



ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

Address:	31 Montrose
Application #:	ZB-22-2164
Description/Variations:	C variances: rear yard setback to expand kitchen and second floor bedroom and bathroom. Paver patio extension- rear yard accessory setback
Sent to Staff for Comments:	January 6, 2023
Due Date:	January 23, 2023

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

AT DUE DATE / UPON RECEIPT FROM ALL STAFF:

Sent to Applicant:	1 / 24 / 23
Sent to Attorney:	/ /

COMMUNITY SERVICES

TO : Zoning Board members
FROM : Christa Anderson, Zoning Officer CA
DATE : January 24, 2023
SUBJECT : Zoning Board application #ZB-22-2164
31 Montrose Avenue; Cristian & Aurelia Massacesi
Variances to construct additions and reconfigure a rear patio
COPY TO: File

The application is filed as a direct application having no prior zoning review. The applicant has provided a copy of the property survey prepared by Michael A. Catalano, of Michael A. Catalano Land Surveying – Planning, dated January 28, 2019, and 9 sheets of architectural plans prepared by John James, RA, of John James Architect dated 10/13/22. The applicant wishes to construct a second story rear addition above the existing first floor family room and to construct a two story rear addition to create a new kitchen with a new primary bedroom ensuite bathroom above. The two story addition is proposed to be located on area that is currently a rear patio. The applicant also proposes to widen the rear patio by 3 feet toward the right side property line.

Based on the plans submitted and the requirements of the R-6 Zone wherein the property is located, I find that **variances are required as follows:**

- 1. For rear yard setback proposed of 14.9 feet at the proposed additions** whereas 30 feet is required. The existing rear yard setback at the rear family room is 14.9 feet. City tax records show that the house was built in the existing configuration in 1952.
- 2. For rear yard setback at the reconfigured patio of 13.5 feet** whereas 20 feet is permitted. The required rear yard setback for the zone is 30 feet and patios are permitted to encroach a maximum of 10 feet.

City tax property record cards show that the house was originally built with no rear extension. The property record card dated 1959 shows the existing rear extension; however, records in the Department of Community Services do not include record of a construction permit for the room. It appears that the rear room was built some time between 1952 and 1959 and may not have had a construction permit. I was also not able to find a record of a variance being granted for the current rear yard setback of 14.9 feet. Between the years 1952 and 1959, the required rear yard setback requirement was 20% of the lot depth but not less than 25 feet. I am unable to find a specific record of how or when the rear extension was constructed.

The applicant proposes to widen the driveway within the existing property lines. The driveway width and lot coverage are conforming. The applicant may not be aware of a revision to the Development Regulations Ordinance adopted in December of 2020 which allows the driveway to be 18 feet wide all the way to the street. Specifically, Section 14.2.G

reads, "In the R-5, R-6, R-10 and RAH-1 zones a single driveway is permitted in the required front yard not to exceed eighteen (18) feet in width including the curb opening and apron." The applicant has the option of constructing this permitted driveway width with a construction permit at any time, regardless of the results of this application.

The architectural plans show a potential basement window well on the left side. This will be permitted but will not allow for a basement bedroom.

The plans do not indicate the locations for any new air conditioning condensers or the existing portable generator for which a construction permit was issued in December of 2018. It is possible that the generator was not observed when the survey dated January 20, 2019, was prepared.

As per the architectural plans, the existing garage has an interior clearance depth of approximately 15.5 feet due to an existing refrigerator projection into the garage. The applicant proposes to remove the refrigerator projection but to replace it with interior stairs and platform to allow for entrance from the garage into the proposed new rear vestibule. The applicant should address how they will be able to actually park inside the garage. In the alternative, the applicant should consider extending the garage forward by 4 feet to be in line with the new front vestibule and to then have an interior depth of 19.5 feet which more nearly meets the required interior clearance depth of 20 feet. The resulting front yard setback would be 25.9 feet and the resulting additional building coverage of 40 square feet would be slightly nonconforming at 20.42%.

Should the application be approved, the applicant is hereby directed to read the Zoning Board resolution of approval making note of all conditions to be met. It is the applicant's responsibility to take action necessary to meet the stated conditions prior to submitting a construction permit application. Failure on the part of the applicant in meeting all of the memorialized conditions of approval will unnecessarily delay approval of the construction permit application.

Memorandum

To: Zoning Board

From: Dipti Sheth, PE

Date: January 23, 2023

Subject: 31 Montrose Avenue
Block 504, Lot 10
Summit, Union County, NJ

Summit No.: ZB-22-2164

We have reviewed the application and associated submissions prepared by Cristian and Aurelia Massacesi, Applicants, for the subject property as referenced below:

- a. Application to Zoning Board of Adjustment, signed, dated Oct. 08, 2022;
- b. Statements of Facts in Support of Variance Relief, consisting of two (2) pages, prepared by John James Architect, AIA, unsigned, undated;
- c. Application for Development- Worksheet, signed, dated 10/8/2022;
- d. Aerial Map and Existing Conditions Photos, consisting of six (6) pages, prepared by John James Architect, AIA, dated October 18 2022;
- e. Application for a Certified List of Property Owners within 200 Ft, signed, dated 10/12/22;
- f. Location Survey, prepared by Michael A. Catalano, PLS, signed, dated January 28, 2019; and
- g. Architectural Plan entitled "Massacesi Residence, 31 Montrose Avenue, Summit, New Jersey 07901", consisting of nine (9) sheets, prepared by John James, Architect, signed, dated 07/13/2022, last revised 10/13/2022.

