

UNION BOARD OF ADJUSTMENTMEETINGJUNE 22, 2016

The Board of Adjustment of the Township of Union convened its regular meeting on June 22, 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, Demovic, Howe, Wiley, Alexander and Saraiva. Absent was DiGiovanni. 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 June 15, 2016 and the minutes of that meeting were then moved by Mr. Ciampi and seconded by Mr. Howe. All members present were in favor with the exception of Mr. Galante since he was not present for the meeting and abstained from voting.

Mr. Galante then asked for communications and Mr. Monguso advised that he had received a letter from Alexander J. Graziano, Esq. regarding 1333 Glendale Place, Union, New Jersey. The letter was requesting a one year extension because the applicant, Jeffrey Miller, has been unable to start his construction project due to his personal financial issues and the recent fluctuations in the real estate market. Mr. Pansulla advised the Board that the Permit Extension Act is expiring at the end of the month. He further advised that due to the economics and the real estate market, the law provides a certain amount of time to allow applicants to revamp their project and to then come forth. Mr. Pansulla advised that unless there is something that changes by way of zoning or something impacting the property, it really is a formality to extend the time for the one year. He advised that there should be a motion and a second. Mr. Howe then made a motion to extend Calendar No 3072, 1333 Glendale Place, Union, New Jersey for one year, which was seconded by Mr. Ciampi. On the vote: Wiley, yes; Howe, yes; Ciampi, yes; Demovic, yes; Petkov, yes; Alexander, yes; Saraiva, yes; and Galante, yes.

2.

MEETING

JUNE 22, 2016

Mr. Pansulla will prepare a Resolution for the next meeting.

Mr. Pansulla advised that there will be a meeting on July 6, 2016, which wasn't a regular meeting night for the Board. He advised there will be a notification posted in the Township Hall indicating the new date. Due to the volume of cases coming to the Board, this night will be used to take on the added volume of cases.

The first matter to come to the attention of the Board was Calendar No. 3086, 530 Chestnut Street, LLC for Resolution of Approval. Mr. Pansulla had been directed by the Board to prepare a Resolution of Approval, containing findings of fact and conclusions and had presented the Board with a Resolution of Approval; copies of which had been distributed to the Board members for their review prior to the start of the meeting. Mr. Galante then asked for a motion after there were no additions or corrections, and Mr. Petkov then made a motion that the Board adopt the Resolution of Approval as written as accurately memorializing the previous findings of the Board, which was seconded by Mr. Ciampi. On the vote: Wiley, yes; Ciampi, abstain; Demovic, yes; Howe, yes; Alexander, yes; Petkov, yes; and Saraiva, yes.

The next matter to come to the attention of the Board was Calendar No. 3274, Quality Laboratory Services, for a medical office and laboratory. Joseph A. Paparo, Esq came forward on behalf of the applicant. Mr. Paparo gave a brief overview of the application and that he would be calling three witnesses. Mr. Paparo then called Saul Wasserman to testify after affirming. Mr. Pansulla then marked the application and the architectural plans into evidence. Mr. Wasserman gave his qualifications and was accepted to testify.

MEETINGJUNE 22, 2016

He is the chief compliance officer for Quality Laboratory. He advised that the applicant would like to alter the use by including a medical laboratory as part of the existing medical office building. He advised the laboratory will accept specimens from Doctors and from walk-in patients and will analyze same. Tests will be done according to the needs of the doctor. He advised the specimens will be coming from local physicians. He advised the hours of operation will be 8 a.m. to 8 p.m. He advised that at the beginning there will be 18 employees, but would like to have 100 employees but they will not be at the facility at the same time. He advised that cars will be coming to the facility to drop off the specimens. The specimens will be self-contained in a bag. He advised that all deliveries will be in the rear of the parking lot. He advised there will be no loading or off-loading on Morris Avenue. He advised that 95 per cent of the laboratory testing is done by computerized analyzers. He advised several chemicals will be on site and there will be 8 gallons on site at any one time. It will be stored in cabinets to protect same. He advised that the bulk of the chemicals will come in pre-packaged plastic containers. He advised that large quantities of the chemicals will not be used. He advised there will be signs posted indicating toxic chemicals are in the specified room. He advised his medical waste pickups will be once a month. He advised some of the chemicals are equivalent to the household cleaner called Clorox. None of the waste will go into the sanitary sewer. He advised his employees undergo 12 hours of continuing education. He advised that the people from the laboratory will make house calls for people that are incapable of coming to the laboratory. He advised that 36 parking spaces are more than adequate. He advised one or two parking spaces will be designated in the parking lot for vehicles bringing in samples. 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.

