



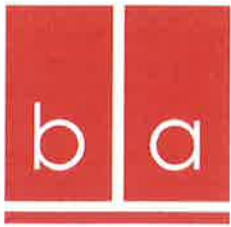
## ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

<b>Address:</b>	268-270 Ashland Road
<b>Application #:</b>	PB-25-281
<b>Description/Variances:</b>	Minor subdivision application with (c) - variances for lot area and rear yard setback to create lots 2.01 and 2.02.
<b>Sent to Staff for Comments:</b>	November 6, 2025
<b>Due Date:</b>	November 18, 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:

<b>Sent to Applicant:</b>	____/____/____
<b>Sent to Attorney:</b>	____/____/____



COMMUNITY PLANNING  
LAND DEVELOPMENT AND DESIGN  
LANDSCAPE ARCHITECTURE

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

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 & Tom Behrens, PP, AICP  
Subject: Linden Place RTR, LLC & Stephen J. Gianis (PB-25-281)  
268-270 Ashland Road  
Block 5303 Lot 2  
Minor Subdivision Application w/ 'c' Bulk Variance Requests  
Date: November 19, 2025  
BA#: 4269.55

### I. INTRODUCTION

The applicants are requesting minor subdivision approval and 'c' variance relief to subdivide the above-referenced property into 2 new lots each intended to accommodate 1 new detached single-family dwelling with associated site improvements. The property is located in the R-15 Zone wherein the proposed detached single-family dwellings are a permitted principal use. The extent of proposed improvements and required variance relief are detailed herein.

### II. DOCUMENTS SUBMITTED

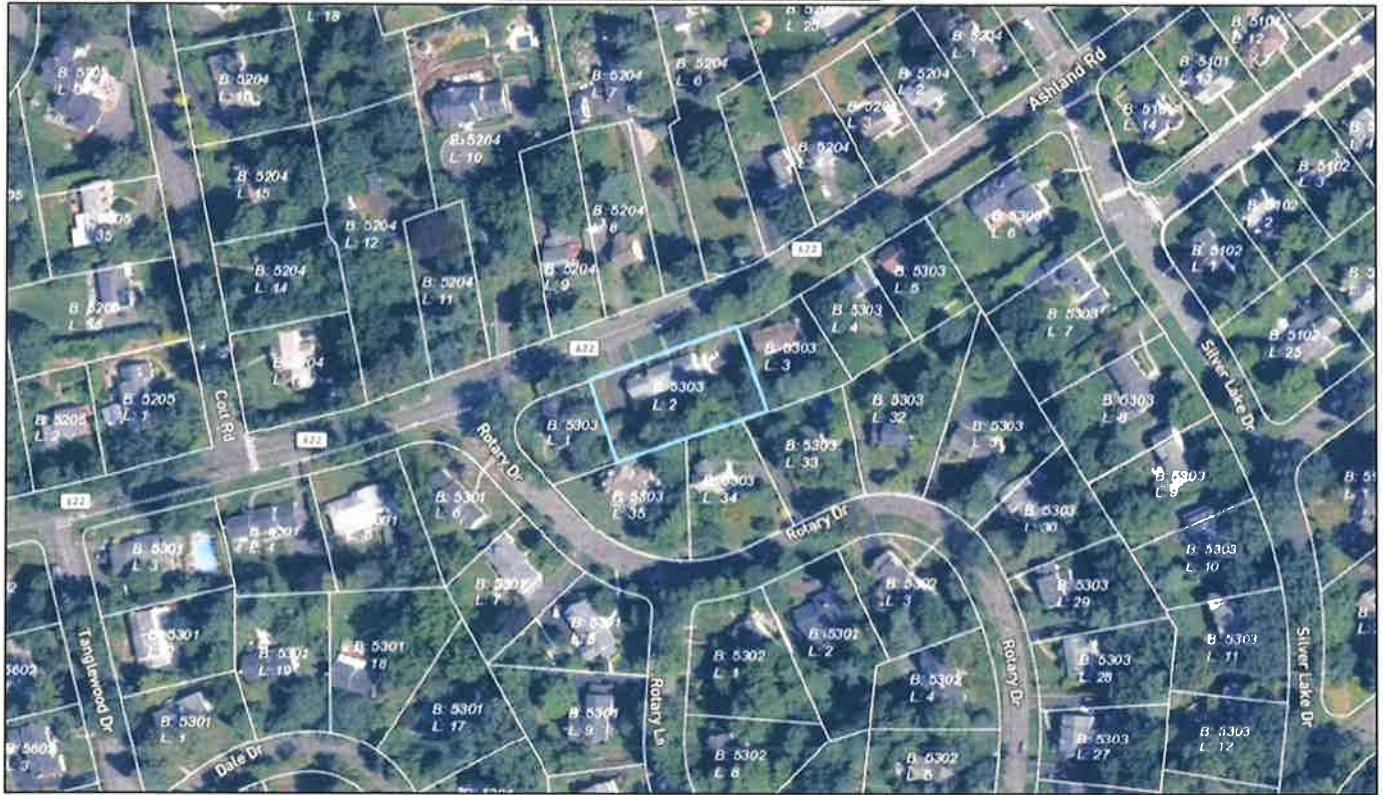
Our office has received and reviewed the following application documents:

