

**MINUTES OF REGULAR REMOTE ZONING BOARD OF
ADJUSTMENT MEETING HELD ON TUESDAY, JUNE 8, 2021**

Chairman Byrne called to order the regular (Zoom) meeting of the Board and announced the meeting was duly advertised in compliance with the Open Public Meetings Act by notice sent to the Daily Record, Suburban Trends and posted on the bulletin board and website at Borough hall.

**PRESENT: BYRNE, DUBOWSKY, ERICKSON KUBISKY, WOLFSON, ZALEWSKI
AND ZAPF**

ALSO PRESENT: BOORADY, ENGINEER AND ALEXANDER, COUNSEL

Chairman Byrne stated the first order of business is approval of the May 11th, 2021 meeting minutes. Any comments or corrections?

Mr. Zapf made the motion to accept.

Mr. Dubowsky seconds.

Roll call:

Yes: Zapf, Dubowsky, Byrne, Kubisky, Wolfson and Zalewski

No: None

Abstain: None

Ms. Ward stated they are approved.

Chairman Byrne stated the next order of business is the Interpretation #2021-02 by George and Laura Stoddart, on property known as Block 36, Lot 26 on the municipal tax map also known as 62 Main Street (complete May 12th, 2021 decision by September 9th, 2021). This is a public hearing.

Laura can you hear us?

Mrs. Stoddart stated yes I can now.

Chairman Byrne asked Steve can you hear us.

Mr. Schepis stated I can.

Chairman Byrne asked who are your witnesses.

Mr. Schepis stated George and Laura Stoddart.

Mrs. Keator stated this is Cathy Keator, I've been drop from this call twice.

Chairman Byrne stated I can hear you Cathy.

Mrs. Keator stated I guess I had a bad connection.

Chairman Byrne asked any better Steve?

Mr. Schepis stated yes, all of a sudden you went silent.

Chairman Byrne stated okay everyone can hear us okay.

Mr. Alexander asked who are your witnesses this evening.

Mr. Schepis stated oh yes, George and Laura Stoddart.

Mr. Alexander swore in George and Laura Stoddart.

Chairman Byrne stated you can proceed.

Mr. Schepis stated good evening everybody, the application you have this evening is rather unusual it came in as an interpretation but there is no box to check relative to a Section 68 certification. So what we are seeking is a determination from the Board that the use of the structures on the subject property, 62 Main Street, Lincoln Park, lawfully predate the present ordinances which rendered them out of compliance so that they may continue without expansion.

Mr. & Mrs. Stoddart are owners of the property and as such they have made this application seeking a certification. We have submitted some certifications that enhance and support this, one was the history that George Stoddart signed a detailed list of tenants.

Well let me tell you a little bit about the application first. The nature of the application is this, the property is located in an R-15 residential zone and both one and two-family dwellings are permitted in that zone, however two-family dwellings require a minimum lot area of 22,500 sq. ft. The subject property is 15,000 sq. ft. George will give testimony and you'll see documents that created a subdivision in 1964 that the two-family dwelling was to remain and a building lot was created off the rear which fronts on Maturan, so we are looking for a certification that the two-family dwelling on the 15,000 sq. ft. lot lawfully predates the present ordinance.

Likewise there are a number of nonconformities with regard to structures. The tax records that were submitted stated the house was built in 1890. The first Zoning Ordinance was adopted in December of 1941. The house as it exists today is 4.7 feet from Maturan Ave. where 40 feet is required. It hasn't moved since it was built in 1890.

Also there is an ordinance requirement that any residential dwelling unit, the square footage of floor area is 650 sq. ft. whereas the apartment on the lower level of the house is 636 sq. ft. and that is based on the assessor's records.

There is a nonconforming condition of impervious coverage where 30% is the maximum permitted for a two family and 52.5% exists. Then you have accessory structures and the accessory structures are a barn on the property, and likewise there is a garage. The setbacks are similar to that for a principal structure as it relates to a front yard setback. They both are noncompliant, the barn is a foot off the property line and the garage is about 19 feet.

