

MINUTES
ZONING BOARD OF ADJUSTMENT
CITY OF SUMMIT
Monday, July 17, 2023

The July 17, 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 Vice Chairman Steiner 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:

- Vice Chairman, Joseph Steiner
- David Mollin
- Ayman Maleh
- Walter Gonzalez
- Alternate 1, Claire Toth
- Alternate 4, Thomas Ucko

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

- Chairman, Steven Spurr
- Elizabeth Newell
- Scott Loikits
- Alternate 3, Jay Fehskens
- Alternate 2, Diana Sajer

Board Attorney Andy Ball and Secretary Stephanie Soulios were present.

IN THE MATTER OF THE AGENDA:

Vice Chairman Steiner reviewed the agenda for the evening. The following applications were ready to proceed:

- **Application: ZB-23-2193, 6 Hillcrest Avenue, John C. Hensel, BL: 1101 L: 23, certificate of a non-conforming use or structure.**
- **Application: ZB-22-2191, 90 Ashwood Avenue, Design, Build, Management, INC, BL: 4301 L: 26, amended application to instead subdivide the property into three lots and construct a new single-family home on each parcel.**

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

- **Application: ZB-22-2191, 90 Ashwood Avenue, Design, Build, Management, INC, BL: 4301 L: 26, amended application to instead subdivide the property into three lots and construct a new singled-family home on each parcel.**

Vice Chairman Steiner read aloud a letter sent by the applicant's attorney, Mr. James Webber, requesting the meeting to be carried to August 7, 2023, due to having six board members present for the evening. In the letter, Mr. Webber asked that the application be carried without notice, and agreed to waive the time for the board to act on this application.

There were several members of the public present for this application to be heard, and this was acknowledged by Vice Chairman Steiner. He welcomed procedural questions from the public but said no questions will be answered regarding the application this evening.

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

VOTE: **YES:** Vice Chairman Steiner, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Ms. Toth, Mr. Ucko
 ABSTAIN: None
 NO: None

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- **Application: ZB-23-2193, 6 Hillcrest Avenue, John C. Hensel, BL: 1101 L: 23, certificate of a non-conforming use or structure.**

Attorney, Mr. Bart Sheehan was sworn in by Mr. Ball. Mr. Sheehan explained that the use of the carriage house has existed for a very long time, and the applicant looks to continue this use. The zoning officer's comments were referenced, in that she provided the extensive history of the use for this structure.

The applicant, Dr. John Hensel, was sworn in by Mr. Ball. Dr. Hensel stated that he is seeking a certificate of a non-conforming use. Dr. Hensel clarified that the carriage house has 3 rooms on the second story of the structure. He also confirmed that the floor plans have never changed.

The board had questions regarding whether the structure could be demolished in the future, but still maintain its use. Mr. Ball clarified that it would be considered an abandonment of the use in that case.

The motion to *approve* this application with no conditions was made by Mr. Ucko and it was *seconded* by Mr. Gonzalez. A roll call vote was completed with the results listed below:

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

The Board memorialized Resolution from:

- **19 Oak Ridge Avenue, Max Gale and Liliya Belaus, ZB-23-2183, BL: 4502 L: 3**

The eligible voting members are Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits.

The motion to *approve* this resolution was made by Mr. Mollin and it was *seconded* by Mr. Maleh. A roll call vote was completed with the results listed below:

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

- **22 Beverly Road, ZB-22-2168, BL: 508, L: 11**

The eligible voting members are Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Maleh, Mr. Loikits.

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

VOTE: **YES:** Vice Chairman Steiner, Mr. Maleh, Mr. Gonzalez
 ABSTAIN: None
 NO: None

- **22 Dogwood Drive, ZB-23-2182, BL: 2305, L: 19**

The eligible voting members are Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits.

The motion to *approve* this resolution was made by Mr. Maleh and it was *seconded* by Mr. Mollin. A roll call vote was completed with the results listed below:

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

- **610 Springfield Avenue, ZB-23-2184, BL: 2803, L: 1**

The eligible voting members are Chairman Spurr, Vice Chairman Steiner, Ms. Newell, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Mr. Loikits.

The motion to *approve* this resolution was made by Vice Chairman Steiner and it was *seconded* by Mr. Mollin. A roll call vote was completed with the results listed below:

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

- **246 Summit Avenue, ZB-23-2186, BL: 2006, L: 20**

The eligible voting members are Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Loikits, Ms. Toth, Mr. Fehskens, Mr. Ucko.

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

VOTE: **YES:** Mr. Gonzalez, Ms. Toth, Mr. Ucko.
 ABSTAIN: None
 NO: None

• **19 Manor Hill Road, ZB-23-2187, BL: 3103, L: 12**

The eligible voting members are Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Loikits, Ms. Toth, Mr. Fehskens, Mr. Ucko.

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

VOTE: **YES:** Mr. Gonzalez, Ms. Toth, Mr. Ucko.
 ABSTAIN: None
 NO: None

• **28 Druid Hill Road, ZB-22-2175, BL: 4801 L: 17**

The eligible voting members are Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Loikits, Ms. Toth, Mr. Fehskens, Mr. Ucko.

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

VOTE: **YES:** Mr. Gonzalez, Ms. Toth, Mr. Ucko.
 ABSTAIN: None
 NO: None

• **58 Dale Drive, ZB-23-2185, BL: 5605, L: 19**

The eligible voting members are Chairman Spurr, Ms. Newell, Mr. Gonzalez, Mr. Loikits, Ms. Toth, Mr. Fehskens, Mr. Ucko.

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

VOTE: **YES:** Mr. Gonzalez, Ms. Toth, Mr. Ucko.
 ABSTAIN: None
 NO: None

The Board memorialized Resolution of Extension:

- **29 Fairview Avenue, John and Laura Burke, ZB-22-2139, BL: 1801 L: 10**

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

VOTE: **YES:** Vice Chairman Steiner, Mr. Gonzalez, Mr. Mollin, Mr. Maleh, Ms. Toth, Mr. Ucko.
 ABSTAIN: None
 NO: None

The Board memorialized Minutes from:

- July 6, 2023

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

A voice vote was conducted, excluding the members that were excused that evening. All were in favor, and none were opposed.

Adjourn

The meeting concluded at 7:53 p.m.



Joseph Steiner
Vice Chairman
City of Summit
Zoning Board of Adjustment



Stephanie Soulios
Board Secretary
City of Summit
Zoning Board of Adjustment