



CITY OF LACKAWANNA
Zoning Board of Appeals
COUNCIL CHAMBERS

MINUTES

Wednesday July 25, 2023

Opening:

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

Present: Krakowski, Beres, Stampone

Excused: Turner, Mohamed

Agenda:

A. Approval of Board meeting minutes:

Motion to approve minutes for 6/28/23: Krakowski: Second: Stampone

All yeas carried 3-0

Item #1

Land Use Variance

Hector Nieves

189 Center St

Request five spots for parking to open store

Mr. Nieves representing

Mr. Nieves explain he wants to open a corner store selling chips, pop, etc

Chairman Beres ask how many spots does he have now

Mr. Balon said 2 and needs 5 more for a total of 7, he has 2 apartments they need 3 each and the square footage of the store needs 2.

Chairman Beres inquired about off street parking

Mr. Balon said it's a corner lot and no parking on Center due to narrowing the street by a foot and a half.

Mr. Nieves said it is a 10x20

Neighbors

Ms. Wilky 19 Sand St stated they don't want the store due to parking issues

Board discuss parking areas

Motion to deny: Beres: Second: Stampone

All yeas carried 3-0

Item #2
Land Use Variance

Nicholas Garbo
1970 Abbott Rd
Requesting to build a 40ftx60ftx16ft unattached garage

Nicholas Garbo representing

Mr. Garbo stated he wants to build a 40x60 pole barn next to his parent's house.
Chairman Beres asked is the variance for the size of the building
Mr. Hayes said they have informed Mr. Garbo that he has to put a bathroom with a sanitary sewer.
Chairman Beres ask if he has enough room off the frontage of the sidewalk not a problem as far a variance of 25 ft setback
Mr. Hayes he has 10x 10
Chairman Beres ask about garage doors
Mr. Garbo there will be 2 12ft doors facing the house, windows in the front facing the street, driveway off Abbott Rd
Board discuss lowering the height

Motion to approve 40x60x12 ft pole barn: Beres Second: Krakowski
All yeas carried 3-0

Item #3
Land Use Variance

Araif Ali
28 W. Elmview Ave

Erect 8 ft fence and shed five ft from property line

Mr. Peckman and Araif Ali representing

Mr. Peckman explained that Mr. Ali is modifying the request for both properties just for a fence variance and removing the request for the shed. We need 2 applications for an 8 ft fence which would be consistent with a prior variance approval for another parcel on the same street.
Mr. Ali said he owns 14, 20, and 28 on the same street. We have the approval for 20 for the 8 ft and we are in negotiation with purchasing the other properties
Board discuss fencing at all 3 of the properties
Board discuss the pool
Mr. Hayes said the fence for the pool should be around the pool when not in use
Chairman Beres said they should stick with the 6 ft fence
Member Stampone ask why a 8 ft
Mr. Ali said more privacy
Member Stampone stated the creek is there
Mr. Ali said not the creek the sides
Member Krakowski said when you drive by you can see the pool with him working on it thru the opening you can see the whole backyard

Neighbor

Charles Cramer stated he lives next door at 36 and he does not oppose the 8 ft fence due to a high balcony in the back of the house and it gives him more privacy and more privacy for me.

The Board decision is Item #3 and Item #4 the fence only in the back yard not the front or pass the house.

Motion to approve the 8 ft fence with conditions that the fence is only the back yard and sides: Beres: Second: Stampone

All yeas carried 3-0

Item #5

Zoning Law Appeal

Quick Service RealCo/Taco Bell
1361 Abbott/1265 & 1271 Ridge
Demo of existing building to facilitate construction
for Taco Bell Restaurant

Kenneth Shaw representing

Mr. Shaw explained there are 2 things one the parking in the front and second a 15ft landscaping buffer required between residential use and our part of the property. We're looking for a variance on the parking and as it pertain to the landscaping buffer. There will be a stockade fence around the property.

Chairman Beres asked about the demolition

Mr. Shaw said that will be for the planning

Chairman Beres are you taking the doctor's office

Mr. Shaw we will be taking the doctor office and the building

Chairman Beres ask is it just a drive thru

Mr. Shaw there will also be seating 27 seats with 13 spaces and 6 employees and there will be a 6 ft stockade fence as well as landscaping such as 6 ft trees

Chairman Beres ask if there is enough green space

Mr. Balon said they only need 20% green space

Motion to approve variances for parking in front and the fence: Beres: Second: Krakowski
All yeas carried 3-0

Motion to adjourn: Beres: Second: Krakowski

All yeas carried 3-0