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Beacon Unitarian Universalist Congregation in Summit

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BEACON UNITARIAN      : SUPERIOR COURT OF NEW JERSEY
UNIVERSALIST CONGREGATION IN : LAW DIVISION
SUMMIT,                : UNION COUNTY
                : DOCKET NO.:
                :
                :           Civil Action
v.                    :
                :
                :           COMPLAINT IN LIEU OF
CITY OF SUMMIT ZONING BOARD :           PREROGATIVE WRITS
OF ADJUSTMENT and THE CITY  :
OF SUMMIT              :
                :
                :           Defendants.
                :
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Plaintiff Beacon Unitarian Universalist Congregation in Summit ("Plaintiff" or "Applicant") states by way of Complaint in Lieu of Prerogative Writs against defendants the City of Summit Zoning Board of Adjustment ("Board") and the City of Summit ("City") (collectively "Defendants"), says:

NATURE OF THE ACTION

1. Plaintiff seeks to reverse Defendant Board's arbitrary, capricious, and unreasonable denial of its application seeking

preliminary and final major site plan approval, a d(1) use variance, a d(3) use variance, and several bulk variances to construct a house of worship, solar canopies and related site improvements (the "Application") on property located at 695 Springfield Avenue and identified as Block 1702, Lot 47 on the official tax maps of the City of Summit (the "Property").

2. The Board kowtowed to pressure from members of the public, both in-person at the public hearings and online, when it arbitrarily, capriciously, and unreasonably denied the Application.

3. The Board denied Plaintiff's Application based, in part, on its religious nature, motivated both by a misunderstanding of and animus towards the Unitarian Universalist faith, in violation of the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 U.S.C. §§ 2000cc, et seq.

4. RLUIPA protects religious groups from discriminatory zoning laws and practices.

5. Defendant also violated RLUIPA by substantially burdening the religious practice of the members of the Unitarian Universalist faith by denying its Application and discriminating against the Unitarian Universalism religion.

THE PARTIES

6. Plaintiff is a religious nonprofit corporation with an address located at 4 Waldron Avenue, Summit, NJ 07901.

7. Defendant Board is the Zoning Board of Adjustment of the City of Summit organized pursuant to N.J.S.A. 40:55D-69 and has the jurisdiction and power to review certain development applications and grant variances pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., ("MLUL"), with an address of 512 Springfield Ave, Summit, NJ 07901.

8. Defendant City is a municipal corporation located in Union County, New Jersey, with its principal place of business located at 512 Springfield Avenue, Summit, NJ 07901.

ANIMOSITY TOWARDS UNITARIAN UNIVERSALISM ON SOCIAL MEDIA

9. Upon information and belief, both prior to and after Plaintiff began the public hearing process, it was subject to various discriminatory social media posts on Facebook, including, but not limited to, the following:

a. In a Facebook Group titled "Residents For Summit - Future," with respect to Plaintiff's sale of the Waldron Site, Kelly Lerena Elko posted "This is a religious organization in our town spewing hate and telling us we can blame ourselves?! Meanwhile they continue to virtue signal and create division while fundraising \$20 MILLION to expand

their 3rd property at the old Red Cross on Springfield." See Exhibit A.

b. In a Facebook Group titled "Summit NJ Happenings," in response to a comment by Stacy Senior Allan on a post asking residents to attend the April 7, 2025 hearing, June Park Plesh asked "if they even call it a church," and Ben Goldin responded in part with "Are they a Church or a social justice group?" See Exhibit B.

c. In a Facebook Group titled "Greater Summit Resident Forum - Infrastructure," Ben Goldin, in response to a post by John Miano reminding of the July 21, 2025 hearing, stated "the Church Planner went through every variance indicating they were all 'minor.' Reminded everyone of the "thoughtfulness" that went into the design. On several occasions she also reminded the Board of the NJ law for Churches providing a 'greater good.' . . . The thoughtfulness to me is like a giant middle finger to the community it is designed to be a big look at me. . . . [T]he applicant is as much a political and social advocacy organization as it is religious. The 2 signs on the property are a testament to their activism." See Exhibit C.

d. In a Facebook Group titled "Residents for Summit - Future," Patrick Nash sent a post on June 4, 2025, personally

attacking Reverend Dr. Robin Tanner ("Dr. Tanner"), the Plaintiff's Reverend, by stating, "The leader of this initiative appears more interested in using the church as a trophy property to bolster political activism than in serving Summit's actual needs. It's no secret that this development is tightly aligned with a broader personal agenda. Should our town really be the backdrop for a vanity project or a stepping stone in someone's political ambitions?" See Exhibit D.

e. In response to Patrick Nash's post, Ben Goldin stated "you are so right - this is a globalist quasi political organization. The flying of the BLM flag and Silence is Violence flags on the former Red Cross property proves this. BLM a debunked hate group accused of financial impropriety and virulent Anti-Semitic and Anti American views. The Silence is Violence message is used as an excuse for the rising incidents of Anti-Semitism. Makes you wonder how The Beacon is an accepted member of the interfaith Council of Summit." See Exhibit E.

f. In a Facebook Group titled "Everything Summit," in response to a post by Stacy Senior Allen to "[p]lease be aware and look at these photos," of the proposed church, Michael Herring asked "Doesn't Beacon run services for the

homeless? I believe the police have had to respond to incidents at Beacon, including an attempted stabbing wherein an emotionally disturbed person brought a knife to the outreach program. Will the larger footprint increase the towns need to address more homeless issues at the train station and post office?" See Exhibit F.

g. In response to a comment on Michael Herring's comment, Dorrie Politz Gagnon responded, in pertinent part, stating "This situation we are talking about is threatening OUR children" and "Now, putting a church like this next to an elementary school is asking for trouble." See Exhibit G.

10. Such statements demonstrate general animus towards Plaintiff's religious community and its presence in the City.

HISTORY OF PLAINTIFF'S CHURCH AND THE NEED FOR NEW SITE

11. Plaintiff has owned and operated a church in Summit since 1907.

12. Plaintiff's current church is located at 4 Waldron Avenue, Summit, NJ 07901 ("Waldron Site").

13. The Waldron Site contains a severe lack of parking spaces and is no longer able to accommodate Plaintiff's religious and organizational needs.

14. Plaintiff had previously improved the Waldron Site with an attached structure housing offices and classrooms, as approved by the Board in 1999.

15. Plaintiff purchased property adjacent to the Waldron Site intending to seek approval to construct a new sanctuary next door, and filed an application with the Board ("Waldron Application").

16. The Waldron Application, however, did not adequately address Plaintiff's needs, including having no outdoor space and no on-site parking.

17. When the Property became available in 2021, Plaintiff subsequently withdrew the Waldron Application.

THE PROPERTY, ZONING AND SURROUNDING LAND USES

18. Plaintiff is the owner of the Property.

19. The Property contains approximately 1.74 acres and is located in the R-15 Single-Family Zone ("R-15 Zone").

20. The Property is bordered by a public park ("Wilson Park") located directly west of the Property, City of Summit Board of Education property located directly northwest of the Property, and a third City-owned property located directly north and east of the Property.

21. The Property is currently improved with a two-story building and a garage/barn structure with related site improvements, formerly owned and operated by the American Red Cross.

22. Plaintiff currently uses the existing building as meeting space and for office functions.

23. The R-15 Zone principally permits (a) detached single-family dwellings; and (b) public parks and playgrounds.

24. Houses of worship are a permitted conditional use in the R-15 Zone under Ordinance § 35-13.3(B) (3) (a).

25. Solar array canopies are not permitted as an accessory use in the R-15 Zone under Ordinance § 35-9.9(O) (4) (a).

26. However, the Ordinance's general provisions permit accessory structures, defined under Ordinance § 35-7.2 as "the use of which is customarily incidental and subordinate to that of the principal building located on the same lot."

27. Ordinance § 35-9.11(B), in pertinent part, excludes church spires, belfries, domes or cupolas from maximum building height calculations.

28. Ordinance § 35-11.2(C) (6), containing the maximum building height conditional use standard for houses of worship, excludes spires, steeples, cupolas and other ornamentation from calculations for maximum building height.

THE DEVELOPMENT APPLICATION

29. On or around March 8, 2024, Plaintiff filed an Application with the Board (the "Application"). See **Exhibit H**.

30. Plaintiff's Application was driven by its need to operate in a facility that can accommodate one Sunday service attended by its entire congregation, provide sufficient space for its office and other ancillary functions, and provide substantially more onsite parking than the Waldron Site.

31. In the Application, Plaintiff sought preliminary and final major site plan approval with a use variance, conditional use variance, bulk variances and related site improvements to construct a house of worship facility, solar canopies and related site improvements.

32. Plaintiff sought a use variance pursuant to N.J.S.A. 40:55D-70(d)(1) to permit installation of accessory solar canopies over the parking lot, if needed.

33. Plaintiff sought a conditional use variance pursuant to N.J.S.A. 40:55D-70(d)(3) to permit construction of the proposed House of Worship as its Application contained deviations from the conditional use standards set forth under Ordinance § 35-11.2(C), including (a) minimum lot size, where 2 acres is required but the Property is 1.74 acres; (b) minimum side yard setbacks, where 50 feet is required and the side yard setback from the western

property line is 34.5 feet (c) maximum building height, where 35 feet is permitted but 37.9 feet is proposed; (d) maximum lot coverage, where 40% is permitted but 48.7% is proposed; (e) maximum building coverage, where 15% is permitted but 16.2% is proposed; (f) minimum parking setback, where 50 feet is required but 15 feet is proposed; (g) minimum side yard buffers, where 47 feet is required but 9.8 feet and 10.4 feet are proposed; and (h) minimum rear yard buffer, where 50 feet is required but 15 feet is proposed.

34. Applicant sought bulk variances, pursuant to N.J.S.A. 40:55D-70(c), for the same deviations related to maximum building height, minimum side yard buffers and minimum rear yard buffer.

35. Applicant also sought bulk variances, pursuant to N.J.S.A. 40:55D-70(c), with respect to (a) minimum number of parking spaces, where 79 spaces are required and 46 spaces are proposed; (b) parking area location in a residential zone, where all parking areas must be located in the rear yard or buildable area of the lot, and parking is proposed outside of the rear yard or buildable area; and (c) minimum number of shade trees in a parking area, where one shade tree is required for every 10 parking spaces, and zero shade trees are proposed in the parking area.

36. As a seven-member Board, the Board has the authority to exercise all the powers as provided by N.J.S.A. 40:55D-70.

37. Plaintiff appeared before the Board at eight (8) public hearings held on March 17, 2025; April 7, 2025; June 5, 2025; July 21, 2025; October 6, 2025; January 21, 2026; March 2, 2026; and April 6, 2026.

ZONING BOARD HEARINGS

38. Applicant provided public notice of the Application pursuant to N.J.S.A. 40:55D-12, and the Board properly assumed jurisdiction.

39. At the public hearings, Plaintiff presented the testimony of its representative and five (5) expert witnesses, including an engineer, landscape architect, architect, traffic engineer, and planner.

40. Notably, Plaintiff's engineer's, landscape architect's, architect's, and traffic engineer's testimonies went unrefuted by any expert testimony.

A. Beacon Unitarian Universalist Church's Religion

41. Applicant presented the testimony of its fact witness, Dr. Tanner, as representative of Beacon Unitarian Universalist Church, at the March 17, 2025 hearing.

42. Dr. Tanner testified she received a bachelors in psychology and religion from the University of Rochester, a masters of divinity from Harvard Divinity School, and a doctorate in ministry from the Pacific School of Religion.

43. Dr. Tanner testified she completed a year-long residency in hospital chaplaincy in Albuquerque, New Mexico, then served at Piedmont Church in Charlotte, North Carolina for six-and-a-half years, and has thereafter been with the Plaintiff for eight-and-a-half-years as its Reverend.

44. Dr. Tanner testified that in addition to worship services, she performs roles with Plaintiff's outreach ministries, its pastoral care, supporting its communications, and serves as a partner with its board of trustees to make decisions for the well-being of the congregation.

45. Dr. Tanner testified she was then-currently the President of the Summit Interfaith Council.

46. Dr. Tanner explained Plaintiff's denominational body of Unitarian Universalism is not focused on a creed, but is gathered around six principles centered in love: (a) justice; (b) equity; (c) pluralism; (d) interdependence; (e) generosity; and (f) transformation.

47. Dr. Tanner testified Plaintiff's mission is focused on being inclusive and feeding the human spirit.

48. Dr. Tanner testified that because Unitarian Universalists are centered around these six values, their practice is very much centered around living out these values and, as such, there exists large theological and spiritual diversity within its community.

49. Dr. Tanner testified Plaintiff's congregation consists of 454 members, consisting of 100 "friends" described as those who tend to participate in one program and who may not live in New Jersey but access Plaintiff's online ministry, and 354 "members."

50. Despite this contingency, Dr. Tanner testified that across Plaintiff's two current Sunday services, Plaintiff only has about 161 participants including the children's program occurring during worship services.

51. Dr. Tanner testified membership has been steady between about 400 to 520 members over the course of four decades.

52. Dr. Tanner emphasized that a move to a larger space is not intended for congregational growth, but rather to be able to hold one Sunday service and to have Plaintiff's members congregate for decisions and major life events all in one place, which is impossible to occur at the Waldron Site.

53. Further, Dr. Tanner described the current space only has 118 seats with limited accessibility, and the space was built around the faith's identity in 1913, which has since evolved and changed dramatically in the way that it engages in worship practices that are impossible to accommodate in that space.

54. Due to the diversity of theological beliefs of members, Dr. Tanner testified the Protestant-inspired Waldron Site sanctuary

reads aesthetically as Christian, therefore posing issues to many of Plaintiff's interfaith families.

55. Dr. Tanner described other programs Plaintiff holds outside of Sunday services, including small community groups gathered around monthly themes, a robust pastoral care ministry, support groups, children's programming, youth groups, outreach ministries such as LGBTQI+ and immigrant and refugee ministries, and special events such as concerts about three times a year on Sundays through its "Afternoon Music" supporting organization.

56. Importantly, Dr. Tanner explained the Waldron Site was home to the Summit Warm Hearts program in which it helps housing and food insecure individuals, but that this program has since moved to a separate location and that this function will not occur at the new site.

57. Dr. Tanner testified Plaintiff holds baby blessings and child dedications which are mostly included in Sunday services, and also holds weddings and funerals, with a significant decline in weddings held at the Waldron Site, which Dr. Tanner expects will not change with the new site as the proposed facility does not contain a hall like their current facility.

58. Ultimately, Dr. Tanner indicated Plaintiff's regular programs outside of Sunday services result in attendance of no more than approximately twenty-four (24) members.

59. Dr. Tanner expressed the congregation put together a team of congregants to help with the Application, including to find an Architect for the project.

60. Dr. Tanner emphasized that sustainability was a priority for the Application due to Plaintiff's faith and values.

61. Dr. Tanner testified the congregation selected Louis Cherry, RA ("Mr. Cherry"), as the architect due to his experience in designing sanctuaries across the country, including for Unitarian Universalists, and his ability to design a structure effective for Plaintiff's specific needs and incorporating Plaintiff's values.

62. Dr. Tanner also testified that Plaintiff brought in landscape architect Tavis Dockwiler, RA ("Ms. Dockwiler"), together with Mr. Cherry, due to Plaintiff's fundamental values of interdependence and relationship with the earth, evident from their equinox and solstice services and their children's curricula designed for children to experience the natural environment outdoors.

63. Dr. Tanner emphasized the resultant nautilus design of the proposed building embodies the sense of spiritual evolution, including curves interplaying with the natural environment.

64. Crucially, Dr. Tanner testified the building is net zero or close to it, which advances the key value of environmentalism for

the congregation, and the overall design constitutes a space that evokes Unitarian Universalism's spirituality and value of being in harmony with nature without having overt symbology that would exclude certain members of its diverse community.

65. Dr. Tanner testified Plaintiff intentionally wanted these features to appropriately express its faith and allow the congregation to better practice Unitarian Universalism.

66. Dr. Tanner testified Plaintiff considered whether the current building could be saved or reused, but concluded the space is now inconsistent with the practice of modern Unitarian Universalism.

67. Dr. Tanner testified some congregants participate in services via online streaming, and that the proposed building is more appropriate for this function than Plaintiff's current space, enabling Plaintiff to mount cameras for streaming services and permitting congregants to attend services from home.

68. Dr. Tanner indicated that Plaintiff attempted to and did hold meetings with neighbors regarding this proposal, as members knocked on door, introduced themselves and shared flyers, developed an email list of neighbors who attended meetings and continued updating them on its proposal.

69. Dr. Tanner indicated that Plaintiff met with the principal at Wilson Primary Center, the primary school adjacent to the Property.

70. Dr. Tanner testified the one service associated with the Application is crucial as members regularly only attend one of the two available services and may not meet other members for years, which is burdensome for Plaintiff's congregants' practice of the Unitarian Universalist faith.

71. Dr. Tanner emphasized the need for one service is grounded in the congregation's practice of congregational polity, meaning the Beacon congregation is autonomous and decisions are made democratically, requiring relationship building between congregants.

72. Dr. Tanner confirmed Plaintiff would not conduct a daycare center or a homeless shelter at the proposed facility.

73. Dr. Tanner clarified that no individuals would be housed overnight, and, like other religious facilities, have provided sanctuary space for only one individual in need of a short term stay/shelter.

74. Dr. Tanner testified this sanctuary is limited to only one individual and happens very rarely, estimating once per year, the individual would be screened by Plaintiff prior to their stay for safety purposes, and that a member of the congregation would stay with them such that the individual would not be alone on the premises.

75. Despite testimony that Applicant was not planning on operating a homeless shelter out of the proposed facility, it accepted as a condition of approval that it would not operate such a facility or host homeless people on the site, separate from its sanctuary program.

B. Building and Site Design

76. Plaintiff presented testimony from Mr. Cherry, who testified in his capacity as a licensed professional architect, at the June 5, 2025, July 21, 2025, and October 6, 2025 public hearings.

77. The Board accepted Mr. Cherry's qualifications and accepted him as an expert architect.

78. Mr. Cherry provided testimony on the building design and its significant relationship with the Unitarian Universalist religion.

79. Mr. Cherry testified that the creation of the plans were inextricably tied to Plaintiff's religious values and needs.

80. Mr. Cherry testified the design of the building is drawn very specifically from Plaintiff's belief system and agreed the building is directly related to the way in which Plaintiff exercises its faith.

81. Mr. Cherry described the symbolic nautilus, spiral-shaped nature of the building, which comes from nature and expresses growth.

82. Mr. Cherry testified that the open portions of the building allows nature to be incorporated more into design.

83. Mr. Cherry testified the building shape creates a circular pattern encouraging the coming together of people while surrounded by a naturalized landscape.

84. Mr. Cherry also noted the spiral shape also aided in his organizing the parts of the building so that it reduces the building scale in line with the homes and the surrounding neighborhood.

85. With respect to Plaintiff's faith, Mr. Cherry testified they have a clear codification of their value system including emphasis on connection to nature and growth as important symbols, embodied by the building's spiral design.

86. Due to the nonhierarchical nature of Plaintiff's faith, the building's communal design is meant to emphasize relating and connecting with one another.

87. Importantly, Mr. Cherry recognized Universalism is an interfaith group, where iconography is not clear, such that, unlike the Christian faith where a steeple is clearly understood to be an important aspect of a church's design, Unitarian building design is meant to express some things that aren't easily translated into the kit-of-parts that are more typical for designing a religious facility.

88. Accordingly, Mr. Cherry noted he also designed a Unitarian Universalist church in Raleigh, North Carolina, which he admitted does not look similar to the proposed church but similarly incorporates a curved design and uses lots of wood.

89. Mr. Cherry testified the creation of large hallways satisfies Plaintiff's need for creating opportunity for relationship building amongst congregants.

90. Mr. Cherry noted the proposed green roof, providing plantings and vegetation on a portion of the roof, accenting the incorporation of nature into the building while also aiding with water retention/runoff on the site.

91. Mr. Cherry noted the extensive landscaping surrounding the site and acknowledged that this aids in overall screening of the site.

92. Mr. Cherry provided physical samples of the building's exterior materials, including glass, stucco walls, and wood intended to give a natural look, identified as Exhibit A-8 below.

93. Mr. Cherry noted these materials and the exterior building colors and finish is designed to fit within the natural environment.

94. Mr. Cherry testified the proposed basement would be used exclusively for electrical and mechanical equipment and building storage.

95. Mr. Cherry testified that the main level would be comprised of a large flexible sanctuary, a common area, a lobby, a foyer, an office, four meeting rooms organized around two bathrooms, and a kitchen.

96. Regarding the sanctuary, Mr. Cherry noted the sanctuary is comprised of 236 total seats, including a balcony with 42 seats.

97. Mr. Cherry testified that the outdoor space includes a children's play area and a gathering area for meditation or other outdoor activity for congregants.

98. Mr. Cherry testified the project team looked into preserving the old Red Cross building, but concluded there was no way to accomplish satisfying the church's goals and needs through preserving the building.

99. Mr. Cherry testified a goal of designing the building was to create a flexible space to serve all of the congregation's constituencies while laboriously editing down the space and mitigating the number of variances necessary while still satisfying the congregation's minimum needs.

100. When asked whether the building design is consistent with architecture in the City, Mr. Cherry highlighted a recently built worship center with a similarly modern design.

101. Mr. Cherry noted the building height exceeds the conditional use standard's requirements; however, he explained this is only

the case for a small parapet portion at the front of the building meant to complete the spiral design.

102. Mr. Cherry opined the very small excess of height from the parapet is similar to the steeple element of a church, and agreed that chopping off this portion of the building would adversely affect the building's aesthetic design.

C. Landscaping

103. Applicant presented testimony from Ms. Dockwiler, who testified in her capacity as a licensed professional landscape architect at the April 7, 2025 and July 21, 2025 public hearings.

104. The Board accepted Ms. Dockwiler's qualifications and accepted her as an expert landscape architect.

105. Ms. Dockwiler confirmed her firm prepared the landscape plans for the Application.

106. Ms. Dockwiler described the landscaped areas surrounding the building, including the drop-off area and a small walking labyrinth in front of the building.

107. Ms. Dockwiler described the lawn area in the rear of the building, and the small nature-based play area for children.

108. Ms. Dockwiler testified as to the tree removal plan, which she noted her office worked with the City's arborist to review the existing trees.

109. Ms Dockwiller testified the plan involved removing 29 trees considered "not in great condition" and committed to planting 91 trees on the site.

110. Ms. Dockwiller highlighted that the landscaping plan is in concert with the stormwater management plan.

111. Ms. Dockwiller testified that in developing the landscaping plan, she looked at shading to ensure the solar canopies would achieve necessary sunlight.

112. Ms. Dockwiller testified as to the reduced signage for the site, obviating the need for two signage-related variances.

113. On July 21, 2025 Ms. Dockwiller returned to testify with respect to plan alterations.

114. Ms. Dockwiller confirmed the Applicant, according to concerns from the public, removed the walk connections between the current Wilson Park pathway and the proposed church, and added in additional, dense landscaping making it significantly more challenging for a patron of Wilson Park to enter the Property through the western property line.

115. In response to a request for the height of trees and shrubs at maturity, Ms. Dockwiller prepared and provided a report indicating the height of trees at planting and the height at maturity.

116. Ms. Dockwiler confirmed the Applicant purposefully omitted fencing around the site to preserve existing trees.

D. Site Engineering

117. Applicant presented testimony from John Cote, PE, who testified in his capacity as a licensed professional engineer at the April 7, 2025 and the June 5, 2025 public hearings.

118. The Board accepted Mr. Cote's qualifications and accepted him as an expert engineer.

119. Mr. Cote confirmed his office prepared the site plans for the Application.

120. Mr. Cote recognized the site plan's deviations from the City's Land Development Ordinance, and identified the relief sought, supra.

121. Mr. Cote also described various site revisions over the course of his testimony, including (a) the elimination of two (2) variances related to signage, (b) reduction of building size causing the elimination of the need for variances from the front yard setback requirement; (c) eliminated the need for a variance from the floor area ratio requirements (d) relocation of landscaped amenities from within the required buffer setback to outside of same, (e) addition of four (4) parking spaces in tandem with proposed spaces; and (f) addition of a retaining wall to facilitate new parking spaces.

122. Mr. Cote testified the site is compliant as to the New Jersey Department of Environmental Protection and the City's drainage requirements.

E. Traffic, Parking and Site Circulation

123. During the April 7, 2025 hearing, Mr. Cote noted that the Application originally required 100 parking spaces based on the estimated 300 seat capacity of the proposed sanctuary.

124. However, Mr. Cote revised the site plan to reduce the sanctuary size, thereby reducing the number of seats to 236 and reducing the parking requirement to 79 spaces.

125. Mr. Cote noted this reduction does not eliminate the need for a variance from the parking requirement, as the plan proposes 42 parking spaces.

