

UNION TOWNSHIP PLANNING BOARDMEETINGJUNE 23, 2016

The Township of Union Planning Board held its regular meeting on June 23, 2016, pursuant to the Sunshine Law of the State of New Jersey, at 7:05 p.m., in the Municipal Building, 1976 Morris Avenue, Union, New Jersey. Present were Cantalupo, Morrison, O'Hara, Perkins, Rev. Starling, Delisfort and Florio. Absent were Mayor Figueiredo, Moyer, resigned; Bowser and Guerra-Frazier. Also present were Robert J. Pansulla, Esq., Special Counsel to the Board on the Lidl U.S. Operations, LLC, and Diane U. Dabulas, Esq., on behalf of the absent Daniel McCarthy, Esq.,; Philip A. Haderer, Assistant Township Engineer, on behalf of the absent Joseph R. Venezia, Township Engineer, and Diane Rutledge, Clerk.

Mr. Cantalupo asked, at this point, that Philip A. Haderer, Assistant Township Engineer for the Township be sworn by the Court Reporter in the event he needed to give testimony or comments to the Board during the meeting.

Mr. Cantalupo then asked for a motion to approve the minutes of May 26, 2016. Mr. O'Hara then made a motion to approve the minutes of that meeting which was seconded by Mr. Morrison. All members present were in favor with the exception of Mr. Florio who did not attend that meeting and abstained from voting.

The next matter to come to the attention of the Board was Application 2006-04, KCL Union, LLC for Resolution of Approval. Rev. Starling then made a motion that Application 2006-04, KCL Union, LLC be approved, which was seconded by Ms. Perkins. All members present were in favor.

The next matter to come to the attention of the Board was Application 2016-02 (UTP 028), Lidl U.S. Operations, LLC for major site plan and variance.

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Stephn F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl stated that the applicant was requesting that the matter be carried to the July 28, 2016 meeting. He advised that revisions to the plans are being finalized and will be submitted for review shortly. He requested that the matter be carried without the requirement of further notice and that the Applicant will further agree to any appropriate extension of the 120 day time period. Mr. Pansulla then advised that the matter would be carried to July 28, 2016, with no further notice required. *8/1/16*

The next matter to come to the attentinn of the Board was Application 2016-06 (UTP 031), City MD Urgent Care for major site plan and variance. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl gave a brief overview of the matter and that he would be calling two witnesses. Mr. Hehl then called Martin Creaven, the Director of Real Estate Development, and has been so for four years. He advised that the Applicant currently has 55 locations in the New York-New Jersey area. He advised this will be an Uegent Care facility. The objective is to provide quality care in an expeditious way. The hours of operation will be 8 a.m. to 8 p.m. Monday to Friday, and 9 to 5 on the weekends. He anticipates 10 employees for the business. They expect to see anywhere from 25 to 35 patients a day. The average wait time will be 30 minutes, depending on the situation. Deliveries to the site will be minimal; probably once a day on average. Small vehicles will be used. They will have a company to dispose of the medical waste. He advised that the parking will be more than adequate. He advised there will be small signs on the facade of the building. He testified that a physician will be on duty throughout the day and may change during the day. He advised that they will encourage employees to park as far away as possible for parking in front of the building for patients. After several clarifying questions by the Board, Mr. Cantalupe 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 Joseph Jaworski, a professional planner, to testify. *by*

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Mr. Jaworski gave his qualifications and was accepted to testify. He then gave the Board an overview of the existing conditions at the site and the development of the site. He referred to his plan and testified from same. The two driveways will stay the same. He advised that 29 spaces is required and 23 are being given. He advised that 16 to 18 spaces, at a minimum, will be needed. He felt there would be sufficient parking. He stated there will be three signs on each side of the building and one on the end-cap. The old signs on the building will be taken down and replaced with new signs. He advised that the new signs will add up to 51.3 feet. He advised that the signs will be internally lit with lighting which is consistent with the rest of the center; perhaps LED lighting, but they will decide on the LED lighting later, or they will comply with the ordinance. He advised that the property will be able to accommodate emergency vehicles. After several clarifying questions by the Board, Mr. Cantalupo opened the witness up for cross-examination on the testimony given and no one came forward the witness. Mr. Cantalupo then asked for a motion and Rev. Starling then made a motion to approve Application 2016-06 City MD Urgent Care, which was seconded by Ms. Perkins. On the vote: Morrison, yes; O'Hara, yes; Perkins, yes; Rev. Starling, yes; Delisfort, yes; Louis, yes; Florio, yes; and Cantalupo, yes.

The next matter to come to the attention of the Board was Amending Section 170-152 of the Municipal Code for LED and other lighting sources for signage. After discussion amongst the Board members, Ms. Perkins stated that it was her opinion that the new ordinance definitely complies with the Master Plan in that the Master Plan always dealt with the safety of the residents and the cleanliness and character of life in the Township, and this new ordinance will address what could be a dangerous situation for drivers, and the general public. Ms. Perkins put her statement in the form of a motion which was seconded by Mr. Morrison. Ms. Dabulas clarified the motion by

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stating that the motion was that the Board was sending the ordinance back to the Township Committee recommending that it is consistent with the Master Plan. However, suggesting that possibly some of the language could be addressed to make sure that Ms. Perkins comments are taken into consideration. Ms. Perkins made the motion which was seconded by Rev. Starling. On the vote: Morrison, yes; Perkins, yes; O'Hara, yes; Rev. Starling, yes; Delisfort, abstain; Louis, yes; Florio, abstain; and Cantalupo, yes. The ordinance will be forwarded to the Township Committee with the recommendations.

Before the meeting ended, Mr. Cantalupo stated that Timothy Moyer had resigned from the Board. He stated that the Township appreciated his service to the Board and that the Board wished him good luck since he will no longer be on the Board. He stated on behalf of the Board, they appreciate all he has done.

There being no further business to come to the attention of the Board, Ms. Delisfort made a motion to adjourn which was seconded by Mr. O'Hara. The meeting was adjourned at 8:00 p.m.

Respectfully submitted,

  

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DIANA RUTLEDGE,  
CLERK OF THE BOARD