

UNION BOARD OF ADJUSTMENT

MEETING

January 17, 2018

THE FOLLOWING NOTES FROM THE MEETING ARE NOT INTENDED AS A  
VERBATIM TRANSCRIPT BUT RATHER AS A BRIEF SUMMARY OF THE WITNESSES  
AND ACTIONS OF THE ZONING BOARD

The Board of Adjustment of The Township of Union convened its regular meeting on January 17, 2018, pursuant to the Sunshine Law of The State of New Jersey, at 7:30 p.m., and the following members were present: Howe, Ciampi, Petkov, Demovic, Wiley, Saraiva and Galante. Absent was DiGiovanni and Alexander. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Construction Official; and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then asked for the approval of the minutes of the January 10, 2018 meeting, and the minutes of that meeting were then moved by Mr. Ciampi and seconded by Mr. Saraiva. All members present were in favor with the exception of Mr. Wiley who abstained since he was absent for the January 10, 2018 meeting.

Mr. Galante 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 No. 3314 Joaquim Sousa, for conversion of office space on second floor to a residential apartment. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl gave a brief overview of the matter as it had been carried from prior meetings. Mr. Hehl presented a witness, James Brunette, realtor of Brunette Realty, LLC to testify. The witness gave his qualifications and was accepted to testify. Mr. Brunette stated that this location has two different addresses and it was built as a residential duplex. He then added into evidence two photos and a listing agreement. Mr. Brunette stated the property is least desirable for a tenant to occupy the second floor space as an office. He advised that with the entrance being on Azalea Road makes it similar to any other residential apartments in Union. Mr. Pansulla stated that Mr. Monguso received an email from the Assessor's office and will forward a copy to counsel. There were additional building department historical records sought to address the past residential use. Counsel sought to have the matter adjourned to follow up on these open discovery issues. Mr. Ciampi made a motion to have Calendar No. 3314 J. Sousa to be continued at the February 28, 2018 meeting date; which was seconded by Mr. Saraiva. On vote: Wiley, yes; Petkov, yes; Ciampi, yes; Howe, yes; Demovic, yes; Saraiva, yes; Galante, yes. The matter will be heard at the February 28, 2018, meeting without further public notice needed to be provided by the Applicant, who waived any time constraints that may confront the Board to allow the matter to be carried.

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The final matter to come to the attention of the Board was Calendar No. 3320 Delicious Fresh Pierogi, Inc., for manufacturing and distribution of pierogis, with supportive office use, and limited retail features. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl gave a brief overview of the matter. Mr. Hehl then called upon his first witness Michael E. Dipple, of L2A Land Design, LLC. as an engineer. The witness gave his qualifications and was accepted to testify. Mr. Pansulla then marked into evidence the application, site plan and architectural plans. Mr. Dipple gave an overview of the site plan showing that the two existing buildings will be connected. He stated there will be parking lot improvements in the rear foreemployee parking and loading. In the front will be customer parking. Mr. Dipple stated the a portion of the front of the building will be limited retail space. There will be lighting improvements in the parking area and mounted to the building. Mr. Dipple added into evidence a colorized site plan. He gave a brief overview of the work hours and deliveries. 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 Arthur Henn, an architect, from Arthur Henn, AIA and Associates, LLC. to testify. He gave his qualifications and was accepted to testify. Mr. Henn gave a brief overview of the architectural plans. He described the interior floor plan and proposed use of the building. Mr. Henn reviewed the proposed signage for the exterior of the building. 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 Ryszard Jackiewicz, from Delicious Fresh Pierogis, as the owner. Mrs. Candice Pollack, daughter of Mr. Jackiewicz, translated for him. He gave a description of the activity at their present location on Roselle Park. They need more space and are purchasing the location in Union. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross examination on the testimony given and Jason Gomes came forward to question the witness on the testimony given. Mr. Hehl then called his final witness, Nicholas A. Graviano, planner, of Graviano Design Group. The witness gave his qualifications and was accepted to testify. He went over with the Board the variances and comments of the Township Engineer and said they would be adhered to. 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 advised he had no further witnesses.

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Mr. Galante then opened the matter up for public comments. Mr. Hehl then gave brief closing statement asking the Board to grant this application. The Board then went into conference on the matter. The Board felt this was a good application, and that the appropriate criteria had been satisfied. 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. Saraiva. On the vote: Wiley, yes; Petkov, yes; Ciampi, yes; Howe, yes; Demovic, yes; Saraiva, yes and Galante, yes. The Resolution of Approval will be read at the February 7, 2018, meeting.

There being no further business to come to the attention of the Board, Mr. Howe then made a motion to adjourn which was seconded by Mr. Ciampi. The meeting was adjourned at 9:08 p.m.

Respectfully submitted,

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Anthony Monguso, Board of Adjustment Secretary