

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

October 23, 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 October 23, 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, Martins and Galante. Absent was Howe. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Zoning Board Secretary and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then asked for the approval of the minutes of the September 25, 2019 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Demovic. All members present and eligible to vote were in favor.

Mr. Galante then asked for the approval of the minutes of the October 2, 2019 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Demovic. All members present and eligible to vote were in favor with the exception of Mr. Petkov who abstained since he was absent for the October 2, 2019 meeting.

Mr. Galante 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. 3353 R and S Realities, for property at 95 Progress Street, for Resolution of Approval for signage with insufficient setbacks to support the nearby Ray Catena car dealership. Mr. Pansulla had been directed by the Board to prepare a Resolution of Approval containing findings of fact and conclusions and had 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. DiGiovanni 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. Ciampi. On the vote: DiGiovanni, yes; Demovic, yes; Petkov, yes; Ciampi, yes; Wiley, yes; Alexander, yes and Galante, yes.

The next 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, for Resolution of Approval for storage of vehicles to support the nearby Ray Catena car dealership with site plan review, use variance relief and insufficient setbacks. Mr. Pansulla had been directed by the Board to prepare a Resolution of Approval containing findings of fact and conclusions and had 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.

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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; Demovic, yes; Petkov, yes; Ciampi, yes; Wiley, yes; Alexander, yes and Galante, yes.

The final matter to come to the attention of the Board was Calendar No. 3356 CTE 2 Land, LLC. (Volkswagen of Union) for property at 2135-2145 and 2155 Route 22, West, proposing new and used car sales with maintenance center. Paul C. Pawlowski, Esq., from the office of Schiller, Pittenger and Galvin, P.C. came forward on behalf of the applicant. Mr. Pawlowski gave a brief overview of the matter. He then called his first witness Ronald Weiss, general manager, of Volkswagen 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 with survey. Mr. Weiss 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. Pawlowski then called his next 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 as an expert. Mr. Quinn gave a review of the site plan and variances needed. He summarized the proposed lighting and grading on the lot. Mr. Quinn added into evidence photos, colorized rendering of building and exhibit confirming adequate turning area for emergency vehicles. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross examination on the testimony given and no came forward to question the witness.

Mr. Pawlowski called upon his final witness, James Watson, as a planner, from EKA Associates, P.A., to testify, who was duly sworn. The witness was qualified and accepted to testify as an expert. He addressed all the variances and applicable comments from Maser Consulting. He testified that there is no negative impact to the surrounding community and the statutory criteria is satisfied through this application to grant the variance relief being sought. 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.

Mr. Pawlowski 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.

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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 November 6, 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. Wiley. The meeting was adjourned at 8:25 pm.

Respectfully submitted,

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Anthony Monguso, Board of Adjustment Secretary