



CITY OF LACKAWANNA  
**Zoning Board of Appeals**  
COUNCIL CHAMBERS

MINUTES

Wednesday April 26, 2023

---

**Opening:**

The regular meeting of the City of Lackawanna Zoning Board of Appeals was called to order at 5:00pm.

**Present: Stampone, Krakowski, Beres, Mohamed, Turner**

---

**Agenda:**

**A. Approval of Board meeting minutes:**

Motion to approve minutes for 3/29/23: Beres: Second: Krakowski  
All yeas carried 5-0

---

**Item #1**

**Land Use Variance**

**Melissa Wagner  
94 Lincoln Ave  
Requesting to build an addition to garage**

Melissa Wagner representing

Ms. Wagner explained she has a one and half car garage and wants to expand it with another bay. Both neighbors' back yards are clear and the street on Spruce has nothing in the way if something happens with a fire they can get there.

Chairman Beres said so you are looking to add on to the side of your garage bringing it over to the fence.

Ms. Wagner said five feet from the fence

Chairman Beres you are going to pour concrete and attach right to it.

Ms. Wagner asked do you need footers all around or can just a slab of concrete

Mr. Balon said you will have to get drawings because you are connecting to an existing structure.

Ms. Wagner how long is the permit for?

Mr. Balon six months for the Zoning approval and the permit is for one year and plans should be submitted before six months

Chairman Beres as long as it is uniform with the same height and roof structure and not higher

---

Ms. Wagner the peak is from inside the garage from the floor to the ceiling is eight and a half feet. It will be unified, I take the roof off and have one unified, but the peak will remain the same.

Motion to approve 5 feet from the fence line: Beres: Second: Stampone  
All yeas carried 5-0

---

**Item #2**

**Land Use Variance**

**Kyle Hercek  
243 Ludel Ter  
Requesting to build garage in the  
corner of the backyard**

Kyle Hercek representing

Mr. Hercek stated he want to build a garage in his back yard. There is nothing back there but an open field. 40 or 50 yard and nothing that would be any danger for fires etc. I am trying to be as close to the property line as not to waste space back there and just looking to see how close I can get to the property line on the side and rear.

Member Krakowski ask is he parking cars and get rid of the shed

Mr. Hercek yes it will be a two car garage and getting rid of the shed

Chairman Beres how big are you looking to build?

Mr. Hercek said 18x 26 which will give about nine feet from the rear line and three on the side.

Member Stampone ask about electric or water

Mr. Hercek said electric, no water

Motion to approve variance: Beres Second: Krakowski

All yeas carried 5-0

**Item #3**

**Land Use Variance**

**Sean Casey  
1612 Electric Ave  
Requesting to build an addition at  
the corner of the house**

Sean Casey representing

Mr. Casey explained there is a studio apartment in the front corner of the property and is looking to put a bedroom in 18.5 feet away from the curb. It is going to be a 16 x 13.5 bedroom. The house is about seven and half feet away from the curb. It will be back about eleven feet from the house corner.

Mr. Balon stated there are stamped drawing

Motion to approve variance: Beres: Second: Stampone

All yeas carried 5-0

---

---

**Item #4**  
**Zoning Law Appeal**

**James Demarco**  
**94 Swan St**  
**Requesting to build garage closer to property line**

James Demarco representing

Mr. Demarco explained he wants to build a garage 20 feet of the back property. The driveway will be longer. I have not got the permit due to I need a variance. It is five feet off the side, the survey is done.

Chairman Beres ask how much closer do you want to go to the property line.

Mr. Demarco said current it is seventeen feet and I want ten feet.

