



BOROUGH OF
WALLINGTON, NJ
Incorporated December 31, 1894

24 Union Boulevard
Wallington, NJ 07057
Tel: 973-777-0318

ZONING BOARD OF ADJUSTMENT

MINUTES OF JANUARY 31ST, 2023
MEETING OF THE WALLINGTON ZONING BOARD

JANUARY 31, 2023 MEETING OF THE WALLINGTON ZONING BOARD WAS CALLED TO ORDER BY CHAIRMAN JOHN REBECKY AT 7:30 PM CITING THAT THE RULES OF THE SUNSHINE LAW WERE FOLLOWED WITH RESPECT TO ADVERTISING SAID MEETING.

ROLL CALL: PRESENT: WALTER SURDYKA, JAMES FURTAK, ANDREW DONALDSON, JOHN REBECKY, JOSEPH IVANICKI, DOMINICK CHIRLO, JOSEPH AIELLO (ARRIVED LATE AT 7:34 PM)

ALSO PRESENT: TOMASZ SADECKI – LIAISON, DAVID JUZMESKI, P.E., MARTIN CEDZIDLO, ESQ, S. MCGUIRE, CCR

OATH OF OFFICE GIVEN TO JAMES FURTAK AND WALTER SURDYKA BY MARTIN CEDZIDLO, ESQ:

CHAIRMAN REBECKY ANNOUNCED THE DISPENSE OF THE REGULAR ORDER OF BUSINESS AND PROCEEDED WITH THE RE-ORGANIZATION OF THE BOARD.

NOMINATION OF THE CHAIRMAN - JOHN REBECKY
MOTIONED BY DONALDSON AND SECONDED BY SURDYKA

VICE CHAIRMAN - JOSEPH IVANICKI
MOTIONED BY FURTAK SECONDED BY DONALDSON

BOARD SECRETARY - BOARD SECRETARY
MOTIONED BY SURDYKA, SECONDED BY IVANICKI

ROLL CALL EN MASS TO APPROVE ALL THREE NOMINATIONS
AYES: SURDYKA, FURTAK, DONALDSON, REBECKY, IVANICKI, CHIRLO, AIELLO

a. RESOLUTION, HIRING ATTORNEY MARTIN CEDZIDLO AS BOARD ATTORNEY FOR THE CALENDAR YEAR OF 2023

b. RESOLUTION, REAPPOINTMENT OF CLERK/RECORDING SECRETARY



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c. RESOLUTION, REAPPOINTMENT OF SUE MCGUIRE AS SHORTHAND REPORTER FOR THE ZONING BOARD FOR TAKING MINUTES

d. RESOLUTION, APPROVAL OF RETAINING NEGLIA ENGINEERING AS ZONING BOARD ENGINEER FOR THE CALENDAR YEAR OF 2023.

e. RESOLUTION, RE-ADOPTION OF THE BY-LAWS AND PROCEDURES OF THE ZONING BOARD

MOTION TO APPROVE "ENMASS" BY FURTAK, SECONDED BY CHIRLO

ROLL CALL: AYES: SURDYKA, FURTAK, DONALDSON, REBECKY, IVANICKI, CHIRLO, AIELLO

DONALDSON MOTIONED TO APPROVE 2023 MEETING DATES, SECONDED BY CHIRLO TO ACCEPT THE RESOLUTION.

ROLL CALL: AYES: SURDYKA, FURTAK, DONALDSON, REBECKY, IVANICKI, CHIRLO, AIELLO

MOTION TO ACCEPT ALL CORRESPONDENCE BY CHIRLO AND SECONDED BY DONALDSON.

ROLL CALL: AYES: SURDYKA, FURTAK, DONALDSON, REBECKY, IVANICKI, CHIRLO, AIELLO

CHAIRMAN REBECKY ANNOUNCED END OF THE RE-ORGANIZATION OF THE BOARD AND RETURN TO THE REGULAR ORDER OF BUSINESS.

CHAIRMAN REBECKY ACKNOWLEDGED THE JANUARY AGENDA AND ASKED TO FIRST HEAR AN APPLICANT THAT WAS PREVIOUSLY APPROVED BY THE BOARD.

THE FIRST MATTER OF BUSINESS WAS SEVAK BABIKIAN, 18 VAN DYKE STREET, BLOCK 58, LOT 2.
HIS APPLICATION WAS PREVIOUSLY APPROVED IN DECEMBER 2020.

MR. MATTHEW CLARK OF MBC ENGINEERING PROCEEDED TO EXPLAIN THE REASON FOR THE ADDITIONAL HEARING. A SURVEY OF THE PROPERTY WAS TAKEN AND IT REVEALED THAT THE BUILDING WAS DIFFERENT FROM THE ORIGINALLY APPROVED APPLICATION. SLIGHT DEVIATIONS ONLY, HOWEVER IT VIOLATED THE ORIGINAL APPROVAL. MR. CLARK ADVISED MR. BABIKIAN TO STOP CONSTRUCTION, COME BEFORE THE BOARD AND LOOK FOR AN AMENDMENT.

