

UNION BOARD OF ADJUSTMENTMEETINGJANUARY 27, 2016

The Board of Adjustment of the Township of Union convened its regular meeting on January 27, 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. Absent were Galante and Melegh. 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 January 20, 2016 meeting and the minutes of that meeting were then moved by Mr. Ciampi and seconded by Mr. Demovic. All members present were in favor with the exception of Mr. DiGiovanni and Mr. Wiley and Mr. Howe who were all 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. Pansulla advised that the matter was being adjourned for one week to February 3, 2016. He advised that there is still some payment issue which involves Verizon Wireless. He advised the Board that the 120 day constraints do not apply since the matter was not ready to proceed. He advised there was no need to re-notice or republish in the newspaper. He advised once the issue is resolved, the Board will then be able to vote on the matter. Mr. Petkov then asked for a motion and Mr. DiGiovanni then moved that Calendar #3265 be adjourned to February 3, 2016 which was seconded by Mr. Ciampi. All members present were in favor. Mr. Pansulla again stated that there will be no further notice and that the matter is carried to February 3, 2016.

MEETINGJANUARY 27, 2016

The next matter to come to the attention of the Board was Calendar #3266, Morris Avenue Dental Building, LLC for the erection of a wall sign. Stephen F. Hehl, Esq., came forward on behalf of the applicant. Mr. Hehl then gave a brief overview of the application and that he would be calling one witness. Mr. Hehl called Dr. Fariba Sharifan, the owner of the dental practice. She advised that she is the sole owner of the practice. She advised that she purchased the property a number of years ago and refurbished the building to accommodate a dental practice. She advised when it was purchased, it was an abandoned building and she made it into a very nice, modern building. She advised that she is a general dentist and does not get referrals from other dentists or colleagues. She advised that the people need to see a sign so they can contact her. She advised that without exposure, she is not able to get new patients into her practice. She stated that a lot of patients call to find out where she is located. She stated that they park in Walgreens lot by mistake and walk to her office. So, she stated she needs the sign for exposure. She stated that she retained a sign company to design a sign that would fit nicely on the wall of the building. She advised that the sign will be internally illuminated and that the sign will be lit from dusk to 10 or 11p.m. There is no need for the sign to be on all night. She felt that the signage would be important to her business, and for the business to grow. At this point, Mr. Pansulla then marked the application, the proposed rendering of the proposed sign and the property survey into evidence. The Board members had an issue with having the address numbers on top of the windows and below the eaves. The witness agreed to remove that from the application, but to leave "Morris Dental" with the phone number on the building. Upon questioning she advised that the sign will be 3 feet high and 23 feet wide. After several questions by the Board, Mr. Petkov 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.

3.

MEETING

JANUARY 27, 2016

Mr. Petkov then called for comments on the application from the public and no one came forward to speak for or against the application. Mr. Hehl then gave a brief summation urging the Board to grant the application. The Board then went into conference on the matter. The Board members felt the sign was justified. They felt it would be a big plus for people looking for the dental office. They all felt that removing the "2130" numbers from the top of the building would be appropriate. 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; Alexander, yes; Demovic, yes; Ciampi, yes; Howe, yes; DiGiovanni, yes; and Petkov, yes. The resolution of approval will be read at the February 17, 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. Howe. The meeting was adjourned at 7:55 p.m.

Respectfully submitted,



ANTHONY MONGUSO,
BOARD OF ADJUSTMENT SECRETARY

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.

MEETINGFEBRUARY 3, 2016

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.

MEETINGFEBRUARY #, @)LÇ

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.

4.

MEETING

FEBRUARY 3, 2016

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