1. Application forms and accompanying materials.
2. Topographic survey prepared by ABC Surveys, LLC dated January 14, 2025.
3. Minor subdivision plan prepared by ABC Surveys, LLC dated July 7, 2025.
4. Landscape plan prepared by Edward Clark Landscape Architect dated August 4, 2025.

### III. PROPERTY DESCRIPTION

The site, identified as Block 5303 Lot 2 in City tax records, is a 0.51-acre parcel with 200 feet of frontage on Ashland Road and depth of approximately 110 feet. Lot 2 is developed with a 2-story frame structure occupied as a single-family dwelling and attached home medical office. Associated site improvements include 2 separate driveways with access on Ashland Road, paved front walkways and rear slate patio. 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 November 19, 2025.

#### IV. REQUIRED VARIANCE RELIEF

The development application requires the following variance relief:

1. 'c' Minimum Lot Area. Both proposed lot areas are nonconforming at 11,078 square feet (Lot 2.01) and 11,000 square feet (Lot 2.02) where the R-15 Zone requires a minimum lot area of 15,000 square feet and the neighborhood average lot area is 15,948 square feet.
2. 'c' Minimum Front Yard Setback. The R-15 Zone requires a minimum front yard setback of 35 feet and the neighborhood average front yard setback for this property is 38.1 feet where both proposed front yard setbacks are nonconforming at 28.3 feet (Lot 2.01) and 28.5 feet (Lot 2.02).

#### V. GENERAL COMMENTS

1. The applicant shall provide an overview of all proposed improvements.
2. The architectural plans depict side entry two-car garages for both proposed dwellings. The proposed 4-bedroom dwellings have inverse floors plans and are differentiated by exterior building materials and colors.

3. The following is a summary of the Landscape Plan:

- A. The plan depicts the removal of 7 trees, one of which is on the front property line and another is located on the neighboring Lot 1.
  - B. 4 White Oak trees will be installed as street trees along the front lot line.
  - C. 8 additional shade trees including Sugar Maple, Armstrong Maple, Sweetgum, River Birch and White Oak trees.
  - D. Rows of Western Red Cedar along the side lot lines around the rear yard.
  - E. Variety of shrubs in the front and rear of the proposed dwellings.
4. The landscape plan depicts 6 foot high board-on-board fencing between the proposed lots and along the rear lot line. The fence between proposed lots will transition to a 2-rail split-rail fence of an unspecified height in the front yard area where a maximum fence height of 4 feet.
5. We defer the review of stormwater management to the Board Engineer. It is noted that there is an inlet located in the center of the rear yard that extends through adjacent Lot 1 to connect to the stormwater system in the Rotary Drive right-of-way. However, there is no stormwater easement identified on the plans.

**\*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:** November 6, 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:	268-270 Ashland Road	Block: 5303	Lot: 2
Application #:	PB-25-281	Applicant Name: Linden Place RTR LLC, a NJ Limited Liability Company and Stephen J. Gianis	
Description/Variances:	Minor subdivision application with (c) - variances for lot area and rear yard setback to create lots 2.01 and 2.02.		

<b>Comments Due Date:</b>	November 18, 2025	Please email <a href="mailto:landuse@cityofsummit.org">landuse@cityofsummit.org</a> 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  
LECH

<b>Print Name:</b>		<b>Print Title:</b>		<b>Date:</b>	
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## Memorandum

To: Planning Board

From: Marie Raffay, PE

Date: November 21, 2025

Subject: Engineering Review  
Minor Subdivision, "c" Variances  
268-270 Ashland Road  
Block 5303, Lot 2  
Summit, Union County, NJ

Summit File #: PB-25-281

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We have reviewed the application and associated submissions prepared by Linden Place RTR a New Jersey Limited Liability Company and Stephen J. Gianis, Applicant, c/o Alfonso & Webber, LLC, for the subject property. The following has been submitted for review:

