

**ZONING BOARD OF ADJUSTMENT
CITY OF LAMBERTVILLE
REGULAR MEETING MINUTES**

Thursday, July 29, 2021

The meeting was called to order by Board Chairman. Pat Pittore, at 7:30 p.m. with a statement of compliance with the Open Public Meetings Act.

ROLL CALL

Mrs. Lawton called the roll as follows:

Present: Fred Eisinger, Jane Wesby, Christine Peluso, Deb Vari, Bill Neeley and Pat Pittore.

Absent: William Pisarra & Reggie Ross.

Also Present: Board Attorney Stewart Palilonis, Board Planner Emily Goldman and Board Engineer Doug Rossino.

APPROVAL OF MINUTES – June 24, 2021

Jane Wesby made a motion to approve the meeting minutes, as submitted. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members able to vote. MOTION CARRIED.

PUBLIC HEARING

74 South Main Street
Block 1049 Lot 9
Use Variance

The applicant advised the Board that they wish to carry this application for a future meeting.

No action was taken by the Board. Applicant will notify the Board Secretary of intended date to return.

At this time, no further notices are required by the applicant, however, that is subject to change should a new and different application be submitted.

PUBLIC HEARING

21 Ferry Street
Block 1049 Lot 9
Use Variance & Final Site Plan Approval

It should be noted that William Neeley recused himself from this application.

The existing property is currently a restaurant, utilizing two floors. The proposed project will expand the restaurant area to be on the first level only and include four two-bedroom apartments. The apartments will be 1,300 square feet and 1,600 square feet.

There will be a total of seventy-five seats, including indoor and outdoor seating. The restaurant currently has a total of ninety seats, so the parking demand will decrease. The garbage for the

restaurant is currently refrigerated until the scheduled trash pickup and will continue to be refrigerated. Trash cans for the residential apartments will be located under the rear staircase.

Mr. Mongelli stated that the applicant has acquired three parking spaces at the Justice Center through the Clerk's Office. At this time, it is uncertain as to whether those spaces will be assigned to the residents of the apartments or for additional parking for the restaurant.

The proposed three-story addition complies with the setback requirements, with the exception of the existing front lot line, which will not be altered during construction.

The existing handicap ramp will be relocated to the western side of the property and will be used for the restaurant only.

Access to the apartments will be located at the staircase to the rear of the building. The HVAC units for the apartments will also be located to the rear of the building, under the staircases.

Currently, there is no designated loading zone for the existing restaurant and the applicant is not proposing to provide one. Chis Nusser, testified that deliveries will be conducted in off hours.

The existing tree on the property seems to be distressed and therefore will be removed for construction of the project.

The applicant has agreed to work with Ms. Goldman and Mr. Rossino on the landscape and lighting plans. also, as a condition of approval, the applicant will need to do an assessment of the existing stone wall to ensure that it is capable of withholding the proposed additions and changes.

A conditional use variance is required for one of the four apartments for two means of egress. The other three apartments require a bulk variance. There is also relief required for the parking and loading area and also the front building lot line.

PUBLIC COMMENT:

Audrey Byrnes, Ferry Street – Concerned about parking in the area

Kevin Byrnes, Ferry Street – Sworn in to testify regarding the impact on the neighborhood. He also stated that the application did not provide special reason for the reliefs requested.

Denise Jarvis, Ferry Street – Concerned about the amount of seating, lighting and music that could be heard outside.

Robert Jordan, South Union Street – Parking concerns, adverse impact on the neighborhood.

Trish Barbie, South Union Street – Asked about the rental agreement, is it on a monthly or annual basis.

Fred Eisinger made a motion to grant the relief and variances requested. Christine Peluso seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. Bill Neeley was recused from voting. MOTION CARRIED.

COMPLETENESS

1 Elm Street
Block 1022 Lot 19
Use Variance

Mr. Rossino went over the items listed in Checklist # 4. Items 14b & 14c are recommended temporary waivers, 16 & 17b are recommended waivers, 17c & d are partial waivers, 23 & 24 are recommended waivers, 26 is a temporary waiver, 31 is a partial waiver and 37 is a temporary waiver.

The Development Review Committee (DRC) recommends approval of this application, based on the information listed above.

Fred Eisinger made a motion to deem the application complete, based on the recommendation of the DRC. Deb Vari seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

PUBLIC HEARING

1 Elm Street
Block 1022 Lot 19
Use Variance

Sworn in as expert witnesses were, Daniel Popkin, Eric Rupnarain, Tom Sterns and Daniel Ward.

The applicant is seeking approval from the Board to convert an existing garage into a second residential use on the property.

There is currently an existing dwelling with three-bedrooms on approximately 1.5 acres and will remain as the current use.

Mr. Rupnarain stated that the utilities will have five easements from North Union Street. The driveway is a pre-existing non-conformation size and therefore will require a design exception.

The landscape plan submitted was discussed and the applicant agreed to update the plans with more appropriate plantings.

The applicant stated that this property, with the second residential use, will not be used as commercial in any way. It will strictly be for residential use only.

The new structure was designed to specifically not mirror the existing structure.

A D-1 variance is required for the second principal use, a C-2 variance is needed for the frontage on a public street and lot frontage.

The applicant also stated that they will comply with the Board professionals review letters, with conditions.

Jane Wesby made a motion to grant the approvals for the design exceptions and the variances, as listed above. Christine Peluso seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. MOTION CARRIED.

GENERAL BUSINESS

None

PUBLIC COMMENT

None.

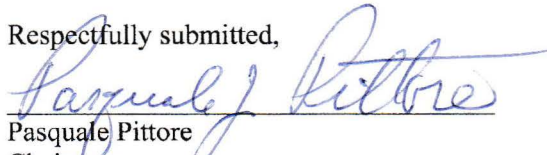
PAYMENT OF BILLS

Fred Eisinger made a motion to pay bills, so long as funding was available. Jane Wesby seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present. MOTION CARRIED.

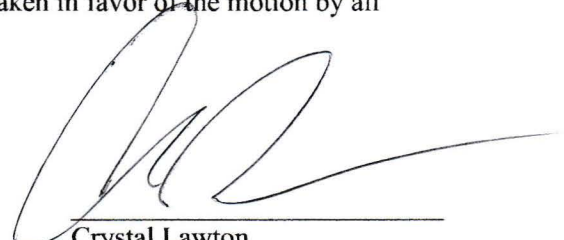
ADJOURNMENT

Fred Eisinger made a motion to adjourn the meeting at 11:04 pm. Jane Wesby seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present. MOTION CARRIED.

Respectfully submitted,



Pasquale Pittore
Chairman



Crystal Lawton
Administrative Officer