126. Although the Ordinance parking standards for houses of worship requires one parking space per "3 seats or 10 square feet of gross floor area, whichever is greater," the Board and Plaintiff agreed the square footage measurement would require an unrealistic number of parking spaces.

127. Therefore, it was agreed that Plaintiff would be required to provide one parking space for every three sanctuary seats.

128. Mr. Cote testified the plans would be revised to reflect an additional four (4) parking spaces will be added in tandem with

four existing parking spaces, accumulating the total number of proposed parking spaces to 46.

129. Mr. Cote presented Exhibit A-2 depicting site modifications, which included the addition of the four additional parking spaces.

See Exhibit I.

130. Applicant presented testimony from Elizabeth Dolan, PE ("Ms. Dolan"), who testified in her capacity as a licensed professional traffic engineer at the July 21, 2025 and October 6, 2025 public hearings.

131. The Board accepted Ms. Dolan's qualifications and accepted her as an expert traffic engineer.

132. Ms. Dolan confirmed her office prepared the Traffic Study, dated November 18, 2024, which was submitted with the Application.

133. Ms. Dolan testified that her office combined traffic counts on Sunday with driveway projections and analyzed the site driveway intersection with Springfield Avenue to find acceptable levels of service.

134. Ms. Dolan testified the study utilized a conservative estimate of vehicles entering and exiting the site in making calculations in the report.

135. Ms. Dolan testified the traffic counts were performed on a Sunday in April 2024, between 9 am and 10 am, constituting the arrival time for Plaintiff's proposed Sunday services, and between

11 am and 12 pm, constituting the departure hour for Sunday services.

136. Ms. Dolan testified the site driveways, including a circulation drive aisle at the northwest corner of the site, provide plenty of driveway for queuing of vehicles waiting to exit onto Springfield Avenue.

137. Ms. Dolan concluded that the amount of traffic, even at the highest level, would not create a negative impact and the site driveway would operate safely and efficiently.

138. With respect to parking, Ms. Dolan noted a deficit of 33 spaces, where, with the plan revisions, 79 spaces are required but only 46 are proposed.

139. Ms. Dolan testified that parking is permitted on both sides of Springfield Avenue.

140. Ms. Dolan testified she observed Springfield Avenue on four different Sundays between the hours of 9 am and 12 pm, and observed at most four vehicles parked on the street between Harrison Court, to the west of the Property, and Fairview Avenue, to the east of the Property.

141. Ms. Dolan opined that, based on 161 typical attendees for Plaintiff's Sunday services, estimating approximately three people per vehicle, the parking demand would only be 54 spaces, 8 spaces more than proposed on-site.

142. Therefore, Ms. Dolan testified there would be more than sufficient parking within the site frontage and the nearby proximity to accommodate the on-site parking deficit.

143. Further, Ms. Dolan testified this street parking would function safely and efficiently if used by the people attending the church, as street parking is currently permitted.

144. Due to concerns that congregants would park at Wilson Park, Applicant agreed to condition approval on prohibiting its congregants from utilizing the Wilson Park parking lot.

145. Ms. Dolan noted the church would offer a virtual attendance option for services, thus indicating actual parking demand could be further reduced from the Ordinance's requirements.

146. Due to safety concerns for on-street parking expressed by both the Board members and the public, the Applicant accepted as a condition of approval that it would provide a shuttle service for individuals to attend Sunday services.

147. To further alleviate safety concerns, the Applicant also accepted as a condition of approval that it would provide a traffic control officer during all services and special events.

148. Springfield Avenue is a County Road.

149. Because Springfield Avenue is a County Road, the Board does not have jurisdiction to require improvements, such as a crosswalk, on Springfield Avenue.

150. Nonetheless, the Applicant agreed to condition approval on requesting the County to install a crosswalk close to the Property and pay for installation of same, if required.

F. Solar Panels

151. Mr. Cote testified regarding the proposed solar canopies, which he opined that, despite being prohibited in residential zones, are in line with Plaintiff's belief in sustainability.

152. Mr. Cote recognized the proposed solar canopies are considered accessory to the proposed principal house of worship building.

153. Mr. Cote testified the solar canopies will be situated on top of the parking spaces along the eastern and northern boundaries of the Property.

154. Mr. Cote testified the solar canopies will be guttered to allow for sufficient drainage.

155. Mr. Cote testified he anticipates the solar canopies will not produce any glare onto Springfield Avenue.

156. Mr. Cherry testified the proposed solar canopy height is 12 feet.

157. Mr. Cherry noted the 199 total solar panels, including some roof-mounted, were designed to provide 100% of the average energy use for the building, causing the building to be "net-zero,"

meaning the panels are designed to produce all of the building's necessary energy demands.

158. Mr. Cherry testified the proposed solar canopies will not be visible from Wilson Park or the Wilson school drop off area.

159. Ms. Dockwiler confirmed a shade/shadow study was performed in conjunction with the architect, in order to ensure sufficient sunlight would reach the solar canopies.

G. Summary of Plan Modifications Throughout Public Hearing Process

160. Throughout all eight hearings, as expressed in part above, Applicant remained willing and amenable to any and all suggestions to alter its Application to respond reasonably to the concerns of the Board and the public without compromising the proposed building's embodiment of its faith.

161. To mitigate the relief it sought, and as a result of its openness to reasonable suggestions from the Board, Plaintiff made numerous revisions from its initial plan submitted on March 8, 2024, including but not limited to the following:

- a. Applicant reduced the proposed size of its freestanding sign, thereby eliminating the need for two (2) variances for maximum monument sign size and maximum monument sign lettering size, respectively.

b. Applicant decreased the building footprint by approximately 400 square feet and reconfigured the building location further away from the front and west side property lines, thereby eliminating a deviation from a conditional use standard condition with respect to minimum front yard setback.

c. Applicant eliminated the need for a d(4) FAR variance due to a decrease in the building footprint and recalculation of the proposed floor area.

d. Applicant relocated landscaping amenities away from the western property line, thereby eliminating the need for a variance for minimum side yard setback for accessory structures.

e. Upon feedback from the public and the Board, the Applicant eliminated the path connection proposed between the western side of the site with an existing pathway on the adjacent Wilson Park property.

f. Applicant decreased the building footprint from 11,795 square feet to 11,430 square feet and reduced the number of seats in the sanctuary from 300 to 236.

g. By reducing the number of seats in the sanctuary, Applicant decreased the minimum number of required parking spaces from 100 spaces to 79 spaces.

h. Applicant added 4 additional parking spaces, tandem with 4 originally proposed parking spaces, for 46 total parking spaces proposed.

i. Applicant added film covering to glass at the front of the building to prevent sun glare posing a danger to drivers on Springfield Avenue.

j. Applicant added additional buffering/screening to the eastern property line to further screen the proposed solar canopies from neighboring properties.

H. Relief Sought and Planner Testimony

1. D(3) Use Variance

162. Mr. Cote confirmed the Application deviated from certain conditional use standards for a house of worship, supra.

163. Mr. Cote testified the plan originally contained an additional deviation from the minimum front yard setback requirement, where 50 feet is required and 42.7 feet was proposed, but that his office revised the site plan so as to eliminate this deviation.

164. Applicant presented testimony from Kate Keller, AICP, PP ("Ms. Keller"), who testified in her capacity as a licensed professional planner in the State of New Jersey in support of the proofs, known as the "positive criteria" and "negative criteria,"

necessary to grant the use variances under N.J.S.A. 40:55D-70(d) and bulk variances under N.J.S.A. 40:55D-70(c).

165. Ms. Keller testified at the July 21, 2025 and January 21, 2026 public hearings.

166. The Board accepted Ms. Keller's qualifications and accepted her as an expert planner.

167. Ms. Keller testified that she reviewed all testimony in this matter and is familiar with the Application, including the plans and exhibits.

168. Ms. Keller testified she visited the site on multiple occasions.

169. Ms. Keller noted that houses of worship are a conditional permitted use in the City's R-15 zone.

170. Accordingly, Ms. Keller identified that the test announced in Coventry Square, Inc. v. Westwood Zoning Bd. of Adjustment, 138 N.J. 285 (1994) applies for d(3) conditional use variances.

171. Under the Coventry Square test, an applicant still must satisfy the positive and negative criteria; however, it is not required to produce the same enhanced quality of proof required for a d(1) use variance, and is instead required to satisfy a less stringent standard.

172. The Coventry Square test says that the positive criteria is met if an applicant can demonstrate that the site continues to be

appropriate for the conditional use notwithstanding the deviations from one or more conditional use standards.

173. With respect to this test and the deviations with which Plaintiff's Application does not comply, Ms. Keller identified each deviation and the reasons why the site remains appropriate for the proposed house of worship use.

174. Ms. Keller noted the deviations from the minimum lot size, minimum side yard setback, and minimum side and rear yard buffer requirements, and testified that the effects of all three deviations are substantially mitigated due to the nature of the park and school uses directly adjacent to the site, as opposed to the residential uses typical of the zone.

175. Ms Keller emphasized the heavy landscaping proposed on site and landscaping surrounding the site on the adjacent public property substantially reduces the effects of these deviations on the neighboring properties.

176. With respect to the deviation from maximum lot coverage, Ms. Keller opined various factors mitigate the negative effects of the proposed development, including the fact that the lot is undersized, the lack of any drainage or stormwater issues, and the green roof area, which aids with stormwater management.

177. Ms. Keller testified the deviation from the maximum building coverage requirement is de minimus and imperceptible, as no issues

from massing, building appearance, or scale result given the size of the overall property.

178. Ms. Keller testified the deviation from the maximum building height standard is minimal, as the overwhelming majority of the building complies with the height requirement, but for the small parapet exceeding 35 feet.

179. Ms. Keller highlighted the Ordinance's exclusion of steeples and other similar ornamentation from the conditional use standard's maximum building height requirement, and emphasized that the parapet causing the height overture is intended to reflect the values of the church and therefore operates similarly to a steeple.

180. With respect to the negative criteria, Ms. Keller testified the Application poses no substantial detriment to the public good nor a substantial impairment to the Zone Plan or Ordinance.

181. Ms. Keller emphasized that a house of worship is a permitted conditional use in the R-15 Zone, that the organization has existed in the City for over a century, the lot is slightly undersized and has not historically been used for residential purposes, and that the site is substantially buffered and is surrounded on all sides by public property which is also not used for residential purposes.

182. Regarding the City's master plan, Ms. Keller highlighted its goal to create quality of life through various uses, and that this proposed use epitomizes one uplifting the City's quality of life, in addition to the fact that the house of worship is already part of the City's community but is looking to move into a new building with a design informed by its faith to continue its positive impact in the City.

183. Therefore, Plaintiff satisfied the Coventry Square conditional use test.

184. Ms. Keller also noted that a house of worship is considered an inherently beneficial use.

185. Notwithstanding the foregoing evaluation under Coventry Square, because the proposed house of worship is also an inherently beneficial use, the test to satisfy the positive and negative criteria is even less stringent than the one established in Coventry Square, instead requiring analysis under the balancing test adopted in Sica v. Bd. of Adjustment, 127 N.J. 152 (1992) for inherently beneficial uses.

186. Specifically, the Court in Sica determined inherently beneficial uses presumptively satisfy the positive criteria and established a four-pronged test for land use boards to follow.

187. The Sica balancing test requires a land use board to: (1) identify the public interest; (2) identify any detrimental effects

from the grant of the variance; (3) impose reasonable conditions to mitigate any negative impacts; and (4) weigh the positive and negative criteria and determine, on balance, whether granting the variance will cause a substantial detriment to the public good.

188. Regarding the first prong, Ms. Keller testified that the public interest is a house of worship, recognized in the MLUL as an inherently beneficial use, and noted the vast protections afforded to freedom of religion in our country.

189. Regarding the second prong, Ms. Keller testified that the use itself is permitted, and emphasized that the deviations from the conditional use standards occur due to the physical condition of the Property and not from the use itself.

190. Ms. Keller testified the negative impacts are mitigated substantially by the site's design and its unique location adjacent solely to public property and not bordering any residential properties.

191. Regarding the third prong, Ms. Keller testified the Applicant has made substantial changes to the building, including but not limited to a reduction in the number of seats, and reduced building area, and emphasized that the Applicant was proactive about the board's imposition of any reasonable conditions on its Application.

192. Regarding the fourth prong, Ms. Keller testified that because houses of worship are one of the highest and most protected public interests including RLUIPA, the benefits substantially outweigh the detriments.

193. Therefore, Plaintiff satisfied the Sica inherently beneficial balancing test for the house of worship portion of its Application.

2. D(1) Use Variance

194. Mr. Cote also identified that the Application requires a d(1) use variance under N.J.S.A. 40:55D-70(d) to permit the construction of solar canopies over parking spaces in the parking lot.

195. Ms. Keller testified that the proposed solar panels satisfied the positive and negative criteria.

196. Ms. Keller testified that, like with the house of worship portion of the Application, the proposed solar panels constitute an inherently beneficial use, presumptively satisfying the positive criteria.

197. Ms. Keller applied the Sica balancing test to the proposed solar panel portion of the Application.

198. Regarding the first prong, Ms. Keller testified solar panels are recognized under the MLUL as inherently beneficial and that the sustainable design promotes community and statewide goals.

199. Regarding the second prong, Ms. Keller testified the solar canopies constitute an accessory use that will occupy a small portion of the site, thus minimizing any effects.

200. Ms. Keller highlights that, while the variance is required because solar canopies are prohibited in all residential zones, the Property and directly adjacent properties are not used residentially.

201. Regarding the third prong, Ms. Keller acknowledged that the Board failed to propose any conditions with respect to the solar canopies.

202. Nonetheless, Ms. Keller pointed out the Applicant provided studies depicting no substantial viewsheds resulting from the proposed solar canopies.

203. Regarding the fourth prong, Ms. Keller testified this relief can be granted without a substantial detriment to the public good or substantially impairing the City's zone plan.

204. Ms. Keller also noted the benefits of the use of renewable energy on-site.

3. Bulk Variances

a. Parking Lot Variances

205. Regarding the variance for minimum number of parking spaces; Ms. Keller testified based on its operations, Plaintiff's proposed

on-site parking in combination with on-street parking can accommodate all Plaintiff's parking needs.

206. Ms. Keller noted that most churches in the City, including Plaintiff's current site, have some or no parking, such that it is not uncommon for sites in the City to have insufficient parking under the Ordinance standards.

207. Ms. Keller noted three (3) additional churches in the City situated on lots smaller than the Property and with minimal or no on-site parking.

208. Ms. Keller testified the site is designed holistically and to each room is designed to be multi-functional and not dedicated exclusively to a particular use, such that a limited amount of activity can occur which necessarily lessens the number of people on site.

209. Regarding the need for a variance from minimum parking setback, Ms. Keller testified the Property is adjacent to property that is used residentially, and that the parking is being screened appropriately from the City-owned properties.

210. Ms. Keller testified no substantial detriment to the public good or substantial impairment to the zone plan or Ordinance would result.

b. Building Height Variance

211. Ms. Keller testified that only a small portion of the building deviates from the maximum building height requirement.

212. Ms. Keller testified the majority of the building is within the building height requirement, and emphasized the religious rationale behind the small excess in building height.

c. Buffer and Shade Tree Variances

213. Regarding the variance for shade trees required in parking areas, Ms. Keller testified this requirement is intended to provide aesthetic relief in large commercial multi-row parking fields, which is not what is proposed here.

214. Ms. Keller testified that while not in the parking area, the Applicant is also proposing planting numerous shade trees around the Property.

215. Regarding the variances for rear and side yard buffers, Ms. Keller testified the Property is not situated next to residential property, and the surrounding City-owned property has sufficient, heavy landscaping that buffers those lots from the Property and that this mitigates any issues related to a smaller buffer proposed on the Property.

216. Accordingly, the Planner testified there would be no negative impact on the surrounding areas.

I. Objector's Planner's Testimony

217. A group of City residents (the "Objectors") retained counsel to object to the Application.

218. The Objectors retained Peter Steck, PP ("Mr. Steck"), to refute Plaintiff's Professional Planner's testimony.

219. The Board accepted Mr. Steck's qualifications and accepted him as an expert planner.

220. Mr. Steck ignored Plaintiff's architect's testimony about church design being informed by the faith, opining instead that Plaintiff has no religious tenets or rules dictating Unitarian Universalist Church design and no religious tenets say that the proposed church had to be this way.

221. Without any personal knowledge of the Unitarian Universalist faith and its practices, Mr. Steck testified Applicant is expressing things in the building that he opines is a design choice rather than tied to the Unitarian Universalist faith.

222. Mr. Steck claimed the design choice was made by the architect and not mandated by the religion, in contrast with Dr. Tanner's understanding of the religion she practices and the architect's experience in designing buildings specific to Unitarian Universalists.

223. Mr. Steck opined solar canopies are not permitted in the R-15 Zone for aesthetic reasons, and claimed the solar panels would

be shaded during the day, thus hindering their function and mitigating their inherent benefit, contradicting Plaintiff's unrefuted expert testimony that the solar panels were designed specifically with this in mind so as to avoid significant shading.

224. Nonetheless, Mr. Steck determined the solar canopies' poor location causing them to be shaded renders them unproductive for producing electricity.

225. With respect to parking and circulation, Mr. Steck testified the lack of a sidewalk on the opposite side of Springfield Avenue and the lack of a crosswalk near the site pose significant issues.

226. Mr. Steck pointed out the Ordinance's method of calculating parking spaces (1 space per 10 square feet of gross floor area) indicates approximately 1800 spaces would be required, despite the Board accepting that only 79 spaces were required per the 1 space per 3 seat standard.

227. Mr. Steck testified Applicant does not meet the negative criteria under Coventry Square to justify the deviations from the conditional use standards for the house of worship.

228. Regarding the solar panels, Mr. Steck testified he could not suggest reasonable conditions to mitigate the aesthetic impact of the solar panels.

229. Mr. Steck did not provide any testimony specifically analyzing the Sica inherently beneficial test with respect to the

d(3) variance for the house of worship facility required since it is an inherently beneficial use.

230. Mr. Steck opined that no reasonable conditions could be imposed to mitigate the impact of the relief sought, basing his opinion in the arbitrariness of the proposed church's shape and design causing deviations from the conditional use standards.

J. Animosity Toward Plaintiff During Hearings

231. Throughout the multiple public hearings, comments from the Board, its consultants, the public, and the objectors and their expert reflected either (a) a misunderstanding of the Unitarian Universalist religion despite the Applicant's repeated attempts to clarify its faith; or (b) clear and unambiguous animus towards Plaintiff and Unitarian Universalism.

232. At the March 17, 2025 hearing, a member of the public asked "why this location? Why not go to one or two towns over where you would not be met with this level of resistance" and additionally asked, "How does it make you feel when you look around the room and your neighbors are not welcoming of you and your congregants?" (1T92:8-19).

233. While discussing use of the facility to provide sanctuary for individuals in need, Board Member Nelson asked "Has there been any criminal activity at your current location, to your knowledge?" (1T76:8-10).

234. Vice Chairwoman Zahn questioned the purpose of the church and whether the church was a "political space," based on Dr. Tanner's testimony that democracy is one of Unitarian Universalism's core values. (3T117:19-118:1).

235. Board Member Chieffo asked whether other churches within town want to but cannot have multiple services due to space restrictions, and stated "I know that you say yours is based on love but you can say that with every church." (1T43:19-44:7).

236. A member of the public erroneously opined that it is "definitely a very strongly held belief of a lot of the congregations [he] found online" that the church permits its members to sleep in their car on its property. (1T85:2-9).

237. Emphasizing the high real estate values in the City, a member of public asked if Plaintiff "had any studies or input from real estate experts within the town to see how the proposed development at 695 is going to affect the value of all the surrounding homes," stating this is relevant to her home. (1T61:9-12).

238. A member of the public expressed that Plaintiff is "really asking for rezoning of this property, essentially" and "a lot of the things that you're talking about that you need or that you want, if you really need them, do you maybe see that this perhaps isn't the right property for you" and, when Dr. Tanner answered

she believed this was the right property, stated "[s]o do you not believe in zoning and regulations?" (1T125:22-126:12).

239. A member of the public suggested the Applicant "can go five or [ten] minutes west of Summit and be considerably more rural than Summit itself." (1T199:3-5).

240. A member of the public stated she is "[t]rying to reconcile in my mind how you, either yourself, your members or your congregation identify with Summit. Would you say that you or your members or your congregation feel some tie to the Summit community in some way, the history of the town, and maybe just curious if you can answer, you know, in what ways?" She continued, asking, "Is it important to reflect—well, at a minimum acknowledge and ideally reflect the sort of history of Summit, the character of Summit that is quite unique to the area and the town?" (1T137:3-9)

241. A member of the public asked, "So why have you guys chosen to so flagrantly disregard the design guidelines of the town and the character of the building to style just does not fit in with Summit I'm trying to reconcile your identity as being a member of the Summit community and having it tied to the history of Summit but building a structure that is so flagrantly at odds with that." (1T137:22-138:6).

242. A member of the public asked "Are you familiar with what happened at Mabie Playground last week, where a homeless individual . . . was accused of accosting two young children and trying to take them?" (1T154:16-19).

243. A member of the public suggested Plaintiff may be "creating incentives to have outside people who are not from Summit come to Summit . . . and then house that facility next to a primary center." (1T155:8-12).

244. Expressing concern that Plaintiff will exceed capacity on site, a member of the public asked, "So what if you say, oh, now let's plan for a bigger community to have more and more and more and more? Does the community of Summit have a say in that? Will we have a say in that?" (1T165:12-16).

245. A member of the public asked, "How do we prevent what our fears are, because you're saying we're not planning on it" in reference to holding larger events such as weddings in the sanctuary space, which Dr. Tanner already expressed there is a low likelihood of weddings occurring here. (1T175:24-176:1), later suggest "all these things could affect these children" at the primary center. (1T176:9-11).

246. During public comment, the following remark was made: "There's no religious need for these solar panels." (7T126:2-3).

K. Board Deliberations and Conditions of Approval

247. The Board during its deliberations was advised by the Board attorney that it was responsible for devising reasonable conditions to mitigate the negative effects of the Application constituting an inherently beneficial use.

248. Despite this legal requirement and the Applicant's willingness to accept reasonable conditions on its Application, the Board was only able to recommend six reasonable conditions, which the Applicant accepted, summarized below:

- a. Compliance with conditions noted in the Board Engineer's memorandum dated July 11, 2025.
- b. The applicant shall not operate a homeless shelter facility or host homeless people on the site, except for its Sanctuary program.
- c. The applicant shall not utilize the parking lot from Wilson Park to accommodate parking during church services.
- d. The applicant shall request that the County install another crosswalk near the property, and if the applicant is required to pay for the installation of the crosswalk, it shall do so.
- e. The applicant shall provide traffic control officers during all services and special events.

f. The applicant shall provide a shuttle service during all services and major events.

249. At the April 6, 2026 meeting, the Board deliberated extensively prior to denying the Application.

250. Of note, Board Member Ucko recognized the objector's planner's opinion that there would be limited sunlight on the solar panels due to shading and obviating positive benefits of the canopies, despite the lack of any expert testimony as to a concrete lack of sunlight for the panels to function properly.

251. The Board's members expressed at multiple points during its deliberations that it was unable to propose any other reasonable conditions for the Application.

252. Therefore, the Board only imposed the above six (6) conditions on Plaintiff during the course of the hearing.

253. The Board was unable to come up with a single condition related to Plaintiff's proposed solar canopies, despite Plaintiff's amenability to same.

THE BOARD'S DENIAL OF PLAINTIFF'S APPLICATION

254. Despite the overwhelming testimony submitted to the Board and entered into the record by the Applicant and its professionals in support of the granting of relief, the Board voted to deny the Application.

255. The Board first voted separately as to the d(1) use variance for the solar canopies.

256. All seven board members voted to deny this portion of the Application.

257. The Board then voted again as to the solar canopies, alternatively, in the event the solar canopies are not interpreted to require a d(1) use variance, but instead requiring a bulk variance under N.J.S.A. 40:55D-70(c)(2).

258. The Board unanimously denied the Application for the solar canopies pursuant to N.J.S.A. 40:55D-70(c)(2).

259. Finally, the Board voted separately as to the d(3) use variance for the house of worship and related site improvements.

260. The Board denied the Application for the d(3) use variance by a vote of four against to three in favor.

261. On May 4, 2026, the Board adopted a Resolution memorializing the denial. See Exhibit J.

262. Although it recognized Mr. Steck's planning testimony opposing the Application, it did not explicitly find his testimony more credible than Ms. Keller's planning testimony.

263. With respect to its denial of the d(1) use variance for the solar canopies, the Board in its Resolution recognized solar canopies are an inherently beneficial use.

264. However, it reasoned the solar canopies are "commercial or industrial in character" and therefore not consistent with the R-15 Zone, despite substantial screening proposed on site and existing off site.

