

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

February 27, 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 February 27, 2019 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, Saraiva and Galante. Absent were DiGiovanni, Wiley 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 February 13, 2019 meeting and the minutes of that meeting were then moved by Mr. Ciampi and seconded by Mr. Saraiva. All members present and eligible to vote were in favor.

The first matter to come to the attention of the Board was Calendar No. 3331 American Landmark Development, LLC, 1181 Morris Avenue, 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. Ciampi. On the vote: Howe, yes; Ciampi, yes; Petkov, yes; Demovic, no and Galante, yes.

The next matter to come to the attention of the Board was Calendar No. 3340 All Star BJJ and Apex Wrestling Central, 2175 Route 22, West, 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. Ciampi. On the vote: Howe, yes; Ciampi, yes; Petkov, yes; Demovic yes and Galante, yes.

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Mr. Pansulla confirmed on the record that both of the Resolutions passed this evening had been scheduled for the February 20, 2019 public meeting which had been adjourned due to inclement weather. Similarly, a public announcement was made to confirm that Calendar No. 3344 for American Access Care Union County, LLC to conduct office/outpatient surgery center at 1050 Galloping Hill Road, which had been scheduled and publicly noticed for that February 20 meeting will be heard on March 6, 2019 at that regular meeting of the Zoning Board at 7:30 p.m., without further public notice required.

The final matter to come to the attention of the Board was Calendar No. 3341 J.K. Holz Realty, LLC for property at 999 Rahway Avenue, proposing to have two propane tanks for TSS Facility Services, Inc. Stephen Hehl, Esq. came forward on behalf of the applicants. Mr. Hehl gave a brief overview of the matter. Mr. Hehl then called his first witness Craig Koref, as a representative of the applicants to testify, who was duly sworn. The witness gave his qualifications and was accepted to testify. Mr. Pansulla then marked into evidence the application and plan. Mr. Koref summarized the daily routine and type of business they have. He explained the use expected for the propane tanks, number of trucks, and hours of operation. 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, David Davies, branch manager, of Suburban Propane, who was duly sworn. The witness gave his qualifications and was accepted to testify. Mr. Davies reviewed the location of the propane tanks with fencing and summarized the approval from the DCA. 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, Christopher S. Mohler, an engineer, of Chesmont Engineering Company, who was duly sworn. The witness gave his qualifications and was accepted to testify as an expert. Mr. Mohler summarized the approval from the DCA and inspections required. He reviewed the lighting and fencing of the tanks. He was over the site plan that was made a part of the record. 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, Kevin O'Brien, planner, of Shamrock Enterprises, who was duly sworn. The witness gave his qualifications and was accepted to testify as an expert. He went over with the Board the variances. He testified that there is no negative impact to the surrounding community. He addressed the legal criteria in support of the variance relief and site plan approval that was sought.

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Mr. Hehl added into evidence the DCA approval letter as sent to both the applicants and the Construction Official. 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 she 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. 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. Howe. On the vote: Howe, yes; Ciampi, yes; Petkov, yes; Demovic, yes; Saraiva, yes and Galante, yes. The Resolution of Approval will be read at the March 13, 2019 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. Saraiva. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Anthony Monguso, Board of Adjustment Secretary