

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

January 23, 2019

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 23, 2019 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, Wiley, Demovic, Alexander, Saraiva and Galante. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Construction Official; and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then announced that the approval of the minutes from the January 16, 2019 meeting will be read at the next meeting date.

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. 3336 Ameila Preguica, 785 Chestnut Street, 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 has 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 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. Demovic. On the vote: Ciampi, yes; DiGiovanni, yes; Howe, yes; Petkov, yes; Demovic, yes; Alexander, yes and Galante, yes.

The next matter to come to the attention of the Board was Calendar No. 3339 John Goncalves, for property at 600 Twain Place, proposing to add to living space with insufficient front yard setbacks. John Goncalves came forward as the applicant. Mr. Pansulla then marked into evidence the application and architectural plans. Mr. Goncalves gave an overview of the floor plan and the use of the front porch area. He explained all renovations are interior and the existing foot print will remain the same. 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. Galante then opened the matter up for public comments and no one came forward, including none of the neighboring property owners. 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.

MEETING MINUTES

January 23, 2019

Mr. Galante then asked for a motion and Mr. Petkov 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: DiGiovanni, yes; Howe, yes; Ciampi, yes; Petkov, yes; Wiley, yes; Demovic, yes; and Galante, yes. The Resolution of Approval will be read at the February 6, 2019 meeting date.

The next matter to come to the attention of the Board was Calendar No. 3343 Kyle Kazimir and Bridgette Higgins, for property at 424 Burroughs Terrace, proposing an addition and deck with insufficient side yard setbacks. Kyle Kazimir came forward as the applicant. Mr. Pansulla then marked into evidence the application and site plan. Mr. Kazimir gave an overview of the floor plan and the use of the space. He also gave a description of the deck area. 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. Galante then opened the matter up for public comments and no one came forward, including none of the neighboring property owners. 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 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: DiGiovanni, yes; Howe, yes; Ciampi, yes; Petkov, yes; Wiley, yes; Demovic, yes; and Galante, yes. The Resolution of Approval will be read at the February 6, 2019 meeting date.

The final matter to come to the attention of the Board was Calendar No. 3331 American Landmark Development, for property at 1181 Morris Avenue, proposing a mixed use building. Stephen F. Hehl, Esq. came forward on behalf of the applicant. Mr. Hehl gave an overview of the matter and addressed the County's concerns that caused the adjournment of the matter. He also added into evidence three current photos of the lot, and that the County had no objection to approving this application. Mr. Hehl then called his first witness Darrell F. Alvarez, an engineer from Comito Associates, to testify. The witness previously gave his qualifications and was accepted to testify and remained under oath. Mr. Pansulla stated that Mr. DiGiovanni and Mr. Petkov viewed the previous meeting date in which this case was heard and are eligible to vote tonight. Mr. Wiley had not and thus was not eligible to vote. Mr. Alvarez gave a review of the restaurant area with outdoor seating and floor plan. He also reviewed the drainage and parking areas. Mr. Alvarez added into evidence a colorized page of the site plan showing the proposed improvements. Mr. Alvarez reviewed the adjacent lot for valet parking. He also described the changes to the floor plans confirming a reduction in units.

MEETING MINUTESJanuary 23, 2019

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 his next witness, Corey Chase, principal Traffic Engineer, of Dynamic Engineering. The witness previously gave his qualifications and was accepted to testify and remained under oath. Mr. Chase reviewed the traffic analysis and parking for the property. Mr. Chase added into evidence a shared parking analysis report. 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 his final witness, Nicholas A. Graviano, Planner, of Graviano Design Group. The witness previously gave his qualifications and was accepted to testify and remained under oath. He went over with the Board the variances. He testified that there is no negative impact to the surrounding community. He offered the testimony to support the variances and considering the changes to the site plan from the last public hearing. 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. Mr. Galante then opened the matter up for public comments and no one came forward. Mr. Hehl then gave a brief closing statement asking the Board to grant this application. The Board then went into conference on the matter. A majority of 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 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. Howe. On the vote: DiGiovanni, yes; Howe, yes; Ciampi, yes; Petkov, yes; Demovic, no; Alexander, yes and Galante, yes. The Resolution of Approval will be read at the February 13, 2019, 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. Demovic. The meeting was adjourned at 9:40 p.m.

Respectfully submitted,

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Anthony Monguso, Board of Adjustment Secretary