

UNION BOARD OF ADJUSTMENT

MEETING MINUTES

February 13, 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 February 13, 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 were Howe and Saraiva. Also present were Robert J. Pansulla, Esq., Board Attorney; Anthony Monguso, Construction Official; and Tiffany Abrantes, Meeting Clerk.

Mr. Galante then asked for the approval of the minutes of the February 06, 2019 meeting and the minutes of that meeting were then moved by Mr. DiGiovanni and seconded by Mr. Ciampi. All members present and eligible to vote were in favor.

The next matter to come to the attention of the Board was Calendar No. 3331 American Landmark Development, LLC, 1181 Morris Avenue, for Resolution of Approval. Mr. Pansulla had been directed by the Board to prepare a Resolution of Approval containing findings of fact and conclusions. Mr. Pansulla announced that the final version of the Resolution of Approval was not yet completed, and would be circulated to the Zoning Board members in advance of the February 20, 2019, when it is now scheduled to be passed.

The next matter to come to the attention of the Board was Calendar No. 3338 Jeffrey Webb, 1071 Springfield Road, for Resolution of Approval. 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; Demovic, yes; Petkov, yes; Wiley yes; Alexander, yes and Galante, yes. Mr. Ciampi abstained since he was absent for that meeting date.

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The final matter to come to the attention of the Board was Calendar No. 3342 Union Salem, LLC, for property at 1042-58 Salem Road, proposing a convenience store. Meredith Marcus, Esq. came forward on behalf of the applicants. Ms. Marcus gave a brief overview of the matter. Ms. Marcus then called her first witness Anthony Garrett, architect, of Billow Garrett Group Architect and Planning, P.C. 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 traffic report. Mr. Garrett described the interior and exterior of the building. He added into evidence an artist rendering, modified site plan pages consisting of floor plans and elevations. He reviewed the driveways, curb cuts and lighting. After several clarifying questions by the Board, it was announced that Mr. Garrett would return for later testimony as the Planner. Ms. Marcus then called her next witness, Abhay Joshi, managing partner of Union Salem, LLC, who was duly sworn. The witness gave his qualifications and was accepted to testify. Mr. Joshi reviewed and summarized the expected number of employees, types of deliveries and hours of operation. He explained his vision for the use of the Property and deferred to the expert testimony for evidence in support of the needed variances. He agreed to qualifying conditions should an approval be granted. After several clarifying questions by the Board, Mr. Galante opened the witness to the public for cross examination on the testimony given and Samuel Jordan of Salem Road came forward to question the witness on the testimony given. Ms. Marcus then called her next witness, Matthew Seckler, a traffic engineer, of Stonefield Engineering Design who was duly sworn. The witness gave his qualifications and was accepted to testify. Mr. Seckler summarized the traffic and parking access management program, considered any impact for the area, and addressed the loading and deliveries to be realized on site. He offered support for the needed variances. 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. Ms. Marcus then called her final witness, Anthony Garrett, planner, of Billow Garrett Group Architect and Planning, P.C. The witness previously gave his qualifications and was accepted to testify and remained under oath. He went over with the Board the zoning and offered factual with legal support for the Board to grant the variances. Mr. Garrett added into evidence photos of the neighborhood. 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. Ms. Marcus advised she had no further witnesses.

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Mr. Galante then opened the matter up for public comments and Vincent Marmora and Alta Jordan came forward, each duly sworn, and offered testimony regarding the application. Ms. Marcus 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. Galante then asked for a motion and Mr. Petkov 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. DiGiovanni. On the vote: DiGiovanni, yes; Demovic, yes; Ciampi, yes; Petkov, yes; Wiley, yes; Alexander, yes and Galante, yes. The Resolution of Approval will be read at the March 6, 2019 meeting.

There being no further business to come to the attention of the Board, Mr. DiGiovanni then made a motion to adjourn which was seconded by Mr. Demovic. The meeting was adjourned at 9:15 p.m.

Respectfully submitted,

Anthony Monguso, Board of Adjustment Secretary