

**ZONING BOARD OF ADJUSTMENT  
CITY OF LAMBERTVILLE  
REGULAR MEETING MINUTES  
Wednesday, November 29, 2018**

The meeting was called to order by Board Chairman Pasquale Pittore, at 7:30 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Fred Eisinger, Georg Hambach, Kate Dunn, Scott Consoli, Pat Pittore and John Woods.

Absent: Marcus Rayner, Jane Wesby and Maddie Urbish.

Also Present: Board Attorney, Stewart Palilonis, Board Planner Emily Goldman and Board Engineer Paul LaPierre.

APPROVAL OF MINUTES

**October 25, 2018**

Georg Hambach made a motion to approve the meeting minutes, as submitted. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

**MOTION CARRIED.**

PUBLIC HEARING

287 South Main Street  
Block 1055.01 Lot 8  
Use Variance & Site Plan Waiver  
Winter Wolfe Studio

An application was submitted to the Board for consideration of a Use Variance for a new Art Gallery and Tattoo Studio located at 287 South Main Street, Lambertville NJ.

Richard Mongelli, the applicant's attorney and Michael Burns, the applicant's architect was present at the meeting, along with the applicant, Joe Rose.

The property location is owned by 8 Centre Marketplace Realty, Inc. There are multiple commercial uses on the property currently.

Mr. Mongelli asked that he be allowed to provide testimony as to why this should be a permitted use approval and not a use variance. Mr. Mongelli feels that this type of business, a tattoo studio, should be considered general business as listed in the City Zoning Ordinance.

According to the ordinance general business is a service that is provided. It does not specify the prohibited uses in the C2 zone, but also does not specifically list the permitted uses either.

Mr. Mongelli also stated that the existing commercial uses on the property are not specifically listed either yet they did not require a use variance prior to opening.

Joe Rose, of South Main Street New Hope PA, was sworn in to provide testimony.

Mr. Rose has been a tattoo artist for 24 years and was previously employed at a studio in New Hope PA.

At this time the number of employees will only be two, however, as the business grows, he would like to allow for additional stations and employees.

The front portion of the unit will host the receptionist area and the art gallery space. The work stations will be located to the rear of the unit.

The business will be open six days a week from 12:00 pm to 9:00 pm during the weekdays and on Saturday's from 12:00 pm until 5:00 pm.

A state license is required for this type of business and the County Health Department must also approve the location and conduct annual inspections.

In addition to the parking available on lot 8, there is also 45 additional spaces located on lot 6, which is owned by the same person.

Public Comment:

Tony Artoye of North Union Street stated that he owns several businesses in the City and has known the applicant for some time now. He is in support of this new business and thinks it would be a great addition to the City.

Mike Wieners of Pennsylvania stated that Mr. Rose is an employee of his at a restaurant in New Hope PA and has been great to work with and is in support of this new business.

David Zatuchni, the owner of 287 South Main Street, stated that he has been working with Mr. Rose to get this project approved and is in support.

Michael Swab of Fairless Hills Pa, stated that Mr. Rose was an employee of his for many years and that he was fired from his shop in New Hope PA. He stated that the Board strongly consider this application before taking action.



Georg Hambach made a motion to declare the proposed use as permitted in the C2 zone. John Woods seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

John Woods made a motion to grant the Site Plan Waiver. Georg Hambach seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present.

MOTION CARRIED.

### **PUBLIC HEARING**

39 Bridge Street  
Block 1042 Lot 19 & 20  
39-41 Bridge Street, LLC  
Conditional Use and Bulk Variance

An application was submitted for a Conditional Use and Bulk Variance approval. The application was amended to include lot 20 for access easement.

John Woods recused himself as he lives within 200 feet of the property.

The applicant has obtained approval from the Historic Preservation Commission.

James Kyle, the applicant's planner, stated that the only building having work done is at 41 Bridge Street. To the rear of the property a new stair tower will be installed and the existing screened in porches will be enclosed. This will increase the building area, but not the footprint of the building.

There will also be access to the second and third floors through the interior of the first level.

The property is currently commercial on the first level and on the second and third levels are two two-bedroom apartments.

The proposed plans show that the second and third levels will now house two one-bedroom apartments on each level, with two residents per unit.

City requirements for the size of apartments is 600 square feet and the proposed sizes are 566 square feet and 512 square feet for both floors. This will require a Conditional Use approval.

The property was constructed one-two feet from the property line, which is a pre-existing non-conforming condition.

Since there is no off-site parking available for this property and the applicant is not proposing any modifications to the parking requirement a Variance is not required.

There will be a common area to the rear of the structure for the trash and recycling to be located.

The property owner will maintain the property as needed and required.

Andrew Wilson of Ferry Street stated that he feels if this application were to be approved it would create additional parking issues.

Georg Hambach made a motion to approve the condition use approvals, as stated. Fred Eisinger seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. John Woods was recused from voting. MOTION CARRIED.

Georg Hambach made a motion to approve the Condition set forth by the Board and its Professionals to include the survey data on the site plan, the lighting and landscape plans, residential developers fee and the cross easement for the walkway and the trash area. Scott Consoli seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. John Woods was recused from voting. MOTION CARRIED.

### COMPLETENESS

221 North Union Street  
Block 1005 Lot 6  
Lauren and Kyle Strumfels

The property at 221 North Union Street is currently used as a residence and has always been used as such. However, the property is located in the C3 Zone in the City of Lambertville.

The owners would like to put an addition onto their property, but are restricted to the C3 regulations for zoning purposes.

They submitted an application seeking approval to comply with the residential-guidelines for the R2 zone.

The Board Professionals discussed several options that the applicants have that would be beneficial to them.

They can seek approval from the City Council to have the property re-zoned for residential use or they could provide a Use Variance application for a pre-existing non-conforming use.

The owners stated they would like to discuss their options and would be in contact with their decision.

The application will be carried and no action was taken.

**APPEAL OF ZONING OFFICER'S DECISION**

58 Church Street  
Block 1077 Lot 8

Stewart Palilonis advised the Board members that the owners of 58 Church Street will be submitting a formal application. At this time, it is unknown as to when that application will be submitted.

John Woods made a motion to dismiss the application without prejudice. Kate Dunn seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. Pat Pittore was recused from voting.

**PAYMENT OF BILLS**

Fred Eisinger made a motion to pay bills, so long as funding was available. Georg Hambach seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.

**MOTION CARRIED.**

**ADJOURNMENT**

John Woods made a motion to adjourn the meeting at 9:58 pm. Fred Eisinger seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present.

**MOTION CARRIED.**

Respectfully submitted,

  
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Pasquale Pittore  
Chairman

  
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Crystal Lawton  
Administrative Officer