



CITY OF PLAINFIELD

PLANNING BOARD
 515 WATCHUNG AVENUE, ROOM 202
 PLAINFIELD, NJ 07061



ADRIAN O. MAPP
 MAYOR

Ron Scott Bey, Chairman
William Toth, Vice Chairman

**REORGANIZATION
 MEETING MINUTES
 THURSDAY JANUARY 16, 2014
 CITY HALL LIBRARY, 515 WATCHUNG AVENUE**

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I. CALL TO ORDER

Planning Division Director Bill Nierstedt called the meeting to order at 8:03 p.m. at which time he read the following open public meeting statement:

II. OPEN PUBLIC MEETING STATEMENT

The annual schedule of this meeting has been given to The Courier-News and The Star Ledger. In addition, a copy of the notice is posted in the City Clerk's office, the Planning Division office and the City's website in accordance to the regulations of the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. This is a regularly scheduled meeting of the Board.

III. ROLL CALL

Name	Jan 16 reorg	Feb 6	Feb 20	Mar 6	Mar 20	Apr 3	Apr 17	May 1	May 15	Jun 5	Jun 19	Term Of Office
Ron Scott Bey, Chairman	P											12/31/2016 (4 years)
William Toth, Vice Chairman	P											12/31/2015 (4 years)
Mayor Adrian O. Mapp John Stewart (Designee)	P											12/31/2017 (Term of Mayor)
Councilman Cory Storch	8:10p											12/31/2014 (1 year)
Lt. James Abney	V											12/31/2014 (1 year)
Horace Baldwin	V											12/31/2017 (4 years)
Gordon Fuller	P											12/31/2014 (4 years)
Ken Robertson	P											12/31/2016 (4 years)
Emmett Swan	V											12/31/2017 (4 years)
Sean C. McKenna, Alternate No.1	V											12/31/2015 (2 years)
Sandra Chambers, Alternate No.2	P											12/31/2014 (2 years)
TOTAL ATTENDANCE	7											

P-Present: V-Vacancy: -- No meeting

IV. OTHERS IN ATTENDANCE

Name	Affiliation
Peter Vignuolo, Esq.	Board Attorney
Bill Nierstedt	Planning Director
Rosalind Miller	Board Secretary

V. REORGANIZATION

-Election of a Chairperson

- City Planner Bill Nierstedt asked the Board for nominations for the position of Board Chairperson.
- Nominations are made by Board Member Ken Robertson and seconded by Board Member Sandra Chambers to elect Board Member Ron Scott Bey. Hearing no further nominations offered, nominations were closed for the position of the Board Chairperson. A motion was made by Board Member Ken Robertson, seconded by Board Member Sandra Chambers and accepted by Chairman elect Ron Scott Bey as the Chairperson of the Planning Board for the year 2014.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman			
William Toth	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Six in favor. None opposed. One abstained.

- Board Member Robertson made comment that he has worked very closely with Chairman Scott Bey and that he has earned the spot as chairman.
- Chairman Scott Bey thanked everyone for their support and with God's blessings he hopes to do the job as well as Board Member Robertson has done.

-Election of a Vice Chairperson

- Planning Director Nierstedt turned the meeting over to Chairman Scott Bey to chair the remainder of the meeting at which time he asked the Board for nominations for the position of Board Vice Chairperson.
- Nominations are made by Board Member Gordon Fuller and seconded by Board Member Ken Robertson to elect Board Member William Toth. Hearing no further nominations offered, nominations were closed for the position of the Board Vice Chairperson. A motion was made by Board Member Gordon Fuller, seconded by Board Member Ken Robertson and accepted by Vice Chairman elect William Toth as the Vice Chairperson of the Planning Board for the year 2014.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman			
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Six in favor. None opposed. One abstained.

- Board Member Robertson made comment that he has also, worked with Vice Chairman Toth who has been like a breath of fresh air and admirable service even if they did not agree on the same views.
- Vice Chairman Toth thanked the board for their support.

-Resolution No.1: Appointment of Board Attorney

- Chairman Ron Scott Bey asked for nominations for the Board Attorney position.
- Board Member Gordon Fuller nominated Peter Vignuolo as Board Attorney. The nomination was seconded by Vice Chairman William Toth. Hearing no further nominations offered Chairman Scott Bey closed the nominations for the position of the Board Attorney. The board resolved that Peter Vignuolo, Esq. of Clarkin & Vignuolo, of Piscataway N.J. would be appointed Board Attorney of the Planning Board from January 1, 2014 through April 30, 2014 with fees of \$500.00 per meeting, not to exceed the amount provided in the budget of the Board unless authorized by resolution of the Board.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman			
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Six in favor. None opposed. None abstained.

- Board Attorney Vignuolo thanked the board for their support and choosing him for the board attorney position.

