

UNION BOARD OF ADJUSTMENTMEETINGAPRIL 20, 2016

The Board of Adjustment of the Township of Union convened its regular meeting on April 20, 2016, pursuant to the Sunshine Law of the State of New Jersey, at 7:30 p.m., and the following members were present: Galante, Petkov, Ciampi, Wiley, Demovic, Howe, DiGiovanni and Alexander. Absent was Melegh. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Building Inspector; and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then asked for the approval of the minutes of the April 13, 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 of the motion with the exception of Mr. Galante who was absent for that meeting and abstained from voting.

Mr. Galante 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. 3271, R.A.C., Inc., d/b/a Maaco for the conversion of an existing building into a Maaco repair facility. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl then gave a brief overview of the application and the four witnesses he would be calling. Mr. Hehl then called Robert Bruno, who is the owner/operator of R.A.C. d/b/a Maaco. He advised that he would like to utilize the existing warehouse building located at 2333 Route 22 West for auto collision repair and painting. He advised that the building is situated on a 5.323 acre lot with four other standalone buildings approved for warehousing and other service type uses. He is moving the location from Hudson Street to the present location. He advised his business will be part of the Maxon Auto Group.

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He advised that the building will be reconstructed to fit the needs of his business. He will make an auto body repair shop and add a customer service area. He advised that signage is important because the building is set back about one thousand feet. He will use the existing pylon sign to put on a Maaco sign. He will also have wall signs. He advised he will have 8 to 9 employees depending on the season. He advised that the majority of his employees car pool and not every employee will be driving an automobile to the premises. He advised there will not be a customer backup and each customer will get an estimate in 10 to 15 minutes. He advised small trucks will be making deliveries to the site and they will be coming twice daily. He advised garbage will be picked up once a week from a dumpster on the premises. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross-examination on the testimony given and no one came forward to question the witness on the testimony given. Mr. Hehl then called Michael Dipple, an engineer, who gave his qualifications and was accepted to testify. Mr. Pansulla marked the application, site plan and the architectural plans. Mr. Dipple produced an exhibit which was marked as A-4 from which testified. He described the property in question and the buildings located on same. He advised there will be sufficient parking on site and there will be one ADA accessible space. He advised there will be sufficient space for emergency vehicles to access the property. The drive aisles will be 24 feet. He advised there will be vehicle storage in the back. He advised that the lighting plan will be updated and enhanced. He advised the hours of business will be Monday through Friday, the hours will be 8 to 5. On Saturday, the hours will be 9 to 12, and closed on Sunday. He advised the Maaco sign replaces the Reliance Granite sign on the pylon. He advised there will be a canopy over the door to protect people from the weather.

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After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross-examination on the testimony given and no one came forward to question the witness. Mr. Pansulla reminded the Board members that the Fire Department comments and the Health Department comments are to be considered by the Board. Mr. Hehl then called Blase Weimer, an architect, to testify. He gave his qualifications and was accepted to testify. He presented exhibits of the project from which he testified. He described the building as in a state of neglect. He described the building will be fully renovated for an auto repair shop. He advised the shed on the property which is in disrepair will be reconstructed for trash and recycling. He advised Maaco will have a sign on a pylon, and also wall signs. There will be no addition to the building. There will be repairs to the masonry and painting. He advised the wall signs are necessary as you approach the building. He advised there will be a sign on the canopy. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross-examination on the testimony given and no one came forward to question the witness. Mr. Hehl then called Nicholas Graviano, a professional planner, to testify. He gave his qualifications and was accepted to testify. He advised the Board that the existing non-conforming conditions requiring variances fall under the C-1 category of bulk variances. These are all due to existing and unique conditions affecting the piece of property. These conditions are existing lawfully and the granting of these variances will not impair the intent and purpose of the zone plan and zoning ordinance. He advised that the ordinance requires service centers are to be located 1500 from other service centers and an existing service center is located 435 feet away. He further advised that the applicant's business is currently located in Union and has existed there since the early 1980s.

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He advised the applicant needs to vacate the premises where he is now because the building is being demolished. The present location is located 1/5 of a mile from the proposed location. He advised that the existing facility serves the needs of the community for auto body repair. He advised that the granting of the variance to the new location satisfies criteria G of the purposes of zoning, because it provides sufficient space in an appropriate location for a variety of commercial uses to meet the needs of New Jersey citizens. He advised that the ordinance required paving from 10 feet of the property line and 0 is proposed. He advised that given the existing building layout and the nature of the business operations, paving to the property lines, the location and design of transportation routes will promote the free flow of traffic and vehicles, consistent with criteria H of the purposes of zoning. He advised that the applicant proposes four wall signs. He advised that the signage is needed to compensate for the lack of visibility. He further advised that the remote location of the site makes the granting of a C-1 variance possible without impairing the purpose and intent of the sign ordinance. He advised that the applicant is proposing a canopy sign at the customer entrance. He advised the canopy sign will help direct the customer to the appropriate part of the facility. He stated that there will be no off-street loading. He stated that the ordinance requires 44 spaces and 9 are proposed. He further advised that the granting of a variance for an auto body facility in a cluster of automotive related uses helps provide sufficient space in the appropriate location for a variety of commercial uses to meet the needs of New Jersey citizens, which satisfies criteria G of the Municipal Land Use Law. He advised a refuse area will be supplied. It will be located in the extreme northwest corner where the shed is now. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross-examination on the testimony given and no one came forward to question the witness.

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Mr. Hehl advised he had no further witnesses. Mr. Galante then asked for public comments on the application and no one came forward to speak for or against the application or to make comments on the application. Mr. Hehl then gave a brief closing statement urging the Board to grant the application. The Board then went into conference on the matter. The Board felt they saw no negatives in granting the application. They felt the signs as testified were adequate. They felt the project would clean up the area. They further felt the location was extremely appropriate for the business. They further felt the use would be beneficial to the community. Mr. Galante then asked for a motion and Mr. Petkev 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. DiGiovanni. On the vote: Wiley, yes; Petkov, yes; Ciampi, yes; Howe, yes; DiGiovanni, yes; Demovic, yes; and Galante, yes. The Resolution of Approval will be read at the May 11, 2016 meeting.

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 8:35 P.M.

Respectfully submitted,


ANTHONY MONGUSO,
BOARD OF ADJUSTMENT SECRETARY