



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

MEETING MINUTES
WEDNESDAY OCTOBER 7, 2015 AT 7:00 P.M.
PLAINFIELD CITY HALL LIBRARY
515 WATCHUNG AVENUE, PLAINFIELD N.J. 07060

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- I. **CALL TO ORDER** – Chairman Belin called the meeting to order at 7:06 p.m. at which time he read the following open public meeting statement:

- II. **OPEN PUBLIC MEETING STATEMENT** - "This meeting has been duly advertised in accordance with the open public meetings act, 10:4-6 et seq. The annual schedule of board meetings has been published in the Courier News and the Star Ledger. In addition, copies of the notice have been posted in the City Clerk and Planning Division offices. This is a regularly scheduled meeting of the board."

III. ROLL CALL

Membership	Jan 22	Feb 4	Mar 4	Apr 1	May 6	Jun 3	Jul 23	Aug 5	Sep 2	Oct 7	Nov 4	Dec 2	Term of Office
D. Scott Belin Chairman	P	P	--	P	P	P	P	P	P	P			12/31/2018 (4 year term)
Alejandro "Alex" Ruiz Vice Chairman	-	P	--	P	-	P	-	P	P	P			12/31/2016 (4 year term)
Mary Burgwinkle	P	P	--	P	P	P	P	P	P	P			12/31/2016 (4 year term)
Frank Johnson	P	P	--	-	-	P	-	P	P	P			12/31/2015 (4 year term)
Charles McRae	P	P	--	P	P	P	P	P	P	-			12/31/2017 (4 year term)
Jim Spear	P	P	--	P	P	P	P	P	P	P			12/31/2016 (4 year term)
Rich Sudol	P	P	--	P	P	P	P	P	P	P			12/31/2018 (4 year term)
Robert K. Graham Alternate No.1	P	P	--	P	P	P	P	P	P	P			12/31/2016 (2 year term)
Lana Carden, Alternate No.2	V	V	V	V	P	P	P	-	P	-			12/31/2015 (2 year term)
Attendance Total	7	8	--	7	7	9	7	8	9	7			

Ledger: Present (P); Absent (A); Meeting Cancellation; (--); Vacancy (V);

IV. OTHERS IN ATTENDANCE

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

V. PUBLIC COMMENTS ON NON-AGENDA ITEMS – Chairman Belin opened the meeting for public comments and/or statements on items that are not on the agenda and limited a maximum of 2 minutes per comments/statements. Hearing none, the public comments on non-agenda items was closed.

VI. MINUTES – none

VII. RESOLUTION (MEMORIALIZATION(S))

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-12	Heraline & Keith Francis	900 Lewis Avenue	523	8	R-3 Low/Moderate Density Residential Zone

- Chairman Belin asked the board, if there were any questions/comments in regards to the resolution memorialization. Hearing none, he entertained a motion.
- On a motion by Vice Chairman Ruiz and seconded by Board Member Burgwinkle, the board voted as follows granting approval for relief from the city land use ordinance to construct a 12' x 18' wooden deck onto the second level of the rear elevation of a single-family dwelling as written.

Belin	Ruiz	Burgwinkle	Johnson	Spear	Sudol
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Six in favor. None opposed. None abstained.

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-19	Grace Episcopal Church	600 Cleveland Avenue	837	1	TODD-TD-Transit Oriented Development Downtown-Transition District Zone

- Chairman Belin asked the board, if there were any questions/comments in regards to the resolution memorialization. Hearing none, he entertained a motion.
- On a motion by Vice Chairman Ruiz and seconded by Board Member Sudol, the board voted as follows granting approval for relief from §17:9-51.F.2 of the city land use ordinance to replace an existing ground sign with a new 5' x 5' two-sided ground sign as written.

Belin	Ruiz	Burgwinkle	Johnson	Sudol	Graham
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Six in favor. None opposed. None abstained

VIII. DEVELOPMENT APPLICATION(s)

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-12-01	Plainfield South Avenue Center, Inc.	1405-1479 South Avenue	624	13	NC Neighborhood Commercial Zone

- Board Attorney Vignuolo advised the board that the applicant's attorney submitted a letter dated October 6, 2015 requested adjournment. The board carried this application to November 4, 2015 board meeting. No further notice will be required. The applicant is seeking variance relief from signage requirements in the Neighborhood Commercial Zone.

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-14-19	Jose Mora	1116 West Front Street	221	18	R-4 Moderate Density Residential Zone

- Board Attorney Vignuolo advised the board that the applicant requested adjournment. The board carried this application to November 4, 2015 board meeting. No further notice will be required.

3)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-15-01	H & S Fuel Inc., c/o Ramon & Jill Adoni	1100 South Avenue	623	1	TODN-TSC-Train Side Commercial District Zone

- Board Attorney Vignuolo advised the board that he received a letter dated October 6, 2015 from the applicant's attorney requested to withdraw this application. No further action was taken on this application.

4)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-13-08	Carl's Towing	412-414 East Second Street	307	20	East Third Street / Richmond Street Plan for Redevelopment

- City Planner Nierstedt explained that the applicant purchased additional property, therefore the applicant will be amending the application and new notices will be provided.