-Resolution No.2: Appointment of Board Secretary

- Chairman Ron Scott Bey asked for nominations for the Board Secretary position.

- Board Member Gordon Fuller nominated Rosalind Miller as Board Secretary. The nomination was seconded by Vice Chairman William Toth. Hearing no further nominations offered Chairman Ron Scott Bey closed the nominations for the position of the Board Secretary. The board resolved that Rosalind Miller would be appointed Board Secretary of the Planning Board through and including the first month of the following year (January 2015) reorganization meeting of the Board with fees of \$150.00 per meeting, not to exceed the amount provided in the budget of the Board unless authorized by resolution of the Board.

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Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman			
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Six in favor. None opposed. None abstained.

- Board Secretary Miller thanked the board for their continued support.

-Resolution No.3: Designation of the Official Newspaper of the Board

- Be it resolved that the Courier News be designated as the official newspaper of the Board for the publication of official notices. The Star Ledger serves as the second official newspaper to receive the annual calendar notice for the purpose of the Open Public Meetings Act.
- On a motion by Board Member Ken Robertson and seconded by Board Member Gordon Fuller the board moved that both the Courier News and the Star Ledger be designated to receive the annual calendar notices of the Board for the purpose of the Open Public Meetings Act.
- All in favor. None opposed. No abstentions.

-Resolution No.4: Adoption of Procedures, Forms and Bylaws of the Board

- Planning & Zoning Board of Adjustment Application for Development Form – City Planner Nierstedt reported on the form for board development application has been revised and reduced to 2 pages.
- Chairman Scott Bey talked about change the hour of meeting from 8:00 p.m. to 7:00 p.m. He asked if the board had any comments in this regard. Board member Robertson made a motion to amend the bylaws on page 5 to indicate time change from 8:00 to 7:00 p.m. The motion was seconded by Board Member Chambers.
- The roll call vote. All in favor. None opposed. No abstentions.

- VI. **MINUTES** – On a motion Board Member Fuller, seconded by Vice Chairman Toth, the board voted as follows to accept the minutes of December 5, 2013 and December 19, 2013 as presented.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee			X
Cory Storch, Councilman			X
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Seven in favor. None opposed. Two abstentions.

VII. RESOLUTION(S) (Memorialization) - none

VIII. DEVELOPMENT APPLICATION(S) –

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
PB-13-26	RSR Four, LLC	1-15 Clinton Avenue/1300-1312 Front Street (Corner Lot)	218	26	NC Neighborhood Commercial Zone

- Jason Tuvel, Esq. of One Gateway Center, Newark, NJ represented the applicant. Mr. Tuvel explained that the applicant is requesting waivers from completeness checklist items, relief from supplementary zoning regulations, waivers from design/performance standards, and preliminary and final site plan approval to construct a Dunkin Donuts restaurant with a drive-thru, seating for 23 people, and on-site parking for 12 vehicles and a drive thru. Also, proposing to be open 24 hours. He reported that he met with City Planner Nierstedt and after discussion they were able to eliminate many of the variances.
- Harry Tuvel, Professional Engineer, of 629 Ridge Court, Ridgefield, NJ was sworn in to provide testimony on behalf of the application.
- Cynthia Falls, Registered Architect, of 36 Ames Avenue, Rutherford, NJ was sworn in to provide testimony on behalf of the application.
- Project Representative Mohamed Khalid, of 746 Broadway, Newark, NJ was sworn in to provide testimony represented on behalf of the corporation.
- After the board addressed five (5) waiver requests listed in the City Planners previous report dated November 21, 2013, City Planner Nierstedt recommended preliminary site plan prior to a final site plan approval to show proposed contours and drainage and grading plan.
- Mr. Harry Tuvel said that they will provide for all utilities service connections, contours and storm water drainage. Mr. Tuvel said he will provide a revised site plan indicating the proposed contours, drainage and grading plan. After no further reviews of the waivers, Chairman Scott Bey entertained a motion regarding the waivers. On a motion

by Board Member Robertson and seconded by Board Member Fuller, the board granted the waivers as stipulated.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman			
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Six in favor. None opposed. No abstentions.