Then you have height of accessory structures under the present ordinance and the maximum is 12 feet where the garage is 19 feet high and the barn is 20 feet high. Then the front yard setbacks for the accessory structures, the garage is 6.7 feet from the side line where 10 is required, and the rear setback for the barn is required to be 5 feet and it is 4.7 feet so that is the lay of the land.

What I would like to do first, I would like to have George Stoddart or perhaps the two of them could testify in tandem if that works. Give us a little use history about the property when they were first acquainted with it with their families, etc., etc. So if we can have a little latitude I would appreciate it and I am going to ask Mr. & Mrs. Stoddart to first introduce themselves and then perhaps either of you, or both of you can tell us a little bit about the property.

Mr. Stoddart testified 62 Main Street, Lincoln Park, I have lived there since 1942, I believe in this particular house.

Mrs. Stoddart testified tell them about the property.

Mr. Stoddart testified the property yes. The one question I have --

Mrs. Stoddart testified tell them about the property.

Mr. Stoddart testified that's what I was trying to do.

Mrs. Stoddart testified the history of the property.

Mr. Schepis asked Mrs. Stoddart do you want to take the lead on the history.

Mrs. Stoddart testified so basically my husband and his family moved in there in 1941 and that was their homestead.

Ms. Ward mentioned Steve is speaking but I can't hear him.

Chairman Byrne stated I'll fix it.

Mrs. Keator stated this is Cathy Keator calling again. I was dropped from the hearing and never got invited back to the meeting. I don't know what is going on but I haven't heard anything that was discussed so far.

Chairman Byrne stated hang on one second, let me see if I can fix this. I don't know why we keep losing you.

Steve can you hear us?

Mr. Schepis stated yes.

Chairman Byrne asked Cathy do you actually get disconnected from the meeting.

Mr. Zapf stated she said she was in a car.

Chairman Byrne stated yeah, she dialed in on the phone so we shouldn't be losing her.

Mr. Schepis asked Laura about the certification that her husband signed, and George I know you are there, with this application and you guys issued a certification entitled: "Certification of George Stoddart" and there is a signature on the bottom of the page. Do you see that George?

Mr. Stoddart testified I do.

Mr. Schepis asked did you read this before you signed this.

Mr. Stoddart testified did I read it. I don't know what it is about now because I can barely see it now.

Mr. Schepis stated the use history has all the tenant's names on the property since 1939. Laura please walk us through the history of the property.

Mrs. Keator stated I keep getting disconnected.

Chairman Byrne asked are dialing in on the phone, like a phone number or through the Apt.

Mrs. Keator stated I dial the 929 number and then putting in the webinar information. Is there another number I can call?

Chairman Byrne stated no that is correct. Would everyone turn off their video other than Laura and Steve because we are having some issues and I think this may help?

Mrs. Keator stated I can hear you on my phone.

Mrs. Stoddart testified basically my husband and his family moved in 1941. The barn and the house were there but I don't know about the garage. I think that was built in 1950, however, it was a two-family home at that point when they moved in. There was a tenant living in the lower apartment, a single male whose name my husband doesn't remember.

Chairman Byrne mentioned we are having some issues tonight.

Mr. Schepis stated Laura is going to testify about the history on the property, so why don't you walk us through the history of the property.

Mrs. Stoddard testified in 1941 the barn and the house were there and I don't know about the garage. I think that was built in the 1950's, however, it was a two-family home at that time when they moved and there was a tenant living in the lower apartment, a single male, and my husband doesn't remember the guy's name. After he moved out the Deckers moved in and they lived there until they passed away.

After our in-laws passed away it continued to be a two-family home and the Deckers moved upstairs and then someone else moved downstairs. A lot of family members were living there. They were newly married and they would move in, save money to build or buy a house so basically it was a lot of family.

Mr. Schepis asked I would like to share the screen with everyone.

Mrs. Stoddard please look at the photographs that were submitted as part of this application. Now the first series of photographs do you recognize those 4 photos that are shown there?

Mr. Stoddard testified yes.

Mr. Schepis stated so this is the 636 square foot apartment correct?

Mrs. Stoddard testified that is it.

Mr. Schepis stated this is the apartment as it relates to the front of the home.