5)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-10	J. Cristina S. Lacerda	1216 West Front Street / 12 Clinton Avenue (corner lot)	219	18 and 20	NC Neighborhood Commercial

- City Planner Nierstedt reported that the applicant applied for certificate of non – conformity for the continuation of a mixed-use for two commercial and four residential apartments uses. He reported that the applicant has withdrawn the application.

6)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-21	Sean & Alexis Moloney	800 Charlotte Road	902	2	R-2 Low Density Residential Zone

- Board Attorney Vignuolo advised the board that he received notices and that the board has jurisdiction to hear this application.
- Property Owners Alexis and Sean Moloney, of 800 Charlotte Road Plainfield New Jersey were sworn in to provide testimony on behalf of the application. Mr. Moloney explained that they are seeking to expand the existing sun porch to had property value to their home. He said that the house will have a more symmetrical fit in the neighborhood.
- William Toth Registered Architect, of Bohler Engineering, 251 Springfield Avenue, Berkeley Heights New Jersey. Mr. Toth was sworn in to provide testimony on behalf of the application. Mr. Toth presented Exhibit A1 depicting a board of four photos. Mr. Toth explained that the applicant is requesting waivers from completeness checklist requirement, and relief from the R-2 minimum rear yard setback requirement of 40 feet expanding and enclosing a side porch reducing the rear yard setback.
- John Cook, of 816 Charlotte Road Plainfield NJ was sworn to provide testimony on behalf of the application. Mr. Cook made comment that the existing porch is small and favors the improvement to this property.
- After hearing no further testimony from the professional and the public comments, the public portion of the meeting was closed.
- City Planner Nierstedt addressed the City Planner's report dated September 29, 2015. He explained the nature of a C1 variance is a site related hardship due to the shape of the lot and no recommended conditions.
- Board members made comment that while the site prevents an hardship good architectural plans showing improvements made to the property, the changes are minimal and consistent with the neighborhood, board appreciates the applicants willingness to comply with the variance process, adding property value and encouraged by neighborhood support. After there being no further comments from the board members, Chairman Belin entertained a motion.
- On a motion by Board Member Spear and seconded by Vice Chairman Ruiz, the board voted as follows granting relief from the R-2 minimum rear yard setback requirement expanding and enclosing a side porch reducing the rear yard setback as stipulated.

Belin	Ruiz	Burgwinkle	Johnson	Spear	Sudol	Graham
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Seven in favor. None opposed. None abstained.

7)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-06	Noble Way, Inc.	1437-1439 Park Avenue	25	3	R-3 Low/Moderate Density Residential Zone

- Board Attorney Vignuolo advised that the board has jurisdiction.
- Warren Fink, Esq., 707 Raritan Avenue, Highland Park, New Jersey represented on behalf of the application. Mr. Fink explained that the applicant is requesting to convert a mixed use structure consisting of a medical office on the first floor and a residential apartment on the second floor, to a two family dwelling.
- Property Owner Nure Kamal, of 57 Preston Street, Edison New Jersey was sworn in on behalf of the application. Mr. Kamal said that he purchased the property in October 2013 as is with the medical office and one (1) apartment on the second floor. He reported that he did some improvements to the property. He said that he tried to rent the medical office, but could not. He only could rent as apartment.
- Kevin Page, Licensed Professional Engineer, of Page Engineering Consultants, 5 Powderhorn Drive, Warren New Jersey was sworn in to provide testimony on behalf of the application. Mr. Page reported that the applicant purchase the property in October 2013 which consisted of a medical office on the first floor and two-bedroom residence on the second floor.
- Board asked about the access to first floor medical office and access to second floor, garage use for both first and second floors, if advertised as a medical office and residential,
- Mr. Page presented Exhibit A1 depicting the original survey indicating a corner lot, portion of property located in South Plainfield, existing conditions of the property and parking area. He talked about the surrounding neighborhood consist of a three-story medical offices, restaurant and a church.
- The Board reviewed the City Planner's report dated September 25, 2015 and expressed concern that the property is in an R-3 zone which does not permit two-family dwellings. After there being no further testimony, Chairman Belin opened the meeting for public questions and/or comments. LeRoy and Evenlyn Gillead, of 1427 Park Avenue Plainfield New Jersey. Mr. Gillead said that his family resided at 1427 Park Avenue for over 25 years. He read a written statement in opposition of the proposal. Mr. Gillead expressed that the building be converted to a single family home, there are no other two-family homes in the area, therefore request consideration not to continue the use as a medical office or a two-family home.
- After there being no further comments from the public, the public portion of the hearing was closed. The board made recommendation to provide floor plans indicating access to the units and square footage, proposed attached one or two car garage and an indication of the number of two-family dwellings listed in the surrounding area. After there being no further discussion, the board carried the application to November 4, 2015. No further notice will be required.

IX. OLD BUSINESS - none

X. **NEW BUSINESS** - none

XI. **ADJOURNMENT** – There being no further business, the meeting adjourned on a motion by Vice Chairman Ruiz and seconded by Board Member Graham at 9:11 p.m.

Respectfully submitted,

Rosalind Miller
Board Secretary

NOTE: The Board will not hear any cases after 10:30 p.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.

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