- The applicant's attorney Mr. Tuvel explained the hours of operation will be from 6:00 a.m. to 10:00 p.m. with 24 hour drive thru, 3 shifts with 5 employees per shift, weekly deliveries 30 minutes per deliver, box truck type that carry baked goods, trash removal twice per week, delivery during off peak hours.
- Mr. Harry Tuvel briefly explained his qualification. He holds BA, a graduate from NJIT, a licensed engineer since 1980, attended numerous Planning and Zoning Board meetings in Bergen, Hudson, Passaic and Essex counties. The board accepted Mr. Tuvel credentials as a licensed professional engineer. He presented Exhibit A1 indicating a colorized rendering of the site plan page 2 of 7 showing the proposed site. He talked about the drive-thru with a bypass lane, 2-way access point, 12 parking spaces, handicap parking area and a loading zone in the rear.
- Board members asked about truck sizes and need not to exceed type truck sizes, entrance to loading zone, prepare diagram showing truck turnaround area, and enter and exit locations for Clinton and West Front Street. There was discussion if West Front Street known as Route 28 was County Road or State. City Planner Nierstedt reported that contacted the County and State and find that it is the city street. City Planner Nierstedt addressed the Board Engineers report and explained that since this is a permitted use that a traffic study is not recommended.
- Mr. Tuvel responded to questions regarding screening, buffering of the loading zone, board on board fence bordering the residential side, truck turning template, lighting plan to indicate foot candle requirements point by point also, to be reviewed prior to a final site plan approval, seeking the LED lighting source, 2-driveway entrances, curb cuts, conform to sign requirements, directional signs indicates arrows only reduce to size and ground sign is in compliance.
- City Planner Nierstedt reported that there will be a zoning amendment considering LED lighting standards.
- The applicant's architect Ms. Hall briefly explained her credentials and that she holds a MA degree architecture and hold licenses New and New Jersey. She has testified before planning and zoning board in Piscataway, Irvington, Union City and Rahway. The board accepted Ms. Hall's credentials as a registered architect. Ms. Halls talked about the building, signs, air

conditioning units, windows maximum glass serves as security and is aesthetically pleasing, height of the monolithic sign, and reduce sign area to eliminate sign variance.

- Mr. Tuvel talked about the positive criteria and that it does not have a negative impact there is no glare or noise impact to the surrounding areas. Mr. Tuvel said there is no substantial detriment to the area.
- City Planner Nierstedt asked about the building material. Ms. Hall replied that the type of building material is to be lighter beige color and scored stucco. He asked about what is called the peninsula in the back and that the property next door is a non- conforming lot maybe in the future consider selling the portion, unoccupied area. Mr. Tuvel talked about maintaining it as a grassy. Vice Chairman Toth asked about security cameras. Mr. Khalid stated that cameras run from 6:00 a.m. to 6:00 p.m. with 30 days of recording.
- After hearing no further testimony from the professionals, Chairman Scott Bey opened the meeting for public comments and/or questions.
- Horace Baldwin, of 1015 Kenyon Avenue made comment for consideration specifically the 2 accesses. He addressed other comparable operations at corner sites- KFC, McDonalds, Burger King. He expressed concern about pedestrian traffic, no pedestrian signs addressed.
- After hearing no further comments from the public, Chairman Scott Bey closed the public portion of the hearing. Chairman Scott Bey asked if the board had any further discussion, hearing none he entertained a motion to approve or deny.
- On a motion by Board Member Robertson and seconded by Board Member Fuller, the board voted as follows granting preliminary site plan approval to construct a Dunkin Donuts restaurant with a drive-thru, seating for 23 people, and on-site parking for 12 vehicles with conditions.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman			
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Six in favor. None opposed. No abstentions.

IX. **OLD BUSINESS** –none

- X. **NEW BUSINESS**-The board had some discussion about the open public comments on non-agenda items-Board Vignuolo stated the statute on open public meeting comments time limit. On a motion by Board Member Robertson and seconded by Vice Chairman Toth, the board voted as follows to add on the agenda the open public meeting at the discretion of the chair.

Name	Aye	Nay	Abstain
Ken Robertson	X		
Ron Scott Bey, Chairman	X		
Vacancy			
vacancy			
Gordon Fuller	X		
vacancy			
John Stewart, Mayor's Designee	X		
Cory Storch, Councilman	X		
William Toth, Vice Chairman	X		
vacancy, Alternate #1			
Sandra Chambers, Alternate #2	X		

Seven in favor. None opposed. None abstained.

- The board reviewed the 2014 calendar with July 3 not scheduled and the board meeting time change start at 7:00 p.m. Vice Chairman Toth made a motion, seconded by Board member Fuller.
- All in favor. None opposed. No abstentions.
- City Planner Nierstedt reported on seven (7) Requests for Proposals (RFQ) for Board Engineer position. He asked for volunteers to review these RFQ's. Vice Chairman Toth and Board Member Fuller are the volunteers to review the RFQ scheduled for Tuesday January 21, 2014 in City Hall.

XI. ADJOURNMENT

- There being no further business, the meeting was adjourned at 10:48 p.m. on a motion by Board Member Robertson, seconded by Board Member Fuller.

Respectfully submitted,

Rosalind Miller
Planning Board Secretary

PB reorganization meeting minutes.1-16-2014

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