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

1. The 5,810-square foot (0.13-acre) property is located at the west side of Montrose Avenue, about 185-feet south of the intersection with Webster Avenue.
2. The property is in the R-6 Zone, with surrounding properties in the same Zone. The house is on an undersized lot, where the minimum lot size in the R-6 zone is 6,000-square feet.

3. The Applicant has submitted a Location Survey showing existing conditions, dated January 28, 2019. The property is improved with a 2-story single-family home, asphalt driveway, paver patio, one-car attached, front-facing garage, paver walkway, fence and related site improvements. The Applicant shall confirm and testify that there have been no improvements since the date of the survey and the survey is depicting the existing conditions.
4. The property is somewhat rectangular in shape, with about 68-feet of frontage along Montrose Avenue, an average depth of 89-feet, and 65-feet wide along the rear property line.
5. The Applicant has provided a Statement of Facts in Support of Variance Relief and notes that the Applicant is proposing to expand the Kitchen, Powder Room, and Front Entry Vestibule on the first floor of their house to add a new Primary Bedroom, Bathroom and Closet on the Second Floor of the house.
6. The Applicant is requesting Variances for Rear Yard Setback for the new additions, permit an attached patio that will exceed the allowable Rear Yard Accessory Setback, as well as other exceptions, waivers, or variances necessary to realize the improvements set forth in the application.
7. The Applicant has provided Architectural Plans, with existing and proposed plans for the Basement, First Floor, Second Floor and the Roof, along with elevation views. The Applicant shall add dimension to the plans. The Applicant has proposed a New Egress Window and Window Well on the Basement Floor Plan, along with a note "When we file for Basement Bathroom the town may require us to install an egress window and window well". The Applicant shall provide testimony and confirm that the current house has an existing basement and clarify the proposed improvements to the basement, as there appear to be several changes from the existing to proposed plan for the basement.
8. The Applicant is proposing a 130-square foot increase in Building Coverage from 1,005-square feet (17.3-percent) to 1,135-square feet (19.5-percent), where the maximum permitted in the R-6 Zone is 20-percent. On the Application for Development Worksheet, the proposed building area is also noted as 130-square feet. On the Site Plan & Zoning Calculations (Sheet T-02), there are discrepancies between the areas of the proposed improvements. For example, the New First Floor Vestibule Addition is noted as 67-square feet and in the table, it is noted as 34-square feet. Additionally, on the first-floor plan (Sheet A-02), there is a New Covered Masonry Entry Platform shown under proposed conditions, which is not reflected on Site Plan & Zoning Calculations (Sheet T-02). The Applicant shall clearly list the improvement on the table on Sheet T-02, clearly depict the additions and removals on the plan on Sheet T-02 and resolve any discrepancies with other plans. The Applicant shall provide testimony.
9. The Applicant is proposing to increase the existing Impervious Coverage 225-square feet from 1,880-square feet (32.4-percent) to 2,105-square feet (36.2-percent), where the maximum permitted in the R-6 Zone is 40-percent. Due to the discrepancy in the building coverage calculations as noted above, the Applicant shall provide revised table and plans to include all proposed areas that will increase the lot coverage. The Applicant shall provide testimony.

10. The Applicant has not shown the existing stormwater system or proposed any new stormwater improvements for the 225-square foot increase in lot coverage. However, if the lot coverage increase is 300-square feet or greater based on revisions as noted above, then the Applicant shall provide the necessary stormwater controls and calculations. The Applicant shall provide testimony.
11. The Applicant has noted a proposed driveway width of 18-feet maximum, and we take no exception.
12. The Applicant has noted the location of the existing AC unit on the Location Survey. All mechanical equipment shall comply with the Ordinance for setbacks and screening.
13. The Applicant has not provided a landscape plan or noted any trees to be removed. We note from the provided photos, there are no trees and landscaping in the area of the improvements. We defer to the City Forester for review and approval of the improvements.
14. The Applicant shall be aware that if stormwater runoff drainage problems occur on their property and/or neighboring properties because of the as-built improvements, it is the Applicant's responsibility to remedy that drainage issue.
15. 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.

The referenced application and plans provided, satisfy the engineering requirements for this variance application. **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.

