

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

July 24, 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 July 24, 2019 pursuant to the Sunshine Law of The State of New Jersey, at 7:30 p.m., and the following members were present: DiGiovanni, Ciampi, Petkov, Demovic, Wiley, Saraiva and Galante. Absent were Howe and Alexander. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Construction Official and Zoning Board Secretary; and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then asked for the approval of the minutes of the July 17, 2019 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Ciampi. All members present who were eligible to vote were in favor.

Mr. Galante then asked for communications and Mr. Monguso advised there was correspondence dated July 16, 2019 received from Jay B. Bohn, Esq., of Schiller, Pittenger & Gavin, P.C., as Attorneys for the applicant First Baptist Church regarding property located at 288 and 289 Hilton Avenue which they received an approval from the Board as adopted by Resolution on August 17, 2017, to adjust parking under Calendar Number 3304 for the continuing religious use. The correspondence sought to extend the time for one year for the applicant to commence construction off the approval issued by the Board. Mr. Pansulla explained the details, including delays which were out of the control of the applicant since it needed an approval from the neighboring Township of Maplewood. The Board was unanimously in agreement that under the circumstances a one year extension was justified, as moved by Mr. DiGiovanni and seconded by Mr. Ciampi. Mr. Pansulla was directed to draft a Resolution to memorialize the Board's findings, which will be adopted at the August 21, 2019 meeting.

The first matter to come to the attention of the Board was Calendar No. 3349 Pierre Saint-Dic, 1117 Jeanette Avenue, for Resolution of Approval for location of an in-ground pool. 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; Demovic, yes; Petkov, yes; Saraiva, yes and Galante, yes.

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The next matter to come to the attention of the Board was Calendar No. 3351, Salvador Oliveira, 1229 Roger Avenue, for Resolution of Approval for an addition with insufficient setbacks. 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. DiGiovanni. On the vote: DiGiovanni, yes; Ciampi, yes; Wiley, yes and Petkov, yes.

The final matter to come to the attention of the Board was Calendar No. 3352 Timco Property 1, LLC for property at 2421 Iorio Street, proposing the conversion to an auto body and repair shop with spray booths. Stephen F. Hehl, Esq. from the offices at Javerbaum Wurgaft, et. al. came forward on behalf of the applicant. Mr. Hehl gave a brief overview of the matter. He then called his first witness Thomas Quinn, as an Engineer, of EKA Associates, P.A. to testify, who was duly sworn. The witness gave his qualifications and was accepted to testify. Mr. Pansulla then marked into evidence the application, site plan and architect plans. Mr. Quinn gave a review of the site plan and variances needed. He summarized the proposed parking and existing conditions of the lot. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross examination on the testimony given and Al D'Alessandro came forward to question the witness.

Mr. Hehl then called his next witness Joseph Scibilia, Facility Manager of Timco/Planet Honda to testify. The witness was duly sworn, gave his qualifications and was accepted to testify. Mr. Scibilia gave a review and summarized the proposed changes and daily operations for the proposed body shop. There were no questions from the Board. Mr. Galante opened the witness to the public for cross examination on the testimony given and no one from the public came forward.

Mr. Hehl then called his final witness, Edward A. Easse, Architect and Planner. The witness was duly sworn, gave his qualifications and was accepted to testify. As a Professional Planner, Mr. Easse explained and summarized the justification for the variances requested for this site. He emphasized the pre-existing conditions were not being further disrupted, and the proposed modifications for the paint spraying booth were a substantial improvement to the existing operation. He opined that the upgrades to the drainage and parking lot are improvements that help support the variance relief. As the Architect, he summarized the plans that are proposed. Overall, the variances and preliminary with final site plan approval was warranted. There were no questions from the Board. Mr. Galante opened the witness to the public for cross examination on the testimony given and no one from the public came forward.

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Hr. Hehl advised that he had no further witnesses, but all were available for any further comments or questions. The public was given the opportunity to comment on the application generally, but no one came forward. Mr. Hehl gave a brief summation. The Board deliberated on the testimony and concluded that this was a good application, meeting the legal criteria for variance relief and site plan approval. Mr. Galante then asked for a motion and Mr. Petkov then made a motion that the Board grant the variances applicable to the application with site plan approval 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; Ciampi, yes; Petkov, yes; Wiley, yes; Demovic, yes; Saraiva, yes; and Galante, yes. The Resolution of Approval will be read at the August 21, 2019 meeting.

There being no further business to come to the attention of the Board, Mr. DiGiovanni made a motion to adjourn which was seconded by Mr. Saraiva. The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Anthony Monguso, Board of Adjustment Secretary