

**MINUTES OF REGULAR ZONING BOARD OF ADJUSTMENT
MEETING HELD ON TUESDAY, SEPTEMBER 14, 2021**

Vice Chairman Zapf called to order the regular 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. All stood for the Pledge of Allegiance.

PRESENT: DUBOWSKY, KUBISKY, WOLFSON, ZALEWSKI, ZAPF AND KENNEDY (ALT #1)

ALSO PRESENT: PETRESKI, ENGINEER AND LIPARI, COUNSEL

ABSENT: BYRNE AND *ERICKSON

Vice Chairman Zapf stated the first order of business is the approval of the July 13th, 2021 minutes. We had no meeting in August.

*Mr. Erickson arrived at the meeting.

Vice Chairman Zapf stated I did not have any corrections, does anybody else? I'll make a motion to pass as written.

Mrs. Kubisky seconds.

Roll call:

Yes: Zapf, Kubisky, Dubowsky, Erickson and Zalewski

No: None

Abstain: None

Ms. Ward stated they are approved.

Vice Chairman Zapf stated the next item on the agenda is a time extension request by Michael and Mary Di Girolamo with reference to Variance Application #2019-02 and Grading Permit Application #G19-02, on property known as Block 36, Lot 24.01 on the municipal tax map also known as 71 Mountain Heights Avenue. This is a consideration of a resolution of memorialization.

This is a time extension that we voted on back in July for Michael and Mary Di Girolamo and it was the second extension we have given them. Anybody want to make the motion?

**LINCOLN PARK BOARD OF ADJUSTMENT
RESOLUTION**

**Variance Application #2019-02
Grading Permit Application #G19-02**

WHEREAS, the Lincoln Park Zoning Board of Adjustment (the "Board") granted an application filed by Michael and Mary Di Girolamo (the "Applicant") variance relief pursuant to Resolution memorialized on October 9, 2019 with regard to property known as 74 Mountain Heights Avenue, Lincoln Park, New Jersey, also identified as Block 36, Lot 24.1 on the official tax maps (the "Property"); and

WHEREAS, the Board granted the Applicant a one (1) year extension of the approval pursuant to Resolution adopted by the Board on September 15, 2020;

WHEREAS, the Applicant has requested an additional one (1) year extension of the approval in order to complete the work at the Property;

WHEREAS, the Board has voted to amend the Resolution as follows:

1. The Applicant is hereby granted an additional one (1) year extension of time to complete all the work authorized by the Resolution.
2. All other terms and condition of the Resolution shall remain in full force and effect

Mr. Dubowsky moved the resolution.

Mr. Erickson seconds.

Roll call:

Yes: Dubowsky, Erickson, Kubisky, Zalewski and Zapf

No: None

Abstain: None

Ms. Ward stated it's adopted.

Vice Chairman stated the third order of business is waiver request with reference to Variance Application #2021-05 by James McCulloch, on property known as Block 36, Lot 21 on the municipal tax map also known as 90 Mountain Heights Avenue.

Mr. Lipari swore in Regina McCulloch and James McCulloch.

Vice Chairman stated we got a packet of stuff for some alterations and adjustments that you are proposing on the property. Do you want to just tell us what you are doing and then we can go through Tom's letter.

Mr. McCulloch testified sure.

Vice Chairman stated there isn't a whole lot it is just for a waiver for a grading permit. So why don't you tell us what you are proposing to do?

Mrs. McCulloch testified the house needs a lot of fixing up and it is very dated, so we need to bring the house up-to-date, functional and comfortable. We are going to expand on the kitchen and add another bedroom and bath because our son and granddaughter are moving back in with us. Basically we want the house to be livable for us and for the baby.

Vice Chairman Zapf asked you bought the house in the spring.

Mrs. McCulloch testified January 25th.

Vice Chairman Zapf stated so you are doing a refresh and some additional work to it

Mr. McCulloch testified bring it into the twenty-first century.

Vice Chairman Zapf stated I notice the sign on the front door says use different steps.

