

1.

UNION BOARD OF ADJUSTMENT

MEETING

FEBRUARY 3, 2016

The Board of Adjustment of the Township of Union convened its regular meeting on February 3, 2016, pursuant to the Sunshine Law of the State of New Jersey, at 7:30 p.m., and the following members were present: Petkov, Ciampi, Alexander, Demovic, Howe, Wiley, DiGiovanni and Melegh. absent was Galante. Also present were Robert J. Pansulla, Esq., Board Attorney; Antony Monguso, Building Inspector; and Tiffany Abrantes, Meeting Clerk.

Mr. Petkov then asked for the approval of the minutes of the January 27, 2016 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Howe. All members present were in favor with the exception of Mr. Melegh who was absent and abstained from voting.

Mr. Petkov then asked for communications and Mr. Monguso advised there were no communications, and, hence, there were none to be read.

The first matter to come to the attention of the Board was Calendar #3265, Verizon Wireless, carried for continued hearing. Mr. Melegh advised all present that he was not present for the original hearing and would not be voting on the matter. Gregory Meese, Esq. came forward on behalf of Verizon Wireless. He advised that the matter was originally heard on December 9, 2015 and was carried because there was an issue raised by the Fire Department not related to the subject premises, but a different building in town owned by Verizon Telephone. He advised that he was happy to advise the Board that the outstanding violation was resolved and that the Fire Department issued a review letter indicating that the Fire Department had no objection to the Board granting approval of the present application. Mr. Pansulla agreed with Mr. Meese that a memo came from the Fire Department indicating they have no objections to granting the variance.

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The Fire Department in its memo stated that the Fire Department had no objections to the proposed rooftop wireless communications facility at 342 Chestnut Street as long as said equipment and emergency standby generator is installed in accordance with all Federal and State Operational and Safety Standards and Regulations. Before the conference began, Mr. Meese gave a brief closing statement summarizing the previous testimony. He advised there is a need for the facility and that the facility would not have a detrimental impact on the Union Township Zone Plan or the neighborhood given the small scale of the facility and how it has been designed. Mr. Petkov then called for any comments from the public and no one came forward to testify for or against the application. The Board then went into conference and they concluded the proposed use would be good for the area. They further felt the applicant had met both the negative and positive criteria. Mr. Petkov then asked for a motion and Mr. DiGiovanni then made a motion that the Board grant the variances applicable to the application and that counsel is directed to prepare a Resolution consistent with the Board's decision, which was seconded by Mr. Ciampi. On the vote: Wiley, yes; Ciampi, yes; Howe, yes; DiGiovanni, yes; Demovic, yes; Alexander, yes; and Petkov, yes. The Resolution of Approval will be read at the February 10, 2016 meeting.

The next matter to come to the attention of the Board was Calendar #3267, Stefanie Sacca-Rivera, for an addition with insufficient side yard setbacks. Stefanie Sacca-Rivera came forward to testify. Her husband was also in attendance. She advised that they would like to do an addition on the house, which will be over a pre-existing den that is already there. She stated they have an issue with the sideyard setback on the home. Mr. Pansulla stated that he had marked the application A-1, which includes the survey and some of the details. They were drawings that were authorized to be presented on their behalf. The drawings are what she is asking the Board to consider.

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The witness further advised that they have currently two bedrooms in the home. She advised she has one son and she and her husband are looking to have another child, within the next year. They are looking to add another bedroom. She was advised that it is a single family home and that it must remain as such, and not increase same into a two-family. She advised she discussed the application with her neighbors and they had no objection to the application. She advised that they would have no problem with complying with any of the code requirements with regard to windows and such. She further advised that they will work co-operatively with the Building Department regarding drainage, and any recommendations suggested by the Building Department. She advised she has chosen an architect who will construct the new addition. The Board members advised the applicant to get together with the Building Inspector so that he may explain what needs to be on the drawings. After several clarifying questions by the Board, Mr. Petkov opened the matter to the public for cross-examination on the testimony given and no one came forward to question the witness on the testimony given. She advised the Board that they hope to start construction by March or April. Mr. Petkov then asked for comments from the public and no one came forward to testify for or against the application. The applicant then gave a brief closing statement urging the Board to grant the application. The Board then went into conference on the matter. The Board had no problems with the application. They also stated that the applicant must comply with all building codes and regulations. They further felt that the addition is not going to exacerbate any existing setback infringements. Mr. Petkov then asked for a motion and Mr. DiGiovanni then moved that the Board grant the variances applicable to the application and that counsel is directed to prepare a resolution consistent with the Board's decision, which was seconded by Mr. Ciampi. On the vote: Melegh, yes; Wiley, yes; Ciampi, yes; DiGiovanni, yes; Howe, yes; Demovic, yes; and Petkov, yes. The Resolution of Approval will be read at the February 17, 2016 meeting.

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There being no further business to come to the attention of the Board, Mr. DiGiovanni then made a motion to adjourn which was seconded by Mr. Ciampi. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,



ANTHONY MONGUSO,
BOARD OF ADJUSTMENT SECRETARY