

## ZONING BOARD OF ADJUSTMENT MINUTES JANUARY 18, 2023

The meeting of the Zoning Board of Adjustment Borough of Somerville was called to order by Chairman Adair at 7:00PM. Adequate notice of this meeting had been provided in accordance with the “Open Public Meetings Act”

**Board Members Present:** Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O’Neill, Ed Allatt, John Flores, Eric Alvarez

**Absent:** None

### **Salute to the Flag**

### **REORGANIZATION Nominations & Election of Officers/Staff Appointments**

Richard O’Neill motioned to nominate Arthur Adair as Chair, Morgan McLachlan seconded the motion. Upon a roll call vote, Arthur Adair was nominated as Chair.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O’Neil, Ed Allatt

Nay: None

Richard O’Neill motioned to nominate Dan Radziewicz as Vice Chair, Morgan McLachlan seconded the motion. Upon a roll call vote, Dan Radziewicz was nominated as Vice Chair.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O’Neil, Ed Allatt

Nay: None

Richard O’Neill motioned to nominate Jasmine McCoy as Board Secretary, Morgan McLachlan seconded the motion. Upon a roll call, Jasmine McCoy was nominated as Board Secretary.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O’Neil, Ed Allatt

Nay: None

Upon a motion by Richard O’Neil, seconded by Roberta Karpinecz, F. Clifford Gibbons Attorney at Law was appointed as Board Attorney upon a roll call vote.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O’Neil, Ed Allatt

Nay: None

Upon a motion by Dan Radziewicz, seconded by Ed Allatt, Cole & Associates was appointed as Board Engineer and Planner upon a roll call vote.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O'Neil, Ed Allatt

Nay: None

Upon a motion by Dan Radziewicz, seconded by Ed Allatt, Planning Board Resolution 23-0118-01, designated official newspapers, was approved upon a roll call vote.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O'Neil, Ed Allatt

Nay: None

Upon a motion by Richard O'Neill, seconded by Roberta Karpinecz, Planning Board Resolution 23-0118-02, scheduling 2023 and January 2024 meeting dates, was approved upon a roll call vote.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O'Neil, Ed Allatt

Nay: None

Upon a motion by Ed Allatt, seconded by Richard O'Neill, Planning Board resolution for #22-005Z, 340 Union Townhomes located at 340 Union Avenue, Block 27, Lot 1.02 was approved upon a roll call vote.

Roll Call: Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O'Neil, Ed Allatt

Nay: None

Abstain: Dan Radziewicz

Upon a motion by Richard O'Neil, seconded by Ed Allatt, Planning Board resolution for #2021-009Z, Frank Gobbo, located at 4 Lori Drive, Block 374, Lot 10 was approved upon a roll call vote.

Roll Call: Aye: Arthur Adair, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O'Neil, Ed Allatt

Nay: None

Abstain: Dan Radziewicz

## **HEARINGS**

ARC Development Group  
15 4<sup>th</sup> Street, Block 55 Lot 6.02  
2022-003Z

Marcia Zalewski, Esq., attorney for Arch Development Group, summarized the subject property is located on 15<sup>th</sup> Fourth Street, in the R-2 Residential Zone, single-family zone. It's adjacent to the I-2 zone and there are industrial properties both to the south and to the east of the subject property. The applicant is proposing a two-family dwelling with a garage under the building and two apartments above, due to flood elevation. Halfway across the southern portion of the property, there are flooding issues, based on the 100 year design storm.

Testimony was given by the following:

David Stires, Engineer  
John Chadwick, Planner  
Sahaj Patel, Applicant

Richard O'Neil, seconded by Dan Radziewicz, motioned to deny Zoning Board Application #2022-003Z, ARC Development Group, located at 15<sup>th</sup> 4<sup>th</sup> Street, Block 55, Lot 6.02 upon a roll call vote.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky, Morgan McLachlan, Richard O'Neil, Ed Allatt

Nay: None

See transcript.

McAleavy  
131 High Street, Block 115 Lot 8  
2022-014Z

The following Board members recused themselves from the hearing:

Morgan McLachlan, Richard O'Neil, Ed Allatt

Steven Lieberman, Esq. attorney for Frank McAleavy, summarized the subject property to be within the PO-R zone. The applicant proposes a professional office on the first floor and residential on the second floor. Currently the second floor has a conforming

use and is occupied, the applicant is looking to use the first floor as a residential rental property.

Testimony was given by the following:

David Stires, Engineer  
Frank McAleavy, Property Owner  
John Chadwick, Planner

Upon a motion by Roberta Karpinecz, seconded by Dan Radziewicz, Zoning Application 2022-014Z, located at 131 High Street, Block 115, Lot 8 was approved upon a roll call.

Roll Call: Aye: Arthur Adair, Dan Radziewicz, Roberta Karpinecz, Brian Vadimsky,

Nay: None

Recused: Morgan McLachlan, Richard O'Neil, Ed Allatt

See transcript.

**The meeting adjourned at 9:09 p.m. by Chairman Adair.**