Motion to approve variance: Beres: Second: Stampone

All yeas carried 5-0

**Item #5**  
**Zoning Law Appeal**

**Frank Wailand/ Lackawanna Mosque**  
**154 Wilkesbarre Ave**  
**Requesting setback for addition for shoe storage**

Frank Wailand representing

Mr. Wailand explained the Mosque has been under construction for several years and before you enter the pray hall you must take off your shoes. They want to build a ten foot corridor in the front of the building which is a shoe storage area before entering the Mosque. They got forced hot air and a radiant heating system to dry the area from snow and sleet. The difficulty now is the setback requirement along Wilkesbarre. Wilkesbarre has a fifty foot right of way and a twenty five foot setback from the right of way. This is where the addition is going to be (showing on plans). Currently the existing Mosque is 22ft from the curb of the street. The building is in the right of way now and the entire street is within the 25 ft setback area. The point is to extend this on the front on Wilkesbarre and still have a 12 foot sidewalk in front passage. (Showing the member the floor plans and the materials that will be used).

Chairman Beres ask is it 3 doors walking into that part of the building

Mr. Wailand said there will be 3 double doors entering the shoe storage area and from there they will enter the Mosque through double doors.

Board discuss the footage

---

Neighbor

Jay Colman lives at 140 Wilkesbarre

Mr. Colman stated the problem is we have ten pounds of building in a five lot and the shadow causes problem with our yard and garden. The number of people and the Mosque is so much bigger than what else is over there which is becoming very difficult. We worked out an agreement with some of the philters coming on our property and equipment. We are hoping something can be done within the foot print of the building without adding more building.

Mr. Wailand said it is only 14 feet high

Member Stampone said it is a lot lower than the building

Mr. Wailand correct

Member Stampone ask if it was enough room within the compounds of the building there now

Mr. Wailand not with the reconstruction done inside, by adding a second floor we have a stair case coming up to the second level and there is no room for storage inside.

Motion to approve: Stampone; Second: Beres

All yeas carried 5-0

#### **Item #6**

#### **Land Use Variance**

**Antunovich and Associates**

**539 Ridge Rd**

**Requesting to construct a mixed use building**

Julian Looney representing

Mr. Looney explained the original design was not feasible and the site has been a challenge with the slope. We are finding that we need a concrete podium and that pushed us into a construction type that wasn't feasible. In our latest design we propose an L shape along the front of Ridge Rd. In the front will be four stories and as the grade starts to slope the building drops down so we will grade toward the rear to have units.

(Showing the Board the sections on the plans)

Mr. Looney explaining they are trying to get the units on grade to the rear. The units in the front on Ridge Rd will also be on grade. The front on Ridge will have a little bit commercial and residential and that will be up higher in the rear where the grade starts to slope. This way we can maintain four stories in Ridge and the rear. We still want the same amount of unite at around 142. We have less parking spaces because the parking is inside the L as appose to being underneath. The new floor area is 30,000 sq ft and we need a variance for that. The building height is only four stories and we are 50 ft needing a variance for that. The front yard varies and need a variance.

Mr. Balon explained what a variance consist of

Mr. Looney said the maximum coverage of the building is 54 % we need a variance for that. Parking is short we have 55 on site, 58 across the street total 113 but still short.

We started to workout waste management, with the front of the building being higher than the rear of the building, people on the 4<sup>th</sup> floor at Ridge cannot walk across to take the trash

so this is a challenge. Also with the trash we would like it to go along the Caldwell route and the four stories on Ridge cannot get to that. They may need their own trash room somewhere in the corner closer to Ridge.

Member Krakowski stated if the variances are granted they are not going to change the foot print of the building, only the interior.

Mr. Looney said nothing will change with the foot print  
Board discuss the variances

Chairman Beres said they will be using the parking across the street and should maintain the property, such as snow removal, any damages.

Board discuss parking and maybe using the Catholic Charities lot

Motion to approve a use variance: Beres: Second: Stampone

All yeas carried 5-0

Motion to approve variance for the four (4) stories up to 30,000 ft floor area: Beres:

Second: Krakowski

All yeas carried 5-0

Motion to approve variance for the yard size: Beres: second: Krakowski

All yeas carried 5-0

Motion to approve variance for the 30,000 sq ft and 75 sq ft: Beres: Second: Stampone

All yeas carried 5-0

Motion to approve variance for parking on City own property and maintaining the lot and spaces for the cars: Beres: Second: Krakowski

All yeas carried 5-0

Motion to adjourn: Beres: Second: Krakowski

All yeas carried 5-0