265. The Board, noted that the solar panels would be seen from Springfield Avenue and "would likely" be able to be seen from adjacent properties "even through additional landscaping especially during winter months," despite contravening exhibits and evidence submitted by the landscape architect depicting a mitigated view from adjacent properties.

266. The Board indicated without factual basis that any attempts to reduce potential negative aesthetic impact by adding additional large landscaping could cast a shadow over the solar panels rendering them ineffective.

267. The Board therefore mistakenly concluded the "inconsistent use would present a substantial detriment to the surrounding neighborhood and to the R-15 Zone."

268. Regarding its denial of the d(3) conditional use variance for the house of worship, the Board in its Resolution recognized its "significant concern" with the lack of on-site parking and Applicant's "attempt to utilize off-site parking," despite Applicant having agreed to numerous conditions offsetting any negative impact from same.

269. The Board acknowledged public concern for the lack of sidewalks and crosswalks on Springfield Avenue near the site, and echoed concern that congregants may attempt to cross the street outside of a crosswalk.

270. The Board noted its lack of jurisdiction to enforce improving Springfield Avenue with a crosswalk near the site since it is a County Road.

271. The Board determined it would be unable to enforce a condition restricting parking to certain times or locations since Springfield Avenue is open to the public.

272. Despite imposing the condition on the Applicant to provide traffic safety officers during services and special events, it still determined this would not alleviate safety concerns.

273. Contravening the City's fire department expressing no concern for the proposed emergency vehicle circulation plan, the Board still expressed concern as to emergency vehicle access when the parking lot is full.

274. Further, it incorporated into the Resolution its concern about the deviations from the side and rear yard buffer requirements and the overall building massing, expressing this was inconsistent with the surrounding residential neighborhood.

275. Although it acknowledged that the Property is completely surrounded by public property, it determined the lack of a

sufficient buffer imposes a detriment on those surrounding properties and their use, without articulating any specific detriment.

276. The Board erroneously concluded "[t]he reason that houses of worship are conditionally permitted uses and require a two-acre lot is because the intensity of use is much greater than compared to ordinary residential properties in the R-15 Zone," ignoring its previous recognition that Wilson Park and a primary school exist adjacent to the site and are located in the same zone.

277. The Board published its notice of decision on the City of Summit webpage on May 8, 2026. See Exhibit K.

278. Therefore, this appeal is timely.

Count I

**Arbitrary, Capricious, and Unreasonable Denial of D(3)
Conditional Use Variance for House of Worship**

279. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

280. Plaintiff submitted proofs which satisfied the positive and negative criteria balancing test established in Sica, necessary to grant a use variance for an inherently beneficial use pursuant to N.J.S.A. 40:55D-70(d).

281. The evidence submitted and presented to the Board was overwhelmingly in favor of the grant of a d(3) conditional use variance for the house of worship portion of the Application.

282. Plaintiff's engineer's, architect's, landscape architect's and traffic engineer's testimony went unrefuted by other expert testimony.

283. The Board ignored Plaintiff's expert planning testimony.

284. The Board's denial of the Application was not based upon the proofs in the record.

285. The Board's denial was arbitrary, capricious, and unreasonable, and otherwise wrongful, improper, and in violation of applicable law, and is entitled to no deference, requiring reversal.

Count II

Arbitrary, Capricious, and Unreasonable Denial of Use Variance for Solar Canopies

286. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

287. Plaintiff submitted proofs which satisfied the positive and negative criteria balancing test established in Sica, necessary to grant a use variance for an inherently beneficial use pursuant to N.J.S.A. 40:55D-70(d).

288. The evidence submitted and presented to the Board was overwhelmingly in favor of the grant of a d(1) use variance for the solar canopy portion of the Application.

289. Plaintiff's engineer's, architect's, landscape architect's and traffic engineer's testimony went unrefuted by other expert testimony.

290. The Board ignored Plaintiff's expert planning testimony.

291. The Board's denial of the Application was not based upon the proofs in the record.

292. The Board's denial was arbitrary, capricious, and unreasonable, and otherwise wrongful, improper, and in violation of applicable law, and is entitled to no deference, requiring reversal.

Count III

Arbitrary, Capricious, and Unreasonable Denial of Bulk Variance for Solar Canopies

293. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

294. Alternatively, should the Court conclude the proposed solar panels are an accessory structure requiring a bulk variance under N.J.S.A. 40:55D-70(c), Plaintiff submitted proofs satisfying the positive and negative criteria necessary to grant a bulk variance for the proposed solar canopies.

295. The evidence submitted and presented to the Board was overwhelmingly in favor of the grant of a bulk variance for the solar canopy portion of the Application.

296. Plaintiff's engineer's, architect's, landscape architect's and traffic engineer's testimony went unrefuted by other expert testimony.

297. The Board ignored Plaintiff's expert planning testimony.

298. The Board's denial of the Application was not based upon the proofs in the record.

299. The Board's denial was arbitrary, capricious, and unreasonable, and otherwise wrongful, improper, and in violation of applicable law, and is entitled to no deference, requiring reversal.

Count IV

Arbitrary, Capricious, and Unreasonable Denial of Bulk Variances

300. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

301. While the grant of a use variance under N.J.S.A. 40:55D-70(d) subsumes the bulk variances into the approval under Price v. Himeji, 214 N.J. 263, 301 (2013), Plaintiff submitted proofs, independently, satisfying the positive and negative criteria required to grant the requested bulk variances.

302. The Board's denial of the Application was not based upon the proofs in the record.

303. The Board ignored Plaintiff's expert planning testimony.

304. The Board's denial of the bulk variances was arbitrary, capricious, and unreasonable, and otherwise wrongful, improper and in violation of applicable law, and is entitled to no deference, requiring reversal.

Count V

Violation of RLUIPA - Substantial Burden

305. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

306. 42 U.S.C. § 2000cc(a)(1) states:

No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution (A) is in furtherance of a compelling governmental interest; and (B) is the least restrictive means of furthering that compelling interest

307. Under RLUIPA, "religious exercise" is defined as "any exercise of religion, whether or not compelled by, or central to, a system of religious belief." 42 U.S.C. § 2000cc-5(7)(A).

308. Plaintiff submitted substantial evidence that the building design is inextricably linked to expression of the Unitarian Universalist's system of beliefs.

309. Plaintiff's religious values emphasizing a connection with nature informed the architecture's design incorporating a larger building layout spread out on the site and providing various nature-related features.

310. The solar canopies, in conjunction with the proposed roof mounted solar panels, are intended to make the building net-zero, or provide it with all of its energy needs.

311. The parapet proposed at the front of the building functions as the equivalent as a steeple does in Christian churches.

312. The denial of Plaintiff's Application, based on the variance relief sought related to the environmental features of the building and the proposed parapet, substantially burdens Plaintiff's use of the Property as a house of worship, which is conditionally permitted in the zone.

313. Once an applicant demonstrates that the regulation imposes a substantial burden, the burden of proof shifts to the Board and the Board must demonstrate that there is a compelling governmental interest and the regulation is the least restrictive means of furthering that interest. See House of Fire Christian Church v.

Zoning Bd. of Adjustment, 379 N.J. Super. 526, 545 (App. Div. 2005).

314. The Board did not and cannot identify any compelling governmental interests justifying its denial of the d(1) use variance or d(3) conditional use variance, which impedes Plaintiff's exercise of its religion.

Count VI

Violation of RLUIPA - Nondiscrimination

315. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

316. 42 U.S.C. § 2000cc(b)(2) provides the government shall not "impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination."

317. In particular, application of the maximum building height standard as applied to Plaintiff's proposed parapet constituted discrimination against Plaintiff's religion.

318. Testimony in the record supported the conclusion that the parapet was akin to a steeple, for which the maximum building height standard would specifically not have applied under the conditional use standard's exclusion of "spires, steeples, cupolas and other ornamentation" for the calculation of maximum building height.

319. Further, Ordinance § 35-9.11(B) generally excludes “[c]hurch spires, belfries, domes, cupolas, flagpoles or antennas attached to [principal] buildings” from the calculation for determining maximum building height.

320. However, the Board still determined the parapet, tied to Plaintiff’s religious use and comprising the only portion of the building exceeding the maximum 35-foot building height requirement, was not exempt from the maximum building height requirement, thus requiring relief.

321. This constituted an application of the City’s Ordinance which discriminated against Plaintiff’s religion in particular, as it decided not to apply Ordinance § 35-9.11(B) and Ordinance § 35-11.2(C) to exclude Plaintiff’s proposed parapet from its building height calculations, even though both of those Ordinance Sections exclude religious structures in calculations for determining maximum building height.

322. Further, various comments were made by both the Board and the public during the public hearings which directly and indirectly show discriminatory intent against Plaintiff’s faith.

323. These incidents of discrimination occurring before and during the Board hearings underlie the Board’s denial of Plaintiff’s Application.

COUNT VII

**Violation of the First Amendment of the United States
Constitution - Free Exercise Clause**

324. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

325. The First Amendment to the United States Constitution prohibits the government from taking actions that prohibit the free exercise of religion.

326. The Board's denial of the Application effectively inhibits Plaintiff and its congregation's ability to freely exercise their religion.

COUNT VIII

**Violation of the Fourteenth Amendment of the United States
Constitution - Equal Protection Clause**

327. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

328. Section 1 of the Fourteenth Amendment of the United States Constitution states, in pertinent part: "No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States . . . nor deny to any person within its jurisdiction the equal protection of the laws."

329. Defendants have deprived Plaintiff of its right the equal protection of the laws, as secured by the Fourteenth Amendment of

the United States Constitution, by the Board's denial of its religiously-based application.

330. Defendants have deprived Plaintiff of its right to equal protection of the laws due to interpreting the Ordinance such that Plaintiff's proposed building parapet, distinctly tied to the Unitarian Universalist faith by unrefuted testimony on the record, is not treated equal to a similar religious structure, such as a steeple.

COUNT IX

Violation of the New Jersey Constitution - Equal Protection Clause

331. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

332. Article I, Section I of the New Jersey Constitution provides: "All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protection property, and of pursuing and obtaining safety and happiness."

333. Defendants have deprived Plaintiff of its right to equal protection of the laws, as secured by Article I, Section I of the New Jersey Constitution, by discriminating against it and the Beacon Unitarian Universalist community in denying the Application and, under the Ordinance, treating the proposed building parapet

differently than it does a similar religious structure, such as a steeple.

COUNT X

Violation of 42 U.S.C. § 1983

334. Plaintiff repeats and realleges each allegation in the preceding paragraphs as if set forth fully herein.

335. 42 U.S.C. § 1983 states, in pertinent part:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress

336. Defendants are persons within the meaning of 42 U.S.C. § 1983.

337. Plaintiff is a citizen within the meaning of 42 U.S.C. § 1983.

338. Plaintiff, as the applicant, has a constitutionally protected interest in the Property.

339. Defendant Board, in denying the Application and interpreting the Ordinance so as to exclude the proposed building parapet from recognition as a religious element of the proposed building,

deprived Plaintiff of its rights, privileges, and immunities granted to them by the Constitution.

RELIEF SOUGHT AS TO ALL COUNTS

WHEREFORE, Plaintiff demands the entry of judgment against the Defendant Board as follows:

- (a) Reversing and setting aside the Board's determination as memorialized in the May 4, 2026 Resolution;
- (b) Finding that Plaintiff satisfied the positive and negative criteria under the Sica balancing test for the proposed house of worship;
- (c) Finding that Plaintiff satisfied the positive and negative criteria under the Sica balancing test for the proposed solar canopies;
- (d) Alternatively, finding that Plaintiff satisfied the positive and negative criteria for the grant of a bulk variance under N.J.S.A. 40:55D-70(c) for the proposed solar canopies, if deemed necessary;
- (e) Finding that Plaintiff satisfied the positive and negative criteria for the grant of the requested bulk variances;
- (f) Finding the Board's denial of the Application was arbitrary, capricious and unreasonable;

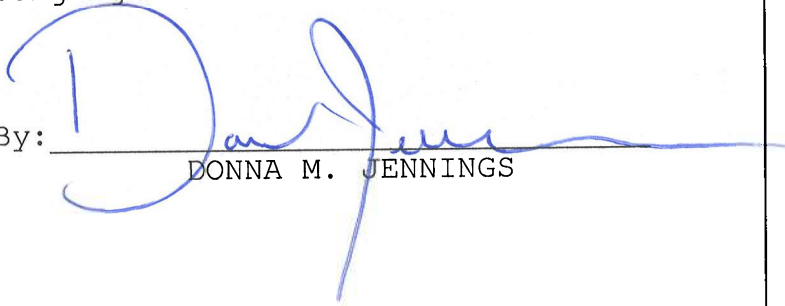
- (g) Declaring that the Board's denial of the Application violates RLUIPA, the First and Fourteenth Amendments to the United States Constitution, and Article I, Section I of the New Jersey Constitution;
- (h) Preliminary and permanent orders enjoining Defendants, their officers, employees, agents, successors, and all others acting in concert with them from applying their laws in a manner that violates RLUIPA; the First and Fourteenth Amendments to the United States Constitution; and Article I, Section I of the New Jersey Constitution, or undertaking any and all action in furtherance of these acts;
- (i) Awarding compensatory damages in favor of Plaintiff as the Court deems just for the loss of its rights under RLUIPA; the First and Fourteenth Amendments to the United States Constitution; Article I, Section I of the New Jersey Constitution; and a violation of 42 U.S.C. § 1983, incurred by Plaintiff and caused by Defendants' actions;
- (j) Awarding punitive damages in favor of Plaintiff as the Court deems just for the loss of its right under RLUIPA; the First and Fourteenth Amendments to the United States Constitution; Article I, Section I of the New Jersey

Constitution; and a violation of 42 U.S.C. § 1983, incurred by Plaintiff and caused by Defendants' actions;

(k) Awarding attorneys' fees in favor of Plaintiff as the Court deems just for the loss of its right under RLUIPA; the First and Fourteenth Amendments to the United States Constitution; Article I, Section I of the New Jersey Constitution; and a violation of 42 U.S.C. § 1983 incurred by Plaintiff and caused by Defendants' actions; and

(l) Granting such other and further relief as the Court deems just and equitable;

Wilentz, Goldman & Spitzer, P.A.
Attorneys for Plaintiff
Beacon Unitarian Universalist
Congregation in Summit

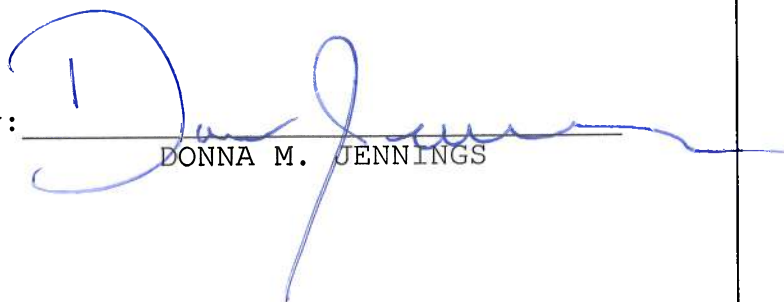
By: 
DONNA M. JENNINGS

Dated: June 22, 2026

Certification Pursuant to Rule 4:69-4

I hereby certify that all necessary transcripts of proceedings before the Zoning Board of Adjustment have been ordered and will be submitted to the Court and served on the Board in accordance with the Court's direction.

Wilentz, Goldman & Spitzer, P.A.
Attorneys for Plaintiff
Beacon Unitarian Universalist
Congregation in Summit

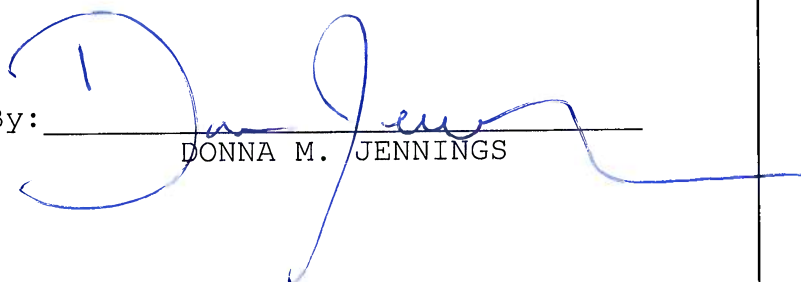
By: 
DONNA M. JENNINGS

Dated: June 22, 2026

Designation of Trial Counsel

Pursuant to Rule 4:25-4, Beacon Unitarian Universalist Congregation in Summit hereby designates Donna M. Jennings, Esq. as trial counsel in this matter.

Wilentz, Goldman & Spitzer, P.A.
Attorneys for Plaintiff
Beacon Unitarian Universalist
Congregation in Summit

By: 
DONNA M. JENNINGS

Dated: June 22, 2026

Certification Pursuant to Rule 4:5-1

Pursuant to Rule 4:5-1, I certify that to the best of my knowledge, the above-captioned action is not subject to any other action pending in any other Court or any pending arbitration proceeding and that no such action or arbitration proceeding is contemplated at this time. I further certify that, to the best of my knowledge, no claims against additional parties are contemplated at this time.

Wilentz, Goldman & Spitzer, P.A.
Attorneys for Plaintiff
Beacon Unitarian Universalist
Congregation in Summit

By: _____


DONNA M. JENNINGS

Dated: June 22, 2026

EXHIBIT A



Residents For Summit - Future

Kelly Lerena Elko · April 21, 2024 · 🌐

This is a religious organization in our town spewing hate and telling us we can blame ourselves?! Meanwhile they continue to virtue signal and create division while fundraising \$20 MILLION to expand their 3rd property at the old Red Cross on Springfield.

...

About Info

Summit Lost, Summit Found's posts



Summit Lost, Summit Found is at Beacon Unitarian Universalist Congregation in Summit.

2h · Summit · 🌐

Born: 1913

Died: Soon

Congregation voted 103-14 today to sell 4 Waldron Avenue. Sure the neighbors will love what comes next and, if they don't, they can blame themselves.



👍 5

2 comments 1 share

EXHIBIT B



Stacy Senior Allan

Thank you for sharing this information. People should know that this new Beacon building will replace the over 100 year-old American Red Cross building. Neighbors should be looking at the variance application. One point is that the property doesn't have enough parking for the size of the seating area inside.

1y

Like Reply

8



June Park Plesh

Stacy Senior Allan or doesn't have enough acreage for a church..they are under 2 acres...if they even call it a church?

1y

Like Reply

2



Ben Goldin

June Park Plesh the under 2 acre should be a slam dunk to end discussion. Are they a Church or a social justice group. Additionally, why do they not realize their dream building where more of their parishioners live?

1y

Like Reply

1

EXHIBIT C



Ben Goldin

John Miano the Church Planner went through every variance indicating all were "minor". Reminded everyone of the "thoughtfulness" that went into the design. On several occasions she also reminded the Board of the NJ law for Churches providing a "greater good".

My opinion a variance request is a variance request period. 14 is a lot. The thoughtfulness to me is like a giant finger to the community it is designed to be a big look at me. With respect to the latitude allowed churches and religious organizations because of their greater societal good - the applicant is as much a political and social advocacy organization as it is religious. The 2 signs on the property are a testament to their activism. While an ugly building is not grounds to deny the applicant - the number of variances requested are!

47w Like Reply



4

EXHIBIT D



Patrick Nash

🔴 The Beacon Church Development: A Trophy Project Disguised as a Community Benefit? 🔴

Summit residents, it's time to ask some serious questions about the proposed development of the Beacon church.

This project, marketed as a benefit to the local community, is drawing attendees from over 50 communities outside of Summit. That's not just a place of worship—it's a regional magnet being planted in our neighborhood, with local taxpayers expected to deal with the fallout: increased traffic, strained infrastructure, and disrupted residential character.

Even more concerning? The leader of this initiative appears more interested in using the church as a trophy property to bolster political activism than in serving Summit's actual needs. It's no secret that this development is tightly aligned with a broader personal agenda. Should our town really be the backdrop for a vanity project or a stepping stone in someone's political ambitions?

We value religious freedom and community service—but that's not what this looks like. This is about optics, expansionism, and making a statement—not about integrating into the community in a responsible, respectful way.

Let's call this what it is: a self-serving development being branded as public good, and it's time with this project for Summit residents to demand accountability, transparency, and a voice in what our town becomes.

#SummitNJ #BeaconChurch #CommunityNotPolitics #PreserveSummit

1y Like Reply

19

EXHIBIT E



Ben Goldin

Patrick Nash you are so right - this organization is a globalist quasi political organization. The flying of the BLM flag and Silence is Violence flags on the former Red Cross property proves this. BLM a debunked hate group accused of financial impropriety and virulent Anti-Semitic and Anti American views. The Silence is Violence message is used as an excuse for the rising incidents of Anti-Semitism. Makes you wonder how The Beacon is an accepted member of the Interfaith Council of Summit.

1y Like Reply

1

EXHIBIT F



Everything Summit

Stacy Senior Allan · Admin · March 16, 2025 · 0

Please be aware and look at these photos.



Residents For Summit - Future

Stacy Senior Allan · Top contributor · March 16, 2025 · 0

Overdevelopment alert. These proposed Beacon development variances are being presented at Monday nights zoning meeting. This plan is for the property that is currently the American Red Cross building on Springfield Ave.

13

17





Michael Herring

Doesnt Beacon run services for the homeless? I believe the police have had to respond to incidents at Beacon, including an attempted stabbing wherein an emotionally disturbed person brought a knife to the outreach program. Will the larger footprint increase the towns need to address more homeless issues at the train station and post office?

1y Like Reply

2 

EXHIBIT G



Dorrie Politz Gagnon

Victoria Wardle last week a peddler was arrested as he forcefully threatened several young girls with a box knife for money. My son was threatened by a homeless man while he was working that he would shoot him if he had his gun all because he didn't give him free food.

This situation we are talking about is threatening OUR children.

And a situation a few weeks ago at our park with another child occurred.

I am, like you, sympathetic to helping people who need help and always have been ³⁸but situations like this are unacceptable.

Now, putting a church like this next to an elementary school is asking for trouble.IMO

1y Like Reply

4

EXHIBIT H

ZB-24-2237

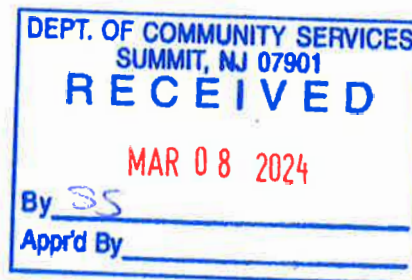


LINDABURY

McCORMICK, ESTABROOK & COOPER, P.C.
Attorneys at Law

ROGER MEHNER, ESQ.
(908) 273-1212, Ext. 3505
(Fax) 908 273-8922
rmehner@lindabury.com

March 8, 2024



(Via Hand Delivery)
Zoning Board of Adjustment
City of Summit
512 Springfield Avenue
Summit, NJ 07901

**Re: Application of Beacon Unitarian Universalist Congregation in Summit
695 Springfield Avenue, Summit, NJ
Block 1702, Lot 47**

Ladies and Gentlemen:

I enclose for filing in this matter the following:

1. Zoning Board Application (original and 12);
2. Site Plan Application (original and 14);
3. Worksheet (original and 14);
4. Zoning Board Checklist (2);
5. Preliminary and Final Site Plan Checklist (2 each);
6. Statement of Facts and Law in Support of Application (original and 14 attached to Zoning Board Application);
7. Tax collector letter (2);
8. Architectural plans prepared by Louis Cherry Architecture (original and 14);
9. Site Plans and Survey prepared by Langan Engineering and Environmental Services, Inc. (original and 14);
10. Landscaping Plans prepared by Viridian Landscape Studio (original and 14);
11. Proposed form of Notice for Publication (2);
12. Proposed form of Notice for Mailing (2);
13. Affidavit of Ownership (2);
14. List of Property Owners (original and 14);
15. List of Required Approvals (15);
16. Stormwater Management Report (2);
17. Stormwater Manual (2); and
18. Digital copy of all pans.



3789406v1

www.lindabury.com

Zoning Board of Adjustment
March 8, 2024
Page 2

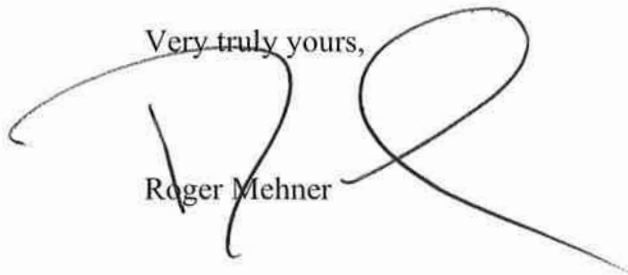
I have also enclosed checks for the application and escrow fees calculated as follows:

- a. Preliminary Site Plan: application fee \$650.00 (base fee \$250.00; \$200.00 for 1.74 acre lot; \$200.00 for 11,849 square feet of new building area); escrow fee \$1,300.00 (200% of application fee).
- b. Final Site Plan: application fee \$487.50 (75% of preliminary fee); escrow fee \$1,300.00 (100% of preliminary fee).
- c. "c" variance: application fee \$500.00; escrow fee \$1,000.00.
- d. "d" variance: application fee \$1,000.00; escrow fee \$2,000.00.
- e. Conditional Use: application fee \$250.00; escrow fee \$750.00.

