

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

November 28, 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 November 28, 2018 pursuant to the Sunshine Law of The State of New Jersey, at 7:30 p.m., and the following members were present: DiGiovanni, Howe, Ciampi, Petkov, Demovic, Alexander, Saraiva, Wiley and Galante. 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 November 7, 2018 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Ciampi. All members present and eligible to vote were in favor.

Mr. Galante then asked for communications and Mr. Monguso advised there was a letter that Counsel will address when called upon.

The first matter to come to the attention of the Board was Calendar No. 3331 American Landmark Development, LLC, 1181 Morris Ave., mixed use building. Meredith H. Marcus, Esq. came forward on behalf of the applicant. At this point Mr. Pansulla introduced a letter sent to Mr. Monguso from Stephen F. Hehl, Esq., attorney for applicant. In the letter, Mr. Hehl is requesting this case be carried to the December 12, 2018 meeting of the Board. Mr. Pansulla noted that the reason for this adjournment was necessitated to afford the applicant the opportunity for their professionals to address Township comments. Counsel noted that Mr. Hehl had re-noticed the public. Mr. DiGiovanni then made a motion to carry Calendar No 3331, 1181 Morris Avenue to the December 12, 2018 meeting date, which was seconded by Mr. Ciampi. On the vote: DiGiovanni, yes; Demovic, yes; Ciampi, yes; Petkov, yes; Demovic, yes; Wiley, yes and Galante, yes. A public announcement of such adjournment was made and the matter will be heard on December 12, 2018 at 7:30 p.m., without any further public notice being required.

The final matter to come to the attention of the Board was 3332 Home Depot/Planet Fitness, amended site plan and use variance for Planet Fitness with signage, outdoor storage and display with parking lot modification. John Giunco, Esq., came forward on behalf of the applicant. Mr. Giunco then re-called his first witness, Gregory Oman, Professional Engineer, to testify. The witness was sworn in at the last meeting, and was accepted to testify. Mr. Oman gave a brief overview of the application and changes. Mr. Pansulla then marked into evidence a revised site plan, with a comparison through exhibits of the proposed out door storage, with the existing outdoor storage. Mr. Oman reviewed the revised site plan for the Board. After several qualifying questions by the Board, Mr. Galante opened the witness to the public for cross examination on the testimony given and no one from the public came forward.

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Mr. Giunco then called his next witness, Jay Troutman, traffic engineer, to testify. The witness was previously sworn, and has maintained e his qualifications to testify as an expert. Mr. Troutman prepared a data study of the parking lot that was marked into evidence. The study was performed on Saturday November 10, 2018 and he reviewed the evidence and summarized his findings. After several qualifying questions by the Board, Mr. Galante opened the witness to the public for cross examination on the testimony given and no one from the public came forward. Mr. Giunco then called his next witness, Christine A. Nazzaro-Cofone, professional planner, to testify. The witness was sworn, gave her qualifications and was accepted to testify. Mrs. Cofone advised that this application has no negative impact for the area, and the legal criteria has been met when considering the pubic good and the zone plan. She feels the modifications to the plan are now easier to control and monitor the activities on site. There were no questions by the Board. Mr. Galante opened the witness to the public for cross examination on the testimony given and no one from the public came forward. There were no further witnesses. Mr. Galante then opened the matter up for public comments, and no one from the public came forward to offer any comments. Mr. Giunco then gave a 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 site plan and 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: DiGiovanni, yes; Howe, yes; Ciampi, yes; Petkov, yes; Demovic, yes; Wiley, yes and Galante, yes. The Resolution of Approval will be read at the December 19, 2018, 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. Saraiva. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

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Anthony Monguso, Board of Adjustment Secretary