- a. Application for Development – Worksheet, signed and dated 9/2/2025;
- b. Planning Board Application Checklist, undated;
- c. Minor Subdivision Final Approval Submission Checklist, dated 9/2/25;
- d. Application to Planning Board, dated 9/2/25;
- e. Memorandum in Support of Application for Development, prepared by Alfonso & Webber, undated;
- f. Union County Dept of Economic Development – Land Development Application
- g. Property Owners List – 200 Foot List with map, dated July 14, 2025;
- h. Summit Certification of payment of taxes, dated August 21, 2025;
- i. Attorney Submission Letter dated September 2, 2025;
- j. Union County PB Review Letter dated October 30, 2025;
- k. Rendering photos of Lots 2.01 & 2.02 houses;
- l. Topographic Survey, entitled "Topographic Survey prepared for Gianis Residence, 270 Ashland Road, Tax Lot 2 in Block 5303, City of Summit, Union County, New Jersey", consisting of one (1) sheet, prepared by Andrew B. Clarke, PLS PE of ABC Surveys, LLC, dated 1/14/25;

- m. Subdivision Plan, entitled "Proposed Minor Subdivision prepared for Gianis Residence, 270 Ashland Road, Tax Lot 2 in Block 5303, City of Summit, Union County, New Jersey", consisting of one (1) sheet, prepared by Andrew B. Clarke, PLS PE of ABC Surveys, LLC, dated 7/7/25;
- n. Planting Plan, entitled "Project Landscape Improvements, Gianis Residence, 270 Ashland Rd, Summit, NJ 07901, Block 5303, Lot 02", consisting of one (1) sheet, prepare by Edward Clark Landscape Architect, dated August 4, 2025;
- o. Architectural Plans entitled "Ashland Residence Lot 2.01, 268 Ashland Rd, Summit, NJ 07901", consisting of three (3) sheets, prepared by Space & Mark Architecture, 42 Maple Street, Summit, NJ 07901, dated 3/10/25, Variance Set;
- p. Architectural Plans entitled "Ashland Residence Lot 2.02, 268 Ashland Rd, Summit, NJ 07901", consisting of three (3) sheets, prepared by Space & Mark Architecture, 42 Maple Street, Summit, NJ 07901, dated 3/10/25, Variance Set.

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

1. The 0.5-acre (22,015 square feet) property is located on the south side of Ashland Road, approximately 130 feet east of Rotary Drive.
2. The property lies in the R-15 Single-Family Residential Zone, with surrounding properties in the same zoning district.
3. The property is mostly rectangular in shape with 200 feet of frontage on Ashland Road, an average depth of 110 feet and a rear yard width of approximately 201 feet.
4. The property slopes down from the northeast corner at elevation 199 to the southwest corner at elevation 190.
5. The existing Lot 2 is improved with a 2-story split level dwelling, two paved driveways, slate patio, slate walkways, and related improvements. A 12-inch reinforced concrete pipe connects a rear yard inlet to an inlet on Rotary Drive.
6. The subdivision plan is based on a field survey dated January 14, 2025. The Applicant should testify that no improvements or changes have occurred since that survey.
7. The Applicant proposes to demolish the existing dwelling and site features, subdivide existing Lot 2 into two new lots creating proposed Lot 2.01 with 11,078 square feet (0.254 acres) and proposed Lot 2.02 with 11,000 square feet (0.253 acres), and construct a single-family dwelling on each of proposed Lots 2.01 and Lot 2.02.
8. The topographic survey indicates a total lot area for Lot 2 as 22,015 square feet where the proposed minor subdivision plan shows a total lot area for Lot 2 as 22,078 square feet. This discrepancy shall be eliminated and the proposed subdivision lot areas updated if necessary.

9. The total proposed lot coverage increase is approximately 419 square feet. Because the increase exceeds 300 square feet, stormwater mitigation is required for the total increase in impervious coverage.
10. The Applicant is proposing one (1) drywell each on Lot 2.01 and Lot 2.02. The Applicant shall provide testimony that the system has adequate capacity to store stormwater runoff from the area that is being collected and conveyed to the system. The calculations are based on the area being collected and demonstrate that the required volume is exceeded. The individual and total drywell calculations have been provided, and we take no exception to the proposed drywell design.
11. A soil test shall be performed prior to drywell installation, including identification of the seasonal high-water table (SHWT) and permeability rating. Per the NJ Stormwater BMP Manual, the drywell bottom must remain at least 2 feet above the SHWT.
12. The Applicant should provide a construction detail for the proposed driveway inlets.
13. There is a stormwater inlet in the rear of the yard that drains through a stormwater pipe to an inlet on Rotary Drive. Is this inlet functioning? Is the pipe clear? Are the inlet and pipe privately owned?
14. The Applicant has indicated the replacement of one tree on proposed Lot 2.01 with nine trees and the replacement of three trees on Lot 2.02 with seven trees. We defer to the City Forester for review and approval of tree removal and replacement and landscaping.
15. The Applicant should confirm lot numbering with the Tax Assessor prior to perfecting the subdivision.
16. The Applicant should provide testimony as to the method of perfecting the subdivision by filing subdivision deeds or a subdivision plat.
17. The Applicant shall ensure that all County review comments are fully addressed as part of this application. This includes revising the plans to incorporate curbing along the entire County Road frontage in accordance with County standards, updating all granite curb block details to match Union County requirements, and adding the required County design details to the plans.
18. The Applicant shall submit the subdivision deed description and plat to the Board Engineer for review and approval prior to filing with Union County.
19. 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.