Total application fees	-	\$2,887.50
Total escrow fees	-	\$6,350.00

Please contact me should you require any further information in connection you're your completeness review.

Very truly yours,



Roger Mehner

RM /Inm
Enclosures



APPENDIX E-2
ZONING BOARD APPLICATION CHECKLIST
 City of Summit, Union County, NJ



Name of applicant Beacon Unitarian Universalist Congregation in Summit Date March, 2024

Address of property 695 Springfield Avenue, Summit, NJ 07901 Block 1702 Lot 47

Approval requested: Appeal zoning officer decision Interpret Ordinance or Map
 Bulk variance Use variance - Conditional

NOTE: This checklist is not a substitute for the specific requirements of the Development Regulations (zoning) Ordinance. See the Ordinance for detailed requirements.

NOTE: You must collate many of the items on this checklist into separate packages -- please refer to the *Procedure for Filing Applications to the Zoning Board of Adjustment* for instructions.

	<u>Applicant</u>	<u>City</u>
1. Original and 12 copies of application form	✓	✓
2. Original and 12 copies of narrative description of project	✓	✓
3. Original and 12 copies of plat/property survey, showing the existing and proposed building setbacks	✓	✓
4. Original and 12 copies of proposed structure, including interiors	✓	✓
5. Grading plan	✓	✓
6. Thirteen copies of the zoning officer's decision (If applicable)	N/A	N/A
7. Thirteen copies of the area map of properties within 200 feet, showing each of the following items:		
a. <u>street numbers</u>		
b. <u>date and graphic scale</u>		
c. <u>north arrow</u>		
d. <u>Zone district</u>		
e. <u>uses of each property within 200 ft.</u>	✓	✓
8. Original and 12 copies of the certified list of owners of property within 200 feet.	✓	✓
9. Original copy of evidence of paid property taxes	✓	✓
10. Original copy of the proposed notice to owners within 200'	✓	✓
11. Original copy of the proposed advertisement	✓	✓
12. Subdivision submittal (If applicable)	N/A	N/A
13. Site plan submittal (If applicable)	✓	✓
14. Original copy of this completed checklist	✓	✓
15. Application fee and escrow deposit	✓	✓
16. Electronic copies of all submissions shall be submitted by CD, USB drive or other means acceptable to the Summit Department of Community Services staff.	✓	✓

Applicant - Please do not write below this line

On _____, this submittal was deemed complete _____ incomplete _____.

 Administrative Office



CITY OF SUMMIT - Department of Community Services (DCS)
Application for Development - Worksheet

- ORIGINAL FILING (checked)
RESUBMITTAL OF "INCOMPLETE"
MODIFICATION OF PRIOR APPROVAL
AMENDED PLAN(S)

Address: 695 Springfield Avenue, Summit, NJ 07901

Block(s) 1702 Lot(s) 47 Zone(s) R-15

How the property is used (one-family, offices, etc.), Church and related facilities.

Property Owner Beacon Unitarian Universalist Congregation in Summit Phone

Email:

Owner Address: 4 Waldron Avenue, Summit, NJ 07901

Applicant: Owner Phone:

Email:

FILL IN ITEMS 1 THROUGH 5 - MARK EACH BOX OR CIRCLE AS APPROPRIATE FOR YOUR APPLICATION.

1 TYPE PROPERTY: RESIDENTIAL OTHER (checked)

2 Type application:

- Appeal
D - Use variance (checked)
Minor subdivision
Other
Interpretation
Conditional use (checked)
Major subdivision
C - Bulk variance (checked)
D - Floor area ratio (FAR)
Site plan (checked)

CONCEPT PLAN PRELIMINARY (checked) FINAL (checked)

3 Number of lots: 1 Existing 1 Proposed
Number of dwelling units: 0 Existing 0 Proposed

4 Building area: 3,038 sq. ft. Existing (to be removed)
11,849 sq. ft. Proposed new *
11,849 sq. ft. Total site building area

*-NEW INCLUDES ADDITIONS AND EXPANDED AREAS AS WELL AS NEW STRUCTURES, BUT DOES NOT INCLUDE AREAS ALTERED WITHIN THE EXISTING BUILDING FOOTPRINT

5 Comments:

Beacon Unitarian Universalist
Congregation in Summit

6 Signature By: Marcy Beitle Date March 6, 2024
President, Board of Trustees

Application to Zoning Board of Adjustment of Summit, New Jersey

Summit, N. J. March 6, 2024

In the matter of the petition of Beacon Unitarian Universalist
Congregation in Summit ("Beacon") for relief from the
strict application of the provisions of the Development Regulations Ordinance of the City of Summit.

Petitioner Beacon
residing at 4 Waldron Avenue, Summit, NJ 07901 says:

I Petitioner is the Owner of property
located at 695 Springfield Avenue, Summit, NJ 07901

Block 1702, Lot(s) 47 on the Tax Map located in the R-15 Zone.

2a.) With respect to said property petitioner desires a variance, special exception, or other relief
from the bulk requirements of the Zoning Ordinance of the City of Summit to permit the use of
the property in the following manner: See Statement of Facts and Law attached hereto.

2b.) The proposed use described above requires the following variance(s): See Statement of Facts
and Law attached hereto.

3. The premises affected are more particularly described as follows:

Area of Plot 75,958 square feet

Area of existing structures which will remain 0 square feet

Total area of plot to be occupied by structures 11,849 square feet

Percentage of lot to be occupied by structures 11,849 percent

Proposed set-back, front line 42.7 feet;

Proposed sidelines (specify if corner 28; 57.3 feet;

Proposed rear yard 89.8 feet.

Year house built N/A.

Other pertinent characteristics Existing buildings to be removed.

4. There has been no previous petition for relief involving these premises except: None.

5. The reasons which support petitioner's claim of the right to relief are as follows: See Statement of Facts and Law attached hereto.

6. Attached hereto and made a part hereof are the following:

(a) Complete set of plans of any proposed building alteration or extension including schematic floor plans and elevations with sufficient notations to clearly establish the extent and character of the proposed structure:

(b) Plot plan showing size of plot bounding streets; compass point, size, type and location of all existing buildings and improvements on the plot; size and location of proposed building and improvements; distance of all property lines from buildings and improvements including the proposed building or buildings.

By signing this section, the petitioner hereby gives consent for City Officers and Board Members to enter upon this property for the purpose of reasonable inspections to investigate representations made herein.

Beacon Unitarian Universalist
Congregation in Summit
Petitioner

Petitioner's Phone Number [REDACTED]

By: 
Marcy Beitle
President, Board of Trustees

Petitioner's Email [REDACTED]

Attorney's name, address, phone, email and fax numbers.

Roger Mehner, Esq.
Lindabury, McCormick, Estabrook & Cooper, P.C.
53 Cardinal Drive, Westfield, NJ 07090
(908) 233-6800 Ext. 3505
rmehner@lindabury.com

State of New Jersey
County of Union

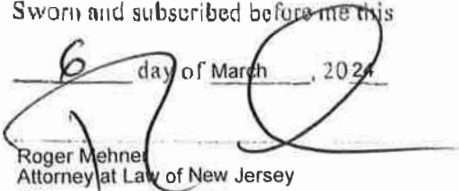
Marcy Beitle being duly sworn, says that she is the President, Board of Trustees, of the Petitioner in the above action; that permission of the owner has been obtained if the petition is filed by a party other than the owner; and that all of the matters and things set forth herein are true.

Marcy Beitle
Petitioner's printed name


Petitioner's signature

Sworn and subscribed before me this

6 day of March, 2024


Roger Mehner
Attorney at Law of New Jersey

Check here if additional pages are attached.

**APPLICATION
OF
BEACON UNITARIAN UNIVERSALIST
CONGREGATION IN SUMMIT**

STATEMENT OF FACTS AND LAW

I. Factual Background

The applicant, Beacon Unitarian Universalist Congregation in Summit (the “Church” or “Beacon”), is the owner of property located at 695 Springfield Avenue, Block 1702, Lot 47, in Summit’s R-15 Zone. The property is located on the northern side of Springfield Avenue. It is bordered on all sides by lands owned by the City or the Summit Board of Education.

The property was acquired by Beacon in June, 2021. The Church currently uses the main structure for Church offices, Church meetings and other Church-related functions. For many years the main building on the property was used as the Summit Red Cross. The property also contains a large garage/barn structure.

In this Application, the Church proposes to demolish both of the existing structures the property, replacing those improvements with a new structure which will include a 300 seat sanctuary, Church offices, classrooms for religious study and other spaces dedicated to Church use. The Church’s proposal also includes a 42 space parking area, solar panels in the parking area and extensive landscaping.

The Church has operated in Summit since 1907. Its sanctuary on Springfield Avenue was improved with an attached structure housing offices and classrooms as approved by the Board in 1999, after which all Church operations were consolidated at its present location. In 2012 the Church purchased the adjoining property previously housing the Dangler Funeral Home, with a view toward constructing a new sanctuary on that site. An application for that construction was filed with the Board, but subsequently withdrawn by Beacon when it purchased the Red Cross property.

The proposal before the Board is driven by the desire of the Church to have a facility which permits it to have only one service on Sunday which can be attended by all Church members, and to continue to have all of its functions consolidated on one site. The present Church sanctuary is too small to accommodate Church membership in a single service, particularly since many of its seats have obstructed views. The proposed site will also enable Beacon to provide substantial onsite parking, which it currently lacks.

In connection with this Application, the Church has requested preliminary and final site plan approval, conditional use approval, and variances pursuant to N.J.S.A. 40:55D-70(c) and (d). The Church also requests that the approvals, if granted, give the Church a period of two (2) years from the date of approval in which to obtain a building permit.

II. The “(d)” Variances

The Church is a conditional use in the R-10 Zone. The Church has requested variances pursuant to N.J.S.A. 40:55D-70(d)(3), deviations from standards pertaining to a conditional use, as follow:

- a. Lot size less than two (2) acres.
- b. Front yard less than fifty (50) feet.
- c. Side yard setback/buffer less than fifty (50) feet/twenty percent (20%) of lot depth.
- d. Lot coverage exceeds forty percent (40%).
- e. Building coverage exceeds fifteen percent (15%)
- f. Parking setback less than twenty (20) feet.
- g. Rear yard buffer less than twenty percent (20%) of lot depth.

The statute requires that the applicant demonstrate special reasons justifying grant of a variance, the so-called “positive criteria.” The statute further requires the applicant satisfy the “negative criteria” by demonstrating that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the zone plan and zoning ordinance. The burden of proving special reasons under the statute is normally quite high. However, that burden changes dramatically for uses considered “inherently beneficial” used under the law. It is well settled that churches are inherently beneficial uses. See Kali Bari Temple v. Board of Adjustment of Township of Readington, 271 N.J. Super. 241, 248 (App. Div. 1994). Once the Board finds that the applicant proposes a use which is inherently beneficial, the positive criteria, i.e., special reasons, are deemed satisfied. This is also true for variances with respect to deviations from conditional use standards as well as for traditional use variances. See House of Fire Christian Church v. Zoning Board of Clifton, 379 N.J. Super. 526 (App. Div. 2005).

The applicant still must demonstrate compliance with the negative criteria. However, our courts have also reduced the required burden of proof as to the negative criteria for inherently beneficial uses. The New Jersey Supreme Court requires that the Board engage in a balancing test. The Board must:

1. Identify the public interest at stake with respect to the inherently beneficial use;
2. Identify any negative impact or detrimental effect if the variance is granted;

3. Impose reasonable conditions if required to lessen that detrimental effect; and
4. Weigh the positive and negative effects and determine whether on balance grant or the variance would cause substantial detriment to the public good.

See Sica v. Board of Adjustment of Township of Wall, 127 N.J. 152, 165-166 (1992). The inherently beneficial use may be excluded only when the negative impact is significant and cannot be addressed by reasonable conditions. See Kingwood Township Volunteer Fire Company v. Board of Adjustment of Township of Kingwood, 272 N.J. Super. 498 (Law Div. 1993).

In this Application the positive criteria have been satisfied because the Church is a clearly established inherently beneficial use. The negative criteria will be fully addressed at the hearing. The Church will demonstrate that there is no substantial detriment to the public interest, zone plan or zoning ordinance arising out of the grant of relief requested. The new sanctuary will serve to enable the Church to hold a single Sunday service, replacing the two (2) services currently held. In addition, relocation to the proposed new site will enable the Church to provide substantial onsite parking, which is lacking at its current location.

Beacon has also requested a variance pursuant to N.J.S.A. 40:55D-70(d)(1) to permit installation of freestanding solar panels in the parking area, which is prohibited in the R-15 Zone. Beacon believes that this sustainable element of its plan is inherently beneficial, in which case the analysis discussed above with respect to the (d)(3) variances would apply. However, even if the Board does not consider the solar panels to be inherently beneficial, approval would still be warranted under the (d)(1) variance standards set forth in the leading case of Medici v. BPR Co., 107 N.J. (1987). The solar panels would serve the general welfare by providing a renewable, sustainable and environmentally advantageous source of electricity for the Church. The panels will also shade a portion of the paved parking area from solar heating. The solar panels also satisfy the site suitability test under the statute. The proposed site is entirely surrounded by public lands, and is located on a major arterial road. It is essentially a unique site in the R-15 Zone. The panels will not impact any surrounding residential properties, and are appropriate for the proposed religious use. As stated above with respect to the (d)(3) variances, the negative criteria will be fully addressed at the hearing through expert testimony.

III. The “(c)” Variances

The Church has also requested variances under N.J.S.A. 40:55D-70(c), all of which arise from the size and location of the lot proposed to be occupied by the Church. Those variances relate to the number of onsite parking spaces, front and side yard setbacks and buffers, rear yard buffers and size of a monument sign identifying the Church including

size of proposed lettering, curb cut width and parking lot landscaping. Under the statute, the Applicant must again demonstrate satisfaction of the specified positive criteria (either hardship or a showing that the benefits of allowing the variance would outweigh its detriments) as well as the same negative criteria applicable to the “(d)” variances. Again, the positive criteria needed to establish those variances are satisfied by the fact that the Church is an inherently beneficial use. See New Brunswick Cellular Telephone Co. v. Old Bridge Township Planning Board, 270 N.J. Super. 122 (Law Div. 1993). The testimony which will be presented at the hearing will demonstrate compliance with the negative criteria under the Sica balancing test described above. The site will also be aesthetically enhanced both architecturally and by new landscaping. The size and location of the proposed monument sign and the size of its lettering are necessary to properly identify the new sanctuary along Springfield Avenue, a major arterial street, and it will be an aesthetic enhancement to the site. The requested curb cut width is necessary to provide site access and egress to and from the site.

Similarly, the Church will demonstrate through its parking study and testimony of its parking expert that no adverse impact will result from the variance requested with respect to the number onsite parking spaces. Street parking is adequate to satisfy parking needs at the peak period of Church demand on Sunday morning. In addition, the ability of the Church to hold a single Sunday service, rather than two (2), will significantly shorten the time period in which Church parking will take place on Sundays.

THE CITY OF SUMMIT

N E W J E R S E Y

City Hall 512 Springfield Avenue Summit, NJ 07901

Patricia R. Dougherty
Collector of Taxes

Telephone: (908) 271-6403
Fax: (908) 608-1214

ADDRESS: 695 Springfield Avenue, Summit, NJ 07901 DATE: March 6, 2024

OWNER(S): Beacon Unitarian Universalist
Congregation in Summit

BLOCK: 1702 LOT(S): 47

PURSUANT TO THE PROVISIONS OF THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-1 ET. SEQ. PERTAINING TO THE ZONING BOARD OF ADJUSTMENT AND/OR PLANNING BOARD APPLICATIONS. I, HEREBY CERTIFY THAT THE TAXES OR ASSESSMENTS FOR PUBLIC IMPROVEMENTS, OR BOTH, ARE NOT DUE OR DELINQUENT ON THE ABOVE PARCEL(S), AND HAVE BEEN PAID TO DATE ACCORDING TO LAW.



Patricia R. Dougherty
Collector of Taxes

For Office Use Only:

Department of Community Services

Date filed: _____

File ZB/PB# _____

Received by: _____

THE CITY OF SUMMIT

N E W J E R S E Y

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ADDRESS: 695 Springfield Avenue, Summit, NJ 07901 DATE: March 4, 2024

OWNER(S): Beacon Unitarian Universalist
Congregation in Summit

BLOCK: 1702 LOT(S): 47

PURSUANT TO THE PROVISIONS OF THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-1 ET. SEQ. PERTAINING TO THE ZONING BOARD OF ADJUSTMENT AND/OR PLANNING BOARD APPLICATIONS. I, HEREBY CERTIFY THAT THE TAXES OR ASSESSMENTS FOR PUBLIC IMPROVEMENTS, OR BOTH, ARE NOT DUE OR DELINQUENT ON THE ABOVE PARCEL(S), AND HAVE BEEN PAID TO DATE ACCORDING TO LAW.



Patricia R. Dougherty
Collector of Taxes

For Office Use Only:

Department of Community Services

Date filed: _____

File ZB/PB# _____

Received by: _____

NOTICE OF HEARING FOR PUBLICATION

THE UNION COUNTY LOCAL SOURCE
Worrall Community Newspapers, Inc.
P.O. Box 1596
Union, NJ 07083

YOU ARE HEREBY NOTIFIED, as provided in the Municipal Land Use Law, that the Zoning Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on _____, 2024 at 7:30 p.m. in the City Hall, Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as 695 Springfield Avenue, Block 1702, Lot 47, Summit, New Jersey 07901, located in the R-15 Zone.

The conditions affecting this property and the reason for the application being heard are as follows:

The Applicant has applied to the Zoning Board of Adjustment for conditional use approval, and for preliminary and final major site plan approval for construction of a new Church sanctuary and related facilities, including Church offices, classrooms and meeting space. In connection with the application, the Applicant has also requested variances with respect to the following:

1. Lot size less than two acres.
2. Side yard less than required.
3. Lot coverage exceeds permitted maximum.
4. Front yard less than required.
5. Building coverage exceeds permitted maximum.
6. Side yard buffer less than required.
7. Rear yard buffer less than required.
8. Fewer onsite parking spaces provided than required.
9. Size of proposed monument sign larger than permitted.
10. Letter size of proposed monument sign greater than permitted.
11. Parking buffer less than required.
12. Curb cut wider than permitted maximum.
13. Landscaping in parking lot not provided as required.
14. Solar panels not permitted in R-15 Zone.

Applicant also requests such further variances, waivers, approvals or other relief as may be required by the Board, by City staff or professionals, or otherwise.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, Summit, New Jersey and may be inspected any workday between the hours of 8:30 a.m. and 4:00 p.m. Any interested party may appear at the hearing and participate therein, subject to the rules of the Board.

This notice is being given pursuant to N.J.S.A. 40:55D-12 and Article 35-4.3 of the Development Regulations Ordinance of the City of Summit.

Beacon Unitarian Universalist
Congregation in Summit

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Beacon Unitarian Universalist
Congregation in Summit

**SUMMIT ZONING BOARD
APPLICATION OF BEACON UNITARIAN
UNIVERSALIST CONGREGATION IN SUMMIT
BLOCK 1702, LOT 47**

LIST OF REQUIRED APPROVALS

Summit Zoning Board Approvals

- Preliminary and Final Site Plan
- Conditional Use
- (c) and (d) variances

Union County Planning Board Approvals

- Site Plan

Somerset-Union Soil Conservation District

- Approval of Soil Erosion and Sediment Control Plan

CITY OF SUMMIT

SITE PLAN APPLICATION

MAJOR / MINOR SITE PLAN APPLICATION
CIRCLE ONE

FOR OFFICIAL USE ONLY: Application No. _____
Date filed : _____; Zone _____; Fee paid : \$ _____
Application accepted by : _____; Register # _____
Date application complete : _____ By: _____
NAME

SECTION 1. INFORMATION REGARDING THE PROPERTY

1.1 Street address : 695 Springfield Avenue
1.2 Nearest intersection : Oakley Avenue
1.3 Tax map sheet # 17; Block(s) 1702; Lot(s) 47

SECTION 2. APPLICANT INFORMATION

2.1 Full name : Beacon Unitarian Universalist Congregation in Summit
2.2 Address : 4 Waldron Avenue, Summit, NJ 07901
Telephone : [REDACTED]
2.3 The applicant is : _____ individual(s); corporation;
(nonprofit)
_____ partnership; _____ other (specify) _____

ALL CORPORATE APPLICANTS MUST BE REPRESENTED BY AN ATTORNEY

2.4 Relationship of the applicant to the property in question is:
 Owner; _____ Tenant/Lessee; _____ Purchaser under contract;
_____ Other (specify) _____

THE OWNER MUST SIGN THIS APPLICATION FORM, OR THE APPLICANT MUST
SUBMIT AN AFFIDAVIT FROM THE OWNER AUTHORIZING THIS APPLICATION.

CITY OF SUMMIT

SITE PLAN APPLICATION

3.3 Previous applications (enter X and describe briefly, including dates; enter "None" if appropriate)

____ Site plan : None

____ Subdivision : None

____ Use Variance : None

____ Conditional Use: None

[Attach additional pages if necessary]

3.4 Deed restrictions or covenants : ____ Yes; X No.

If Yes, attach copy (copies).

3.5 Is property located on a County road? X Yes; ____ No.

If YES, has an application been submitted to the County for their approval?

____ Yes (date submitted : TBS); ____ No.

If YES, has approval been granted ? ____ Yes; ____ No.

If YES, attach a copy of their comments/approval.

3.6 Will 5000 sq ft or more of land be disturbed? X Yes; ____ No

If YES, has an application been filed with the Somerset-Union Soil Conservation District for their approval?

____ Yes (date submitted : TBS); ____ No.

If YES, has approval been granted ? ____ Yes; ____ No.

If YES, attach a copy of their comments/approval.

CITY OF SUMMITSITE PLAN APPLICATION

SECTION 4. PROPERTY DETAILS

- * See the city's Development Regulations Ordinance for definition of terms.
- * You must include detailed calculation worksheets with this application for each of the following items.

4.1 Building coverage

Area of plot	<u>75,958 sq. ft.</u>
Area covered by existing buildings	<u>3,038 sq. ft.</u>
Area covered by existing buildings to remain	<u>0</u>
Area of proposed new buildings	<u>11,849 sq. ft.</u>
Total area of plot to be covered by buildings	<u>11,849 sq. ft.</u>
Percent of lot covered buildings	<u>15.6%</u>

4.2 Lot coverage

Building coverage area	<u>11,849 sq. ft.</u>
Other coverage areas	
Type <u>Driveways, walkways and miscellaneous improvements.</u> Area	<u>23,547 sq. ft.</u>
Type _____ Area	_____
Type _____ Area	_____
Total lot coverage area	<u>35,396 sq. ft.</u>
Lot coverage percent	<u>46.6%</u>

4.3 Floor area ratio (F.A.R.)

a. Gross floor area	<u>18,024 sq. ft.</u>
b. Total lot area	<u>75,958 sq. ft.</u>
c. F.A.R. (a. divided by b. x 100%)	<u>23.7%</u>

CITY OF SUMMIT

SITE PLAN APPLICATION

4.4 Lot dimensions (See Table of Space Regulations in D.R.O.)

	<u>Table</u>	<u>Existing</u>	<u>Proposed</u>
Lot area	<u>2.0 acre</u>	<u>1.74 acre</u>	<u>1.74 acre</u>
Density	<u>N/A</u>		
Lot width	<u>50 ft.</u>	<u>246.1 ft.</u>	<u>246.1 ft.</u>
Lot frontage	(see note 1) ..	<u>246.1 ft.</u>	<u>246.1 ft.</u>
Front yard ²	<u>50 ft.</u>	<u>91.8 ft.</u>	<u>42.7 ft.</u>
Rear yard	<u>50 ft.</u>	<u>181.8 ft.</u>	<u>89.8 ft.</u>
Side yard ³	<u>50 ft.</u>	<u>26.8 ft.</u>	<u>28.0 ft.</u>
Other side yard	<u>50 ft.</u>	<u>136.5 ft.</u>	<u>57.3 ft.</u>
Total side yard % of lot width ⁴	<u>N/A</u>	<u>66.4%</u>	<u>34.6%</u>

NOTE 1 : same as minimum lot width, except that on curved alignments with an outside radius of less than 500 feet, the minimum lot frontage shall be not less than 75% of minimum width.