Mrs. Stoddard testified there is a side door that goes into the apartment. The one step into it and then we have another access going out the back of the apartment through the cellar for a second access.

Mr. Schepis stated now let's talk about what I see here in one of the photographs, a kitchen and bathroom.

Mrs. Stoddard testified that's right a kitchen, bathroom and bedroom.

Mr. Schepis asked is it 3 rooms.

Mrs. Stoddard testified and the living room should be there. I think you just went by it, I'm not sure where the living room is?

Mr. Schepis stated let me see what else we have. The first set of pictures are all of the apartment correct?

Mrs. Stoddard testified that is correct.

Mr. Schepis asked now it has its own kitchen, bathroom, bedroom and living room correct.

Mrs. Stoddard testified that is correct.

Mr. Schepis asked this space is not readily accessible from one unit to the other is that fair to say.

Mrs. Stoddard testified absolutely not.

Mr. Schepis stated let's talk about the second unit. We were concentrating on the apartment so let's talk about the second unit. I'm pulling up some additional photographs and do you recognize the pictures?

Mrs. Stoddard testified that is the kitchen of the upper story of the house, the bedroom, the laundry room, and then it goes up to the bathroom, stairs, hallway, another bedroom and then you go down to the bottom and that's the cellar.

Mr. Schepis stated okay this is the cellar.

Mrs. Stoddart testified that is the cellar.

Mr. Schepis asked tell us what we see here in these photographs 26 and 25.

Mrs. Stoddard testified that is the front of the house, the apartment on the left at the bottom (inaudible) the apartment, and then it extends out on the left side that is also the apartment. In the front of the house it shows the front of the house with the porch and the apartment underneath. On the left what is that?

Mr. Stoddart testified that is the west side of the house.

Mrs. Stoddard testified the Maturan Avenue side on the right down there that is the foundation.

Mr. Schepis asked what is the photograph #30 on the right going down those steps.

Mrs. Stoddart testified those steps are down in the basement which is effectively sealed off (inaudible). They only use it if they have to get out for an egress. That is not a place where they want to be.

Mr. Schepis asked this photograph we see here with this door with this metal sheet on it, what is that door.

Mrs. Stoddart testified that is the second door out from the apartment which is the fire door.

Mr. Schepis asked so is it fair to say, that the apartment has an emergency egress going into the basement.

Mrs. Stoddart testified exactly. The windows are more than wide enough to get out without a problem and low enough also.

Mr. Schepis stated okay. So now let's take the other structures that are on the property and maybe you can tell us a little bit about that? One of the structures that we are looking for certification of is the barn. So that is the barn is that fair to say?

Mrs. Stoddart testified that is the barn.

Mr. Schepis asked that barn has been there since before 1941 is that fair to say.

Mrs. Stoddart testified oh yes.

Mr. Stoddart testified the barn was built when they were first married.

Mr. Schepis asked let me asked this questions for the two of you, are these photographs all fairly accurate and represent the addition to the home at 62 Main Street, as well as the accessory structure that we reference.

Mr. Stoddard testified yes.

Mr. Schepis stated okay. Let's talk a little bit about your certification George. We have a detailed certification, Laura are you there?

Mrs. Stoddart testified I'm here.

Mr. Schepis asked is it fair to say, that you and your husband came up with this detailed list of tenants that have lived in the second apartment, as well as the first apartment.

Mrs. Stoddart testified to the best of our knowledge that we could. Things were different in the olden days there weren't as many records kept as we do now.

Mr. Schepis asked is it fair to say to the best of your knowledge, since before 1941 this house has been a two-family house with one apartment being 636 sq. ft. and then the other larger unit.

Mr. Stoddart testified yeah, yeah.

Mr. Schepis asked has there ever been a time when it stopped being a two-family house.

Mr. Stoddart testified no.

Mr. Schepis stated okay. The lot area to the best we know is 15,000 sq. ft., and George you attested that your parents did a subdivision that was approved sometime in the sixties, like '64 and the lot behind you on Maturan was created is that fair to say?

Mr. Stoddart testified that is true.

