



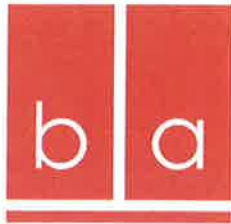
ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

Address:	221 Blackburn Road
Application #:	ZB-25-2308
Description/Variances:	(c) - variance for side yard setback and combined side yard setback to construct second-floor addition.
Sent to Staff for Comments:	September 4, 2025
Due Date:	September 25, 2025

Staff / Commission / Consultant	<u>Delivery Method</u>	<u>Report Attached with Comments</u>	<u>Report Attached with No Objections</u>	<u>Not Submitted</u>	<u>Not Required</u>
Eric Evers, Director Fire Chief	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Ryan Peters Police Chief	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Engineering: Colliers	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Ralph Maritato Construction Official	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
John Linson City Forester	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Board of Health: Westfield	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Historic Preservation Commission	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Environmental Commission (if required)	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Board Planner Burgis Associates	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			

AT DUE DATE / UPON RECEIPT FROM ALL STAFF:

Sent to Applicant:	____/____/____
Sent to Attorney:	____/____/____



B U R G I S
A S S O C I A T E S , I N C .

COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: City of Summit Zoning Board of Adjustment
From: Ed Snieckus, Jr. PP, LLA and Tom Behrens, PP, AICP
Subject: Grant Residence (ZB-25-2308)
221 Blackburn Road
Block 3001 Lot 30
'c' Bulk Variance Request
Date: October 3, 2025
BA#: 4269.39

I. INTRODUCTION

The Applicants, Bill and Brie Grant, are requesting 'c' variance relief to construct a second floor addition above the garage attached to the existing two-story single-family dwelling located at the above-referenced property. The improvements include renovations to the interior of the dwelling and new front portico and rear deck. The property is located in the R-15 Zone wherein the existing/proposed detached single-family dwelling is a permitted principal use. The extent of proposed improvements and required variance relief are detailed herein.

II. DOCUMENTS SUBMITTED

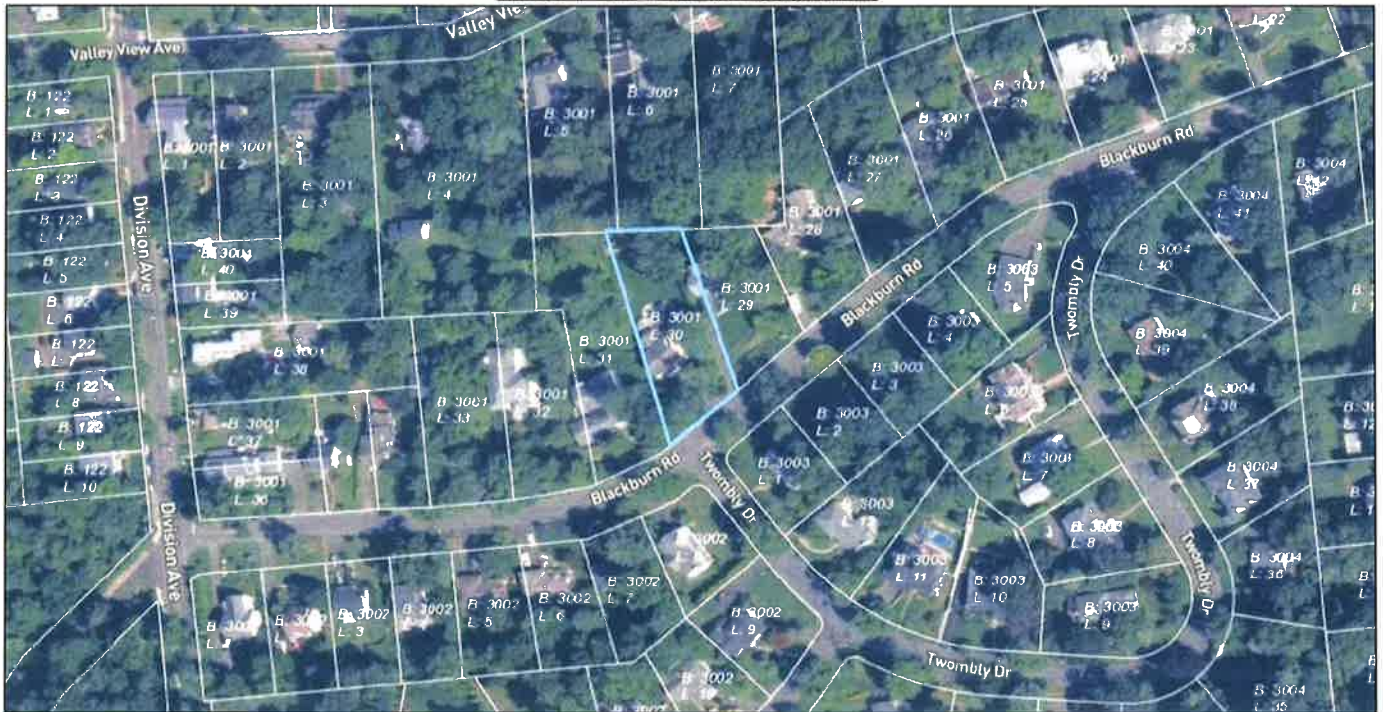
Our office has received and reviewed the following application documents:

1. Application forms and accompanying materials.
2. Plot Plan (1 sheet) prepared by Mueller Engineering Consultants, P.C. dated Jun 4, 2025.
3. Architectural plans (7 sheets) prepared by Elizabeth Rush Architect last revised June 4, 2025.

III. PROPERTY DESCRIPTION

The site, identified as Block 3001 Lot 30 in City tax records is a 22,559 square foot parcel with frontage on Blackburn Road. The property is developed with a detached, two-story single-family dwelling with associated site improvements including a paved driveway leading to a front facing garage, paved walkways, rear patio and deck and rear play area. Development surrounding the site consists solely of detached single-family dwellings. The aerial image below provides a general overview of the existing site conditions and surrounding development pattern.

IMAGE 1 - SITE AERIAL PHOTOGRAPH



Source: NJ Parcel Explorer, Rowan university. Accessed October 3, 2025.

IV. REQUIRED VARIANCE RELIEF

The development application requires the following variance relief:

1. 'c' Minimum Side Yard Setback. The R-15 Zone requires a minimum side yard setback of 15 feet where the proposed improvements will have a nonconforming side yard setback of 7.6 feet. It is noted that this is an existing condition but requires variance relief due to the proposed vertical addition to the dwelling in the required setback area.
2. 'c' Minimum Combined Side Yard Setback. The R-15 Zone requires a minimum combined side yard setback of 35% where the proposed improvements will have a nonconforming combined side yard setback of 25.6%. Though this is an existing condition, variance relief is required as the proposed vertical addition to the dwelling will exacerbate the nonconforming combined side yard setback.

V. GENERAL COMMENTS

1. We defer the review of stormwater management to the Board Engineer. It is noted that the proposed lot coverage is 24.7% where the R-15 Zone permits a maximum coverage of 35%. The proposed front portico appears to slightly increase the lot coverage.

*Should the application be approved, the Applicant are hereby noticed to read the Zoning Board resolution of approval making note of all required conditions. It is the applicant's responsibility to take action necessary to meet the stated conditions prior to submitting a construction permit. Failure on the part of the applicant to meet the conditions will result in unnecessary delay in processing the construction and grading permit applications, as applicable.

VI. STATUTORY CRITERIA

The following is a summary of 'c' variance criteria required to be addressed by the Applicant:

'c'(1)'/c'(2) Variance Relief

The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test as described below. The Applicant may apply one or both of these tests in providing justifications for their 'c' variance requests.

- A. Physical Features Test: An applicant may be granted 'c'(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
- B. Public Benefits Test: An applicant may be granted 'c'(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the MLUL; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition, the Applicant must address the Negative Criteria of the statute. Specifically, the Applicant must demonstrate: 1) the variance can be granted without substantial detriment to the public good; and 2) that granting the relief will not substantially impair the intent and purpose of the master plan and zoning ordinance.