NOTE 2 : corner lots have two front yards, two side yards and no rear yard. Corner lots must be 20% larger than the minimum lot area for the zone.

NOTE 3 : Measured at the building line.

NOTE 4 : Sum of side yard widths at the building line, divided by the lot width, and expressed as a percent.

4.5 Parking area information

a. Type of building use(s) proposed, and formula for required spaces, as listed in Section 5.15-6 of the D.R.O. :

House of worship, one space per three seats in sanctuary.

b. Total number of employees proposed at site : Four full-time
Ten part-time

c. Total number of public/visitors expected : 133 adults
65 youth and children
(average Sunday attendance)

CITY OF SUMMITSITE PLAN APPLICATION4.6 Parking area details (See Section 5.15 of the D.R.O.)

	Required	Existing		Proposed	
	NUMBER	NUMB.	SIZE	NUMB.	SIZE
Garage spaces	<u>0</u>	<u>0</u>		<u>0</u>	
Exterior spaces	<u>100</u>	<u>27</u>	<u>9x8</u>	<u>42</u>	<u>9x18</u>
Handicapped spaces	<u>3</u>	<u>1</u>	<u>10x18</u>	<u>3</u>	<u>8x18 plus buffers</u>
Loading spaces	<u></u>	<u>0</u>		<u>0</u>	
Access drive width	<u>23 ft.</u>	<u>1</u>	<u>23.3 ft.</u>	<u>1</u>	<u>24 ft.</u>
Curbcut	<u>15 ft. max</u>		<u>28.75 ft.</u>		<u>40 ft.</u>
Setback	<u>2 ft.</u>		<u>15 ft.</u>		<u>15 ft.</u>
Buffer areas	<u>20 ft.</u>		<u>15 ft.</u>		<u>15 ft.</u>
Curbing type	<u>Belgian Block</u>		<u>None</u>		<u>Belgian Block</u>
Lighting	<u>YES</u>		<u>YES</u>		<u>YES</u>

SECTION 5. SANITARY AND STORM DRAINAGE

5.1 Sanitary sewers available to this site ? X Yes; No.

If YES, attach detailed engineering drawings showing the proposed location of the sanitary lines and connection to the sewer system.

If NO, how will sanitary waste be disposed of ?

5.2 Storm water drainage system provided ? X Yes; No.

a. Type of system : X detention; X absorption;
 other (type :)

b. Attach a detailed description of the proposed system.

c. Attach detailed engineering calculations for the proposed drainage, verifying compliance with the 100 year storm provisions of the D.R.O.

CITY OF SUMMIT

SITE PLAN APPLICATION

SECTION 6. SIGNS (See Section 5.20)

6.1 Existing signs Number ... 1 Area .. 8 approx. s.f.

6.2 Proposed signs Number ... 1 Area .. 18 s.f.

6.3 Identify all sign locations, existing and proposed, on the plat. Include both plan and elevation views of each sign.

6.4 Attach a list of existing and proposed signs, indicating the type and area, with a location reference to the plat.

SECTION 7. OTHER INFORMATION

Include as appended pages any information which would assist the Board in reviewing the site plan and/or this application.

SECTION 8. CERTIFICATION AND AUTHORIZATION

8.1 Applicant's certification: I certify that the statements made and the information contained in the above application and in the documents submitted with the application are all true.

Beacon Unitarian Universalist
Congregation in Summit

PRINTED NAME

By: 
SIGNATURE
Marcy Beitle
President, Board of Trustees

8.2 Owner's authorization: (to be completed when the applicant is not the owner of record.)

I, _____, hereby certify that I reside
at _____ in the
County of _____, State of _____, and
that I am the (owner) (one of the owners) of the lot, piece or
parcel of land known as Block(s) _____, Lot(s) _____ on
the Tax Map of the City of Summit, which property is the subject
of the above application, and that I authorize this application to
be filed.

PRINTED NAME

SIGNATURE

MAJOR SITE PLAN – FINAL APPROVAL

Submission Checklist

City of Summit, Union County, NJ

Name of applicant Beacon Unitarian Universalist Congregation in Summit Date March, 2024

Address of property 695 Springfield Avenue, Summit, NJ 07901 Block 1702 Lot 47

Submittal Items – Section 6.8-1

	Applicant	City
1. 1 original and 13 copies of application form	✓	✓
2. 14 copies and one mylar of plat	*✓	✓
3. 1 original and 13 copies of property owners list and area map showing the uses of each property	✓	✓
4. 1 original and 1 copy of completed checklist	✓	✓
5. 1 original and 1 copy of the proposed public notice	✓	✓
6. 1 original and 1 copy of the proposed advertisement	✓	✓
7. 2 copies of the completed County planning board application	TBS	TBS
8. 2 copies of protective covenants, deed restrictions and easements	N/A	N/A
9. 1 original and 1 copy of drainage calculations	*	
10. 1 original and 1 copy of certification of paid property taxes	*	✓
11. Application fee and escrow deposit	*	✓
12. Soil Conservation District certification	TBS	TBS
13. Performance guarantee (previously approved by the city engineer)	TBS	TBS
14. Engineering inspection fees (previously approved by city engineer)	TBS	TBS
15. Letters from utility companies approving proposed utility service and stating who will construct the utility facility	TBS	
16. Statement from design engineer with maps showing utilities and other improvements (on and off tract) in exact location and elevation; that the engineer has examined the drainage, erosion, storm water control and excavation plans and found the city and nearby property interests are protected; identifying portions of improvements already installed; and that the developer has installed all improvements or has posted a performance guarantee in an amount approved by the city engineer	TBS	
17. Signature blocks for the approving authority, City Engineer, and other endorsements required by law	✓	
18. Scale 1" = 50' or larger	✓	✓
19. Certified by New Jersey licensed architect or engineer	✓	✓
20. Tract acreage and lot areas to 1.0 square foot	✓	✓
21. Lot lines and exterior boundaries of the tract, to nearest 0.01 foot, certified by NJ licensed land surveyor	✓	✓
22. Sheet sizes 30" x 42"; 24" x 36"; 17" x 22"; 11" x 17"; or 8.5" x 11"	✓	✓
23. Existing lot lines to be eliminated	N/A	N/A

Plat Details – Section 6.10-3

W - waiver requested as to uses; see 2019 GDP

(*Mylar TBS)

Final Site Plan Plat Data Requirements – Section 6.10-3

		Applicant	City
24.	Existing and proposed contours at 2 foot intervals throughout and within 100 ft. of any building or paved area under review	✓	✓
25.	Location of existing structures, buildings and uses, including all dimensions, coverages, parking spaces, setbacks, and yards	✓	✓
26.	Location of proposed structures, buildings and uses, including all dimensions, coverages, parking spaces, setbacks, and yards	✓	✓
27.	Easements, streets, driveways, sight triangles	✓	✓
28.	Key map showing general location of the parcel within the city	✓	✓
29.	Zoning District identification and boundary lines (if any)	✓	✓
30.	Variances needed from zoning setbacks or standards	✓	✓
31.	Title of the plan; tax sheet number; block and lot; adjoining lots; date (including all revision dates); graphic scale; north arrow	✓	✓
32.	Name, address, phone number and signature of owner and of the firm and person preparing the plat with license number and seal	✓	✓
<input type="checkbox"/> Building and Use Plan Sheet(s) N/A		Applicant	City
1.	Size, height, location, arrangement and use of all buildings	✓	✓
2.	Sign locations	✓	✓
3.	Architect's scaled elevations of front, side and rear of buildings	✓	✓
4.	Architect's scaled elevations of signs	✓	✓
5.	Indication of existing buildings to remain or be removed	✓	✓
6.	Written description of proposed uses and operations	✓	✓
7.	Number of employees or members	✓	✓
8.	Number of shifts and maximum employees on each shift	N/A	N/A
9.	Expected truck and tractor-trailer traffic	N/A	N/A
10.	Emission of noise, glare, vibration, heat, odor, water	N/A	N/A
11.	Safety hazards	N/A	N/A
12.	Anticipated expansion plans incorporated in design	N/A	N/A
13.	Floor plans for apartment/townhouses with type & number of units	N/A	N/A
<input type="checkbox"/> Circulation Plan Sheet(s) N/A		Applicant	City
1.	Access streets and street names	✓	✓
2.	Acceleration/deceleration lanes	N/A	N/A
3.	Curbs, aisles, and lanes	✓	✓
4.	Access points to public streets	✓	✓
5.	Sight triangles; traffic channels, easements; fire lanes	✓	✓
6.	Driveways, number and locations of parking spaces	✓	✓
7.	Number and locations of loading spaces	N/A	N/A

(Continued on next page)

Final Site Plan Plat Detail Requirements - Section 6.10-3

	Applicant	City
8. Pedestrian walks, bikeways and related facilities	<u>✓</u>	<u>✓</u>
9. Lights, lighting standards, signs and driveways within the tract and within 100 feet of the tract	<u>✓</u>	<u>✓</u>
10. Sidewalks along all expected paths of pedestrian travel	<u>✓</u>	<u>✓</u>
11. Cross sections of new streets, aisles, lanes, sidewalks, driveways, and bikeways	<u>✓</u>	<u>✓</u>

	Applicant	City
<input type="checkbox"/> Natural Resources Plan Sheet(s) N/A		
1. Existing and proposed wooded areas, buffer areas and/or sodded areas	<u>✓</u>	<u>✓</u>
2. Ground cover, retaining walls, fencing, signs	<u>✓</u>	<u>✓</u>
3. Recreation areas, shrubbery, trees and other features	<u>✓</u>	<u>✓</u>
4. Location and type of constructed improvements	<u>✓</u>	<u>✓</u>
5. Location, number, species, caliper of plants and trees	<u>✓</u>	<u>✓</u>

	Applicant	City
<input type="checkbox"/> Utilities Plan Sheet(s) N/A		
1. Existing and proposed storm drainage and run-off	<u>✓</u>	<u>✓</u>
2. Open space; common property	<u>N/A</u>	<u>N/A</u>
3. Fire, gas, electric, telephone, sewer and water line service proposed or existing, locations and connections	<u>✓</u>	<u>✓</u>
4. Solid waste collection and disposal methods	<u>✓</u>	<u>✓</u>
5. Proposed grades, sizes, capacities and materials	<u>✓</u>	<u>✓</u>
6. Easements acquired or required on tract or off-tract	<u>N/A</u>	<u>N/A</u>
7. Copies of legal documents supporting the easements	<u>N/A</u>	<u>N/A</u>
8. Lighting, including type of fixture; direction; angle; height; and isolux drawings for each source	<u>✓</u>	<u>✓</u>

Required Changes from Preliminary Approval
 All preliminary site plan requirements and all changes required as a condition of approval of the preliminary site plan are included TBS TBS

This checklist is not a substitute for the specific submission requirements of the Ordinance. See the Ordinance for detailed requirements.

On _____, this submittal was deemed complete _____ incomplete _____.

 Administrative Officer

Staff comments on following page.

MAJOR SITE PLAN – FINAL APPROVAL
 Submission Checklist
 City of Summit, Union County, NJ

Name of applicant Beacon Unitarian Universalist Congregation in Summit Date March, 2024

Address of property 695 Springfield Avenue, Summit, NJ 07901 Block 1702 Lot 47

Submittal items – Section 6.8-1

Plat Details – Section 6.10-3

		Applicant	City
1.	1 original and 13 copies of application form	✓	
2.	14 copies and one mylar of plat	* ✓	
3.	1 original and 13 copies of property owners list and area map showing the uses of each property	✓	
4.	1 original and 1 copy of completed checklist	✓	
5.	1 original and 1 copy of the proposed public notice	✓	
6.	1 original and 1 copy of the proposed advertisement	✓	
7.	2 copies of the completed County planning board application	TBS	
8.	2 copies of protective covenants, deed restrictions and easements	N/A	
9.	1 original and 1 copy of drainage calculations	*	
10.	1 original and 1 copy of certification of paid property taxes	*	
11.	Application fee and escrow deposit	*	
12.	Soil Conservation District certification	TBS	
13.	Performance guarantee (previously approved by the city engineer)	TBS	
14.	Engineering inspection fees (previously approved by city engineer)	TBS	
15.	Letters from utility companies approving proposed utility service and stating who will construct the utility facility	TBS	
16.	Statement from design engineer with maps showing utilities and other improvements (on and off tract) in exact location and elevation; that the engineer has examined the drainage, erosion, storm water control and excavation plans and found the city and nearby property interests are protected; identifying portions of improvements already installed; and that the developer has installed all improvements or has posted a performance guarantee in an amount approved by the city engineer	TBS	
17.	Signature blocks for the approving authority, City Engineer, and other endorsements required by law	✓	
18.	Scale 1" = 50' or larger	✓	
19.	Certified by New Jersey licensed architect or engineer	✓	
20.	Tract acreage and lot areas to 1.0 square foot	✓	
21.	Lot lines and exterior boundaries of the tract, to nearest 0.01 foot, certified by NJ licensed land surveyor	✓	
22.	Sheet sizes 30" x 42"; 24" x 36"; 17" x 22"; 11" x 17"; or 8.5" x 11"	✓	
23.	Existing lot lines to be eliminated	N/A	

W - waiver requested as to uses; see 2019 GDP

(* Mylar TBS)

Final Site Plan Detail Requirements – Section 6.10-3

	Applicant	City
24. Existing and proposed contours at 2 foot intervals throughout and within 100 ft. of any building or paved area under review	✓	_____
25. Location of existing structures, buildings and uses, including all dimensions, coverages, parking spaces, setbacks, and yards	✓	_____
26. Location of proposed structures, buildings and uses, including all dimensions, coverages, parking spaces, setbacks, and yards	✓	_____
27. Easements, streets, driveways, sight triangles	✓	_____
28. Key map showing general location of the parcel within the city	✓	_____
29. Zoning District identification and boundary lines (if any)	✓	_____
30. Variances needed from zoning setbacks or standards	✓	_____
31. Title of the plan; tax sheet number; block and lot; adjoining lots; date (including all revision dates); graphic scale; north arrow	✓	_____
32. Name, address, phone number and signature of owner and of the firm and person preparing the plat with license number and seal	✓	_____
<input type="checkbox"/> Building and Use Plan Sheet(s) N/A	Applicant	City
1. Size, height, location, arrangement and use of all buildings	✓	_____
2. Sign locations	✓	_____
3. Architect's scaled elevations of front, side and rear of buildings	✓	_____
4. Architect's scaled elevations of signs	✓	_____
5. Indication of existing buildings to remain or be removed	✓	_____
6. Written description of proposed uses and operations	✓	_____
7. Number of employees or members	✓	_____
8. Number of shifts and maximum employees on each shift	N/A	_____
9. Expected truck and tractor-trailer traffic	N/A	_____
10. Emission of noise, glare, vibration, heat, odor, water	N/A	_____
11. Safety hazards	N/A	_____
12. Anticipated expansion plans incorporated in design	N/A	_____
13. Floor plans for apartment/townhouses with type & number of units	N/A	_____
<input type="checkbox"/> Circulation Plan Sheet(s) N/A	Applicant	City
1. Access streets and street names	✓	_____
2. Acceleration/deceleration lanes	N/A	_____
3. Curbs, aisles, and lanes	✓	_____
4. Access points to public streets	✓	_____
5. Sight triangles; traffic channels, easements; fire lanes	✓	_____
6. Driveways, number and locations of parking spaces	✓	_____
7. Number and locations of loading spaces	N/A	_____

(Continued on next page)

Final Site Plan Plat Detail Requirements - Section 6.10-3

	Applicant	City
8. Pedestrian walks, bikeways and related facilities	<u>✓</u>	<u> </u>
9. Lights, lighting standards, signs and driveways within the tract and within 100 feet of the tract	<u>✓</u>	<u> </u>
10. Sidewalks along all expected paths of pedestrian travel	<u>✓</u>	<u> </u>
11. Cross sections of new streets, aisles, lanes, sidewalks, driveways, and bikeways	<u>✓</u>	<u> </u>
<input type="checkbox"/> Natural Resources Plan Sheet(s) N/A	Applicant	City
1. Existing and proposed wooded areas, buffer areas and/or sodded areas	<u>✓</u>	<u> </u>
2. Ground cover, retaining walls, fencing, signs	<u>✓</u>	<u> </u>
3. Recreation areas, shrubbery, trees and other features	<u>✓</u>	<u> </u>
4. Location and type of constructed improvements	<u>✓</u>	<u> </u>
5. Location, number, species, caliper of plants and trees	<u>✓</u>	<u> </u>
<input type="checkbox"/> Utilities Plan Sheet(s) N/A		
1. Existing and proposed storm drainage and run-off	<u>✓</u>	<u> </u>
2. Open space; common property	<u>N/A</u>	<u> </u>
3. Fire, gas, electric, telephone, sewer and water line service proposed or existing, locations and connections	<u>✓</u>	<u> </u>
4. Solid waste collection and disposal methods	<u>✓</u>	<u> </u>
5. Proposed grades, sizes, capacities and materials	<u>✓</u>	<u> </u>
6. Easements acquired or required on tract or off-tract	<u>N/A</u>	<u> </u>
7. Copies of legal documents supporting the easements	<u>N/A</u>	<u> </u>
8. Lighting, including type of fixture; direction; angle; height; and isolux drawings for each source	<u>✓</u>	<u> </u>
<input type="checkbox"/> Required Changes from Preliminary Approval		
All preliminary site plan requirements and all changes required as a condition of approval of the preliminary site plan are included	<u>TBS</u>	<u> </u>

This checklist is not a substitute for the specific submission requirements of the Ordinance. See the Ordinance for detailed requirements.

On _____, this submittal was deemed complete _____ incomplete _____.

Administrative Officer

Staff comments on following page.

MAJOR SITE PLAN – PRELIMINARY APPROVAL

Submission Checklist

City of Summit, Union County, NJ

Name of applicant Beacon Unitarian
Universalist Congregation in Summit Date March, 2024Address of property 695 Springfield Avenue, Summit, NJ 07901 Block 1702 Lot 47

		Applicant	City	
Submittal Items – Section 6.7-1	1.	1 original and 13 copies of application form	✓	✓
	2.	14 copies of plat	✓	✓
	3.	1 original and 13 copies of property owners list and area map showing the uses of each property	✓	✓
	4.	1 original and 1 copy of completed checklist	✓	✓
	5.	1 original and 1 copy of proposed public notice	✓	✓
	6.	1 original and 1 copy of the proposed advertisement	✓	✓
	7.	2 copies of the completed County planning board application	TBS	TBS
	8.	2 copies of protective covenants, deed restrictions and easements	N/A	N/A
	9.	2 copies of drainage calculations	✓	
	10.	1 original and 1 copy of certification of paid property taxes	✓	✓
	11.	Application fee and escrow deposit	✓	✓
Plat Detail Requirements – Section 6.10-3	12.	Soil Conservation District certification	TBS	TBS
	13.	Scale 1" = 50' or larger	✓	✓
	14.	Tract acreage and lot areas to 1.0 square foot	✓	✓
	15.	Lot lines and exterior boundaries of the tract, to nearest 0.01 foot, certified by NJ licensed land surveyor	✓	✓
	16.	Sheet sizes 30" x 42"; 24" x 36"; 17" x 22"; 11" x 17"; or 8.5" x 11"	✓	✓
	17.	Existing lot lines to be eliminated	✓	N/A
	18.	Existing and proposed contours at 2 foot intervals throughout and within 100 ft. of any building or paved area under review	✓	✓
	19.	Location of existing and proposed structures, buildings and uses, including all dimensions, coverages, parking, setbacks, yards	✓	✓
	20.	Easements, streets, driveways, sight triangles	✓	✓
	21.	Key map showing general location within city	✓	✓
	22.	Zoning District identification and boundary lines (if any)	✓	✓
	23.	Zoning setbacks, coverage standards, and variances, if any	✓	✓
	24.	Title of the plan; tax sheet number; block and lot; adjoining lots; graphic scale; north arrow; date (including all revision dates)	✓	✓
	25.	Name, address, phone number and signature of owner and of the firm and person preparing the plat with license number and seal	✓	✓

(Continued on next page)

Preliminary Site Plan Detail Requirements - Section S.10-3

	Applicant	City
<input type="checkbox"/> Building and Use Plan Sheet(s)		
1. Size, height, location, arrangement and use of all buildings	✓	✓
2. Sign locations	✓	✓
3. Architect's scaled elevations of front, side & rear of buildings	✓	✓
4. Architect's scaled elevations of signs	✓	
5. Indication of existing buildings to remain or be removed	✓	✓
6. Written description of proposed uses and operations	✓	✓
7. Number of employees or members	✓	✓
8. Number of shifts and maximum employees on each shift	N/A	N/A
9. Expected truck and tractor-trailer traffic	N/A	N/A
10. Emission of noise, glare, vibration, heat, odor, water	N/A	N/A
11. Safety hazards	N/A	N/A
12. Anticipated expansion plans incorporated in design	N/A	N/A
13. Floor plans for apartment/townhouses with type and number of units	N/A	N/A
<input type="checkbox"/> Circulation Plan Sheet(s)		
1. Access streets and street names	✓	✓
2. Acceleration/deceleration lanes	N/A	N/A
3. Curbs, aisles, and lanes	✓	✓
4. Access points to public streets	✓	✓
5. Sight triangles; traffic channels; easements; fire lanes	✓	✓
6. Driveways, number and locations of parking spaces	✓	✓
7. Number and locations of loading spaces	N/A	N/A
8. Pedestrian walks, bikeways and related facilities	✓	
9. Lights, lighting standards, signs and driveways within the tract and within 100 feet of the tract	✓	
10. Sidewalks along all expected paths of pedestrian travel	✓	
11. Cross sections of new streets, aisles, lanes, sidewalks, driveways, and bikeways	✓	
<input type="checkbox"/> Natural Resources Plan Sheet(s)		
1. Existing and proposed wooded areas, buffer areas and/or sodded areas	✓	
2. Ground cover, retaining walls, fencing, signs	✓	
3. Recreation areas, shrubbery, trees and other features	✓	
4. Location and type of constructed improvements	✓	
5. Location, number, species, caliper of plants and trees	✓	

MAJOR SITE PLAN – PRELIMINARY APPROVAL

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City of Summit, Union County, NJ

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Universalist Congregation in Summit Date March, 2024Address of property 695 Springfield Avenue, Summit, NJ 07901 Block 1702 Lot 47

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	7.	2 copies of the completed County planning board application	TBS	<input type="checkbox"/>
	8.	2 copies of protective covenants, deed restrictions and easements	N/A	<input type="checkbox"/>
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	11.	Application fee and escrow deposit	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Plat Detail Requirements – Section 6.10-3	12.	Soil Conservation District certification	TBS	<input type="checkbox"/>
	13.	Scale 1" = 50' or larger	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	14.	Tract acreage and lot areas to 1.0 square foot	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	20.	Easements, streets, driveways, sight triangles	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	21.	Key map showing general location within city	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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(Continued on next page)

Preliminary Site Plan Detail Requirements – Section S.10-3

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12. Anticipated expansion plans incorporated in design	N/A	_____
13. Floor plans for apartment/townhouses with type and number of units	N/A	_____
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7. Number and locations of loading spaces	N/A	_____
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9. Lights, lighting standards, signs and driveways within the tract and within 100 feet of the tract	✓	_____
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<input type="checkbox"/> Natural Resources Plan Sheet(s)		
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2. Ground cover, retaining walls, fencing, signs	✓	_____
3. Recreation areas, shrubbery, trees and other features	✓	_____
4. Location and type of constructed improvements	✓	_____
5. Location, number, species, caliper of plants and trees	✓	_____

EXHIBIT I

CITY OF SUMMIT ZONING TABLE
636 SPRINGFIELD AVENUE REDEVELOPMENT
BLOCK No. 1702, LOT No. 47
ZONING DISTRICT: R-3 SINGLE FAMILY RESIDENTIAL DISTRICT*

Item	Revised / Allowed	Existing	Proposed	Regulation Reference ¹⁾	Conditions
Land Use	House of Worship	Office	House of Worship	36-33.3.B.3.	V
Area, Use & Use Restrictions					
Max. Lot Area (AC)	2 AC	1.74 AC	2.24 AC	36-12.2.C.1.	V
Max. Lot Coverage (%)	20%	20%	20%	36-12.2.C.2.	V
Max. Single-Family Building (SF)	80 SF	200 SF	200 SF	36-12.2.C.3.	V
Max. Single-Family Building (SF) (Block Size)	80 SF	200 SF	200 SF	36-12.2.C.4.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.5.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.6.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.7.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.8.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.9.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.10.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.11.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.12.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.13.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.14.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.15.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.16.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.17.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.18.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.19.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.20.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.21.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.22.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.23.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.24.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.25.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.26.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.27.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.28.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.29.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.30.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.31.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.32.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.33.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.34.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.35.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.36.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.37.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.38.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.39.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.40.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.41.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.42.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.43.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.44.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.45.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.46.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.47.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.48.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.49.	V
Max. Single-Family Building (SF) (Other)	80 SF	200 SF	200 SF	36-12.2.C.50.	V

