



ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

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| Address: | 45 Prospect Hill Avenue |
| Application #: | ZB-25-2303 |
| Description/Variances: | Submitted October 29, 2025; Structural Engineering Report, Supplemental Engineering Report, and Gas Leak Report. |
| Sent to Staff for Comments: | October 29, 2025 |
| Due Date: | November 3, 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 | | | ✓ | |
| Engineering: Colliers | <input type="checkbox"/> Paper <input type="checkbox"/> Email | ✓ | | | |

AT DUE DATE / UPON RECEIPT FROM ALL STAFF:

| | |
|---------------------------|--------------------|
| Sent to Applicant: | ____ / ____ / ____ |
| Sent to Attorney: | ____ / ____ / ____ |

Memorandum

To: Zoning Board
From: Marie Raffay, P.E.
Date: November 3, 2025
Subject: 45 Prospect Hill Avenue **Review #2**
Block 3501, Lot 28
Summit, Union County, NJ

Summit No.: ZB-25-2303

We have reviewed the application and associated submissions prepared by the Applicants, Richard and Stephanie Gelband of the subject property as referenced below. **For ease of review, our updated comments are in bold:**

- a. Application to Zoning Board of Adjustment, dated June 6, 2025;
- b. Alfonso & Webber Attorney submission Letter dated June 6, 2025;
- c. Dept of Community Services Application for Development Worksheet dated June 5, 2025;
- d. Zoning Board Application Checklist dated June 5, 2025;
- e. Memorandum in Support of Application for Development, prepared by Samantha Alfonso, Esq. dated June 5, 2025;
- f. Property Owners List with map;
- g. Tax Payment Certification dated May 28, 2025;
- h. Techno Block Retaining Wall Specifications, consisting of two (2) sheets, prepared by Landbox Landscape Architecture Studio, dated August 1, 2025;
- i. Boundary & Topographic Survey, consisting of 3 sheets, prepared by John C. Ritt, PLS of James P. Deady Surveyor, LLC, dated 10/30/2024, last revised April 14, 2025;
- j. Lot Grading Plan, entitled "Lot Grading Plan prepared for Gelband Residence, 45 Prospect Hill Avenue, Tax Lot 28, in Block 3501, City of Summit, Union County, New Jersey" consisting of one (1) sheet, prepared by Andrew Clarke, PLS,PE, dated May 27, 2025;
- k. Steep Slopes Plan, entitled "Steep Slopes Plan prepared for Gelband Residence, 45 Prospect Hill Avenue, Tax Lot 28 in Block 3501, City of Summit, Union County, New Jersey", consisting of one (1) sheet, prepared by Andrew Clarke PLS, PE, dated May 27, 2025;
- l. Planting Plan, consisting of one (1) sheet, prepared by Landbox Landscape Architecture Studio, dated May 20, 2025;

- m. Architectural Plans, entitled "45 Prospect Hill Ave, Variance Submission", prepared by Stephen Kowalski RA of SEK Architects, consisting of seven (7) sheets, dated of May 28, 2025.
- n. **Structural Evaluation Report for 45 Prospect Hill Ave, Summit, NJ prepared by James Dlugosz, P.E., of PD Structural Engineering, dated April 19, 2025.**
- o. **Supplemental Structural Evaluation Report for 45 Prospect Hill Ave, Summit, NJ, prepared by James Dlugosz, P.E., of PD Structural Engineering, dated July 25, 2025.**
- p. **Service Call for 45 Prospect Hill Avenue, Summit, NJ 07901, as prepared by Jeff Hall Plumbing and Heating Inc., dated May 1, 2025.**