Mr. Schepis stated okay. Now George you gave us some pictures of the house going back whenever.

Mr. Stoddard testified yeah.

Mr. Schepis stated and you submitted those to the Board for their consideration correct?

Mr. Stoddart testified yeah.

Mr. Schepis asked all these photographs you supplied I guess were part of your family's albums all these years.

Mr. Stoddart testified yes, I don't know family albums.

Mr. Schepis asked is it fair to say, that the structures that we have on the property, the garage to the best of your knowledge was built with a permit.

Mr. Stoddart testified the garage was built in 1950 I believe. I believe there was a permit because we wanted to put a second story on it and make another apartment but they wouldn't let us because it had to be attached to the primary house and they couldn't do that. I believe they would have gone through the process of getting permits for it.

Mr. Schepis asked how long has that garage been there

Mr. Stoddart testified oh 1950.

Mr. Schepis stated unfortunately I can't pull up that picture but it seems like it disappeared. Perhaps this is a good time to open it up in case any of the Board members have questions. I would point out that it is a little difficult for me to show all the ordinances annexed to the application.

There are a series of zoning ordinance that demonstrate that when this house -- in 1941 there was no zoning and then up until sometime in the seventies a two-family dwelling was permitted on lots 15,000 square feet, which would attempt to demonstrate why they got a subdivision in 1964 when this lot was created and then the structures were all there, so perhaps this is a good time to take some questions.

Chairman Byrne stated I agree. Does anyone from the Board have questions?

Mr. Alexander stated Steve I have a question for you. The application has a list of the nonconforming conditions on page 4.

Mr. Schepis stated yes.

Mr. Alexander stated with them the accessory structures, the garage and barn it says 12 feet required and 19 existing, 10 feet required and 20 existing is that for side yard setback or what does that relate to?

Mr. Schepis stated I'll go through the list. As it relates to the garage, a 10 foot side yard setback is required, and as you can see from the current survey it is only 6.7 feet from the side line. As it

relates to the frame barn, it is required to meet the front yard setback of 40 feet and it is only 1.1 foot. As it relates to the rear yard setback, it is required to have 5 feet and it is only 4.7.

Apparently in my review the barn was there when they did the subdivision and apparently they didn't have an accessory structure setback at that time. It is difficult sometimes to piece through the ordinances because you've got to find the one that changed it and they don't really announce that we are changing it now, you kind of have to put it altogether and find the missing pieces of the puzzle. From the best I can tell the barn was there before there was any zoning and that's why it is 1.1 foot.

Mr. Alexander ask numbers 6 and 7.

Mrs. Stoddart testified the barn was there before we purchased it.

Mr. Schepis stated okay.

Mrs. Stoddart testified (inaudible – two people speaking) it closed with the house.

Mr. Schepis stated I like that. So Mrs. Stoddart says that the barn was there before the road, the road was too close to the barn.

With regard to the accessory structures, we had somebody measure the height of the barn. The barn is 20 feet high and it is my understanding that the zoning ordinance permitted the maximum height of accessory structures to be 12 feet, and then they had somebody measure the garage and the garage is 19 feet high and the height permitted is 12.

Mr. Alexander stated okay.

Mr. Stoddart testified we got a permit to do the garage.

Mr. Schepis stated so that is it there so there is not much more to say.

Chairman Byrne asked anyone else from the Board have any questions.

Mr. Zapf stated when you guys described the upper and lower apartments it is just hard to try and figure out from the outside because in the front by the driveway it is two stories, and what you call the lower apartment is actually up the steps at the first level, and then the upper apartment is up underneath the roof line. Is there anything (inaudible) underneath the steps?

Mrs. Stoddart testified that is the living room and then underneath the steps itself is the bathroom.

Mr. Zapf stated okay.

Mrs. Stoddart testified (audible) that entrance door and the kitchen is to the left.

Mr. Zapf stated okay so the apartment is at that level where the brown shingles are in this picture and then the other apartment is from the porch up.

Mrs. Stoddart testified yes.

