

May 9, 2024, Planning Board/Board of Adjustment Meeting Minutes

These minutes were approved at the June 13, 2024, meeting.

Call to Order and Notices: Board Secretary Gronau called the regular meeting of the Union Township Planning Board/Board of Adjustment to order at 7:06pm.

Open Public Meetings Act Notice: I would like to have placed in the minutes that the Open Public Meeting Requirements of Law have been satisfied by our notice dated January 18, 2024, as published in the Hunterdon County Democrat and notice dated January 19, 2024, as published in the Courier News. A copy of the notice has also been posted on the Township Website, the Bulletin Board in the Municipal Building and a copy has been filed with the Municipal Clerk.

Flag Salute

Members Present: Committeewoman Cherney, Mr. Nace, Mr. Neary, Mr. Kirkpatrick (via teleconferencing), Mr. Belden, Ms. Bartolomeo, Mr. Lepore, Mr. Gatanis, Mr. Tousignant, Mr. Glacken.

Board Professionals Present: Attorney Anderson (via teleconferencing) at 7:55pm, Robert Clerico arrived at 7:53pm.

Members Absent: Mayor DeGiralamo, Mr. Kastrud, Chair Ford.

Vote for pro tem Chair: Mr. Kirkpatrick made a motion to elect Mr. Lepore as the pro tem Chair of the Board. Ms. Bartolomeo seconded the motion. **Vote: Ayes:** Mr. Nace, Mr. Neary, Mr. Kirkpatrick, Mr. Belden, Ms. Bartolomeo, Mr. Gatanis, Mr. Tousignant, Mr. Glacken. **Abstain:** Committeewoman Cherney, Mr. Lepore. **No Nays. Motion carried.**

Approval of Minutes: Mr. Belden made a motion to approve the minutes of the April 11, 2024, regular meeting. Committeewoman Cherney seconded the motion. **Vote: Ayes:** Committeewoman Cherney, Mr. Nace, Mr. Neary, Mr. Belden, Mr. Kirkpatrick, Ms. Bartolomeo, Mr. Lepore, Mr. Gatanis, Mr. Glacken. **Abstain:** Mr. Tousignant. **No Nays. Motion carried.**

Agenda taken out of order. Mr. Lepore reviewed correspondence.

Correspondence

- NJDEP Highlands Preservation Area Application Block 7, Lot 3 – Informational only
The Board Secretary informed the Board that Clinton Wildlife has applied to the Highlands for a Highlands Preservation Area Approval.
- Notice of Public Hearings for Highlands - Regional Master Plan Amendment – Informational Only
Board members reviewed the public hearing dates and discussed attending the hearings.

Mr. Clerico and Attorney Anderson had not arrived at this time due to full lane closures on Route 78. Mr. Lepore called for a recess at 7:15pm. Mr. Clerico arrived at 7:53pm, Attorney Anderson attended via telephone. The Board resumed at 7:55pm.

New and Pending Matters

- Cobb Industries, LLC (Sawyers Controls) – Interpretation/Use Variance/Site Plan – Public Hearing
28 State Route 173
Block 11 Lots 23.02 & 23.03

Attorney Matthew Flynn was present on behalf of the applicant. Due to a noticing issue for the public hearing, the applicant was present for an interpretation of the zoning ordinance only. The attorney stated they are requesting an interpretation to determine whether the existing business is a permitted use in the Professional Office zoning district under the E-2 Service Business classification. Attorney Flynn stated Sawyers Controls Systems is a design/build firm for security, fire control and smart home systems.

Attorney Flynn read the definition of Service Business in the Union Township Land Use Code as well as the Moskowitz book of development definitions. Attorney Flynn called and swore in Thomas Callahan, owner of Sawyers Controls. Mr. Callahan stated he is an electrical engineer and has a design/build company that deals with local control systems. He stated that the clientele includes both commercial and residential. Clients hire Sawyers to design, implement, and maintain security, fire, and audio/video systems.

The attorney asked if people visit their location to purchase any products. Mr. Callahan stated that there is no retail presence, but instead clients may come to their location for meetings. All the work done is at the premises of the clients. Mr. Clerico asked for additional information regarding the design of products. Mr. Callahan explained that systems are designed in Sawyers' offices but that the product once designed is installed at the client's location. Mr. Callahan stated there is no showroom, but that products are shown online.

Mr. Lepore asked if there is any monitoring of the systems. Mr. Callahan stated any monitoring is done through a third party. Mr. Callahan will complete repairs. Mr. Glacken asked if all the parts are gathered, assembled, and tested at their facility and then installed at the client's location. Mr. Callahan stated that they test the product at their offices. Mr. Tousignant commented that he believes that the service is geared towards providing a service rather than products since the primary purpose is to integrate and install products. Mr. Glacken said that his interpretation is that they are selling solutions rather than products. Mr. Gatani asked if he walked in to buy 10 cameras would Sawyers provide the products. Mr. Callahan stated that this rarely happens and that they only sell complete solutions. They would refer the customer to a retailer. There was some discussion whether the business would be considered a trade rather than a service business.

Paul Ritchie, planner, was sworn in and deemed to be a qualified expert. He stated that a client would come to Sawyers to obtain a full system along with integration. Mr. Callahan is an engineer with over 35 years of experience and provides an intellectual service. He read the Use Regulations of the Service Business, and stated there are some limited sales but the majority of the business is design and integration.

Mr. Lepore asked if there were any questions from the public. There were none.

Mr. Kirkpatrick made a motion to affirm that the existing business is an E-2 Service Business permitted in the Professional Office district. Mr. Belden seconded the motion. **Vote: Ayes:** Mr. Nace, Mr. Neary, Mr. Kirkpatrick, Mr. Belden, Ms. Bartolomeo, Mr. Lepore, Mr. Tousignant, Mr. Gatanis, Mr. Glacken. **No Nays. Motion carried.**

Comments from the Public

Mr. Lepore asked if there were any comments from the public. There were none.

Other Discussion

None

Motion to Adjourn

There being no further business to discuss, a motion to adjourn was made at 8:35pm by Mr. Lepore and seconded by Mr. Tousignant. **Vote: All Ayes. No Nays. Motion carried.**

Respectfully Submitted,

Leigh Gronau – Board Secretary