residence, stating that the home is in the R-25 zone, and was constructed in 1985. The applicants are proposing to construct an addition to enlarge their home for modern living standards. They are particularly looking to expand the kitchen to meet these standards.

104 Woodland is currently non-conforming within its triangular shaped lot. The Karps' are seeking relief from total minimum side yard setback.

Mr. Joseph Bachi, engineer, was sworn in by Mr. Ball. Mr. Bachi outlined the uniqueness of the lot shape. He explained that it is sloped from the rear to the front.

Chairman Spurr acknowledged that there were no members of the community present to ask questions regarding this application.

Mr. Encin again testified, reviewing architectural plans for the board. He stated that the applicants want to add just enough to their home to meet their needs. He also introduced *Exhibit A1*, which was an *Aerial Photo of 100 Woodland Avenue* to compare properties and style of homes in the neighborhood.

The board deliberated, concluding that the application is easy to support, for the reasons of the odd lot shape and that the setbacks are currently non-conforming.

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

1. Compliance with conditions noted in Board Engineer's Memorandum.

The motion to *approve* this application was made by Ms. Sajer and it was *seconded* by Mr. Loikits. A roll call vote was completed with the results listed below:

VOTE:           **YES:** Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Maleh, Mr. Loikits, Ms. Toth, Ms. Sajer  
                      **ABSTAIN:** None  
                      **NO:** None

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- **Application: ZB-23-2179, 7 Linda Lane, Huang Shengbo and Jia Song, BL: 4710 L: 10, C variance for bulk and D variance for FAR to construct a master bedroom suite over existing garage and enlarge existing driveway. Variances for front yard setback.**

Applicant Mr. Shengbo Huang was sworn in by Mr. Ball and introduced the application for his home at 7 Linda Lane. He is proposing to add a master suite to his home. His home was originally built in 1968. Mr. Huang stated that he and his two children and wife reside in the home. He and his family are from China, and when the grandparents come to visit, they remain in the home for months at a time. Mr. Huang would like to accommodate his family by having adequate living space. He also stated that when the grandparents are in town, there is a need for a third car. Mr. Huang is also proposing for the garage and driveway to be able to accommodate a third car.

Mr. Huang stated that he has received positive feedback from his neighbors regarding the project.

The applicant's architect, Mr. Alan Leonard, was sworn in by Mr. Ball. He explained the project proposal, and pointed out the hardship of the lot. Mr. Leonard stated that the lot is undersized for its zone, R15. Mr. Leonard stated that the lot is on the corner of an odd-shaped street. Mr. Leonard also spoke about proposing to widen the driveway for the convenience of the family in having a third car on the property.

During his testimony, Mr. Leonard introduced two exhibits. *Exhibit A1* is *Site Plan Elevation*, and *Exhibit A2* is *Photos*.

The board asked for clarity regarding the FAR. The proposed FAR will be 29.76, and it is currently at 24.4. The board stated they have issues accepting the widening of the driveway. Mr. Huang stated that he would rather have the addition to his home than the driveway widened, thus verbally agreeing to remove it from the proposal.

In conclusion, the Board, after careful deliberations, *approved* the variance requested, with the extraction of the driveway being widened, if the following conditions are met:

1. Compliance with conditions noted in Board Engineer's Memorandum.

The motion to *approve* this application was made by Mr. Gonzalez and it was *seconded* by Ms. Newell. A roll call vote was completed with the results listed below:

VOTE:           **YES:** Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Maleh, Mr. Loikits, Ms. Toth,  
                      Ms. Sajer  
                      **ABSTAIN:** None  
                      **NO:** None

- **Application: ZB-22-2159, 709 Springfield Avenue, BL: 1702 L:49, Major site plan with FAR, building coverage, lot coverage, and steep slope. Revisions to proposed plans to address recommendations from first hearing held on March 6, 2023.**

Attorney Mr. James Webber summarized the application which was carried from March 6, 2023. Mr. Webber stated that plans were revised based on that hearing. There were questions about FAR discrepancies, which were addressed through the introduction of *Exhibit A2, FAR Calculations*. The board had questions about the setbacks, which were addressed by Mr. Webber.

Mr. Robinson was sworn in by Mr. Ball. Mr. Robinson is the architect for this application. Mr. Robinson reviewed the revised architectural plans with Mr. Clark and Mr. Costeira. They focused on the size of the

garages. The garages were expanded east and west and side entries were added. Mr. Robinson also discussed the covered patio. Mr. Snieckus asked for confirmation regarding the total average coverage for the covered patio. Mr. Robinson stated that the property slopes up from west to east and stated that they devised the best plan to match the topography.

Mr. Bowen, a member of the community residing at 10 Hillview Terrace, had a question about lights over the garage. Mr. Webber responded that there will not be any.

Mr. Fred Stewart, the applicant's engineer, was sworn in by Mr. Ball. Mr. Stewart discussed the revised engineer plans. *Exhibit A3* was introduced, *Steep Slopes*. He discussed the main changes, which were a reduction in slope in the driveway, modifying the driveway with permeable pavers and installing a brick paver system. Mr. Snieckus asked if there would be a change in the maximum steep slope disturbance. Mr. Webber stated that there would be no change.

Mr. Edward Clark, the Landscape Architect, was sworn in by Mr. Ball. Mr. Clark prepared the landscape plans for this project. The plan is to create private yards with an intimate, small garden. There would be hedging on each end. Mr. Clark stated that there would be illumination pathways, light ways down the steps.

Ms. McKinley Mertz was sworn in by Mr. Ball as the applicant's planner. Ms. Mertz introduced *Exhibit A4*, which was the *PDF Set Presented by Ms. Mertz*. Ms. Mertz spoke about the property, noting that it is already operating as a non-conforming use as an office space. Ms. Mertz also noted that 709 Springfield Avenue is located on a very steep slope. The complete testimony of all witnesses can be found in the transcription of the hearing.

In conclusion, the Board, after careful deliberations, *approved* the variance requested.

1. Compliance with conditions noted in Board Engineer's Memorandum.
2. Compliance with conditions noted in Board Engineer's Memorandum.
3. No bedrooms shall be located in the basement.
4. Condo association bylaws will include a requirement for snow removal.
5. Condo bylaws limit 2 cars per unit.
6. Condo bylaws include limitation that cannot park the car except for in the garage.
7. Applicants shall revise plans to reflect the drainage line on the west of the property being connected to the drywell system.

The motion to *approve this application* was made by Mr. Loikits and it was *seconded* by Ms. Sajer. A roll call vote was completed with the results listed below:

VOTE:           **YES:** Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Maleh, Mr. Loikits, Ms. Toth,  
                          Ms. Sajer  
                          **ABSTAIN:** None  
                          **NO:** None

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**The Board memorialized Minutes from:**

- May 1, 2023

A motion of *approval* was made by Ms. Sajer and was seconded by Mr. Loikits.

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

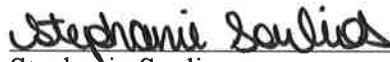
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**Adjourn**

The meeting concluded at 10:40 p.m.



Steven Spurr  
Chairman  
City of Summit  
Zoning Board of Adjustment



Stephanie Soulios  
Board Secretary  
City of Summit  
Zoning Board of Adjustment