Mr. Zapf asked right across from there just a block away, I can still tell you what kind of car Mae Decker drove when she lived there. I always thought it was a two-family house because she was our crossing guard. Okay so the upper apartment is really two stories and the lower apartment is at ground level.

Mrs. Stoddart testified that is correct.

Mr. Zapf thanked them.

Mrs. Stoddart testified you're welcome.

Chairman Byrne asked anyone else.

Tom do you have any comments?

Mr. Boorady stated I have no engineering concerns with their request there is no construction.

Mr. Alexander asked what is the reason for the application.

Mr. Schepis stated apparently Mr. & Mrs. Stoddart are anticipating selling the premises one day, maybe not to in the too distance future, and they don't want to run into an issue of the legality of a two family on an undersized lot which could become a concern. Not that there is a certificate of occupancy required or anything like that, but they just don't want to leave their family with a headache or have a headache themselves selling the premises.

Mr. Alexander stated okay, thank you.

Chairman Byrne asked if Cathy was on the line or anyone else from the public. Joan I don't know what happened with Cathy but she missed much of the testimony and I'm sure she had some questions because she said she was a neighbor.

Ms. Ward stated right. She had a question about the driveway.

Mrs. Stoddard testified oh the driveway.

Chairman Byrne asked do you know what the question was.

Ms. Ward stated there is a small portion of the driveway going out to Maturan that was recently paved and she was concerned about that. The driveway was always on Main Street not on Maturan and she was concerned because she felt it was dangerous if a car was coming from Main Street.

Chairman Byrne stated oh that little piece right there.

Mr. Zapf stated at the corner by the stop sign.

Ms. Ward stated she mentioned if you were turning in from Main Street and if someone was coming out of the driveway she felt someone could be hit with a car.

Mr. Zapf stated it is down by the stop sign right at the corner by me.

Chairman Byrne asked when was that put in do we know.

Mr. Schepis asked Mrs. Stoddard can you hear us.

Mrs. Stoddard testified we believe it was put in in 1981 because there was no way to turn around. They had one car and upstairs they had two cars.

Mr. Schepis asked do you know if there were any accidents at that intersection.

Mrs. Stoddard testified there were no accidents there it is a very narrow road.

Chairman Byrne asked so I guess the question is is there any paperwork that showed, I mean in 1981 the driveway. I'm looking at a Google Map and I don't even see the driveway on it.

Mrs. Stoddard testified his mother past away and that's when we put a driveway there.

Mr. Stoddard testified it was dirt before that.

Mrs. Stoddard testified it was always a dirt area with gravel.

Chairman Byrne asked so it was recently paved is what you are saying in the last couple of years.

Mrs. Stoddart testified (inaudible – not being pickup by microphone).

Chairman Byrne asked I am assuming it was done legally.

Mrs. Stoddart testified well yeah the paver came and did it.

Chairman Byrne stated I think you need a permit for that but I am not sure.

Mrs. Stoddart testified we tried to make it look nicer.

Mr. Schepis asked Mrs. Stoddart you mentioned that there was a driveway there before and was it dirt, gravel or --

Mrs. Stoddart testified it was gravel. We tried to make it look nicer.

Chairman Byrne stated so Steve I don't have the evidence, I can screen share, but I'm just looking at photographs off of Google and it shows a dirt area that doesn't extend to the road and now there is a paved area that does extend to the road. I can share my screen and show you if that would possibly help?

Mr. Schepis stated yeah why not.

Mrs. Stoddard testified it does layout (inaudible).

Chairman Byrne stated so hang on, there is a curb here and I'm not an engineer, but we have an engineer here, but this is a Google Map so if you go over from this view you can see it is all paved now because I guess they take it at different times.

Mrs. Stoddart testified it was paved a few years ago.

Chairman Byrne stated I'm just going to show pictures. So here is a dirt patch with a lot of grass around it and a lot of --

Mrs. Stoddard testified they road over it and look at the tire tracks.

Chairman Byrne stated I'm not disagreeing with you I'm just showing you the two different views. A woman from the public had a concern because from here it doesn't really look like a driveway, whether it was used like that or not I definitely see tire tracks.. From here it looks like a paved driveway that goes out to the street. I don't know what the code is Tom? I don't know if you know what the code is for driveways at an intersection but she may have a legitimate concern. I don't know if it has any bearing on this request but was this part of the request the driveway?