4.

MEETING

JUNE 22, 2016

Mr. Paparo then called Arthur Henn,, an architect, who gave his qualifications and was accepted to testify. He advised that he submitted the plans for the proposed project. He advised there will only be work done to the interior and nothing to the exterior. He described the property in question and the properties in the surrounding area. He advised the 36 parking spaces are being provided and that 48 are required. He described the floor plans to the Board and the rooms that will be constructed. He advised that the building was previously utilized as a medical office and this will be a continuation of that medical office use. He advised that the building will be sprinklered. He advised there will be no hazardous materials stored in the basement. He advised the chemicals will be stored in designated cabinets. He advised that he would have no objection to complying with any of the requests of the Township Engineer. 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. Paparo then called Kevin O'Brien, a professional planner, to testify. He gave his qualifications and was accepted to testify. He advised that the applicant is seeking preliminary and final site plan approval and a D-1 variance for the medical lab and for the use of toxic liquids and gases in the lab. He outlined for the Board the uses that could be put on the property. He advised if any one of those uses were granted, it would attract a large amount of people. He advised the lab use is one that sees few members of the public. He further advised that this use services the public good. He advised that medical laboratories are crucial to the well being of our people and this use fits that need. He advised that the substances used in the laboratory will be safely stored and used by trained personnel. The building will be sprinklered which will add to its safety.

MEETINGJUNE 22, 2016

He advised that parking will be more than adequate for the employees on site and for the occasional Visitor. He advised that the prior use was for a medical office which has a much greater intensity than a lab use, which has far fewer visitors and no doctors who double or triple book appointments. He advised there will be no external changes to the building or site. He advised that many household items are dangerous, including Wite-Out, bleach and pool chemicals. He advised this application will support the purposes of the Municipal Land Use Law and enumerated those sections to the Board. He advised that the use will serve the public good in an existing building that has the latest safety measures and provides economic benefits to the Township and the local economy by employing skilled American workers. He advised that he cannot see any negative impacts from the application. It will have no impact on adjoining residences. He advised in his opinion that special reasons were shown. He advised that the negative criteria had been met. He further advised that the use is particularly suitable for the location and is much less intense than many of the allowed uses. In conclusion, he stated that the application can be granted without substantial detriment to the public good and without substantial impairment of the zone plan and zoning ordinance. The Board had no questions of the witness and 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. Paparo then advised he had no further witnesses. Mr. Galante then asked for comments from the public and no one came forward to speak for or against the application. Mr. Paparo then gave a brief closing statement urging the Board to grant the application. The Board then went into conference on the matter. The Board stated the application would have no negative impact if granted. They were satisfied with the safety aspects as presented. They felt it was a good application.

6.

MEETING

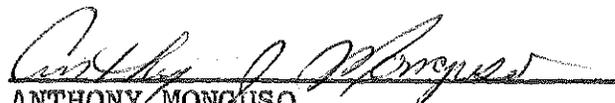
JUNE 22, 2016

Mr. Galante then asked for a motion and Mr. Petkov 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: Petkov, yes; Demovic, yes; Ciampi, yes; Howe, yes; Wiley, yes; Alexander, yes; and Galante, yes. The Resolution will be read at the July 13, 2016 meeting.

Before the meeting concluded Dr. Marina Kharaz came forward, who is the co-owner of the building. She advised that Quality Labs is as good as LabCorp or Quest. She advised that the members probably got a large bill from LabCorp or Quest. She advised that if a patient cannot afford to pay, they have hardship prices. She then thanked the Board for letting her speak.

There being no further business to come to the attention of the Board, Mr. Demovic 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