



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

MINUTES

Wednesday December 20, 2023

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**Opening:**

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

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

**Absent: Sobaszek**

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**Agenda:**

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

Motion to approve minutes for 10/25/23: Mohamed: Second: Stampone

All yeas carried 4-0

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**Item #1**

**Zoning Law Appeal**

Ernest Reese

61 Martin Rd

Request to replace old shed with new 10'x20' and

10 ft from property line

Mr. Reese representing

Mr. Reese stated they had a metal shed before and it collapse in the snow and we went a little bigger. I understand the variance and it is right where the other shed was. I talked to my neighbors and no one has a problem with it.

Motion to approve variance: Stampone: Second: Turner

All yeas carried 4-0

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**Item #2**  
**Zoning Law Appeal**

Shirley Burgos  
1478 Abbott Rd  
Replace fence with 4ft picket fence and variance for parking

Shirley Burgos representing

Mr. Balon ask if she was changing the fence (showing on plans)

Ms. Burgos replied no

Chairman Beres explained to the Board where the fence will be and a variance to make the fence a little higher

Member Stampone ask is it permanent or temporary

Chairman Beres replied permanent for the property

Ms. Burgos stated the front fence will be moveable in case anything happens such as fire drills, etc

Member Mohamed ask is it for fire drills

Ms. Burgos said would like to install the fence before she opens

Member Stampone said will the kids be in that area

Ms. Burgos said no it is just a barrier

Mr. Hayes explained the parking to the Board. Ms. Burgos has a letter from Brian Murphy stating she can use the parking area on his property

Board discuss drop off

Member Stampone ask how many kids

Ms. Burgos said she is licensed for 52, but at this time it will be only 42

Discussion on the setback for fence

Member Stampone ask why move the fence

Ms. Burgos stated the fence has missing pieces, rusted and not in good condition. It will be less easy for the kids to climb over.

Member Stampone ask the children's age

Ms. Burgos said up to the age of 5 or 6

Member Stampone ask about a gate

Ms. Burgos explained on the plans where the gates will go

Motion to approve with a 4 ft setback on Greenwood and 6 ft set back from the corner on Abbott Rd: Beres: Second: Turner

Yeas - 3

Nays- 1            carried 3-1

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**Item #4**

**Land Use Variance**

Badraddin Nagi  
1346 Electric Ave  
Requesting to open retail store

Azaldeen Izzy Mohamed recuse from Item 4

Badraddin Nagi representing

Mr. Nagi stated he wants to open a Middle Eastern food convenient shop selling seasonings Middle Eastern snacks and International candy exotic chips and candy, Baby food, Smoothies, Ice Cream, Clothes, Banglasdeah Food, Fresh produce, Fresh fruits.

Chairman Beres ask if the violations have been done and any others

Mr. Balon said the electrical and back door have been covered and there was violations a while ago

Chairman Beres ask what is the different with the store next door and is it a similar set up

Mr. Nagi said he is a smoke shop

Mr. Hayes provided the Board with a list of what the other store sells

Member Stampone ask if he will be selling cigarettes

Mr. Nagi said yes tobacco, cold cuts and no alcohol or lotto

Chairman Beres ask if all violations as far as the building up to code

Mr. Balon said when he gets his business registration then the Fire Marshal will inspect

Member Stampone stated the roof was leaking

Mr. Balon said don't know if it is leaking and he did get some complaints a while ago

Motion to approve: Turner: Second: Beres

All yeas carried 3-0

Motion to adjourn: Beres: Second: Mohamed

All yeas carried 4-0