



CITY OF PLAINFIELD
ZONING BOARD OF ADJUSTMENT
515 WATCHUNG AVENUE, ROOM 202
PLAINFIELD, NJ 07060



ADRIAN O. MAPP
MAYOR

D. Scott Belin, Chairman
Alejandro Ruiz, Vice Chairman

REORGANIZATION MEETING MINUTES
WEDNESDAY JANUARY 15, 2014 AT 7:00 P.M.
PLAINFIELD CITY HALL LIBRARY
515 WATCHUNG AVENUE, PLAINFIELD N.J. 07060

* * * *

I. **CALL TO ORDER** – Director of Planning Division Bill Nierstedt called the meeting to order at 7:16 p.m. at which time he then read the following statement:

II. **OPEN PUBLIC MEETING STATEMENT**

“The annual schedule of this meeting has been duly noted in 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**

Membership	Jan 15	Feb 5	Mar 5	Apr 2	May 7	Jun 4	Jul 2	Aug 6	Sep 3	Oct 1	Nov 5	Dec 3	Term of Office
D. Scott Belin Chairman	P												12/31/2014 (4 year term)
Alejandro “Alex” Ruiz Vice Chairman	P												12/31/2016 (4 year term)
Christopher “Chris” Awobue (resigned 6/5/2013)	V												12/31/2016 (4 year term)
Melvin Cody	P												12/31/2016 (4 year term)
Frank Johnson	P												12/31/2014 (4 year term)
Geraldine Smith (resigned 12/4/2013)	V												12/31/2014 (4 year term)
Elizabeth Urquhart	V												12/31/2013 (4 year term)
Robert K. Graham Alternate No.1	P												12/31/2014 (2 year term)
Robert Scott, Alternate No.2 (resigned 12/4/2013)	V												12/31/2013 (2 year term)
Attendance Total	5												

Ledger: Present (P); Absent (A); No Meeting (- -); Vacancy (V);

IV. OTHERS IN ATTENDANCE

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

V. REORGANIZATION

1) **Election of a Chairperson** – Director of Planning Division Bill Nierstedt asked the board for nominations for the position of Board Chairperson. Nominations are made by Board Member Cody, seconded by Board Member Graham to elect Board Member Belin. Hearing no further nominations offered, Planning Director Nierstedt closed the nominations for Chairperson. A motion was made by Board Member Cody, seconded by Board Member Graham and accepted by Chairman elect Belin of the Zoning Board of Adjustment for the year 2014.

Name	Aye	Nay	Abstain	Excused
D. Scott Belin, Chairman	X			
Alejandro "Alex" Ruiz, Vice Chairman	X			
Vacancy	-			
Melvin Cody	X			
Frank Johnson	X			
Vacancy	-			
Vacancy	-			
Robert K. Graham, Alternate No.1	X			
Alternate No.2	-			

Five in favor. None opposed. None abstained.

- Chairman Belin thanked the board for their continued support and said that he appreciates the vote of confidence.

2) **Election of a Vice Chairperson** – Chairman Belin asked the board for nominations for the position of Board Vice Chairperson. Nominations are made by Board Member Cody, seconded by Board Member Graham to elect Board Member Ruiz. Hearing no further nominations offered, Chairman Belin closed the nominations for Vice Chairperson. A motion was made by Board Member Cody, seconded by Board Member Graham and accepted by Vice Chairman elect Ruiz of the Zoning Board of Adjustment for the year 2014.

Name	Aye	Nay	Abstain	Excused
D. Scott Belin, Chairman	X			
Alejandro "Alex" Ruiz, Vice Chairman	X			
Vacancy	-			
Melvin Cody	X			
Frank Johnson	X			
Vacancy	-			
Vacancy	-			
Robert K. Graham, Alternate No.1	X			
Alternate No.2	-			

Five in favor. None opposed. None abstained.

- Vice Chairman Ruiz thanked the board for their continued support.

3) **Appointment of Board Attorney**-Chairman Belin asked the board for nominations for the position of the Zoning Board of Adjustment Attorney. Nominations are made by Vice Chairman Ruiz, seconded by Board Member Johnson to appoint Peter A. Vignuolo, Esq. of Clarkin and Vignuolo, P.C. as Board Attorney. Hearing no further nominations offered Chairman Belin closed the nominations for the position of Board Attorney. A motion was made by Vice Chairman Ruiz, seconded by Board Member Johnson and accepted by Board Attorney Vignuolo for the position as the Zoning Board of Adjustment Attorney from January 1, 2014 through December 31, 2014 and including the first month of the following year not to exceed the amount provided in the budget of the Board unless authorized by resolution of the Board as stipulated.

Name	Aye	Nay	Abstain	Excused
D. Scott Belin, Chairman	X			
Alejandro "Alex" Ruiz, Vice Chairman	X			
Vacancy	-			
Melvin Cody	X			
Frank Johnson	X			
Vacancy	-			
Vacancy	-			
Robert K. Graham, Alternate No.1	X			
Alternate No.2	-			

Five in favor. None opposed. None abstained.

- Board Attorney Vignuolo thanked the board and appreciates their support.

4) **Appointment of Board Secretary**-Chairman Belin asked the board for nominations for the position of the Zoning Board of Adjustment Secretary. Nominations are made by Board Member Graham, seconded by Board Member Cody to appoint Rosalind Miller as Board Secretary. Hearing no further nominations offered, Chairman Belin closed the nominations for the position of Board Secretary. A motion was made by Board Member Graham, seconded by Board Member Cody and accepted by Board Secretary Miller for the position as the Zoning Board of Adjustment Secretary from January 1, 2014 through December 31, 2014 and including the first month of the following year not to exceed the amount provided in the budget of the Board unless authorized by resolution of the Board as stipulated.

