

Board of Adjustment
City of Lambertville
Regular Meeting
Justice Center, 25 S. Union Street
Thursday May 31, 2012 at 7:30 pm
MINUTES

The meeting was called to order at 7:35 p.m. by the Vice Chairperson, Pat Pittore, with a statement of Compliance with the Open Public Meetings Act, noticing the Beacon, the Democrat, the Times on Friday, May 25, 2012, posting the agenda to the Bulletin Board at City Hall and on the website at www.lambertvillenj.org.

ROLL CALL

Mrs. Ege called the roll as follows:

Present: Pasquale "Pat" Pittore, Philip Mackey, George Hambach, Kate Dunn and Fred Eisinger.

Absent: David Moraski, John Leyman, and Maura Fennessy.

Also present: William Shurts – Board Attorney, Thomas E. Cundey – Board Engineer

APPROVAL OF MINUTES:

MARCH 29, 2012

The Vice Chair asked for a motion to approve the meeting minutes from the March 29, 2012 session. Mr. Philip Mackey made a motion to approve the minutes as submitted, George Hambach seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

RESOLUTION

Authorizing the Secretary to Sign Purchase Orders

Zoning Board of Adjustment
City of Lambertville
Resolution

A Resolution Authorizing the Secretary to Sign Purchase Orders

WHEREAS, the Secretary of the Zoning Board of Adjustment has the knowledge required to certify purchase orders submitted for payment by the professionals to the board and escrow refunds from applicants, and

WHEREAS, the Board meets on a monthly basis and approves the purchase orders on the Bills List which includes those submitted by professionals and escrow refunds, and

WHEREAS, the City's Auditing firm, Suplee Clooney advised it is acceptable for the board secretary to sign the purchase orders.

NOW THEREFORE BE IT RESOLVED BY the members of the Zoning Board of Adjustment that the Secretary of the board is hereby authorized to sign all purchase orders submitted for payment.

ADOPTED: May 31, 2012

The Vice Chair asked for a motion to adopt the resolution authorizing the Board Secretary to sign purchase orders. George Hambach made a motion to adopt the resolution as present. Fred Eisinger seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

COMPLETENESS – USE VARIANCE

Lambertville Hall Foundation 57 Bridge Street, Block 1042 Lots 11 & 28

The following list of professional represent the applicant for the Use Variance: Richard Mongelli, Esquire, Michael Burns, R.A., Architect, John M. Dura, P.L.S. and James Ceglia, P.E. of Site Works. Mr. Richard Mongelli, Esquire and Mr. Michael Burns, R.A., Architect, were present.

Mr. Richard Monegli, the Attorney for the Applicant introduced the applicant, Kevin Dougherty and Tanya Cooper, the Head of the Foundation, to the members of the board.

Mr. Burns reviewed the letter prepared by Thomas E. Cundey, P.E., C.M.E., the Engineer for the Zoning Board, dated May 22, 2012 in detail with the board.

The following items were discussed:

7.e – Mr. Burns stated the applicant will comply with this, which can be provided at a later date,

8 – Mr. Burns submitted a letter from the owner, Kevin Dougherty giving his permission for the application, he will also sign the plans.

17.e – Mr. Burns stated that the applicant will provide more details,

18.b – Mr. Burns stated applicant requested a waiver but will show the curb cut on Ferry Street,

20.b – Mr. Burns stated the applicant will comply and the encroachments will be reflected on the revised plans,

22 – Mr. Burns stated the applicant requested a waiver however agreed to add the underground storage tanks and drainage pipes to the revised plans,

23 – Mr. Burns stated the applicant requested a waiver, however will identify the location of the utilities on the revised plans,

27 – Mr. Burns stated the applicant requested a waiver,

35.b – Mr. Burns stated the parking will be handled in layers. They will request a Handicapped parking space on Bridge street from Mayor and Council, have a small parking lot to accommodate the restaurant and for the theater will have an off-site parking arrangement. Testimony will be provided at the public hearing and the plans will be revised to reflect the parking plans, and

36 – Mr. Burns stated that the trash enclosures are on the plans between the fire exits.

Mr. Cundey's report also had the following comments:

- The plans do not show information or calculations for the 34 foot long proposed retaining wall on the west side of the site nor a detail showing the wall and the proposed fence along the top of the wall,
- There is no information on the existing retaining walls, and six (6) to eight (8) feet of soil is being removed from one side of them, drastically changing the loading condition on the walls. The applicant is proposing to construct the walls without knowing this information and if it is determined that the wall needs replacing during construction, they will replace it. If the Board accepts this, the replacement of the wall must be made and documented by a licensed structural engineer.

Mr. Burns commented that it is in the intent of the applicant to maintain the retaining walls where possible or rebuild them if necessary. If they need to rebuild the retaining walls, they will hire a structural engineer to draw the plans. They will comply with the other issues raised by Mr. Cundey on the revised plans.

The Vice Chair asked members of the board if they had any questions.

Mr. Pittore asked the Board's Attorney, Bill Shurts, why the application was before the Zoning Board of Adjustment. Mr. Shurts responded that the uses are presumably allowed and this application has two properties, the Ferry Street property is in the R2 Zone which requires a D Variance. Mr. Burns stated the Ferry Street property is very small but the old Church property fronting on Bridge Street is actually in two zones, the CBD and the R2. Mr. Mongelli stated the application is for a conditional use for the restaurant portion. Mr. Shurts asked the applicant's attorney to identify the variances. Mr. Mongelli and Mr. Burns responded the applicant is a Use Variance and a Bulk Variance for the parking.

There being no further questions from the board, the Vice Chair asked for motions.

MOTIONS:

GRANTING WAIVERS

Mr. Fred Eisinger made a motion to grant the waivers to items numbers 18.b and 22 (partial waiver). Kate Dunn seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

DEEMING THE APPLICATION COMPLETE

Mr. Philip Mackey made a motion to deem the application complete upon the submission of items 7.3, 8, 17.e, 20.b, 23, 27 and 35.b, requiring submission no later than June 14, 2012 for the public hearing scheduled for June 28, 2012. Kate Dunn seconded the motion. An affirmative roll call vote was taken in favor of the motion by all members present. MOTION CARRIED.

Board members asked the applicant if they met with the residents to discuss the applications. Mr. Burns responded they met with the residents once and have a second meeting scheduled for Saturday. Mr. Dougherty stated they took an old historic building and are turning it into a self-sustaining nonprofit and the general feedback from the members of Ferry Street was positive.

The public hearing is scheduled for June 28, 2012,

PUBLIC COMMENT

None.

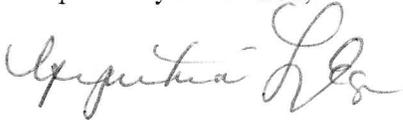
PAYMENT OF BILLS

The Vice Chair asked for a motion to approve the bills on the bills list. Kate Dunn made a motion to approve the bills on the bills list when the funds became available. Philip Mackey seconded the motion. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

ADJOURNMENT

The meeting adjourned at 8:10 p.m. with a motion made by Fred Eisinger and seconded by Kate Dunn. An affirmative voice vote was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Cynthia L. Ege
CMR, RMC, City Clerk

Approved at the regularly scheduled session held on June 28, 2012.