Revisions

Date: _____ Description: _____

Digitally signed by John C. Cote
 Date: 2025.03.27 13:00:54-04'00'
 Signature: _____
 Title: _____
 License: _____

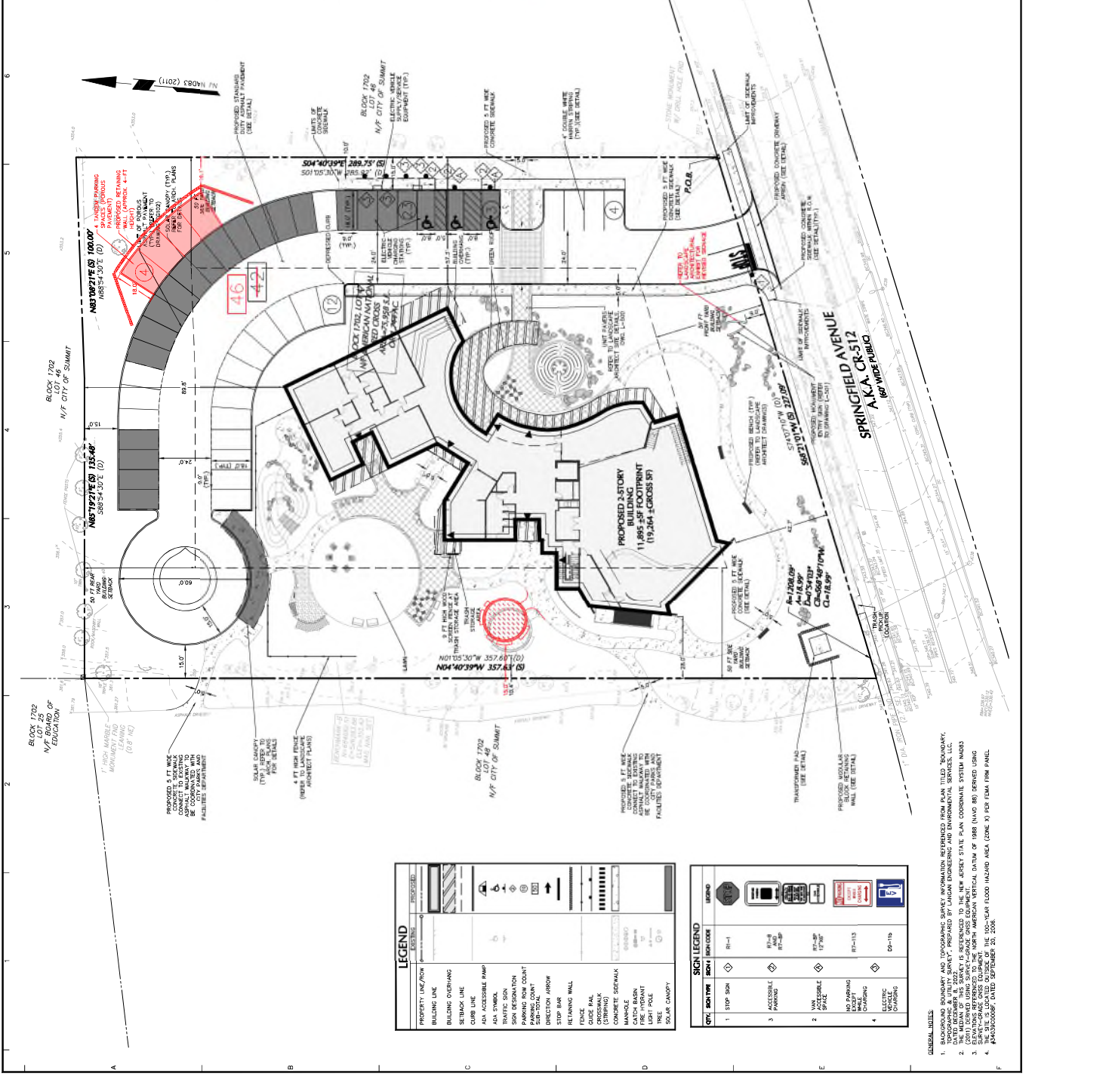
LANGAN
 Langan Engineering and Environmental Services, Inc.
 500 Armco Road
 Paramus, NY 10764
 1-978-469-4900 | 86-959-6599 | www.langan.com
 A CERTIFICATE OF AUTHORIZATION NO. 3402289400

BEACON UNITARIAN UNIVERSALIST CONGREGATION
 SUMMIT
 UNION COUNTY, NEW JERSEY

PROPOSED SITE PLAN MODIFICATIONS

Project No: 10102791
 Date: March 14, 2025
 Drawn By: SA
 Checked By: TH

Exhibit No: EX05
 Sheet 1 of 1



LEGEND

PROPERTY LINE/NO	EXISTING	PROPOSED
BUILDING OVERLAP	[Symbol]	[Symbol]
SETBACK LINE	[Symbol]	[Symbol]
CURB LINE	[Symbol]	[Symbol]
ADA ACCESSIBLE RAMP	[Symbol]	[Symbol]
ADA SYMBOL	[Symbol]	[Symbol]
TRAFFIC SIGN	[Symbol]	[Symbol]
SOIL RESERVATION	[Symbol]	[Symbol]
PARKING COUNT	[Symbol]	[Symbol]
SEMI-CIRCULAR ARROW	[Symbol]	[Symbol]
STOP BAR	[Symbol]	[Symbol]
RETAINING WALL	[Symbol]	[Symbol]
FENCE RAIL	[Symbol]	[Symbol]
GUIDE RAIL	[Symbol]	[Symbol]
CONCRETE SIDEWALK	[Symbol]	[Symbol]
MANHOLE	[Symbol]	[Symbol]
WATER MAIN	[Symbol]	[Symbol]
ELECTRIC	[Symbol]	[Symbol]
SEWER	[Symbol]	[Symbol]
SOIL CANOPY	[Symbol]	[Symbol]

SIGN LEGEND

TYPE	BEYOND	BEYOND	BEYOND
1	STOP SIGN	STOP SIGN	STOP SIGN
2	YIELD SIGN	YIELD SIGN	YIELD SIGN
3	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
4	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
5	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
6	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
7	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
8	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
9	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN
10	NO PARKING SIGN	NO PARKING SIGN	NO PARKING SIGN

GENERAL NOTES

- BACKGROUND BOUNDARY AND TOPOGRAPHIC SURVEY INFORMATION REFERENCED FROM PLAN TITLED "BOUNDARY, DATED DECEMBER 11, 2022 SURVEY", PREPARED BY LANGAN ENGINEERING AND ENVIRONMENTAL SERVICES, LLC.
- EXISTING UTILITIES SHOWN ARE BASED ON THE NEW JERSEY STATE PLANNING COMMISSION STATE MAPS.
- EXISTING UTILITIES SHOWN ARE BASED ON THE NEW JERSEY STATE PLANNING COMMISSION STATE MAPS.
- EXISTING UTILITIES SHOWN ARE BASED ON THE NEW JERSEY STATE PLANNING COMMISSION STATE MAPS.
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EXHIBIT J

THE CITY OF SUMMIT

N E W J E R S E Y

City Hall

512 Springfield Avenue
07901

Summit NJ

Jessica Sands
Land Use Assistant
Dept. of Community Services

May 8, 2026

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Roger Mehner
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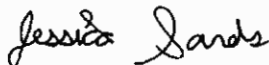
Re: **695 Springfield Avenue
Summit, NJ 07901
Block: 1702 Lot: 47
Application #ZB-24-2237**

Dear Mr. Mehner,

Enclosed please find a copy of the memorialized resolution **DENYING** your variance application by the Zoning Board. Your resolution should be kept in a safe location as it is an important legal document.

Please feel free to contact me if you have any questions.

Sincerely,



Jessica Sands
Land Use Assistant

City of Summit ~ Department of Community Services (DCS)
Planning & Zoning Office
512 Springfield Avenue, 2nd Floor
Summit, NJ 07901

RESOLUTION OF DENIAL

**APPLICATION OF
BEACON UNITARIAN UNIVERSALIST CONGREGATION IN SUMMIT**

IN THE MATTER OF	: ZONING BOARD OF ADJUSTMENT
BEACON UNITARIAN	: CITY OF SUMMIT
UNIVERSALIST CONGREGATION	: APPLICATION NO. ZB-24-2237
IN SUMMIT	: BLOCK 1702, LOT 47
	: 695 SPRINGFIELD AVENUE

WHEREAS, Beacon Unitarian Universalist Congregation in Summit (“applicant” or “Beacon”) had requested variance relief pursuant to N.J.S.A. 40:55D-70(d)(1), N.J.S.A. 40:55D-70(d)(3), and N.J.S.A. 40:55D-70(c)(2) for the construction of a new house of worship with associated site improvements including freestanding solar canopies on the property located at Block 1702, Lot 47 on the tax map of the City of Summit, being commonly known as 695 Springfield Avenue, Summit, New Jersey, and said premises being in the R-15 Zone; and

WHEREAS, the Board held public hearings on said application on March 17, 2025, April 7, 2025, June 5, 2025, July 21, 2025, October 6, 2025, January 21, 2026, March 2, 2026, and April 6, 2026; and

WHEREAS, the application was amended significantly on or about May 23, 2025, and facts related only to the original application are omitted from this Resolution; and

WHEREAS, the applicant provided adequate notice of the hearing in accordance with N.J.S.A. 40:55D-12; and

WHEREAS, the applicant was represented by Roger Mehner, Esq.; and

WHEREAS, members of the interested public attended the hearings, and a number of such members objected to the application and were represented by Robert Simon, Esq.; and

WHEREAS, the Board heard the testimony and evidence presented by the applicant and from members of the interested public.

NOW, THEREFORE BE IT RESOLVED, that the Board of Adjustment of the City of Summit, County of Union and State of New Jersey, made the following findings:

1. The Board found the application complete.

2. According to the application and testimony presented during the hearing, the applicant is seeking the following variances:
- A. For the installation of solar array canopies which are prohibited in residential zones pursuant to Section 35-9.9.O.4.a.
 - B. For the following deviations from the Conditional Use standards for houses of worship pursuant to Section 35-11.2.C:
 - i. For the proposed lot area of 1.74 acres, whereas 2 acres is required.
 - ii. For the proposed side yard setback to the western side of the building of 34.5 feet, whereas 50 feet is required.
 - iii. For the proposed building height of 37.9 feet, whereas 35 feet is permitted.
 - iv. For the proposed lot coverage of 48.7 percent, whereas 40 percent is permitted.
 - v. For the proposed building coverage of 16.2 percent, whereas 15 percent is permitted.
 - vi. For the proposed minimum side buffers of 10.4 feet and 9.8 feet, whereas 47 feet is required along each side lot line.
 - vii. For the proposed minimum rear buffer of 15 feet, whereas 50 feet is required.
 - viii. For the proposed minimum parking setback of 15 feet, whereas 20 feet is required.
 - C. For the proposed 46 parking spaces, whereas at least 79 parking spaces are required.¹
 - D. For the proposed parking area location for more than half of the proposed parking spaces outside of the rear yard or buildable area, contrary to Section 35-14.P.5.a.
 - E. For the proposed minimum side buffers of 10.4 feet and 9.8 feet, whereas 47 feet is required along each side lot line.
 - F. For the proposed minimum rear buffer of 15 feet, whereas 50 feet is required.

¹ Section 35-14.1 requires that houses of worship provide one parking space for each "3 seats or 10 square feet of gross floor area, whichever is greater." Technically, this application proposes gross floor area of approximately 18,000 square feet, requiring 1,800 parking spaces. All parties, and the Board, recognize that this is an unrealistic parking demand. A parking requirement based on seats or traffic studies is more appropriate, and the 79 parking spaces referenced above is based on one space per 3 seats proposed.

- G. For the proposed 0 shade trees in the parking area, whereas 1 shade tree is required for every 10 parking spaces.
3. Based upon the comments of Roger Mehner, Esq., the Board heard the following:
- A. Beacon has been in the City of Summit since 1908. It has operated out of its existing property on Waldron Avenue since 1913. Previously, Beacon had sought to build a new sanctuary on that Waldron Avenue site, but during the course of that application the property at 695 Springfield Avenue became available. The Waldron Avenue property has no on-site parking, which the property at 695 Springfield Avenue would allow for.
 - B. Beacon seeks to construct a modern sanctuary on the property with the goal of having a space large enough to host one service on Sunday. The existing site is too small, and requires that the applicant split the service into two sessions. This site would also allow for on-site parking, and will allow the church to have some green space, which is part of the exercise of the Unitarian faith.
 - C. The property is located in the R-15 Zone. It is surrounded on three sides by public land consisting of parkland, the Wilson school, and playing fields.
 - D. The site is well-suited for what Beacon is proposing, though a house of worship is a conditional use in the R-15 Zone and this property is 1.74 acres and does not meet the 2-acre requirement for that use. The proposed house of worship is an inherently beneficial use. The applicant seeks variances associated with the deviations from the conditional use standards and other bulk standards. Additionally, the applicant seeks a variance associated with the proposed solar canopies in the parking area, which are not permitted in residential zones.
 - E. The proposed design of the building is intended to reflect the values of this congregation and the current practice of Unitarianism. Unitarian churches today do not build boxes with steeples, and instead opt for more modern designs. This is not a large building, and instead is one that meets the needs of the congregation.

- F. The design of the site is one that pays significant attention to environmental concerns, which are important to Beacon. These include open space areas on the property, solar panels to render the site carbon neutral, and a green roof.
 - G. While the applicant proposes a variance for the number of required on-site parking spaces, there is sufficient legal public parking on both sides of Springfield Avenue to accommodate the site's parking needs even during Sunday service and larger events.
 - H. Many houses of worship in Summit do not meet zoning requirements, including both bulk requirements for the building and significant parking deficiencies. Those buildings have not had a substantial detrimental impact on the surrounding properties, and this application would be no different.
4. Based upon the sworn testimony of the applicant's Executive Director, Reverend Dr. Robin Tanner, the Board heard the following:
- A. The Beacon congregation is a member of the Unitarian Universalism faith, which is a continuing and evolving faith with values centered in love rather than a creed, and which has theological and spiritual diversity.
 - B. Beacon consists of 454 members and friends, and of that number approximately 100 of them are friends who no longer live in New Jersey and access the online ministry. Of the remaining members, the majority participate through Sunday congregation. Since Covid, the congregation has lost members, but generally they have fluctuated between 400 and 520 members over the course of four decades. They are a small denomination, and large congregations are not common in Unitarian Universalism. The application before the Board is one which does not seek to provide for additional growth of Beacon's membership, but instead aims to allow for sufficient space to accommodate the entire congregation which is not possible in the applicant's present sanctuary.
 - C. Sunday services are the most significant use of the property. In addition, Beacon would host other events on the property such as weddings, child blessings, and funerals, though those types of events are not very

frequent. Other anticipated weekly uses of the property would include things like choir and music rehearsals, community groups, youth groups, and meetings which all can be accommodated by the proposed parking on the site. Sunday services would require congregants to park off-site, and there is public parking in the area along Springfield Avenue.

- D. No space on the property is being proposed as a homeless shelter of any kind. Beacon would provide a sanctuary program where an at-risk individual could seek temporary supportive housing, though historically this has occurred on average less than once a year. They would also have outreach ministries that are consistent with other religious uses in the City.
 - E. The design of the building is a reflection of the core values of Beacon's faith. The site which includes a green roof and solar panels was designed to get the application as close to net zero emissions as possible, which is a key value for the applicant. The site also incorporates outdoor worship areas and gathering spaces which are core aspects of their faith. Landscaping is proposed with the intentional goal of making the site appear open to the community.
 - F. Beacon held four neighborhood meetings with the aim of addressing various concerns of the neighbors. They also met with the Principal of Wilson Primary School which is located next to the property.
5. Based upon the sworn testimony of the applicant's Engineer, John Cote, the Board heard the following:
- A. The entrance to the property consists of a two-way driveway on Springfield Avenue, which leads to a parking area where 46 spaces are proposed. The parking spaces include the required ADA parking spaces, and also propose four tandem parking spaces which would be utilized by Beacon staff. A retaining wall is required for the tandem space parking area, and a guardrail is proposed at the end of the training wall. The applicant proposes to install solar canopies over a number of the parking spaces in the parking area. There are sidewalks between the parking area and the building, as well as

walkways throughout the site. The application is compliant with floor area ratio requirements.

- B. The Code requires that one shade tree be provided in the parking area for every 10 parking spaces on site. The applicant seeks a variance to provide no shade trees in the parking area because they propose solar canopies in the parking area, and because there is landscaping proposed throughout the site.
- C. A fire truck circulation plan was prepared and confirms that a fire truck can circulate through the parking area. However, if the parking lot was full, the truck would need to either perform a multi-point turn in the turn-around area, or reverse out of the site.
- D. The applicant proposes a series of stormwater measures to address stormwater management requirements. The site will be compliant relative to its stormwater design which meets both the water rate requirements and water quality requirements. A series of Cul-tec recharger systems and perforated pipes allow for groundwater recharge. The majority of parking spaces are proposed to be porous pavement, which is a manner of addressing water quality. The stormwater Operations & Maintenance manual requires inspections of the porous pavement bi-annually, and that it be cleaned with a vacuum truck at least annually. The proposed groundwater management will comply with all regulatory requirements of the DEP.
- E. Utility service to the site including power, sanitary sewer, and water will be provided along Springfield Avenue. A transformer is proposed on the southwest corner of the site.
- F. Lighting is proposed on the site to provide safety for walking around the facility as well as for parking and pedestrian access to the building. Lighting is also proposed under the solar canopies. The lighting will be dark sky compliant, and will not spill onto adjoining properties. There will be controls for different lights at different times; for example, parking will be on its own circuit, and there will be a separate control for amenity space areas.
- G. Bicycle racks are proposed on the site.
- H. Garbage is proposed to be stored in the building's interior. Cans will be brought out at the time for pickup.

No dumpster or trash enclosure is proposed on the site's exterior.

- I. The proposed solar canopies are tilt-mount canopies that would supply power to the building. The top can tilt, so there is a varying height of 12 to 14 feet, which is still under the height requirement. The canopies will be guttered to nearby piping.
 - J. Four electric vehicle parking spaces are proposed as required by law. They will include signage reflecting the electric vehicle parking.
 - K. The applicant did not consider an underground parking garage. Doing so would interfere with the proposed stormwater management on the site.
6. Based upon the sworn testimony of the applicant's Landscape Architect, Tavis Dockwiler, the Board heard the following:
- A. The site will consist of paving in the front, and a drop off area in front of the proposed building. A "walking labyrinth" is proposed in front of the building. A lawn area is proposed at the rear of the building, along with a small, nature-based play area. The play area will be fenced to prevent children from running into the parking lot.
 - B. The applicant proposes to remove 29 trees on the site, and to plant 91 trees on the site. Many existing trees are not in great condition. The planting plan consists of all native, deer resistant plantings which are appropriate for the site's ecosystem, and intended to showcase the ecosystem.
 - C. The proposed plantings are intended to serve as a buffer for the site. They take into consideration the trees in the park, and the applicant proposes to "seal the edge" – to provide an appropriate woodland edge that will help with the overall ecology of the neighboring woodlands. This is why the applicant has a variety of trees and shrubs and a variety of sizes and shapes. From a landscaping standpoint, this proposal is compatible with the surrounding parkland.
 - D. The application is compliant with the requirement to provide street trees.
 - E. On average the applicant proposes to plant 2-3 inch caliper trees, which tend to be about 12-15 feet tall. They

also propose understory trees which are about 8-10 feet tall, along with some smaller trees. This is a multi-layered ecosystem, and generally smaller trees will establish more quickly so that within five years one will have a tree of the same height as a larger one at the time of planting that is still establishing its roots. Ultimately, certain canopy trees can get to 150 feet tall, understory trees would mature at 30 to 40 feet, and shrubs will range from certain species around 6 to 8 feet, while others are smaller and will not exceed 3 feet.

- F. In addition to the screening of the property boundaries with plantings, the applicant proposes appropriate screening for manholes and other appurtenances in the front area of the property.
7. Based upon the sworn testimony of the applicant's Architect, Louis Cherry, the Board heard the following:
- A. The design and layout of this house of worship is inspired by, and reflects the values of, the church. It is intended to be a place where people can build human connections and have moving experiences. It is intended to be easy to navigate by all users, and is ADA compliant. The design direction was to reflect the church's values including balance with nature, transparency, inclusivity, and democracy.
 - B. The design of the church is one that radiates around a central courtyard based on a nautilus form which expresses growth. It starts at the center and then spirals and widens out. The spiral shape is a way to break the pieces of the building down and reduce the scale of the building so that it fits into the neighborhood. It also opens the building up to bring nature into the different parts of the building. The curved forms on the building have an organic quality and soften the building, which gives the impression of a building in motion as you move along the site.
 - C. The proposal includes 199 solar panels in total between those on the roof and those on the solar canopies. It is designed to provide 100 percent of the average energy use of the building, so it is designed to be a net zero building.
 - D. The proposed curved wall facing Springfield Avenue will be clad with thermally treated wood. There is curved glass

on the side which announces the area as a point of interest and the entrance to the church. The spiral shape of the building embraces you as you come in, provides a protective canopy, and gives form to the circle where the community can come together. All of this is surrounded by a naturalized landscape, which creates as much nature as possible on this site.

- E. The proposed vegetated or green roof on the spiral shape is used to accent the reference to nature. It also helps with water retention and runoff on the site. It provides a habitat for birds and plants, and is carefully curated with plants that do not need much care and can sustain drought. It is both a visual and a functional green roof.
- F. The proposed high performance glass is intended to be highly sustainable, and to provide protection from sun and daylight. The wood is thermally modified wood, which is highly resistant to deterioration and easy to maintain. Most of the exterior walls are stucco material, which is a natural soft brown color. The metal proposed for the window frames would be a dark gray color. The idea for the image of the building is that it is quiet and subdued. It is a place that should not necessarily blend into the surroundings, but instead should be a quiet, dignified building. The colors are intended to be natural and soft. This design is intended to embody the beliefs of the congregation.
- G. The applicant did consider preserving the existing structure on the site. It is a Red Cross building that was originally built as a residence, and was converted to an office building at some point in the past and has functioned accordingly for many years. It is a historic building, and it was not practical to take that building and convert it into a house of worship; it was not intended to function that way, and is right in the center of the site. The applicant did study whether they could add onto that existing building, but there is no way they could accomplish what the church is proposing by preserving that building.
- H. The proposed basement would be used for electrical and mechanical equipment, storage, and a janitorial area with mops, sinks, and supplies. The main level of the building would include the sanctuary space, various meeting

places, a kitchen and bathroom area, and a main lobby which would serve as a gathering space. The meeting spaces are intended to be as flexible as possible to accommodate many different types of uses. The second floor of the building contains a family lounge space which is acoustically separated from the sanctuary space (which can be used, for example, by a family with a noisy child); the seats in this family lounge space have been counted towards the total seat count in the application.

- I. A total of 236 seats are proposed among the sanctuary, balcony space, and family lounge area. This is the maximum proposed number of seats, and the area can be reconfigured depending on the type of service.
- J. This application has been edited to meet the minimum needs of the church. There is no way to meet the needs of the church without seeking variance relief, and this design is one that seeks to minimize the variance relief sought. Unitarian Universalist churches do not have any standard form, and do not necessarily look alike.
- K. The design of the building is form-driven, and is more modern in nature. New buildings should look new, and it would not do a service to existing historic buildings to attempt to design a new building that looks historic and not make a distinction between the two. While context and consistency with the neighborhood are important to bulk requirements such as height, massing, and setbacks, it is not important to the style of the proposed building. While this building is larger than houses in the surrounding neighborhood, it is also bounded on three sides by public land. It is also very typical that houses of worship are mixed in with residential neighborhoods and become an anchor of a community. Furthermore, this is not located on a small residential street, it is a more public scale, and the church is fitting for the property.
- L. The design of the front of the building incorporates a curved panel which, at its highest point, exceeds the maximum building height. The height limit is 35 feet, while that portion of the building is proposed at 37.9 feet. Attempting to reduce that portion or "chop it off" would adversely affect the aesthetics and design of the building. This is not a "steeple" in the traditional sense, but is a similar architectural element with vertical expression.

