

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

November 2, 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 November 2, 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: Wiley, Alexander, Bentivegna, Scott, McNeil and Ciampi. Absent were DiGiovanni 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 October 19, 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. Ciampi then asked for communications and Mr. Monguso advised there were no communications and hence, there were none to be read.

The next matter to come to the attention of the Board was Calendar No. 3406 Needa Asad, LLC, for property at 1545 Morris Avenue, for service station use conditionally permitted for the Zone but not meeting all the requirements. Stephen 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. Mr. Pansulla then marked into evidence the application, site plan, architectural plan, traffic report and drainage report. Mr. Hehl then called his first witness Tiago Duarte, Principal Engineer, from Dynamic Engineering, to testify. The witness was duly sworn, gave his qualifications and was accepted to testify as an expert. Mr. Duarte gave a review of the site plan and variances needed. He added into evidence a colorized site plan rendering. After several clarifying questions by the Board, Mr. Ciampi opened the witness to the public for cross-examination on the testimony given and Carlos Espinosa and Elizabeth Navarro came forward.

Mr. Hehl then called his next witness, Robert Grimaldi, Architect, of G141 Architecture, LLC, who was duly sworn. The witness gave his qualifications and was accepted to testify as an expert. Mr. Grimaldi summarized the architectural plans and the colorized rendering that was added into evidence. He reviewed the proposed exterior and elevations. Mr. Grimaldi summarized the intended hours of operations and number of expected staff on site. 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. Hehl then called upon his next witness, Corey Chase, Traffic Engineer, of Dynamic Traffic, LLC, to testify. The witness was duly sworn, gave his qualifications and accepted to testify as an expert. Mr. Chase gave a review of the traffic analysis he performed, which focused on parking and the sufficiency of the site to satisfy the traffic demands safely and efficiently without a substantial negative impact for the area. 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 came forward to question the witness.

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Mr. Hehl then called his final witness, Christine A. Nazzaro-Cofone, Planner, of Cofone Consulting Group, LLC, who was duly sworn. The witness gave her qualifications and was accepted as an expert to testify. She went over with the Board the variances, and legal reasons that relief could be granted. She testified that there is no negative impact to the surrounding community. She offered the testimony to support the variances. Mr. Ciampi opened the witness to the public for cross examination on the testimony given and no one came forward to question the witness.

Mr. Ciampi then opened the matter up for public comments and Carlos Espinosa came forward. Mr. Hehl then gave a brief closing statement asking the Board to grant this application. Mr. Pansulla offered further legal summary and direction. The Board then went into conference on the matter. The Board felt this was a good application, and that the appropriate legal criteria had been satisfied. Mr. Ciampi then asked for a motion and Mr. Bentivegna 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 Mrs. Alexander. On the vote: Wiley, yes; Alexander, yes; Bentivegna, yes; Scott, yes; McNeil, yes and Ciampi, yes. The Resolution of Approval will be read at the December 14, 2022 meeting.

There being no further business to come to the attention of the Board, Mrs. Alexander then made a motion to adjourn which was seconded by Mr. Wiley. The meeting was adjourned at 8:45 p.m.

Respectfully submitted,



Anthony Monguso, Bd. of Adjustment Secretary