

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

September 25, 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 September 25, 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, Alexander and Galante. Absent was Howe and Saravia. Also present were Robert J. Pansulla, Esq., Board Attorney; Carmen Marano, Zoning Board Clerk and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then asked for the approval of the minutes from the September 18, 2019 meeting that were previously circulated to the Board for review, which were moved by Mr. DiGiovanni and seconded by Mr. Ciampi with all members present and eligible to vote in favor.

Mr. Galante then asked for communications and Mr. Marano 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. 3353 R and S Realities, for property at 95 Progress Street for signage. Joshua J. Koodray, Esq. from the Hehl offices at Javerbaum Wurgaft, et. al. came forward on behalf of the applicant. Mr. Koodray gave a brief overview of the matter. Mr. Pansulla then marked into evidence the application, sign package and a survey. He also confirmed that “d” variance was not required, only bulk variances. Mr. Koodray then called his first witness Robert Gallagher, Director of Operations, of Ray Catena Mercedes Benz to testify, who was duly sworn. The witness gave his qualifications and was accepted to testify. Mr. Gallagher provided a general review of the daily operations and employees at the location. He stated with the new signage is proposed as a national branding requirement of Mercedes as the manufacturer who controls the sales at the dealership. 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. Koodray then called his final witness, Nicole Hoffer, project manager, of AGI Sign Company. The witness was duly sworn, gave her qualifications and was accepted to testify. She gave an overview of the sign package that was submitted into evidence. 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.

MEETING MINUTES

September 25, 2019

Mr. Koodray advised that he had no further witnesses, but all were available for any further comments or questions. The Applicant committed to working cooperatively with the Township to satisfy the departmental comments. The public was given the opportunity to comment on the application generally, but no one came forward. Mr. Koodray 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; Alexander, yes; and Galante, yes. The Resolution of Approval will be read at the October 23, 2019 meeting.

The final matter to come to the attention of the Board was Calendar No. 3354 R and S Realities, LLC for property at 2575 Route 22, West, proposing indoor and outdoor parking, storage/warehousing and display of motor vehicles. Joshua J. Koodray, Esq. from the Hehl offices at Javerbaum Wurgaft, et. al. came forward on behalf of the applicant. Mr. Koodray gave a brief overview of the matter. He then called his first witness William Lane, as an Engineer, of Menlo Engineering Associates 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 site plan. Mr. Lane gave a review of the site plan and variances needed. He added an aerial photo of the site into evidence. 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 no one came forward to question the witness.

Mr. Koodray then called his next witness Robert Gallagher, Director of Operations, of Ray Catena Mercedes Benz to testify, who was still under oath. Mr. Gallagher stated they applied for interior demo permits to clean the building due to the last tenant and made repairs to the sprinkler and fire alarms. He advised there are no plans for major additions, only renovations and the location is just for employees, with no customers or public access. 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. Mr. Koodray then called his final witness, Nicholas A. Graviano, planner, of Graviano Design Group. The witness was duly sworn, gave his qualifications and was accepted to testify. He went over with the Board the proposed site plan and 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.

MEETING MINUTES

September 25, 2019

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. Koodray 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. Koodray 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; Alexander, yes; and Galante, yes. The Resolution of Approval will be read at the October 23, 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. Ciampi. The meeting was adjourned at 8:15 pm.

Respectfully submitted,

Anthony Monguso, Board of Adjustment Secretary