STAFF COMMENTS REPORT

DATE: September 4, 2025
FROM: Land Use Assistant / Board Secretary
TO:

☐ **FLOOD ZONE**

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	Donna Patel	Environmental Commission

Property Address:	221 Blackburn Road	Block: 3001	Lot: 30
Application #:	ZB-25-2308	Applicant Names: Bill and Brie Grant	
Description/Variances:	(c) - variance for side yard setback and combined side yard setback to construct second-floor addition.		

Comments Due Date:	September 25, 2025	Please email landuse@cityofsummit.org if you are unable to meet this date.
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Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated above. Attach additional pages or reports, if necessary.

COMMENTS: No objections
UC

Print Name:		Print Title:		Date:	
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Memorandum

To: Zoning Board

From: Marie Raffay, P.E.

Date: September 24, 2025

Subject: 221 Blackburn Road
Block 3001, Lot 30
Summit, Union County, NJ

Summit No.: ZB-25-2308

We have reviewed the application and associated submissions prepared by the Applicant, 221 Blackburn Road of the subject property as referenced below:

- a. Application to Zoning Board of Adjustment, signed, dated June 24, 2025;
- b. Site Plans, entitled "221 Blackburn Road, Block 3001, Lot 30, Tax Map Sheet 30, City of Summit, Union County, New Jersey", prepared by Catherine A. Mueller, P.E., of Mueller Engineering Consultants, P.C., dated June 4, 2025;
- c. Architectural Plans, entitled "Grant Residence, 221 Blackburn Road, Summit, NJ 07901", prepared by Elizabeth Rush, R.A., consisting of seven (7) sheets, last revised date of June 4, 2025.

Based on our review of the above-referenced documents, this office offers the following comments:

1. The 22,559 square foot (0.518-acre) property is located on the north side of Blackburn Road, approximately 675 feet east of Division Avenue.
2. The property is in the R-15 Single-Family Residential Zone, with surrounding properties in the same zone.
3. The property is an irregular trapezoid with 105 feet of frontage along Blackburn Road, an average depth of 244 feet and a rear yard width of 90 feet.
4. The property slopes down from the northern property line at elevation 297 to Blackburn Road at elevation 286.
5. The property is currently improved with a 2-story dwelling, deck, covered porch, covered patio, walkways, driveway, and related site improvements.
6. The Applicant should provide testimony on the existing conditions on the property.

7. The Applicant is proposing to construct a second story addition over a portion of the dwelling and above the existing garage as well as a new front portico. The Applicant should confirm the improvements in testimony.
8. The Applicant is seeking variances for combined side yard setback which is a pre-existing non-conforming condition. The combined side yard setback is required to be a minimum of 35 percent where 26.16 percent is existing and proposed. The Applicant should confirm in testimony.
9. The Applicant shall provide testimony regarding the pre-existing nonconforming side yard setback and how the proposed increase in dwelling height will exacerbate this condition. Testimony should address the resulting visual and spatial impact on adjacent properties.
10. The Applicant shall update the bulk/zoning chart on the engineering plans to include the proposed conditions. Testimony shall be provided to confirm the accuracy of the proposed values and compliance with applicable zoning requirements.
11. The Applicant shall provide testimony confirming whether roof overhangs have been included in the lot coverage calculations and, if not, how they will be addressed in the proposed conditions.
12. The Applicant does not appear to be increasing the impervious coverage by more than 300 square feet. Therefore, no stormwater mitigation is required.
13. The Applicant shall provide testimony regarding how stormwater drainage will be affected by the proposed changes to the roof line from the addition, including where runoff will be directed and whether any modifications to existing drainage systems are proposed or required.
14. No trees appear to be removed for the proposed project. We defer to the City forester for review and comment.
15. The Applicant shall be aware of their responsibility to repair any damage to improvements within the City right-of-way including, but not limited to, curb and asphalt caused by construction activities associated with the installation of the improvements on the subject lot.
16. 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.
17. 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.

Should the Board approve the project, the approval may be subject to the issuance of a grading permit (Chapter 35, Article 15) and any required Board conditions. The Applicant shall verify the need for a grading permit with the City which will not be issued until all conditions of the resolution of approval are satisfied.

If you have any questions or require anything further, please contact me.