Mr. Schepis stated all the coverage is part of the request.

Chairman Byrne stated so the impervious coverage, Steve the impervious coverage is in here right?

Mr. Schepis stated yes.

Chairman Byrne stated it says 52½ where 25 is permitted

Mr. Schepis stated 25 for a single family and 30 for a two family.

Chairman Byrne stated okay. So we don't have this woman here to testify or to ask questions. I don't know Craig what we can do about that. Does anyone know who she is?

Mr. Zapf stated she lives at 15 Maturan.

Mr. Alexander stated it is her obligation to attend the meeting and offer testimony to object.

Chairman Byrne stated yeah but she keeps getting disconnected. Joan can we try and contact her?

Ms. Ward stated I don't have a contact number for her.

Chairman Byrne stated she said she was at 15 Maturan Ave.

Mr. Zapf stated 15 Maturan Ave.

Ms. Ward stated right she is at 15 Maturan Ave. Cathy came in and looked at the documents and advised she would be participating.

Mrs. Stoddart testified I just want everyone to know that there has never been any problem there, and no accidents or anything so I don't even know what her concerns are.

Chairman Byrne stated okay. Well let's just hear what her concerns are, I'm not sure what they are either. Let me see if there is a way we can contact her.

Mr. Stoddart testified okay.

Chairman Byrne stated Joan I don't know if we have the capability to call her back and I assume she is not rejoining. I'll ask one more time if there is anyone on the phone from the public who would like to comment. Craig you are saying we can move on? Wait I see some numbers now so hold on, may I ask who is calling from 201-341-5228?

Mr. Zapf stated they are on mute.

Chairman Byrne stated yeah. Anyone who is on the phone can you please unmute. This happened once before where they couldn't dial in.

Mr. Dubowsky stated I am 201-341-5228, I apologize. I have to go to the town hall and pick up the election ballots so that is my number so I am here. I unmuted my phone.

Chairman Byrne stated I don't know but you are a panelist. Who is on 862-432-9370?

Mrs. Keator stated hello.

Ms. Ward stated that is Cathy.

Mrs. Keator stated this is Cathy Keator, you had me muted. I've been on my cell phone the whole time and I've heard everything that was discussed. My concern was --

Chairman Byrne stated hang on one second. So Cathy two things, I don't mute anyone the zoom meeting does, so I apologize for that. I am happy that you were able to hear everything and Craig is going to swear you in so you can testify.

Mrs. Keator stated okay great.

Mr. Alexander asked her to spell her name.

Mrs. Keator stated Cathy with a C and Keator (K-e-a-t-o-r), 15 Maturan Avenue, Lincoln Park.

Mr. Alexander swore in Mrs. Keator.

Chairman Byrne stated please proceed.

Mrs. Keator testified well I don't have any issue with the structure or the home being designated a two family I think that is great. My only concern is on the paperwork that was sent and about the variances it did mention the impervious area that it is twice as much as what it is technically allowed and that is not an issue with me either, but if we do allow for the setback on the barn and all of that that's is too close to Maturan, and I really do feel that it is a hazard for having two entrances from the property. The Main Street one should be the one and only one and not Maturan Avenue. That should be removed and have like a setback with that and just have it as a parking area. When you come down 202 headed into town and you have to slow down, people travel 40 miles plus on the street and if somebody were to come out of that driveway and

you are in the process of turning and it is a narrow road, I have a concern about that, but other than that whatever else you want to do with the home as a two family it is fine. I just wanted to express my concern about the safety of the driveway.

Chairman Byrne asked okay. Anything else? Does anyone want to ask any questions of Cathy? Anyone? Okay well I don't know what we can do about that, they had a permit to put the driveway in. Tom Boorady are you on?

Mrs. Keator testified it was stone for the longest time and it was just recently paved. I don't know if that was an issue with the other variances or not. I don't care about the runoff that is going on Main Street that doesn't really affect my section of the street, but I am concerned because the street is so narrow about the entrance and they have two entrance from a house and I don't know if that is normal in town or not?