DS/lb



STAFF COMMENTS REPORT

DATE: January 6, 2023
FROM: Stephanie Soulios, Land Use Assistant / Board Secretary
TO: *Construction official*

<input type="checkbox"/>	Christa Anderson	Zoning Officer
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Steven Zagorski	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"/>		, HPC
<input type="checkbox"/>	<i>Brandon Prighi</i>	Burgis Assoc.
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	TBD	Environmental Commission

Property Address:	31 Montrose	Block: 504	Lot: 10
Application #:	ZB-22-2164	Applicant Names: Cristian and Aurelia Massaccesi	
Description/Variances:	C variiances. Rear yard setback to expand kitchen and 2 nd floor bedroom and bathroom. Paver patio extension- rear yard accessory setback.		

Comments Due Date:	January 23, 2023	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.

Per NJAC 5:23-6.32, AC-powered, interconnected smoke detectors with battery backup will be required in the following locations: 1. Min. (1) on each level, including basement; 2. In all sleeping areas within 10' of all bedroom doors. 3. In all bedrooms. If the variance is granted, compliance information re: this provision must be clearly indicated on plans submitted for construction permit.

Ralph Maritato

Construction official.

1/9/23



STAFF COMMENTS REPORT

DATE: January 6, 2023
FROM: Stephanie Soulios, Land Use Assistant / Board Secretary
TO:

<input type="checkbox"/>	Christa Anderson	Zoning Officer
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Steven Zagorski	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input checked="" type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>		, HPC
<input type="checkbox"/>	Brandon Prighi	Burgis Assoc.
<input type="checkbox"/>	TBD	Environmental Commission

Property Address:	31 Montrose	Block: 504	Lot: 10
Application #:	ZB-22-2164	Applicant Names: Cristian and Aurelia Massacesi	
Description/Variations:	C variances. Rear yard setback to expand kitchen and 2 nd floor bedroom and bathroom. Paver patio extension- rear yard accessory setback.		

Comments Due Date:	January 23, 2023	Please email landuse@cityofsummit.org if you are unable to meet this date.
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COMMENTS: Rear yard screening of the proposed second floor improvements are provided by the adjacent property at Lot 12.
No objection.

John Linson City Forester 1/12/23



STAFF COMMENTS REPORT

DATE: January 6, 2023
FROM: Stephanie Soulios, Land Use Assistant / Board Secretary
TO:

<input type="checkbox"/>	Christa Anderson	Zoning Officer
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Steven Zagorski	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 checked="" type="checkbox"/>	Brandon Righi	HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	TBD	Environmental Commission

Property Address:	31 Montrose	Block: 504	Lot: 10
Application #:	ZB-22-2164	Applicant Names: Cristian and Aurelia Massacesi	
Description/Variances:	C variances. Rear yard setback to expand kitchen and 2 nd floor bedroom and bathroom. Paver patio extension- rear yard accessory setback.		

Comments Due Date:	January 23, 2023	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: THE PROPOSED TWO STORY ADDITION IS IN THE REAR OF THE PROPERTY AND DOES NOT AFFECT THE STREETSCAPE. THE SCALE AND PROPORTIONS OF THE PROPOSED ENTRY VESTIBULE IS IN KEEPING WITH THE EXISTING BUILDING. THE STYLE AND MATERIALS OF THE ROOF MATCH THE EXISTING AS DOES THE WINDOWS AND SIDING. THE H.P.C. TAKES NO EXCEPTION TO THIS APPLICATION.

JAMES BURGMAYER JAN 21, 2023



STAFF COMMENTS REPORT

DATE: January 6, 2023
FROM: Stephanie Soulios, Land Use Assistant / Board Secretary
TO:

<input type="checkbox"/>	Christa Anderson	Zoning Officer
<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Steven Zagorski	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"/>	Brandon Prighi	HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input checked="" type="checkbox"/>	Lara Mendenhall	Environmental Commission

Property Address:	30 Montrose	Block: 504	Lot: 10
Application #:	ZB-22-2164	Applicant Names: Cristian and aurelia Massaccesi	
Description/Variances:	C Variances. Rear yard setback to expand kitchen and 2nd floor bedroom and bathroom. Paver patio extension - rear yard accessory setback.		

Comments Due Date:	January 23, 2023	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: The application concerns the expansion of the kitchen, powder room, and front entry vestibule on the first floor, and addition of a new primary bedroom and bath on the second floor. Building coverage will increase from 1,005 to 1,135 ft².

On behalf of the Environmental Commission (EC), I do not object to the requested variance. The EC recommends that the applicants consider the following to reduce their home's' environmental impact:

1. **Stormwater management** - permeable pavers (see: [Rutgers](#)) and/or a rain garden (see [Rutgers](#)),
2. **Landscaping** - native plants and trees (see: [Rutgers](#) and [Jersey Yards](#)),
3. **Energy efficiency** - Energy Star building techniques (see: [NJ Clean Energy](#)), and
4. **Electricity** - roof-top solar (see: [US Department of Energy](#)).

Print Name:	Lara Mendenhall	Print Title:	Environmental Comm	Date	January 20, 2023
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