MR. CLARK PROCEEDED TO EXPLAIN THE DIFFERENCE BETWEEN THE ORIGINAL AND CURRENT PLANS. APPLICANT'S CONTRACTOR DID NOT FOLLOW THE APPROVED PLANS AND REFUSED TO TAKE THE RESPONSIBILITY OR COME BEFORE THE BOARD TO TESTIFY. CHAIRMAN REBECKY ASKED FOR A MOTION TO APPROVE THE CHANGES.

DONALDSON MOTIONED TO APPROVE, SECONDED BY SURDYKA.



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ROLL CALL: AYES: SURDYKA, FURTAK, DONALDSON, REBECKY, IVANICKI, CHIRLO, AIELLO
SHORT CONVERSATION REGARDING THE UPCOMING CONSTRUCTION PLANS FOLLOWED. CHAIRMAN
REBECKY PRAISED THE APPLICANT FOR BRINGING THIS MATTER INTO THE BOARDS ATTENTION.

NEXT MATTER OF BUSINESS WAS ANDREA CLARKE, 239 HATHAWAY ST. BLOCK 46, LOT 31 – APPLICATION
TO CONVERT STOREFRONT TO APARTMENT.

CHARLES DIEHL OF CHARLES DIEHL ARCHITECT LLC STARTED WITH GOING THROUGH THE NEGLIA'S
REVISED COMPLETENESS, PLANNING AND ENGINEERING REVIEW. MOST OF THE ITEMS WERE TAKEN
CARE OF EXCEPT FOR THE FACT THAT THE SUBJECT PROPERTY IS LOCATED IN A FEMA IDENTIFIED FLOOD
AREA AND APPLICANT SHOULD OBTAIN APPROVAL AND/OR WAIVER FROM NJDEP. MR. DIEHL STATED
THAT THE NEGLIA'S REPORT IS BASED ON AN OUTDATED FEMA MAP 34003C0251J INSTEAD OF THE
NEWEST ONE 34003C0251H. THE NEWEST FEMA MAP SHOWS THE PROPERTY BEING OUTSIDE OF THE
FLOOD ZONE, HOWEVER MR. DAVID JUZMESKI, P.E., P.P OF NEGLIA GROUP ADVISED THAT FEMA SENT
OUT A MEMORANDUM ADVISING MUNICIPALITIES TO USE THE PRELIMINARY MAP ENDING IN "J" DUE TO
AN ERROR IN THEIR CALCULATIONS. MR. JUZMESKI AGREED FOR THE APPLICANT TO BRING IN A LETTER
FROM HER LENDER ON THEIR LETTERHEAD STATING THAT THE PROPERTY IS NOT IN THE FLOOD ZONE.
MR. DIEHL NOTED THAT THE MATERIAL OF THE DRIVEWAY WILL BE CHANGED FROM THE ASPHALT TO
PAVERS TO TAKE CARE OF THE WATER DRAINAGE AND ADVISED THERE WILL BE NO PARKING TAKEN
AWAY FROM THE RESIDENTS TO BUILD IT. THE DRIVEWAY WILL FIT 2 CARS.

NEXT COMMENT WAS REGARDING THE GARBAGE PICKUP, HOWEVER CHAIRMAN REBECKY ADVISED THIS
WOULD NOT BE AN ISSUE SINCE THE BOROUGH OF WALLINGTON PROVIDES GARBAGE PICKUP FOR ITS
RESIDENTS.

MR. IVANICKY ASKED ABOUT THE LIGHTING AND LANDSCAPING HOWEVER NO CHANGES WERE
PROPOSED AND NONE WERE NECESSARY.

FURTAK MOTIONED TO APPROVE THE APPLICATION. IT WAS SECONDED BY CHIRLO.

ROLL CALL: AYES: SURDYKA, FURTAK, DONALDSON, REBECKY, IVANICKI, CHIRLO, AIELLO

MS. CLARKE ASKED THE BOARD ABOUT HER NEXT STEP AND MR. REBECKY INFORMED HER THAT NOW
IT'S TIME TO PROCEED WITH THE STOREFRONT CONVERSION INTO AN APARTMENT. HE WISHED THE
APPLICAT GOOD LUCK.

BEFORE THE ADJOURNMENT, MR. MARTIN CEDZIDLO, ESQ THANKED THE BOARD FOR HIS
REAPPOINTMENT AS THE BOARD'S ATTORNEY.

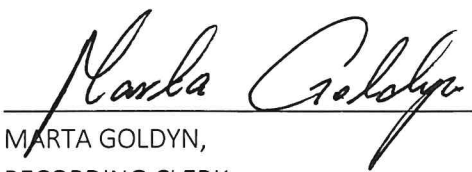


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THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, A MOTION FOR ADJOURNMENT WAS MADE AT 8:02 PM BY IVANICKY AND SECONDED BY DONALDSON WITH UNANIMOUS CONSENT BY ALL MEMBERS.



MARTA GOLDYN,
RECORDING CLERK

CC: ACE ANTONIO, ACTING CLERK (VIA: EMAIL)
FIRE OFFICIAL, EDWARD TANDERIS (VIA: EMAIL)
DEPT. OF PUBLIC WORKS, RAY DYNES (VIA: EMAIL)
RESPECTIVE FILES