

UNION BOARE OF ADJUSTMENTMEETINGMAY 4, 2016

The Board of Adjustment of the Township of Union convened its regular meeting on May 4, 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, Alexander and DiGiovanni. 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 27, 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.

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. 3273, Galloping Hill Inn, LLC for a 770 square foot addition to second floor of catering facility above existing portion of building. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl gave a brief overview of the application and that he would be calling three witnesses to testify. Mr. Hehl then called Louis Manetas, Manager of the Galloping Hill facility. He advised that there is an enclosed handicap ramp on the side of the building and the new addition will be on top of that. He stated the enclosed section is for bad weather. He advised the addition will be above the enclosed area. He advised it will be a small addition and the existing tables will be used and no new tables added. He advised the new area could be used as a dance floor. He advised that the new addition will accommodate their customers.

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No new employees will be required. The hours of operation will be the same. He advised the new building will match the older building. They will still have a trash and refuse enclosure. He advised no new tables will be added but just re-arranging the tables there now. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross-examination on the testimony given and those coming forward to question the witness were Tamara Connelly and Juan Torres. He testified on cross-examination that the hours of operation will either five to 10 or 7 to 11 or 8 to 12. After the cross-examination was completed, Mr. Hehl then called Demetrios Kaltsis, an architect, to testify. He gave his qualifications and was accepted to testify. He described the building in question and the new addition that will be constructed. He advised the applicant proposes to add a 770 square foot addition to the second floor above the existing portion of the building. The new facility will have stucco finish, picture windows and crown mouldings. He also advised that the addition will be built over the existing handicap ramp that exists on the side of the building. He advised that with the addition it will bring the room to 2000 square feet which is more ideal for a small event. He advised he reviewed the letter from the Township Engineer and that the applicant would comply with all conditions contained therein. He advised no lighting will be installed on the exterior. He advised lighting will be at the entrances. He advised upon questioning by the Board, the applicant will install more insulation on the exterior to cut down on the noise. Mr. Galante then opened the witness for cross-examination on the testimony given and Juan Torres came forward to question the witness on the testimony given. Mr. Hehl then called Nicholas Graviano, a professional planner, to testify. He gave his qualifications and was accepted to testify.

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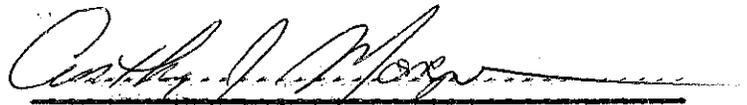
Mr. Graviano testified that the site is bounded by Delaware Avenue to the north, Salen Road to the south, Marshall Avenue to the east and Chestnut Street/Galloping Hill Road to the west. He advised that the application is requesting a D-2 variance for the expansions of a non-conforming use. He advised the applicant is adding 770 square feet to the existing catering facility. He stated that the operation has operated on site for over 50 years, specializing in catering and banquet facilities. He further stated that the business employs 40 to 50 people and is a mainstay in the community. He advised that the popularity of off-premises catering can be attributed to clients wanting to have an event more tailored to personality and theme. He advised the Board that catering and banquet facilities are not permitted in the BB zone, but businesses must do the necessary modifications to keep up with the industry and times. He advised the Board that what is before it this evening is a relatively minor addition to the existing footprint of a non-conforming use. He further advised that the applicant is not proposing this addition to accommodate more patrons or more staff. It is simply to provide a more spacious layout to meet the needs of the current consumer. He advised that the granting of this use variance will not permit the applicant to perform some new service alien to the pre-existing non-conforming use. He further stated that the proposed addition should not create additional parking demands. He advised the Board that the application clearly meets the special reasons required for the grant of such variances. He concluded by stating that the purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirement. He also concluded that the variances can be granted without substantial detriment to the public good. He also concluded that the benefits would substantially outweigh any detriments. And, finally, that the variance will not substantially impair the intent and purpose of the zone plan and zoning ordinance. After several clarifying questions by the Board, Mr. Galante opened the witness for cross-examination on the testimony given and Tamara Connelly came forward to question the

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testimony given. Mr. Hehl then advised that he had no further witnesses. The Board recalled Louis Manetas to testify. He advised there will be four tables in the room and seating for 40 people. This will not increase. Mr. Galante then opened the meeting to the objectors, to give their statements and concerns. Tamara Connelly and Juan Torres came forward and were sworn. Their concerns were noise, lighting and parking. They both stated these things concerned them and the entire neighborhood. Mr. Hehl advised that the applicant will work with the Building Department to try and remedy their concerns. The applicant will provide extra insulation and remedy the problems with the lighting. The applicant will work with the neighbors to alleviate the problems stated. The applicant will put drapes on the windows and keep them closed to avoid noise escape. The drapes will be shut at night. Mr. Hehl then gave a brief closing statement urging the Board to grant the variances. The Board then went into conference on the matter. The Board felt this was a good application, in that it would alleviate the problems of the neighbors. They felt nothing would be changed except the size of the room. They also felt the appropriate criteria had been met. Mr. Galante then asked for a motion and Mr. Petkov 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 18, 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 8:45 P.M.

Respectfully submitted,



ANTHONY MONGUSO,

BOARD OF ADJUSTMENT SECRETARY