- M. A glare study was conducted to determine whether the glass on the building would result in a glare off the property. There would be a brief period of time during certain months that there would be glare on Springfield Avenue, however the applicant agreed to utilize a minimally reflective glass panel and add a film over the glass panel to prevent that glare.
8. Based upon the sworn testimony of the applicant's Traffic Engineer, Elizabeth Dolan, the Board heard the following:
- A. The site is located along Springfield Avenue, which is a two-lane road subject to County jurisdiction, with a speed limit of 35 mph and parking on either side.
 - B. The applicant had originally prepared a traffic study based on the initial application which included 300 seats, and concluded that the site could accommodate the traffic impact of that larger design. Since the application was amended to reduce the seating to 236, the applicant had already examined a "worst case scenario", and continues to rely on the results of that study.
 - C. Based on data published by the Institute of Transportation Engineers, for the original application size of 300 seats, the busiest peak hours during a Sunday service would anticipate 131 vehicles entering, and 131 exiting the site within the hour. For 236 seats, it would go down to 106 vehicles entering and exiting the site in a peak hour.
 - D. Based upon even the increased levels of traffic with 131 vehicles exiting the site in one hour, the site would be at a B level of service (from A through F), that the proposed increase in traffic would not result in a significant impact on the roadway, and that the site would operate safely and efficiently. There is plenty of area to allow for vehicles to queue and wait on site before they exit onto Springfield Avenue.
 - E. Based upon the proposed amount of seating in the church, 79 parking spaces would be required, and 46 spaces are proposed on site, resulting in a deficit of 33 spaces at maximum attendance. Based on typical attendance levels, however, it is anticipated that actual demand for off-site parking during Sunday service would be between 8 and 10 spaces.

- F. There is approximately 2,000 feet of linear area for parking available along Springfield Avenue between Harrison Court to the west and Fairview Avenue to the east. Accounting for driveways and hydrants, and no parking areas, approximately 60 or more vehicles can park along Springfield Avenue in that area. Parking is permitted and routinely used in the area.
 - G. Formal traffic counts have been performed on four separate Sundays, and of those dates at most four cars have been parked in that area at one time. There is more than sufficient parking on Springfield Avenue in the immediate area to accommodate that deficit.
 - H. Springfield Avenue is a two-lane road. The closest crosswalk for people parking across the street on Springfield Avenue is approximately 750 to 800 feet east of Oakley Avenue, which is east of the property.
 - I. The Institute of Transportation Engineers (ITE) has limited sample sizes of parking requirements for churches. However, based on the 6th edition, an 85th percentile peak parking demand for a church with this proposed number of seats would be 168 parked vehicles, and an average of 154 parked vehicles. Additionally, if calculated according to the ITE's requirements gross floor area of 18,000 square feet, it would be even more at approximately 200 parked vehicles. However, the 6th edition is different from prior editions and uses a higher ratio than historically had been used for houses of worship.
9. Based upon the sworn testimony of the applicant's Planner, Kate Keller, the Board heard the following:
- A. The site consists of the now-vacant building formerly used by the American Red Cross. The site has historically been a commercial or nonresidential use dating back to the 1940s, despite its underlying zoning being in the residential R-15 Zone. Houses of worship are conditional uses within the R-15 Zone.
 - B. The application does not comply with the conditional use standards for houses of worship, and accordingly conditional use variance relief is required. Additionally, variance relief is required for the proposed solar canopies.

- C. Houses of worship require a 2-acre minimum lot size, while the site is only 1.74 acres. This is not a very substantial deviation, but it does also result in variance requests for building coverage, lot coverage, and setbacks.
- D. None of the adjacent abutting properties are single-family homes. They are all owned by the City or by the school. The substantial City-owned property provides a natural buffer around the site. The application would not result in any substantial detrimental impact on these public properties, nor would there be a substantial detrimental impact on the neighboring residential properties due to the significant distance between them and the heavy landscaping between the properties.
- E. The application was designed to reflect the Unitarian faith. The variance for the maximum building height of 37.9 feet, whereas 35 feet is permitted, is a result of this design. It is only one portion of the parapet wall that is part of the nautilus design of the building which is informed by the faith, and is similar in nature to a steeple or other religious architecture.
- F. The applicant requires variances for lot coverage of 48.7 percent while 40 percent is permitted, and building coverage of 16.2 percent while 15 percent is permitted. These are not significant variance requests. The site is undersized, and these calculations do not take into account the approximately 2,300 square feet of green roof area (or approximately 3% of lot coverage on the site). The site has been designed with the highest quality stormwater management to account for the additional impervious coverage associated with the building and parking area. These coverage figures strike a balance between providing as much parking on the site as possible, and keeping the coverage limits within a reasonable figure to not create a detriment. With regard to the building coverage, the building fits within setback requirements and is not a massive box; instead it is designed to fit nicely into its environment.
- G. A house of worship such as that proposed through this application constitutes an inherently beneficial use.
- H. As to parking, 46 spaces are provided on the site, while 79 are required if counted according to proposed seating. There is plenty of parking along Springfield Avenue to

accommodate a normal service, which given the church's ordinary attendance levels, approximately 8 cars would be required to park off-site. The requirement for the installation of shade trees in the parking lot is in order to provide visual aesthetic relief in large, multi-row commercial parking fields, and that is not what the applicant proposes here. Instead, they propose a thoughtfully designed parking and circulation area in order to provide the needed parking while also being able to provide sufficient buffers and landscaping around the property.

- I. The applicant also proposes solar canopies in the parking area, which are not permitted in the Zone. While the applicant has applied for a D(1) Use Variance associated with those canopies, they submit that these are more properly considered to be accessory structures as they serve only the church, and are not used to sell power back into the general electrical grid. Regardless, solar canopies are also an inherently beneficial use. However, solar canopies are not customarily associated with houses of worship in the City of Summit or in Union County.
- J. Overall, none of the variance relief sought will present a substantial detriment to the neighborhood. There are a number of other similar houses of worship in the City which are on undersized lots and do not meet parking requirements, and just like in those cases, there will be no substantial detriment to the neighborhood, and instead this would be a benefit to the neighborhood. There is no blight typically associated with houses of worship, nor is there any such blight in neighborhoods surrounding other existing houses of worship in the City.
- K. The application will not result in a substantial detriment to the City's Master Plan, and the 2016 Revision Plan presents a goal of maintaining a dynamic and vibrant city, and that quality of life amenities along with an engaging streetscape are core assets and advantages that should be supported. Houses of worship such as that proposed by Beacon are always a part of a quality of life, and a part of the community, and this application will enhance these City goals.
- L. Overall, the site can accommodate what is being proposed, as there are limited deviations from the

conditional use requirements. The green technology, significant proposed landscaping, and stormwater management avoid adverse impacts from the additional coverage associated with the application. The parking deficiency is accommodated by the combination of the spaces on site along with the nearby street parking.

10. Based upon the sworn testimony of the Planner for various objectors, Peter Steck, the Board heard the following:
 - A. The existing Red Cross building on the site was originally constructed as a residential dwelling. It reads visually as a single-family dwelling, although it has been used as offices of the American Red Cross for the last several decades.
 - B. The Unitarian Universalist church does not have a religious design requirement on what a house of worship has to look like. This particular design is almost like a sculpture, and is spread out on the site. It is not the most efficient way to accommodate a use on the lot. This prompts a number of items requiring various relief.
 - C. The applicant also proposes to install solar canopies on the site, which are both a use and a structure that are not permitted in the R-15 Zone.
 - D. The area surrounding the site is a solidly residential area. While three sides of the property are bounded by City or School property, there are residences across the street on Springfield Avenue, and to the east of the site.
 - E. For people who park on the south side of Springfield Avenue, the nearest crosswalk is about 960 feet away from the property. This would require that people parking across from the church walk that distance, cross, and walk back to the church. There are no sidewalks on the south side of Springfield Avenue. Not many people would want to do so to legally cross the street. The road has a 35 mph speed limit, and often people will drive a little over the speed limit, which would present a significant issue if people attempt to cross illegally, outside of the crosswalk. This area is not well suited to pedestrian traffic and presents a public safety concern.
 - F. The applicant has a blank slate on how to construct the house of worship since they propose to demolish the existing Red Cross building. Accordingly, there are not

existing conditions that justify the relief being sought, and the design of the house of worship as proposed is a self-created hardship.

- G. Many of the existing houses of worship in the City were constructed before there was zoning and before there were parking standards. This application is a different situation, and the reliance on off-site parking to meet the parking requirements is problematic, especially given the safety concerns with crossing the street. The parking ordinance technically requires 1,800 parking spaces based on gross floor area, though this is a lot of spaces. Even looking at the calculation based on the number of proposed seats, the intent of the ordinance here is to confine the parking demand to the site, and not to rely on off-street parking. The applicant cannot just substitute ITE standards for the ordinance's parking requirements.
- H. There are many nonconformities proposed by this application, and those nonconformities are not justified by the fact that this property abuts public land, since the buffer is a mutual benefit. One cannot ignore the impacts that this will have on the surrounding properties, even the public property.
- I. The proposed solar canopies are prohibited in the zone, and are more commonly associated with commercial or industrial centers. They do not fit the existing residential zone, and present a detriment in terms of aesthetics. The applicant is not able to mitigate the impact of those solar canopies, since adding large trees to screen the area would add shade would block the solar panels.
- J. As to the conditional use standards of the church, the applicant has not adequately addressed the deficiencies and deviations from the conditional use requirements, especially when it comes to the parking requirement. The lack of buffer areas means there is activity too close to the abutting municipal or school activity. The building is too large for the site, too tall for the neighborhood, lacks the setbacks and buffering required in the zone, and consists of architecture that does not blend in with the surrounding residential architecture and park setting. There is not enough parking on site, and the off-site parking offers some danger in terms of walking across Springfield Avenue. Absent a redesign of the application,

there are no conditions that can be imposed to address these many deficiencies.

11. Based upon the sworn testimony of members of the interested public, the Board heard the following:
 - A. Vernon Williams of 116 Hillside Avenue is the Assistant Pastor at Fountain Baptist Church. As a fellow faith leader in the community, he understands the need for the congregation to grow and for the current space not to meet its needs. Beacon has always been a good neighbor. He supports the application at the current location.
 - B. Kim Leonard of 81 Beckman Road is a neighbor of the applicant. This application presents a substantial safety concern due to the lack of parking. The use of Springfield Avenue is not adequate for parking given the lack of sidewalks, crosswalks, and the width of the shoulder in certain sections. Temporary no parking signs have been on Springfield Avenue for many months out of the year due to the dangerous parking situation for the Wilson School. There is no way to regulate parking in the area. The applicant purchased the lot knowing that it would be undersized for its purposes. She believes this plan represents the wants, rather than the needs, of the congregation.
 - C. Francine Cho of 27 Beekman Terrace supports the proposed application. It is environmentally friendly since, while it removes 29 trees, it proposes to plant 100 trees, 300 native shrubs, and thousands of perennials. The application proposes beautiful landscaping in an environmentally friendly manner, and presents a stormwater benefit. The proposed solar panels will barely be seen, and the lot is surrounded by wooded lots and City owned land. The proposed structure is largely only visible from Springfield Avenue, with no major impact on the neighborhood.
 - D. Thomas Maney of 30 Oakland Avenue does not believe the application meets the requirements of the Master Plan to maintain the community character. The building is not supposed to be dominant, but instead should be proportionate with the neighborhood. The proposed variances do not present a public benefit. While he

presented photographs and images generated by artificial intelligence which were marked as O-2, supposedly representing the result of the application as viewed from various points near the property, the Board did not find that these images were accurate or relevant to the proceeding.

- E. Lara Jenkins of 6 Daisy Court is a member of the Beacon church. What strikes her about Summit is the dedication to schools and the number of denominations in town. Beacon loves their site, but it does not meet the needs of the congregation, and the interior space does not promote the feeling of welcome and community that this proposal presents. She does not believe that the off-site parking will be an issue.
- F. Tolsten Gerike of 33 Aubrey Street supports the application, as it will let Beacon serve its members while remaining in Summit. While he hears the parking concerns, Beacon's members are familiar with using street parking, and notes that many members walk, carpool, or bike.
- G. Larsenia Cooper of 188 Woodland Avenue is a member of Beacon, and notes that the congregation has made Summit its home. She supports the children's programming and how it teaches values, and notes that these are the people the City wants in its community. The design of the building will allow for more in person attendance of members versus online attendance.
- H. Blake Scalet of 133 Summit Avenue is the Pastor of St. John's Lutheran Church. Beacon is a faithful partner in serving not just their members, but it is a leader in supporting the whole community. Beacon has been here since 1908, and makes Summit better. This space will let them further support the community, and he supports the application.
- I. Christopher Cotter of 752 Springfield Avenue has been a resident of Springfield Avenue for over 35 years. He has seen an evolution of the properties on Springfield, and thinks it is for the better. He believes this application is a continuation of the positive evolution of Springfield Avenue. Other congregations have similarly moved when they need more space, and the proposal here is not

unprecedented. The existing number of congregations make Summit the extraordinary place that it is.

- J. Betsy Zimmerman of 40 Beekman Terrace acknowledges that the neighbors' concerns are real. She is not a congregant, and did not have a strong opinion one way or another at the outset of the application. She agrees with the goals of not burdening the neighbors, and understands the concerns for safety in the area. She is impressed with the diligence and responsiveness of Beacon throughout the application process, who has tried to engage genuinely and collaboratively with the Summit community. She is concerned that if this property is not developed into a church, it could be used for something else which could be more disruptive to the community. She does not believe that Beacon's design is offensive.
- K. Nicole DeLauro of 1 Oakley Avenue thinks the over-intensification of the site creates foreseeable impacts on the surrounding neighborhood. The number of variances requested signals that this design does not fit in the zone. It presents parking, traffic, and setback issues. Springfield Avenue is not designed for overflow parking, as it is a cresting and curved roadway, and the application presents a foreseeable safety risk.
- L. Christina Cogan of 686 Springfield Avenue thinks this application presents a safety concern. Her house is directly opposite the site on Springfield Avenue. She thinks there is a path to the use of the lot, provided it stays in line with the zoning. Her primary safety concern is the request for the parking variance, which is prompted by the undersized lot. There is limited visibility and speeding traffic on Springfield Avenue, And an influx of additional cars parked in the area will create a greater danger to drivers, pedestrians, and bikers. This will also disrupt the peaceful enjoyment of nearby homes. She is also concerned with the proposed inclusion of solar canopies, which are explicitly prohibited in the zone.
- M. Susan Hairston of 20 Laurel Avenue Is a former council member. She is in support of Beacon's application. She has served its members and the broader Summit Community. Beacon consistently opens its doors to initiatives that serve the greater good of Summit and the surrounding region. They have been good neighbors,

partners, and caretakers. They have reduced the proposed seating as compared to the original application, and have addressed sign and parking concerns by narrowing the request of the application. She supports the application as it is currently proposed.

- N. Chester Elton of 84 Mountain Avenue has lived in Summit for 35 years. He is not a member of Beacon, but currently serves on the Summit interfaith council. The positive impact that Beacon has on the community is one reason he loves staying here. The property has been derelict for some time now, and does not currently serve the community. The proposed church at that location will only benefit the community, and he supports the application.
- O. David Gordon of 21 Debary Place Supports the application. Beacon provides a safe, welcoming, and supportive environment for kids of all ages. The site can accommodate the application.
- P. Rachel Rydzewski of 11 Pearl Street is a member of Beacon and supports the application. The church supports values of inclusivity and compassion. The proposed design of the church is a beautiful place where people can gather. She is proud of Beacon's dedication to the project and thoughtful revisions along the way.
- Q. John Burke of 29 Fairview Avenue Believes the proposal does not align with established characteristics of the neighborhood. Is inconsistent with zoning regulations. There is no hardship, and requesting relief is a matter of preference rather than necessity. The application fundamentally alters the character of the neighborhood. The scale and intensity of the application are what the zoning ordinance is designed to prevent. The surrounding roads are not designed to handle the traffic that will result from the application, and he believes there will be overflow traffic on to nearby side streets. This will have a negative impact on the surrounding community uses, and parking will compete with parking relied upon by the Wilson school, particularly during youth soccer and other games. This application will not serve the residents of Summit.
- R. Ellen Boylan of 139 Tulip Street Is a member of Beacon. She supports the congregations values, and the design of

the building is grounded in their faith. This building is the product of a multi-year process, and the design of the building and surrounding grounds reflects how the congregation views its symbolic purpose. She urges approval of the application.

- S. Ingrid Carlbom of 21 Oakley Avenue has lived at that address since 1995. Her home was built in 1852. She is opposed to the project, as the church has ignored the zoning regulations and the design of the church compromises the objects of those zoning regulations.
- T. Carl Carfi of 1 Oakley Avenue is not opposed to a new Beacon church or any new church built in Summit. His concerns here are with the scale of the proposal and the extent of the variances requested in a residential district. The number and magnitude of the requested variances raises serious concerns as to the impact on the neighborhood. The lot does not meet the minimum required size. Had the applicant's design respected the side and rear yard buffers, he would have had a different opinion. The reduction in side yard buffers is especially troubling. This proposal does not reflect being responsible to nature and the surrounding property. He urges revisions to restore the side yard buffers and to bring the application into alignment with the zoning standards.
- U. Reverend Julie Yarborough of 561 Springfield Avenue is an associate pastor at Christ Church in Summit. A thriving church community is foundational to a compassionate community. Beacon proposes a welcoming and supportive spiritual home. The growth of the ministry reflects the good that the church has brought to the community. Many other congregations operate with similar sizes and parking arrangements.
- V. Kristin Conner is not a current resident, but owns property at 768 Springfield Avenue. And is a recent member of Beacon as of last summer. She has seen many changes to the neighborhood over time. Parking is difficult and dangerous, and other events bring traffic as well. Allowing the church sufficient space to conduct a single service is a great way to bring people together. She believes this would be a benefit to the neighborhood and that any issues involving the parking and traffic can be addressed.

- W. Norma Hauer of 42 Oakley Avenue believes that some of the challenges of the site plan can be overcome with community and church collaboration. Revisions to aspects of the design, and perhaps additional crosswalks could address some of these issues. The proposed building is too big for the property. The lot is not necessarily under sized, but the development plan is oversized. The application presents an expansive and massive building that is incompatible with the character of the surrounding neighborhood.
- X. Court Jeske of 32 Beekman Road supports the church at this location, but takes Issue with the way that Beacon has approached the application process. They purchased the lot that is undersized, and proposed to build an oversized structure there.
- Y. Tara Thompson of 35 Beekman Road believes that neighbors are incredibly important in their neighborhood. She suggests not approving this plan. She agrees with the neighbors who have raised issues with this application. It is not that they are not welcoming Beacon into the community, as they are happy to have a church moved to the community. The problem is with the scope and size of the project and the number of variances at issue. She also does not support the solar panels. She raises concern with the lack of parking on Springfield Avenue when there is snow cover as has been the case during recent snowstorms, as cars would not be able to park during those times. There is also overflow of parking on in the area from sports games on the weekend, and it becomes difficult to get out of driveways or pass.
- Z. Jean Crichton of 173 Summit Avenue has lived there for the past 30 years. For 25 of those years she has been a member of the Beacon congregation. She has always walked to the church's current Waldron location. This application takes advantage of the beauty of the surrounding parkland, and the applicant proposes to supplement with additional landscaping. The building is modern, but welcoming and certainly not extreme. It looks to the future and adds a unique touch to the architectural landscape.
- AA. Carol Conger of 7 Primrose Place is a long time Summit resident and longtime member of the Beacon

congregation. She fully supports this project, as it meets the needs of a multi-generational congregation. The outdoor space and children areas will be able to support the young congregation. On site parking will allow physical attendance rather than attending electronically as many older members do now. She urges approval of the application

BB. Norman Miller of 7 Primrose Place Has lived there for the past 58 years, and has been an active member of the Beacon congregation for that duration. The current facility has served for over 100 years, but no longer fits the needs of the congregation. They want a space where the whole congregation can gather, has grounds for activities, and has up-to-date sound and vidco systems. They hope to remain in Summit, and he supports the application.

CC. Erik Solberg of 46 Laurel Avenue is a member of Beacon. The church's current building is over 100 years old and it is too small. The applicant proposes a beautiful building with attractive landscaping. There have been legitimate questions that they have tried very hard to answer and make changes where possible. No close housing structures are affected by the application. The proposed variances do not resulted in a substantial detriment as there are no houses immediately next door. They have reduced the scope of the application as compared to the original proposed building in order to provide more parking on site. Attempting to add further parking would make a less attractive site.

12. Based on the comments of counsel for various objectors, Robert Simon, Esq., the Board heard the following:
 - A. The application in its current state fails to meet the requirements for grant of variance relief, and must be denied. It is disappointing that the applicant has only minimally revised its plans despite significant public concern with the proposal.
 - B. There is no debate that faith communities enhance the City of Summit. Many members of the public, even those that oppose this application, support religion in the City of Summit.

- C. Even though other houses of worship in the City have non-compliant parking, in many cases they predate zoning and can rely upon nearby parking lots. Here the applicant is demolishing the existing building on the site and has the ability to start with a clean slate. Attempting to comply with the zoning regulations, or at least bring the application more into compliance with the zoning regulations, is not an unreasonable burden upon the church or upon religious exercise.
- D. The property has always been in the residential R-15 Zone, and there has been no effort by the governing body to rezone this to a non residential use. Instead of incorporating the existing residential building design into the proposed use, the applicants instead proposed this "piece of sculpture." The building is sized to the applicant's wants, and not their needs. He questions why Beacon needs a building with such a large capacity if the membership is low and they do not intend to increase the number of attendees or membership.
- E. The design of the building is not based upon any recognized requirements of the Unitarian faith, and the proposed nautilus design is inconsistent with the surrounding properties and with the City of Summit. There is no other design where a nautilus shape is incorporated into a Unitarian church. The applicant's architect did not look at the zone or design standards before coming up with this design.
- F. The City of Summit design standards at section 35-14.1 provide that the general design requirements are intended to guide all development in the city of summit in a manner that is harmonious and consistent with the surrounding character of the community. There has been no effort to comply with these design standards.
- G. The plans and renderings fail to show the true impact this application would have on the surrounding neighborhood. The site plan doesn't not show lots across the street on Springfield Ave. The visual impact study was not from all vantage points, and does not adequately represent the impact of the application on the surrounding community. The proposed solar canopies will be visible through the trees on the property during winter months.

- H. The City's Master Plan identifies this property specifically as being a logical expansion of Wilson Park. The property should not be developed in a manner that is inconsistent with the surrounding Parkland and which burdens the Parkland. Wilson Park additionally has recreational activities often which could conflict with the church use and with parking in the surrounding area.
 - I. Under the Coventry Square standard for conditional use variances, this site is not appropriate for this use. None of the conditions proposed so far mitigate the negative impacts that are associated with the deviations from the ordinance requirements.
 - J. The requested C(2) variances should be denied in cases such as this where the hardship is self-created and there is no public benefit.
 - K. It is acknowledged that the ordinance requirement for parking spaces based on gross floor area is far too high in this case, however one parking space per 3 sanctuary seats is not functionally sufficient here. Despite the church having an existing location, there is no evidence, studies, or data to support that each car pending the church has at least three passengers. The ITE Standards require 168 parked cars per 237 seats. Summit's Zoning ordinance does not allow for the satisfaction of parking requirements with off-site parking. Furthermore, there is no way for a vehicle entering the site to tell if there is sufficient parking on site, and instead if the site is full they would have to loop around and find off-site parking elsewhere.
 - L. The applicants have the burden of seeking design exceptions under Section 51 of the MLUL, and there's nothing peculiar about this site that prevents them from complying with the City's design requirements.
13. The Board considered the application along with the following conditions which were agreed to by the applicant:
- A. Compliance with conditions noted in Board Engineer's memorandum dated July 11, 2025.
 - B. The applicant shall not operate a homeless shelter facility or host homeless people on the site, except for its Sanctuary program.