Name	Aye	Nay	Abstain	Excused
D. Scott Belin, Chairman	X			
Alejandro "Alex" Ruiz, Vice Chairman	X			
Vacancy	-			
Melvin Cody	X			
Frank Johnson	X			
Vacancy	-			
Vacancy	-			
Robert K. Graham, Alternate No.1	X			
Alternate No.2	-			

Five in favor. None opposed. None abstained.

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

5) Designation of the Official Newspaper of the Board - The Board resolved that the Courier-News be designated as the official newspaper of the Board for the publication of official notices and the Star Ledger as the second official newspaper to receive annual schedule for the purpose of the Open Public Meetings Act. All in favor. None opposed. No abstentions.

6) Adoption of Procedures, Forms and Bylaws- City Planner Nierstedt reported on the board application form has been reduced to two pages is more efficient. He reported Garwood board application has a 21 page board applications because each bulk requirements are listed per page. Board Attorney Vignuolo advised the board that the City Planner Nierstedt swear in for the year every year he provide testimony to the board. at reorganization for Hearing no further comments, the Board resolved to adopt the procedures, forms and by-laws for the year 2014 by general consent.

VI. MINUTES

- On a motion by Board Member Graham and seconded by Board Member Cody, the Board accepted the meeting minutes of August 7, 2014 as presented by voice vote among members eligible to vote.
- On a motion by Board Member Graham and seconded by Board Member Cody, the Board accepted the meeting minutes of September 4, 2013 as presented with one abstention by Vice Chairman Ruiz.

VII. RESOLUTION (MEMORIALIZATION(S))

1.

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-13-27	Michael Sullivan	1001 Rahway Road	10	1.01	R-1 Very Low Density Residential Zone

- Chairman Belin Ruiz asked if the board had any questions and/or comments regarding the resolution. Hearing none, he entertained a motion.
- On a motion by Board Member Johnson and seconded by Board Member Cody the board voted as follows granting construction of two (2) 10' x12' sheds in the front yard and erect a 4' X 8 inch high open rail wooden fence as stipulated.

Name	Aye	Nay	Abstain	Excused
D. Scott Belin, Chairman	X			
Alejandro "Alex" Ruiz, Vice Chairman	X			
Vacancy	-			
Melvin Cody	X			
Frank Johnson	X			
Vacancy	-			
Vacancy	-			
Robert K. Graham, Alternate No.1	X			
Alternate No.2	-			

Five in favor. None opposed. None abstained.

VIII. DEVELOPMENT APPLICATION(S) - none

IX. OLD BUSINESS – Executive Session

X. NEW BUSINESS

1. Review and adoption of the board's 2014 annual meeting schedule – Chairman Belin and the board reviewed the calendar dates for the first Wednesday of the month, except for the January's reorganization meeting which is held the third Wednesday. After there being no further review and/or comments, Chairman Belin entertained a motion to adopt the 2014 annual meeting schedule of the board. On a motion by Board Member Cody and seconded by Board Member Johnson, the board adopted the 2014 annual meeting schedule as presented to be posted in the Courier News and the Star Ledger. All five members in favor. None opposed. No abstentions.
2. Review and discuss Variance Flow Chart – City Planner Nierstedt commented while there are no development applications he was hoping to have this meeting with the new appointees to go over the variance flow chart. He advised the board that February 5, 2014 meeting has a full schedule.
3. Chairman Belin expressed concern if the board will have full membership prior to the February 5, 2014 meeting. He also expressed that alternate members with experience should move to the position of a regular membership.
4. City Planner Nierstedt reported on receipt of seven (7) proposals for board engineer and that they review tax maps for subdivisions, lot mergers etc. He asked for volunteers to sit on the review committee to review the RFP (Request for Proposals). Board Member Graham volunteered to sit on the review committee. City Planner Nierstedt said that he will reach out to Board Member Graham to meet next week.

XI. OPEN PUBLIC MEETING COMMENTS – The Board, City Planner Nierstedt and Board Attorney Vignuolo had some discussion regarding time limit. Board Attorney Vignuolo stated the statute on the open public meeting act provides the public opportunity to make comment. After no further discussion, Chairman Belin opened the meeting for public comment.

- Dan Damon, of 661 West Seventh Street informed the board to take a close look at the city council's practice for public speaking and extended time limitations.
- Bernice Paglia, of 124 East Seventh Street asked if there is an increase in development.
- City Planner Nierstedt turned to Board Secretary Miller keeper of file records replied for year 2013 there were 38 board applications on file. City Planner Nierstedt reported that there are over 400 development applications filed each year for zoning reviews.
- After there being no further comments, Chairman Belin closed the public portion of the hearing. He then entertained a motion. On a motion made by Board Member Johnson, seconded by Board Member Cody, the board made a recommendation to provide a maximum 2 minutes per comment by voice vote. All five members in favor. None opposed. No abstentions.

XII. ADJOURNMENT – There being no further business, the meeting adjourned on a motion by Board Member Graham and seconded by Board Member Johnson at 8:17 p.m.

Respectfully submitted,

Rosalind Miller
Board Secretary

NOTE: The Board will not hear any cases after 10:30p.m. All documents are available for inspection at the City Hall, Division of Planning, Second Floor-Room 202, 515 Watchung Avenue between 9:00 a.m. to 4:30 p.m. For further assistance please call (908) 753-3486.

ZBA Reorganization meeting.1/15/2014

Phone: (908) 753-3486 * Fax: (908) 226-258
Website: www.painfieldnj.gov