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

1. The 33,513 square foot (0.769-acre) property is located on the south side of Prospect Hill Avenue, approximately 600 feet east of Wittredge Road.
2. The property is in the R-25 Single-Family Residential Zone, with surrounding properties in the same zone.
3. The property is mostly rectangular in shape with 150 feet of frontage along Prospect Hill Avenue, an average depth of 208 feet and a rear yard width of approximately 176 feet.
4. The property slopes down from the front northeast corner at elevation 419 to the southwest corner at elevation 387.
5. The property contains approximately 1,400 square feet of steep slopes in the front of the property and approximately 9,000 square feet of steep slopes in the rear.
6. The property is currently improved with a 2-1/2 story dwelling, shed, pool, slate patios, concrete walkways, asphalt driveway, and related site improvements. The Applicant should provide testimony on the existing conditions on the property and whether any improvements have been made since the date of the survey.
7. The Applicant is proposing to remove all of the site improvements and construct a new dwelling, terrace, porches, in-ground pool, patio, spa, stormwater mitigation, asphalt driveway, walkways, HVAC equipment, and retaining walls. The Applicant should confirm the improvements in testimony.
8. The Applicant is requesting a variance for disturbance of regulated steep slopes. The Applicant is proposing a disturbance of 9,200 square feet where a maximum of 1,000 square feet is permitted. The Applicant shall provide testimony in support of the requested variance, including justification for exceeding the steep slope disturbance limit and why the proposed improvements cannot be relocated or modified to reduce these impacts.

9. The Applicant is requesting a variance for a building coverage of 16.8 percent where a maximum of 14 percent is permitted. The Applicant shall provide testimony in support of the requested variance, including justification for exceeding the permitted building coverage and why the proposed improvements cannot be modified to reduce these impacts.
10. The proposed improvements result in a total limit of disturbance of 30,000 square feet, which exceeds the 5,000-square-foot threshold and therefore requires approval from the Somerset-Union Soil Conservation District.
11. The Applicant is proposing a lot coverage increase of 887 square feet which requires stormwater mitigation for exceeding 300 square feet of increase. The Applicant is proposing dry wells in the front of the house to capture the roof dwelling and driveway runoff. Additionally, dry wells are proposed in the rear of the property and appear to be collecting water from behind the retaining walls that are supporting the pool. However, no tributary drainage area has been identified for either dry well nor have any details been provided for the method of collection of surface runoff for the rear dry well. Calculations have been provided for the dry wells being sized to collect 5,000 square feet of stormwater runoff. It is unclear if that area is for the dwelling and driveway or the rear yard. The Applicant should provide calculations for review to confirm that each dry well is appropriately sized for the area being collected. A detail should be provided for the rear collection method and to justify if the method of stormwater collection is suited for collecting the intended runoff.
12. A soil test shall be provided prior to the installation of the proposed seepage pit. Soil test shall include information regarding the location of the seasonal high-water table (SHWT) and permeability rating of the soil. Per New Jersey's Stormwater Best Management Practices Manual, it shall be confirmed that the bottom of the proposed seepage pit is at least 2 feet above the SHWT.
13. The Applicant shall provide testimony regarding the proposed grading elevations in the rear yard associated with the construction of the retaining walls.
14. The Applicant's engineer shall provide testimony regarding the building height calculations and that the proposed height complies with the City's ordinance.
15. The Applicant has provided a planting and landscaping plan. The Applicant should provide testimony regarding the overall planting plan as well as the feasibility of access of lawn maintenance equipment for the areas surrounded by walls and large shrubs and trees.
16. The landscape plan appears to conflict with the proposed HVAC and generator locations on the west side of the proposed dwelling. This inconsistency should be eliminated, and the Applicant should ensure that proper screening of equipment is provided.

17. The location of the pool equipment should be noted on the plans. The Applicant should ensure that proper screening of the equipment will be provided.
18. The Applicant shall confirm any proposed lighting and confirm there will be no glare onto neighboring properties.
19. It appears that the Applicant is proposing to remove multiple trees for the proposed project. We defer to the City forester for review and comment.
20. 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.
21. 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.
22. 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.
- 23. The Applicant submitted a Structural Evaluation Report to evaluate the current condition of the residential structure. This report outlines various aspects of the building's integrity, including its foundational stability, structural components, and any potential areas of concern that may require attention. In light of the findings presented in the report, the Applicant should provide detailed testimony that not only addresses the specific results of the evaluation but also clarifies how these structural findings have directly influenced the decisions made regarding the enhancement and improvement of the property.**
- 24. The Applicant submitted a Supplemental Structural Evaluation Report to evaluate the current condition of the patio area adjacent to the dwelling and the retaining walls in the rear of the property. This report followed a gas leak that occurred following the previous structural report. The supplemental report indicates patio settlement and further notes structural problems within the dwelling as identified in the previous structural report. The Applicant should provide testimony that not only addresses the specific results of the evaluation but also clarifies how these structural findings have directly influenced the decisions made regarding the enhancement and improvement of the property.**

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.

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