Chairman Byrne stated I think there are some examples of that. Tom is there any concern or any variance or rules that you know of about having the driveway come out onto the road that way?

Mr. Boorady stated so the question is, one question for the caller, you said it was gravel for the longest time?

Mrs. Keator testified it was stone.

Mr. Boorady stated when you say for the longest time, what does that mean?

Mrs. Keator testified I think that section going on to Maturan was paved recently and other than that I remember it being stone.

Chairman Byrne stated Tom can you see the screen I'm sharing.

Mr. Boorady stated I can. But you remember it being stone all the way up to Maturan?

Mrs. Keator asked over here the curb I don't recall that no. I don't think there was access to the street from there, I think it was just grass and stone. I don't see any photos of the driveway and again I don't think that affects the determination whether or not the house should be determined a two family, I mean this is something totally different, but since it is part of the variance it is features of the property and I thought I would bring that up.

Chairman Byrne asked Tom can you see the screen.

Mr. Boorady stated yes.

Chairman Byrne stated so this is Maturan. This is from Google Maps and they stitch photos together so I don't know when exactly this was taken but this is what it looks like now. So Cathy is saying it was gravel and you can see, I mean even with the travel to the applicant's point you can see tire tracks going out to the road.

Mr. Boorady stated yeah.

Chairman Byrne stated now it is paved so it sticks out like a sore thumb.

Mr. Boorady stated if that has been there for such a long time I don't have a concern about it at this point. You know whether it is gravel or paved asphalt it is still a driveway so I don't have any concerns if it has been there for such a long time. If it was today and they were proposing building it today there may be an issue, but it has been there for now many years so there is no issue.

Chairman Byrne asked Cathy is there anything else you want to add.

Mrs. Keator testified that was it and I appreciate you taking the time to hear my opinion on it and good luck with the determination.

Chairman Byrne stated thank you Cathy.

Mrs. Keator testified okay take care, goodbye.

Chairman Byrne asked is there anyone else from the public. I guess that's it. If there is no one else from the public, I will close that portion of the meeting. Thanks for being so patient, I wouldn't have felt right not having her testimony.

Anyone else from the Board have any questions. Is there a statement or do you want to wrap this up?

I don't have an issue with anything that was said here.

Mr. Zapf asked at this point in time are we just making a motion on this.

Chairman Byrne stated correct me if I'm wrong here, but we are going to make a motion to approve this determination.

Mr. Zapf stated I'll make the motion to approve the determination.

Mr. Dubowsky seconds.

Roll call:

Yes: Zapf, Dubowsky, Byrne, Erickson, Kubisky, Wolfson and Zalewski

No: None

Abstain: None

Mr. Zalewski stated I have one question because you put me on mute so I couldn't get it off. In the packet there is a permit from 1965 for a one- family house and I didn't understand what that is about.

Mr. Schepis stated that permit related to the subdivision. This property was larger and then George's parents did a subdivision and then built a house on Maturan.

Mr. Zalewski stated so it has nothing to do with this two family.

Mr. Schepis stated there was a subdivision and that is how this lot was created.

Mr. Zalewski stated okay.

Mr. Zapf stated Steve there is another house up the hill that belongs to them.

Mr. Zalewski stated okay so the question is --

Ms. Ward stated Steve they were taking a vote on the application.

Mr. Zalewski stated yes.

Mrs. Ward stated perfect.

Mr. Schepis wished everyone a good night and stay safe.

Chairman Byrne stated so Joan we have everyone here so what is the plan for the next meeting?

Ms. Ward stated our next meeting will be in Council Chambers on July 13th. Planning Board is going back next week and Council on June 21st.

Chairman Byrne stated that was it, I think we are good. Does someone want to make a motion

Page 13 – June 8, 2021

to adjourn the meeting?

Mr. Zapf moved to close the meeting

Mr. Dubowsky seconds.

Chairman Byrne stated Happy Fourth everybody!

Meeting adjourned 8:05 P.M.

Respectfully submitted:

Joan Ward, Secretary

Patrick Byrne, Chairman