

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

March 1, 2023

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 for its Conference Agenda at 7:00 p.m. and its regular meeting at 7:30 p.m. on March 1, 2023 consistent with the Sunshine Law of the State of New Jersey and Municipal Land Use Law, and the following members were present: Alexander, Martins, Bentivegna, Scott, McNeil, Johnsen, Graves and Ciampi. Absent was Wiley. Also present were Robert J. Pansulla, Esq., Board Attorney; and Anthony Monguso, Construction Official and Zoning Board Secretary.

Mr. Ciampi 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. 3410 Caliber Bodyworks of NJ, LLC., for property at 2260 Route 22 East, for a proposed automobile repair garage. Mr. Pansulla had been directed by the Board to prepare and presented a Resolution of Approval containing findings of fact and conclusions, copies of which had been distributed to the Board members for their review prior to the start of the meeting. Mr. Ciampi then asked for a motion after there were no additions or corrections and Mrs. Alexander 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 Mrs. Scott. On the vote: Bentivegna, yes; Johnsen, yes; Alexander, yes; Scott, yes; Graves, yes and Ciampi, yes.

The next matter to come to the attention of the Board was Calendar No. 3412, Saad and Nadra Shafik, for property at 1933 Williams Street, to maintain interior garage dimensions. The Applicants came forward and were duly sworn and qualified to testify. Mr. Pansulla then marked into evidence the application with survey and pictures. He explained the process for the Applicants to go forward and develop a record to support the requested relief from the Board. Mrs. Shafik went over the existing conditions of the property with the dimensions of the garage and history for the property. She explained the only renovations to the dwelling were new flooring and paint. The Applicants understood the process to obtain variance relief and there were no further changes to what existed. After several clarifying questions by the Board, Mr. Ciampi opened the witness to the public for cross-examination on the testimony given and no one came forward to question the witness. Mr. Ciampi then opened the matter up for public comments and no one came forward. 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 to approve variance relief. Mr. Ciampi then asked for a motion and Mr. Bentivegna 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 Ms. Martins. On the vote: Bentivegna, yes; Johnsen, yes; Alexander, yes; Scott, yes; McNeil, yes; Johnsen, yes; and Ciampi, yes. The Resolution of Approval will be read at the March 15, 2023 regular public meeting date of the Board.

The final matter to come to the attention of the Board was Calendar No. 3403, NB Homes Improvements, LLC, for property at 1225 Morris Avenue, to construct a three story mixed use building with first floor retail and residential apartments. Stephen F. Hehl, Esq. from the law offices of Javerbaum Wurgaft, et. al. came forward on behalf of the Applicant. Mr. Hehl gave a brief overview of the matter.

Mr. Hehl then called his first witness Michael Lanzafama, Principal Engineer, from Casey & Keller, Inc., to testify. The witness was duly sworn, gave his qualifications for both engineering and planning, and was accepted to testify as an expert. Mr. Pansulla then marked into evidence the application, site plan, architectural plan and traffic impact study. Mr. Lanzafama added into evidence an aerial map, colorized site plan, auto turn analysis and a landscape plan. He went over with the Board the details from all the exhibits and the existing conditions. He summarized the proposed parking area and landscaping. After several clarifying questions by the Board, Mr. Ciampi opened the witness to the public for cross-examination on the testimony given and David Rapport and Lee Stewart came forward to question the witness. Mr. Rapport added photos and survey into evidence.

Mr. Hehl then called his next witness Andrew Podberezniak, R.A., Architect, to testify. The witness was duly sworn, gave his qualifications and was accepted as an expert to testify. Mr. Podberezniak reviewed the proposed floor plans and elevations. He added into evidence a colorized rendering. After several clarifying questions by the Board and Zoning Officer, Mr. Ciampi opened the witness to the public for cross examination on the testimony given and Lee Stewart from the public came forward.

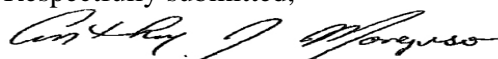
Mr. Hehl then called his next witness, Joseph Staigar, Traffic Engineer, of Dynamic Traffic, LLC, who was duly sworn. Mr. Staigar gave his qualifications and was accepted as an expert to testify. He gave a review of the traffic study performed, which focused on parking counts and the sufficiency of the site to satisfy the traffic demands safely and efficiently. After several clarifying questions by the Board, Mr. Ciampi opened the witness to the public for cross-examination on the testimony given and Lee Stewart came forward to question the witness.

Mr. Hehl then called his final witness recalling Michael Lanzafama, Planner, from Casey & Keller, Inc., to testify. The witness was previously sworn and was accepted to testify as a planning expert. He went over with the Board the variances, and legal reasons that relief could be granted. He testified that there is no negative impact to the surrounding community. He offered the testimony to support the variances. Mr. Ciampi opened the witness to the public for cross examination on the testimony given and David Rapport came forward to question the witness.

Mr. Ciampi then opened the matter up for public comments and David Rapport and Lee Stewart came forward. Mr. Rapport was duly sworn and added additional photos into evidence. 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. Pansulla reminded all that there were conditions associated with the application which would be required to be satisfied to be developed, including for NJDOT approval on traffic, and follow-up within the Township on a number of matters, including for drainage. Mr. Ciampi then asked for a motion and Mr. Bentivegna 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 Mrs. Alexander. On the vote: Bentivegna, yes; Johnsen, yes; Alexander, yes; Martins, yes; Scott, yes; McNeil, yes; and Ciampi, yes. The Resolution of Approval will be read at the March 22, 2023 meeting.

There being no further business to come to the attention of the Board, Ms. Martins then made a motion to adjourn which was seconded by Mr. Johnsen. The meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Anthony Monguso, Bd. of Adjustment Secretary