Why don't you go through it quickly, I understand many things have been resolved and worked out in the letter, so why don't you just give us what it is in a nutshell what we are here for on the grading permit and then we can vote on that.

Mr. Petreski stated if you go to page 4 or 5 of my letter, Item 12, one of the requirements on the General Checklist is to provide a steep slopes map (Chapter 17 of the Borough Ordinance,

Regulations for Steep Slopes) but they did not request a waiver, so I suggested a waiver be granted considering they actually don't have any steep slopes to be regulated on this property.

Also if they accept that a grading permit will be required once the variances have been approved, the grading permit will be handled administratively. The grading permit is more to address the impervious area from the addition of the driveway, the covered deck and the shed. They are adding about 800 square feet of impervious coverage to the property and we need the grading permit in order to regulate the drainage coming off your property. So as long as you are willing to accept that as a condition of your approval, if you are approved, you will have to come in and apply for a grading permit after and I have no objection to granting this waiver from the steep slopes ordinance.

Vice Chairman Zapf stated so we are waiving it now but they are going to comply with it.

Mr. Petreski stated they are essentially going to apply for a grading permit.

Vice Chairman Zapf stated okay. Regarding steep slopes we need to vote on that right?

Mr. Petreski stated yes. The Board will vote for the waiver.

Vice Chairman Zapf stated even though the property at the top of the hill it is flat.

Mr. Petreski stated yes.

Vice Chairman Zapf asked you have no objections to either one.

Mr. Petreski stated I have no objection.

Vice Chairman Zapf asked any members of the Board have any questions/issues. It seems pretty cut and dry with your recommendation, so would somebody like to make a motion to grant both waivers; one for steep slopes and one for the grading permit.

Mr. Erickson made the motion to grant the waivers.

Vice Chairman Zapf asked is there a second.

Mr. Dubowsky seconds.

Roll call:

Yes: Erickson, Dubowsky, Kubisky, Wolfson, Zalewski, Zapf and Kennedy (A.t. #1)

No: None

Abstain: None

Ms. Ward stated waivers granted.

Alex, you were speaking with their architect so would you like to fill the Board in on that?

Mr. Petreski stated I spoke with their architect earlier this week and he resubmitted some documents to our office. I went through the documents yesterday to make any corrections necessary and I will be emailing them back to the applicant's architect tomorrow morning. Hopefully we will be able to get you guys on the agenda for next month.

Mr. McCulloch testified great.

Vice Chairman Zapf asked what is the date of our next meeting.

Ms. Ward stated October 12th. They would have to get their notices out by October 1st and in the newspaper.

Vice Chairman stated you are set for what you came here for.

Mr. & Mrs. McCulloch thanked the Board.

Vice Chairman Zapf stated regarding any other business. I received the letter that John who will be leaving us to move to Passaic County and we will memorialize our gratitude to you at a later date before you leave. I just want to thank you for everything. You are always here at every meeting asking questions and you have done a really good job so we are going to miss you.

Mr. Erickson stated thank you. It was really an honor and a pleasure to serve with you people for the last seven years.

Vice Chairman Zapf asked you'll be here next month. Come please, we would formally like to say our thanks. Pat and Tom are not here and we would like to say it in a meaningful way so please come.

Do we have anything else?

Ms. Ward stated I have nothing else. We have other cases but they're not complete.

Mr. Wolfson stated I think we should have a moment of silence for a long-time friend, a long-time resident of Lincoln Park and councilman. Amen.

Mrs. Kubisky stated amen.

Vice Chairman Zapf stated pray for the family it was tough. He was also a police officer for many years.

Mr. Wolfson stated '64 to '79.

Mrs. Kubisky stated involved in Lincoln Park Day too.

Vice Chairman Zapf stated he will be missed.

If nobody has anything else, I will ask for a motion to adjourn.

Mrs. Kubisky made the motion to adjourn.

Mr. Wolfson seconds.

Meeting adjourned 7:12 P.M.

Respectfully submitted:

Joan Ward, Secretary

Thomas Zapf, Vice Chairman