- C. The applicant shall not utilize the parking lot from Wilson Park to accommodate parking during church services.
 - D. The applicant shall request that the County install another crosswalk near the property, and if the applicant is required to pay for the installation of the crosswalk, it shall do so.
 - E. The applicant shall provide traffic control officers during all services and special events.
 - F. The applicant shall provide a shuttle service during all services and major events.
14. The Board recognizes that the proposed solar canopies are an inherently beneficial use. However, the Board took issue with the proposed solar canopies on the site. They are explicitly prohibited in the R-15 Zone as they are commercial or industrial in character and are not consistent with the surrounding residential use. The solar canopies would be able to be seen from Springfield Avenue, and would likely be able to be seen from adjacent properties even through additional landscaping especially during the winter months. Attempting to reduce the negative aesthetic impact of these solar canopies by adding additional landscaping is further problematic because large trees or other large landscaping could cast a shadow over the solar panels rendering them ineffective. Additionally attempting to relocate the solar panels to alternate locations on the site would render site navigation impossible. This inconsistent use would present a substantial detriment to the surrounding neighborhood and to the R-15 Zone.
15. The Board also recognized that the proposed house of worship is clearly an inherently beneficial use. However, the Board noted significant concern with the large deficit of on-site parking and the applicant's attempt to utilize off-site parking along Springfield Avenue. The Board echoed the concern raised by members of the public that Springfield Avenue is a two-way County Road with a 35 mph speed limit and a lack of sidewalks along the south side of Springfield Avenue and lack of crosswalks nearby to support off-site parking. The board also echoed concern that people would attempt to cross the street outside of a crosswalk rather than walking the significant distance to the nearest crosswalk. Since the road is under the County's jurisdiction, the board does not have the authority to compel the installation of additional crosswalks in the area, and there is no guarantee that the County would approve

such a crosswalk in that location, especially with the lack of sidewalk along the southern side and the fact that the road is curved in that location which reduces the lines of sight for traffic. Attempting to address this issue by adding a condition such as restricting parking to certain times or locations would be essentially impossible to enforce since parking along Springfield Avenue is open to the public. Attempting to address the traffic and safety concerns by requiring the applicant to provide traffic control officers during Sunday service and other events would not alleviate the condition as the City cannot override the County's jurisdiction over the roadway or allow for pedestrian crossing outside of those designated crosswalks as approved by the County. The lack of on-site parking also presents a concern for emergency vehicle access if the parking lot is full. Emergency vehicles would not be able to turn around unless there are empty spaces, and instead would be forced to reverse out of the site; this situation cannot be addressed through conditions, and instead would require a redesign of the application. The Board also expressed concern with the lack of compliance with the side and rear yard buffer requirements, and with the massing of the building on the property which is inconsistent with the surrounding residential neighborhood. While those portions of the property are adjacent to City and School property, the lack of a sufficient buffer still imposes a detriment on those surrounding properties and their use. The reason that houses of worship are conditionally permitted uses and require a two-acre lot is because the intensity of use is much greater than compared to ordinary residential properties in the R-15 Zone.

CONCLUSIONS OF LAW:

WHEREAS, at the request of the applicant the Board agreed to separately consider and vote on the variance relief associated with the request to install solar canopies in the parking lot, which are not permitted in the R-15 Zone; and

WHEREAS, the Board determined that this application has not met the requirements of N.J.S.A. 40:55D-70(d)(1), N.J.S.A. 40:55D-70(d)(3) or N.J.S.A. 40:55D-70(c)(2) because the significant concerns surrounding the proposed solar canopy use which is not permitted in the zone, the massing of the building and lack of buffering to adjacent properties, and the traffic and safety issues raised by the lack of on-site parking require numerous and significant variances from the conditional use requirements for houses of worship and additional bulk requirements of R-15 Zone and outweighs the inherently

beneficial uses of this application as reflected in detail in Paragraphs 14 and 15 above; and

WHEREAS, the Board has determined that the relief sought could not be granted without a substantial negative impact to the R-15 Zone and surrounding properties; and

WHEREAS, for the reasons set forth in Paragraphs 14 and 15 above, conditions could not be imposed to reduce the detrimental impacts associated with the non-permitted solar canopy use, with the over-massing of the site and lack of buffer areas, or with the significant traffic and safety concerns which result from the lack of on-site parking; and

WHEREAS, the Board has determined that the relief sought does not comport with the intent and purpose of the Zoning Ordinance of the City of Summit.

NOW, THEREFORE, BE IT RESOLVED by the Board of Adjustment of the City of Summit, in the County of Union and State of New Jersey, on the 6th day of April 2026, that a motion made by Donald Nelson and seconded by Miriam Zahn that the application of Beacon Unitarian Universalist Congregation in Summit to install solar canopies in the parking lot be denied.

VOTE ON ROLL CALL OF MOTION TO DENY THE SOLAR CANOPIES PURSUANT TO N.J.S.A. 40:55D-70(d)(1):

IN FAVOR: Chairman Scott Loikits, Vice Chairwoman Miriam Zahn, Thomas Ucko, Ayman Maleh, David Mollin, Donald Nelson, and Michael Curran.

OPPOSED: None.

BE IT FURTHER RESOLVED by the Board of Adjustment of the City of Summit, in the County of Union and State of New Jersey, on the 6th day of April 2026, that in the event the solar canopies are interpreted to be an accessory structure not subject to N.J.S.A. 40:55D-70(d)(1), a motion made by David Mollin and seconded by Donald Nelson that the application of Beacon Unitarian Universalist Congregation in Summit to install solar canopies in the parking lot pursuant to N.J.S.A. 40:55D-70(c)(2) be denied.

VOTE ON ROLL CALL OF MOTION TO DENY THE SOLAR CANOPIES PURSUANT TO N.J.S.A. 40:55D-70(c)(2):

IN FAVOR: Chairman Scott Loikits, Vice Chairwoman Miriam Zahn, Thomas Ucko, Ayman Maleh, David Mollin, Donald Nelson, and Michael Curran.

OPPOSED: None.

BE IT FURTHER RESOLVED by the Board of Adjustment of the City of Summit, in the County of Union and State of New Jersey, on the 6th day of April 2026, that a motion made by David Mollin and seconded by Thomas Ucko that the remaining application of Beacon Unitarian Universalist Congregation in Summit, excluding the proposed solar canopies, be approved. Five affirmative votes were required to approve the application, so the lack of sufficient affirmative votes resulted in the application being denied.

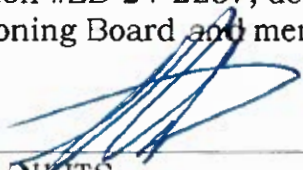
VOTE ON ROLL CALL OF MOTION TO APPROVE THE APPLICATION:

IN FAVOR: Thomas Ucko, Ayman Maleh, and David Mollin.


OPPOSED: Chairman Scott Loikits, Vice Chairwoman Miriam Zahn, Donald Nelson, and Michael Curran.

CERTIFICATION

It is hereby certified the attached is a true copy of the Resolution for Application #ZB-24-2237, denied on April 6, 2026, and duly adopted as to form by the Zoning Board and memorialized at its regular meeting on May 4, 2026.



SCOTT LOIKITS
Chairman
City of Summit
Zoning Board of Adjustment



JESSICA SANDS
Secretary
City of Summit
Zoning Board of Adjustment

400 Valley Road Suite 304
Mt. Arlington New Jersey 07856
Main: 877 627 3772



Memorandum

To: Zoning Board
From: Marie Raffay, P.E.
Date: July 11, 2025
Subject: 695 Springfield Avenue **Review #3**
Block 1702, Lot 47
Summit, Union County, NJ
Summit No.: ZB-24-2237

We have reviewed the application and associated submissions prepared by the Beacon Unitarian Universalist Congregation in Summit, the Applicant, for the subject property as referenced below. For ease of review, our updated comments are in ***bold italics***:

- a. Application to Zoning Board of Adjustment with Memorandum in Support of the Application, signed, dated March 6, 2024;
- b. Certified List of Property Owners within 200 feet dated December 5, 2023;
- c. Architectural Drawings for the Beacon UU Church, 695 Springfield Ave. Summit, NJ, consisting of five (5) sheets, prepared by Louis Cherry, RA, signed, dated 7/18/2024;
- d. Beacon Unitarian Universalist Church Preliminary and Final Site Plans, Block 1702, Lot 47, City of Summit, Union County, New Jersey, consisting of nineteen (19) sheets, prepared by John C Cote, PE, of Langan Engineering, signed, dated 2/23/2024, last revised ***7/1/2025***;
- e. List of Required Approvals for Summit Zoning Board Application of Beacon Unitarian Universalist Congregation in Summit;
- f. Site Materials Plan and Details for Beacon Unitarian Universalist Congregation Church, consisting of 10 sheets, prepared and signed by Tavis H. Dockwiller, LLA, of Viridian Landscape Studio, dated 7/18/2024;
- g. Stormwater Management Report for Beacon Unitarian Universalist Congregation Church, prepared and signed by Michael Virello, PE, and John Cote, PE, of Langan Engineering, dated ***6/27/2025***;
- h. Stormwater Operation and Maintenance Manual for Beacon Unitarian Universalist Congregation Church, prepared and signed by Michael Vitello, PE, and John Cote, PE, of Langan Engineering, dated 2/21/2024, last revised ***6/27/2025***;
- i. Major/Minor Site Plan Application, prepared and signed by Marcy Beitle, President, Board of Trustees of Beacon Unitarian Universalist Congregation in Summit;
- j. Application for Development Worksheet signed and dated 3/6/24;



- k. *Glare Study, prepared by Louis Cherry Architecture, dated May 5, 2025, last revised June 13, 2025;*
- l. *Views from Adjacent Properties, prepared by Louis Cherry Architecture, consisting of 10 pages, last revised June 13, 2025;*
- m. *Projected sewer demand summary, prepared by Langan Engineering, dated July 1, 2025;*
- n. *Boundary, Topographic & Utility Survey, prepared by Matthew G. Sipple, P.L.S., of Langan Engineering and Environmental Services, Inc., dated December 8, 2022; and,*
- o. *Landscape plan entitled "Beacon Unitarian Universalist Congregation", consisting of 5 sheets, as prepared by Tavis H. Dockwiler of Viridian Landscape Studio, dated July 21, 2025.*

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

1. The 75,958-square foot (1.74-acre) property is located on the northern side of Springfield Avenue.
2. The property is in the R-15 Residential Zone, with surrounding properties zoned as R-15 as well.
3. The Applicant has provided topographic information from a survey prepared by Langan Engineering dated December 8, 2022. The property slopes down from the northwest corner at elevation 361 to the southwest corner at elevation 343.
4. The property is mostly rectangular in shape with approximately 227 feet of frontage along Springfield Avenue, a rear yard width of approximately 235-feet, and an average depth of approximately 324 feet.
5. The property is improved with a two-story brick and vinyl building with concrete porches, brick patio, asphalt driveway, asphalt parking lot, two story wood frame detached garage, rock/masonry walls, and related site improvements
6. The Applicant is proposing to demolish the existing structures on the property and replace them with a 300-seat sanctuary, church offices, classrooms for religious study, and other spaces dedicated to church use. The Applicant is also proposing to construct a 42-space parking area, solar panels in the parking area, and extensive landscaping. The Applicant should confirm the improvements in testimony. **5/30/25 - The Applicant has revised the plans to include four tandem parking stalls at the northeast corner of the project. This increases the amount of available parking on-site to 46 spaces. The Applicant should provide testimony regarding the use of the tandem spaces for larger events.**
7. The Applicant notes that the proposed Limit of Disturbance on the property is approximately 1.66 acres (72,310 square feet).
8. The Applicant is proposing an increase in Building Coverage of 8,811 square feet from 3,038 square feet (4%) to 11,849 square feet (15.6%), where the maximum permitted in the R-15 Zone is 15%. **5/30/25 - The Applicant has revised the plans to reduce the originally**

- proposed building footprint. The Applicant is now increasing the Building Coverage of 8,811 square feet from 3,038 square feet (4%) to 11,795 square feet as reflected in the revised stormwater management report. The Applicant should confirm that the zoning table, stormwater management report and the architectural plans have been coordinated. *7/11/2025 - The building footprint has been reduced to 11,430 square feet and the building coverage calculation has been updated to 16.2% as it was adjusted to include overhangs. Since revised architectural plans were not submitted with this revision, the Applicant should provide testimony on the revisions to the building footprint and confirm in testimony that the architectural plans have been coordinated with this change.*
9. The Applicant is proposing an increase of 12,533-square feet in lot coverage from 22,863-square feet (30.1%) to 35,396-square feet (46.6%), where the maximum permitted in the R-15 Zone is 40%. *5/30/25 - The Applicant has revised the plans to increase the originally proposed lot coverage. The Applicant is now increasing the lot coverage of 22,863-square feet (30.1%) to 37,143-square feet (48.9%) for an increase of 14,280-square feet. The Applicant should confirm that the zoning table, stormwater management report and the architectural plans have been coordinated. 7/11/2025 - The Applicant has provided testimony and should confirm no further changes to the building coverage have affected the lot coverage.*
 10. The Applicant is seeking a number of 'c' and 'd' variances. We defer to the Board Planner for review and comment for zoning review.
 11. Information should be provided regarding the capacity of the existing and proposed sewer and additional flow. The Applicant shall provide testimony regarding the need for TWA permit. *The Applicant has provided a projected sewer demand summary table which shows a proposed total of 110 gallons per day. The Applicant shall be responsible for obtaining a TWA permit.*
 12. There are several utility crossings on site. The Applicant shall ensure there will be no pipe conflicts during installation.
 13. The maximum height of the solar canopy array is unclear as depicted on the architectural plan details. There are conflicting elevations of the solar canopy elevation. Is the canopy on a tilt or is it level? What is the height of the highest and lowest points of the canopy? The Applicant should confirm that the solar array canopy will conform to City ordinances. *The Architectural plans have provided a detail of the canopy and testimony was provided indicating that the height is approximately 12 feet. We take no further exception.*
 14. How will snow and rain drain from the solar panels? The Applicant should provide information and testimony regarding any proposed drainage system for the solar array canopies. All drains should have a clean-out at the downspout. *The Applicant has provided testimony that the solar panels will have a gutter-based system to direct drainage.*

Submittal No. 7B-24-2237

July 11, 2025

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15. The Applicant is providing four (4) electric vehicle charging stations and providing signage indicating that vehicles may park only when charging. The Applicant should confirm in testimony. **The Applicant has updated the site plans to reflect signage indicating no parking except while charging signs will be placed at the four (4) charging station parking spots. A note should be added to call out the location and sign code of signage proposed around the site for clarity.**
16. The Applicant should confirm the location of all mechanical equipment and generators and ensure that they are properly screened. **The Applicant should ensure there is sufficient screening for the transformer pad at the southwest corner of the site.**
17. It does not appear that a detail of the green roof has been provided. The Applicant should provide a detail and provide testimony. **The Applicant has acknowledged the comment and will provide a detail at the time of building permit submission.**

Stormwater:

18. The project disturbs more than one (1) acre of land, therefore, is considered a "major development" as defined by NJAC 7:8. **7/11/25 - Advisory Comment.**
19. The Applicant is proposing to meet the Green Infrastructure (GI) Standards by utilizing GI BMPs from Table 5-1, consisting of porous pavement systems with underdrains at 3 locations, small-scale (subsurface) infiltration systems at two locations, rain garden with underdrain at one location, and manufactured treatment devices (MTD) at three locations (WQ-301 & WQ-302). **7/11/25 - Advisory Comment.**
20. The Applicant proposes to meet the groundwater recharge requirement per N.J.A.C. 7:8-5.4(b)1i by demonstrating through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site. **7/11/25 - Comment Addressed.**
21. The project is exempt from the Stormwater Runoff Quality Standards since the proposed improvements will not result in the creation of one-quarter acre or more of "regulated motor vehicle surface." It is noted that the proposed GI Best Management Practices (BMP) will treat runoff generated by the proposed motor vehicle surface areas and reduce the post-construction load of total suspended solids (TSS) by 80 percent. **7/11/25 - Advisory Comment.**
22. The Applicant is proposing to meet the stormwater quantity requirement per NJAC 7:8-5.6(b)3 by designing the stormwater management measures so that the post-construction peak runoff rates for the current and projected 2, 10, and 100-year storm events, as defined and determined pursuant to N.J.A.C. 7:8-5.7(c) and (d), respectively, are 50, 75, and 80 percent, respectively, of the pre-construction peak runoff rates. Please clarify how emergency overflow with respect to each location will be accommodated per NJAC 5:21-7.8. **7/11/25 - Comment Addressed.**



Engineering
& Design

23. Please revise the plans and/or Stormwater Management Report (SWM) to address the following minor inconsistencies.
- a. Proposed UND-INF1-1: The one (1) foot rectangular weir crest elevation differs between the Outlet Control Structure Detail on Sheet CG502 and the Pond report stage-discharge. Please revise for consistency. 5/30/25 - Comment Not Addressed. The table in the "Underground Infiltration Basin Outlet Control Structures" detail indicates a crest elevation of 350.60' whereas the stormwater routing calculations and the drainage plan indicate that a crest elevation of 350.80'. Please revise for consistency. **7/11/25 - Comment Addressed.**
 - b. Proposed Rain Garden: The Outlet Control Structure Detail on CG503 indicates a four (4) inch orifice at elevation 351.75 however the pond report stage-discharge does not include an orifice. Please revise for consistency. 5/30/25 - Comment Not Addressed. The table in the "Rain Garden Outlet Control Structure" detail and the drainage plan indicates the 4" underdrain with an invert of 351.75'. This is not included in the pond report for the rain garden. Please revise the routing calculations to include this orifice. **7/11/25 - Comment Partially Addressed. The invert of the underdrain on the site plans and stormwater management report are not consistent and must be amended.**
24. The Applicant is proposing an outfall and Conduit Outlet Protection (C.O.P) at HW 2-1. We defer further review and approval to the Somerset-Union Soil Conservation District. 5/30/25 - **Continuing Comment.**
25. The Applicant proposes an on-site stormwater conveyance system consisting of High-Density Polyethylene (HDPE) pipe. The following shall apply:
- a. Per section 5:21-7.3 (c) of the RSIS, velocities in closed conduits flow shall be at least two feet per second to promote self-cleansing. The pipe calculations indicate average velocities that are significantly below the minimum requirement. Please revise for compliance. 5/30/25 - Comment Not Addressed. The following pipe runs do not satisfy this requirement: Lines 5, 7, 8, 9, 10, 14, 18, 19, 26, 27, 28, 29, 30, 31, 32 in the first set of pipe calculations and lines 1, 2, 6, 8, and 9. The pipe layout must be revised accordingly. **7/11/25 - Comment Addressed.**
 - b. Please revise to address minor inconsistencies between the pipe calculations and drainage plan CG102. 5/30/25 - Comment Partially Addressed. The following inconsistencies between the plans and the pipe calculations must be addressed:
 - i. The pipe slope and inverts for line 7 are not consistent. **7/11/25 - Comment Partially Addressed. The pipe sizes of the roof leader pipes are not consistent.**
 - ii. The grate elevations for WQ-1-3, NMH1-1, OCS1-3, and WQ1-2. **7/11/25 - Comment Addressed.**
 - iii. The leader for line 17 is missing from the site plans **7/11/25 - Comment Addressed.**

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26. Based on the geotechnical report, groundwater was encountered at TP-7, within the vicinity of proposed Porous Pavement System-1, at approximate elevation 347. The bottom of the storage bed is proposed at elevation 348, therefore the minimum one (1) foot clearance required for infiltration systems with underdrains is provided. Please revise the section detail and O&M Manual to indicate the SHWT elevation at proposed Porous Pavement System-1. 5/30/25 - Comment: Not Addressed. Please provide an updated stormwater maintenance plan and revised the "Underground Infiltration Basin 1-1 Section" detail **7/11/25 - Comment Addressed.**
27. Per N.J.A.C. 7:3-5.2(m), the proposed BMPs (porous pavement systems, small scale infiltration basins, rain garden and MTDs) must be reflected in a deed notice recorded in the Office of the County Clerk. A form of deed notice should be submitted to the City for approval prior to filing. **5/30/25 - Continuing comment.**

Site Circulation:

28. The Applicant is requesting a variance for minimum number of parking spaces. 100 spaces are required where 42 are proposed. The Applicant is proposing to use 58 off-site parking spaces on the north side of Springfield Avenue but provides no further information or documentation to support this. The Applicant should provide testimony. **5/30/25 - The plans have been revised to include four tandem parking spaces for a total of 46 proposed parking spaces. The Applicant is now proposing 54 off-site parking spaces. The Applicant should provide testimony on the use of the tandem spaces. 7/11/2025 - The plans have been updated to accommodate the decrease in seats, resulting in a new parking requirement of 79 spaces. The Applicant is now proposing 46 parking spaces on-site and an additional 33 off-site parking spaces.**
29. The Applicant is requesting a variance for minimum parking lot landscaping. One shade tree per ten parking spaces is required where no parking lot landscaping is provided. The Applicant should provide testimony.
30. Fire Truck Circulation plan has been provided. A gap in the solar array canopy has been provided to allow for truck maneuvering. It is unclear how a truck will maneuver when the parking spaces are full. We defer further comment to the City Fire Official.
31. The Applicant should provide testimony on the site circulation including pickup and drop-off for all programs and events on site.
32. The Applicant is proposing a trash storage area at the northwest corner of the building. A nine (9) foot high wood screen fence is proposed to screen the collection. The Applicant should provide testimony on the amount of trash and recycling anticipated to be collected and how the trash and recycling will be collected.
33. The Applicant should provide testimony on ADA site circulation from the parking lot to the building.

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34. The Applicant should provide testimony on the pedestrian access for the parking lot to the building and the outdoor facilities
35. Dimensions should be added to parking spaces around the curve north of the ADA spaces to ensure that the narrowest point of width still complies with City ordinance. The Applicant should provide testimony on the dimensioning of the spaces. ***The Applicant has revised the plans to show the minimum parking stall width of 9 feet on sheet CS101. This is in compliance with the City of Summit Ordinance which requires a minimum parking space width of 9 feet.***
36. The solar canopies as shown on the architectural plans show supporting columns however the location of the columns is lacking on the site plan. It is unclear where the supporting columns are to be located. The location of columns should be shown in the site plan. The Applicant should provide testimony regarding the columns and any potential interference with vehicles parking
37. ***We have reviewed the glare study and it appears to have been prepared using accepted industry modeling practices and accounts for seasonal sun angles and times of day. The materials specified for the construction do not appear to pose a safety or nuisance concern for drivers or surrounding properties. We take no exception to the findings in the study so long as the building material and orientation remain consistent with those analyzed.***

Miscellaneous:

38. The Applicant appears to propose removal of 30 trees from the property. We defer to the City Forester for review and approval of the proposed improvements.
39. 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.
40. The Applicant has noted that they will maintain a silt fence for the entire duration of construction.
41. The Applicant shall remove all excavated and excess soil from the site and shall not use excess soils elsewhere on site.
42. 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.
43. As a condition of approval, signed digital plans shall be transferred to the City of Summit for use in updating the G S 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.

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44. *The Landscaping plans prepared by Viridian Landscape Studio show a date of July 21, 2025 which is after the submission date. This should be revised to the correct date of the plan.*

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 should 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

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EXHIBIT K

DEPARTMENT OF COMMUNITY SERVICES
City of Summit
512 Springfield Avenue
Summit, N.J. 07901
(908) 273-6407

PUBLIC NOTICE OF DECISION

The Zoning Board of Adjustment held a meeting on May 4, 2026, and memorialized and approved the following resolutions:

1. Beacon Unitarian Universalist Congregation in Summit
695 Springfield Avenue
BL: 1702 L: 47
ZB-24-2237- The application for preliminary and final site plan approval with use variance, conditional use variance, and bulk variance relief associated with the construction of a house of worship and freestanding solar canopies was denied.
2. DNT Holdings Group LLC
52 Huntley Road
BL: 3601 L: 6
ZB-25-2317 – (c) – variances were granted for steep slope disturbance and side yard setback to construct a second floor and rear two-story addition.
3. Ankur Maniar
16 Shadyside Avenue
BL: 2001 L: 26
ZB-25-2321 – (c) – variances were granted for front yard setback, building coverage, lot coverage, building height, and side yard setback to construct various improvements including a second floor bay window addition, a new rear deck and patio, conversion of the existing rear shed to a garage with an addition, reconstruction of the existing rear basement entrance, a new air conditioning unit, and new basement window wells.
4. Von Haarlem LLC
31 Miele Place
BL: 403 L: 13
ZB-26-2323 – (d) – variance for FAR and (c) – variances for side yard setback, combined side yard setback, and front yard setback were granted to raze the existing dwelling to the foundation and construct a two-story residence on the property.

The Resolutions of the Board have been filed in the Division of Land Use – Department of Community Services at Summit City Hall, 512 Springfield Avenue, 2nd Floor, Summit, NJ 07901.

Jessica Sands
Board Secretary

Dated: May 8, 2026

Civil Case Information Statement

Case Details: UNION | Civil Part Docket# L-002593-26

Case Caption: BEACON UNITARIAN UNI VERSALIST VS
CITY OF SUMMIT

Case Initiation Date: 06/22/2026

Attorney Name: DONNA MARIE JENNINGS

Firm Name: WILENTZ GOLDMAN & SPITZER

Address: 90 WOODBRIDGE CENTER DR STE 900 PO
BOX 10

WOODBRIDGE NJ 070950958

Phone: 7326368000

Name of Party: PLAINTIFF : Beacon Unitarian Universalist

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: ACTIONS IN LIEU OF PREROGATIVE WRITS

Document Type: Complaint

Jury Demand: NONE

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

**Do you anticipate adding any parties (arising out of same
transaction or occurrence)?** NO

Does this case involve claims related to COVID-19? NO

**Are sexual abuse claims alleged by: Beacon Unitarian Universalist
?** NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? YES

**Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:**

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO **Title 59?** NO **Consumer Fraud?** NO
Medical Debt Claim? NO

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*

06/22/2026
Dated

/s/ DONNA MARIE JENNINGS
Signed