20. The Applicant shall remove all excavated and excess soil from the site and shall not use excavated soils elsewhere on site without written permission from the City.
21. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties as a result 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. We reserve the right to review and comment on any additional submissions.

**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/gd



## STAFF COMMENTS REPORT

**DATE:** November 6, 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:	268-270 Ashland Road	Block: 5303	Lot: 2
Application #:	PB-25-281	Applicant Name: Linden Place RTR LLC, a NJ Limited Liability Company and Stephen J. Gianis	
Description/Variances:	Minor subdivision application with (c) - variances for lot area and rear yard setback to create lots 2.01 and 2.02.		

<b>Comments Due Date:</b>	<b>November 18, 2025</b>	<b>Please email <a href="mailto:landuse@cityofsummit.org">landuse@cityofsummit.org</a> if you are unable to meet this date.</b>
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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, UCC has no jurisdiction on subdivisions. If subdivision is approved all plans and permits must meet current codes for submittal. \_\_\_\_\_

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<b>Print Name:</b>	Ralph Maritato	<b>Print Title:</b>	Construction Official	<b>Date:</b>	11-7-25
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## STAFF COMMENTS REPORT

DATE: November 6, 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

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COMMENTS: The Topographic Survey prepared by ABC Surveys, LLC shows approximately 7 existing trees over 12" diameter on the site. It is presumed that all of them except a 24" Yellow Poplar along the mutual property line with lot 1 will be removed should this application be approved. But even the 24" Yellow Poplar would probably have to go due to the proposed driveway to Lot 2.01. The proposed landscape plans for Lot 2.01 and Lot 2.02 prepared by Edward Clark address my concerns for screening and required tree replacements. Most of the existing trees are in poor to fair condition.

Print Name:	John Linson	Print Title:	Forester	Date:	11/14/25
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	Name	Title / Committee
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Ryan Peters	Police Chief
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COMMENTS: NO COMMENTS.

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<b>Print Name:</b>	<u>Bryce R. Maritato</u>	<b>Print Title:</b>	<u>REHS</u>	<b>Date:</b>	<u>11/10/25</u>
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**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

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**Comments Due Date:** November 18, 2025

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COMMENTS: \_\_\_\_\_

The proposed materials for the two new structures are not listed on the drawings. The HPC recommends materials such as wood, Hardi board, and stone.

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<b>Print Name:</b>	Caroline King	<b>Print Title:</b>	Chair	<b>Date:</b>	11.13.2025
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**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

Property Address:	268-270 Ashland Road	Block: 5303	Lot: 2
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COMMENTS: \_\_\_\_\_

The application is for rear yard setback and variances necessary to subdivide a lot into two lots. The original property was created as 2 lots in 1956, but was combined in 1960 when a structure that functioned as a home and attached doctor's office was built. This existing house/doctor's office will be demolished and two homes erected. The sub-divided lots will be of consistent size as the other 4 adjacent lots created along Ashland Rd at the same time (1956).

The survey notes that 7 significant trees will be removed: a triple lead 24" red maple, 14" and 16" red maples, a 20" Norway maple, 2 (dead) 12" blue spruces, and a 14" magnolia. The plant schedule provided by the landscape architects is useful and the inclusion of some native plants is appreciated. We also greatly appreciate the removal of the invasive Norway maple, and the inclusion of many suitable replacement trees. I would respectfully suggest however, that not all the trees slated for removal need be taken down. Some don't appear to be impacted by the new construction and currently provide shade, carbon sequestration and assist with site hydrology.

We would strongly recommend the reuse and recycling of the structure that will be demolished.

For alterations of this nature, the Environmental Commission encourages that the homeowners and their architect: **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 strongly encourage the use of solar panels on appropriately oriented roof areas.**

Furthermore, we encourage planting native shade trees and shrubs on the open spaces of the property to assist with site hydrology. 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/>). We will point out that the Green Mountain and Winter Gem Boxwoods shown on the plant schedule are moderately resistant to blight, but still susceptible. We would offer the following native shrubs for consideration as replacements: Summersweet (Clethra alnifolia), New Jersey Tea (Ceanothus americanus), Sweetspire (Itea virginica ) and Steeplebush (Spiraea tomentosa).

On behalf of the Summit Environmental Commission, I recommend approval of the subdivision and requested variances. However, we recommend that care be taken when considering the removal of any existing trees.

Print Name:	Francie Cho	Print Title:	Environmental Comm. Alt	Date:	11/18/2025
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