

UNION BOARD OF ADJUSTMENTMEETINGFEBRUARY 24, 2016

The Board of Adjustment of the Township of Union convened its regular meeting on February 24, 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, Wiley and DiGiovanni. Absent were Galante, Melegh and Howe. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso Building Inspector; and Tiffany Abrantes, Meeting Clerk.

Mr. Petkov then asked for the approval of the minutes of the February 17, 2016 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Ciampi. All members present were in favor.

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

The first and only matter to come to the attention of the Board was Calendar No. 3268, Karen Osorio and Maria Henao, for an application to get approval for a construction with insufficient front and side yard setbacks. Karen Osorio came forward on her own behalf. She stated that they would like to make an addition on the second floor to her house and the front porch of the house. The porch will be expanded to make it part of the dining area. She advised that she was advised by the Building Department that she would be violating Section 170-50, which are setbacks for the side and front of the house. She advised that 25 feet is required and existing is only 20 feet. Mr. Pansulla then stated that he had marked the application into evidence as A-1. The Board started asking questions of the applicant as far as what is being proposed compared to the application, according to the plans. She advised that she had her contractor in attendance and would like to call him for testimony on the application.

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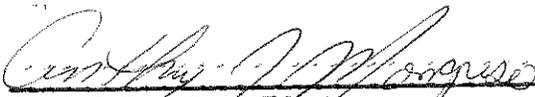
Before she called her contractor, she asked the Board to consider her application favorably as she needs the room for her family. It will remain a single family home. She is the owner and her mother is the co-signor for the home. Her mother is away on a family emergency. The applicant is the sole owner of the property. She then was questioned by a participant of the audience, Calvin Goins. His question was whether the construction would interfere with his property and was advised it would not. He also inquired whether part of his property would be taken and was advised it would not be. When he learned of the application and the need, he advised he had no further objection to the application. The applicant advised that the construction was begun and was stopped by the Building Department. She advised that she had left everything in the hands of the contractor and was not aware a variance was needed. Hugo Espinosa came forward to make a statement but was advised he could make a statement later in the hearing. No one else had any questions for the witness after the Board concluded its questioning. Gerry Espinosa, the contractor, came forward to testify. He advised he started building to get his family in the house. He did not realize a variance was needed. He apologized for starting the home without a permit. The Board advised Mr. Espinosa that the steps in the front were too close to the street. They advised him to measure some other homes in the area to show how far this sidewalk is from their steps. They also asked for the applicant to bring in photographs of the streetscape in the immediate area and pictures of the steps and the sidewalk. The witness advised that he went by the survey, but apparently the survey was incorrect and advised that maybe a new survey is needed. The Board also stated that a professional may have to be called to testify the house will be structurally safe after it is completed. Mr. Espinosa stated that he was licensed as a contractor. So, again, the Board stated that the applicant needed to show proof where the sidewalk is and to take pictures of the neighborhood, and also take some measurements. Mr. Espinosa advised that he tried to get the surveyor to come back but the surveyor did not want to come back.

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The Board also advised that maybe the applicant could give some thought to be more compliant to what the standard is. After several questions by the Board, Gerlie Durand came forward to testify in favor of the application. She felt it was a good application and that they are making an adjustment to accommodate more people. Hugo Espinosa came forward to testify. He advised everybody has the sidewalks close to the street. He advised the applicant will bring pictures the next time for consideration. He advised that he had built several houses in Union and never had a problem with the Township. He advised his friend is an architect and advised him that they could go ahead with the project, and there was no problem. He advised the side is a problem but the front is the biggest problem. He advised he would help his son prepare for the next hearing. Once again the Board advised that the applicant should bring in proofs to try to convince the Board that she is entitled to a variance. To bring in a new survey or photographs. Also, to bring in a change, if she wishes, from what is proposed. Mr. DiGiovanni then made a motion to adjourn the matter to March 2, 2016, which was seconded by Mr. Ciampi. All members present were in favor. No new notification will be required.

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 8:30 P.M.

Respectfully submitted,


ANTHONY MONGUSO,
BOARD OF ADJUSTMENT SECRETARY