

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

May11, 2022

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 May 11, 2022 consistent with the Sunshine Law of The State of New Jersey and Municipal Land Use Law at 7:30 p.m., and the following members were present: DiGiovanni, Wiley, Bentivegna, Scott, McNeil and Ciampi. Absent was Howe, Alexander and Martins. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Construction Official and Zoning Board Secretary; and Tiffany Abrantes, Board Meeting Clerk.

Mr. Ciampi then asked for the approval of the minutes of the April 13th and April 27th, 2022 meeting dates and the minutes of those meetings were then moved by Mr. Bentivegna and seconded by Mr. DiGiovanni. All members present and eligible to vote were in favor.

Mr. Ciampi 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. 3386, RHS Hospitality 1, LLC, for property at 1252 Stuyvesant 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. Ciampi then asked for a motion after there were no additions or corrections and Mr. Bentivegna 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. Wiley. On the vote: Wiley, yes; Bentivegna; yes; Scott, yes; McNeil, yes and Ciampi, yes.

The final matter to come to the attention of the Board was Calendar No. 3397 1010 Jeanette Realty, LLC, for property at 1010 Jeanette Avenue, for a proposed conversion of a portion of existing mixed use space with manufacturing use, changing for warehouse use only. Steven H. Merman, Esq. from the law offices of Javerbaum Wurgaft, et. al. came forward on behalf of the Applicant. Mr. Merman gave a brief overview of the matter. Mr. Pansulla then marked into evidence the application and site plan. Mr. Merman then called his first witness Frank J. Lawrence, R.A., Architect, from James R. Guerra, P.A., to testify. The witness was duly sworn, gave his qualifications and was accepted to testify. Mr. Lawrence reviewed the existing floor plans and elevations. He explained the proposed interior renovations as compared to the prior approval of the Board. 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 from the public came forward.

Mr. Merman then called his next witness Henry Bautasta to testify, as an employee of the company Mikvah Tahara that will operate the warehouse. The witness was duly sworn, gave his qualifications and was accepted to testify. Mr. Bauasta gave a brief description of the business and daily activities. He explained the very limited operation and use of the

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Property as proposed. It was confirmed for the record that there would not be any truck deliveries made on the street or blockage of any public area for such purpose. It was also confirmed that there is no retail feature or access to the Property as a part of the Applicant's use. 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 from the public came forward.

Mr. Merman then called his final witness, Alexander Dougherty, Planner, of Dougherty Planning Development, who was duly sworn. The witness gave his qualifications and was accepted as an expert to testify. Mr. Dougherty added into evidence a fourteen-page planner's exhibit. He went over with the Board the details from the exhibit and site plan to offer support of 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 approval of the site plan and variances relative to this application. Mr. Ciampi opened the witness to the Board and after several clarifying statements it was confirmed that there is only one employee, with a driver as needed to deliver. The hotel products that the Applicant delivers are to set accounts, and no public contact is ever realized for the Property. Their office use exists at other locations. Mr. Ciampi opened the witness to the public for cross examination on the testimony given and no one from the public came forward.

Mr. Ciampi then opened the matter up for public comments and no one came forward. Mr. Merman 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. Ciampi then asked for a motion and Mr. DiGiovanni 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. Wiley. On the vote: Wiley, yes; DiGiovanni, yes; Bentivegna, yes; Scott, yes; McNeil, yes and Ciampi, yes. The Resolution of Approval will be read at the June 1, 2022 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. Wiley. The meeting was adjourned at 8:30 p.m.

Respectfully submitted,



Anthony Monguso, Bd. of Adjustment Secretary