



CITY OF LACKAWANNA
Zoning Board of Appeals
COUNCIL CHAMBERS

MINUTES

Wednesday September 27, 2023

Opening:

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

Present: Stampone, Mohamed, Beres, Turner, Krakowski

Agenda:

A. Approval of Board meeting minutes:

Motion to approve minutes for 7/25/23: Beres: Second: Mohamed
All yeas carried 4-0

Item #1

Land Use Variance

Caroline Muszynski
88 Shamokin Dr
Request to install in ground pool

Caroline Muszynski representing

Mrs. Muszynski explained they want to put an in ground pool where the current pool is and go back a little by the deck. The concrete in the picture is more than we will have.

Chairman Beres said it's a 10 ft variance they need around the pool and they will be within the 8 ft and a 2 ft variance where the deck going to be.

Mrs. Muszynski stated she spoke to the neighbors on both sides and they are fine with the pool.

Motion to approve: Beres: Second: Stampone
All yeas carried 5-0

Item #2
Land Use Variance

Joseph Giglio
288 Martin Rd
Requesting to install 4 foot privacy fence on property

Mrs. Giglio representing

Mrs. Giglio stated she looking to install a fence around the back yard. Looking for a variance since it's a corner lot. The fence will be necessary for our dog and use of the back yard. The neighbors moved in with a pit bull and I was walking my dog and had to fill a police report due to an attack by the neighbor dog. The fence will be for security, due to the neighbors have people coming in and out at all times of the day and night. The neighbor Mr. Catuzza has no problem with the fence. The other neighbor never showed concern. Our fence to have that height won't affect the traffic.

Mr. Hayes asks is the fence going to be against the sidewalk on Teresa.

Mrs. Giglio said it will be back about eighteen inches from the sidewalk
Mr. Giglio said we are not going to put it right on the sidewalk due to kids with their bikes.

Board discuss the fencing

Chairman Beres addressed the Board stating they ask for a 4 ft variance and now they want a 5 ft variance.

Mrs. Giglio said after they put the application in they notice the other houses had a 5 ft fence and with the incident with the dog maybe 4 ft is not enough.

Chairman Beres ask Code Enforcement if they are aware of the neighbors having a 5 ft fence

Mr. Hayes and Mr. Balon said no

Mr. Hayes said it was something that has been there

Chairman Beres ask Mrs. Giglio is she amending her request

Mrs. Giglio said yes if I can

Board motion for the 5 ft fence

Motion to amend the 4ft fence to a 5ft fence: Beres: Second: Krakowski
All yeas carried 5-0

Item #3
Land Use Variance

George Halsey
64 Steelawanna Ave
Requesting variance 6ft front yard, height 9 ft, 7 ft side yard

George Halsey representing

Board discuss the 9 " on Mr. Halsey application

Mr. Balon explained Mr. Halsey need 9 " on the house height, 7 ft on the yard variance and a 6 ft fence in the back yard

Chairman Beres said there are two variances, one on a 30 ft house going 9 inches higher and the second is a 7ft variance on the fence

Board discuss houses on the street

Motion to approve 30ft + 9 " on the house: Beres: Second: Turner
All yeas carried 5-0

Motion to approve 7 ft for side yard: Beres: Second: Krakowski
All yeas carried 5-0

Board discuss code for fencing

Mr. Halsey suggest to approve everything else and let the fence go for now. The fence will be the last thing to do for the house.

Motion to table the fence: Stampone: Second: Beres
All yeas carried 5-0

Item #4
Zoning Law Appeal

Frank Wailand
108 Dona St
Requesting setback for rear and side yard abutting residential
Properties

Frank Wailand representing

Mr. Wailand stated they submitted all the information of the 1951 church which has been unused for many years and the request is to have onsite parking for 9 vehicles.

Mr. Wailand refers to the photos submitted regarding the green space and the existing building at the rear of the property which will be demolished.

This area will be for the 9 vehicles. The existing building to the east is 1.5 feet from the property line and on the west the church is 1.5 ft from the property line.

Member Stampone ask how many parking spots

Mr. Wai land said 9 and they were determined by the square footage of the building.
We will make some green space in the front

Member Krakowski ask if all the parking going to be right up against the property line

Mr. Wai land that is correct

Mr. Hayes stated for paving he needs 15 ft with the black top away from the property line in a residential area.

Chairman Beres what is the variance

Mr. Hayes said he wants to do black top right to the property line. Does the Board want to do with parking lot drainage or drainage to the center and goes to the storm sewer, so it doesn't run off toward the neighbors?

Mr. Wai land with a runoff it will be contained

Motion to approve: Mohamed; Second: Beres
All yeas carried 5-0

Item #4 Zoning Law Appeal

John Lydon
18&20 Sand St
Construct multi family dwelling (4) two bedroom units

Steve Smigielski the Architect, Falie the property manager and co owner representing

Mr. Steve explained there are two individual 30 wide lots and wants to combine them into one lot. Once that is done he is proposing to build a 4 unit multifamily building with two units on each floor. It will be 2000 sq ft per floor and onsite parking. On the plans there will be six parking spaces and due to the lot sixes there are a number of variances. There would be a front yard setback 25 feet is required, right now we are showing ten feet at the front and that will allow parking at the rear of the building. The side yard setback 30 feet is required; it's 60 feet so 30 and 30 will make it unbuildable. The two stories, building length is ok but the parking is shy by three parking spaces and for four units it will require nine spaces and we are showing six.

Mr. Balon explained the variances

Board discuss the properties, streets, fire codes, parking

Mr. Steve stated the owner will put a buffer around the parcel which could be a privacy fence, hedges, and landscaping.

Chairman Beres ask about the dumpster

Mr. Hayes said they will be allow to use totes

Neighbor- Desiree Lewis- 181 Center

Ms. Lewis addressed the parking for the new building and where is it going to be.

Mr. Steve explained the parking will be behind the building

Neighbor-Cheryl Klubek-complaint about the neighbor not cutting the grass and the problem will be parking

Member Krakowski said the building is too big for the lots and suggest making the building smaller.

Board discuss changing the size of the building

Motion to table: Beres: Second: Krakowski

All yeas carried 5-0

Motion to adjourn: Beres: Second: Mohamed

All yeas carried 5-0