

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

May 25, 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 25, 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: Howe, Wiley, Alexander, Martins, Bentivegna, Scott, McNeil and Ciampi. Absent was DiGiovanni. 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 May 11, 2022 meeting date and the minutes of that meeting was then moved by Mr. Bentivegna and seconded by Mr. Wiley. All members present and eligible to vote were in favor. Mr. Howe and Mrs. Alexander abstained since they were absent from the May 11, 2022 meeting.

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 New York SMSA Limited Partnership, for property at 2400 Morris Avenue, for an interpretation. Mr. Pansulla explained this matter was not subject to formal notice but he discussed with the Applicant's Counsel to have it carried to a new date with notice for alternative variance relief should the Board affirm its Zoning Officer's ruling. A Resolution was prepared which memorialized these facts, and waived any time constraints that may confront the Board. Mr. Ciampi then asked for a motion after there were no additions or corrections and Ms. Scott made a motion that the Board adopt the Resolution as written and dispensed with its readings which was seconded by Mrs. Alexander. On the vote: Wiley, yes; Howe, yes; Alexander, yes; Martins, yes; Bentivegna; yes; Scott, yes and Ciampi, yes.

The final matter to come to the attention of the Board was Calendar No. 3396, Applicant HESP Solar, LLC, for property at 501 Green Lane, for solar panel arrays to be constructed in the parking lot. Robert F. Simon, Esq. from Herold Law, P.A. Law Offices came forward on behalf of the Applicant. Mr. Simon gave a brief overview of the matter. Mr. Pansulla then marked into evidence the application, survey and site plan. Mr. Simon then called his first witness Robert C. Moschello, P.E., Engineer, from Gladstone Design, Inc., to testify. The witness was duly sworn, gave his qualifications and was accepted as an expert to testify. Mr. Moschello added into evidence an aerial exhibit, and site plan rendering. He gave an overview of the aerial exhibit and reviewed the details of the site plan in the parking lot area. After several clarifying questions by the Board, Mr. Ciampi opened the witness to the public for cross-examination on the testimony given and Pat Brenning, Kathy Ann Handel and John Shakeeta came forward.

Mr. Simon then called his final witness, David Karlebach, Planner, of David Karlebach P.C., who was duly sworn. The witness gave his qualifications and was accepted as an expert to testify. Mr. Karlebach added into evidence a three-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.

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He offered the testimony to support the approval of the site plan and variances relative to this application. After several clarifying questions by the Board, Mr. Ciampi opened the witness to the public for cross-examination on the testimony given and Pat Brenning and John Kendall came forward. Mr. Pansulla confirmed for the public that the Township Departmental professional comments would be satisfied as a condition of any approval.

Mr. Ciampi then opened the matter up for public and no one came forward with any further comments. Mr. Simon 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. Howe 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: Howe, yes; Wiley, yes; Alexander, yes; Martins, yes; Bentivegna, yes; Scott, yes and Ciampi, yes. The Resolution of Approval will be read at the June 15, 2022 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 Mrs. Alexander. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Anthony Monguso, Bd. of Adjustment Secretary