MKR/mt

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STAFF COMMENTS REPORT

DATE: September 4, 2025
FROM: Land Use Assistant / Board Secretary
TO:

☐ **FLOOD ZONE**

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input checked="" type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	Donna Patel	Environmental Commission

Property Address:	221 Blackburn Road	Block: 3001	Lot: 30
Application #:	ZB-25-2308	Applicant Names: Bill and Brie Grant	
Description/Variances:	(c) - variance for side yard setback and combined side yard setback to construct second-floor addition.		

Comments Due Date:	September 25, 2025	Please email landuse@cityofsummit.org if you are unable to meet this date.
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COMMENTS: _____

In accordance with NJAC 5:23-6.32, the following requirements must be met for smoke detectors:

At least one AC-powered, interconnected smoke detector with battery backup is required on each level of the building, including the basement.

Smoke detectors must be installed in all sleeping areas and a Smoke/Carbon Monoxide detector within 10 feet of all bedroom doors.

The garage area must comply with the fire rating specified in FTO-13.

If the variance is granted, ensure that the compliance with these smoke detector provisions is clearly indicated on the construction plans submitted for permit approval.

All plans must adhere to current building codes.

Print Name:	Ralph Maritato	Print Title:	Construction Official	Date:	9-5-25
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STAFF COMMENTS REPORT

DATE: September 4, 2025
FROM: Land Use Assistant / Board Secretary
TO:

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	Name	Title / Committee
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<input type="checkbox"/>	Ryan Peters	Police Chief
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COMMENTS: Additional screening does not appear to be necessary.
No objection.

Print Name:	John Linson	Print Title:	Forester	Date:	10/15/25
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	Name	Title / Committee
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COMMENTS:

No comments

Print Name:	Laura Manco	Print Title:	PEHS	Date:	9-5-25
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STAFF COMMENTS REPORT

DATE: September 4, 2025

FROM: Land Use Assistant / Board Secretary

TO:

☐ **FLOOD ZONE**

<input type="checkbox"/>	Name	Title / Committee	<input type="checkbox"/>		
<input type="checkbox"/>	Eric Evers	Fire Chief	<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Ryan Peters	Police Chief	<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Engineering	Colliers	<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Ralph Maritato	Construction Official	<input type="checkbox"/>	Planner	Burgis Assoc.
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COMMENTS: _____

The proposed addition above the garage though sizable, is set back from the street. The Hardi board siding and architectural details, including improving the developer details from the original 1955 home, improve the structure. _____

Print Name:	Caroline King	Print Title:	Chair, HPC	Date:	09.23.2025
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STAFF COMMENTS REPORT

DATE: September 4, 2025
FROM: Land Use Assistant / Board Secretary
TO:

☐ FLOOD ZONE

	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input checked="" type="checkbox"/>	Francie Cho	Environmental Commission

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COMMENTS: _____

The application is for variances for side yard and side yard combined setbacks necessary to construct a rear 2nd floor addition over the existing garage and for a small two-story addition on a portion of an existing deck. The footprint of the house will remain unchanged, but there are pre-existing non-conformities. No trees will be removed for this project.

For alterations of this nature, the Environmental Commission encourages the homeowners and their architect to: minimize the size of paved surfaces and use green infrastructure for patios and parking areas, such as permeable paving and rain gardens, to assist with drainage, mitigate heat island effects, decrease VOC (Volatile organic compounds) emissions from asphalt paving and markings, and reduce pollution from runoff. **We also encourage the use of solar panels on appropriately oriented roof areas.**

In addition, we would encourage planting native shade trees and shrubs on the open spaces of the property to assist with site hydrology. We will note that native species are beautiful and cost effective. They require far fewer inputs (water, fertilizer, and pesticide), protect our soil and waterways, and provide habitat for native birds and butterflies. This [Guide to Landscaping with Native Plants](#) and searchable [database](#) can be helpful in finding native replacements, as well as the Rutgers list of native plants (<https://njaes.rutgers.edu/fs1140/>).

On behalf of the Summit Environmental Commission, I recommend approval of the requested variances.

Print Name:	Francie Cho	Print Title:	Environmental Comm. Alt	Date:	9/18/2025
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