



**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 NOVEMBER 4, 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 7:05 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	P		12/31/2018 (4 year term)
Alejandro "Alex" Ruiz Vice Chairman	-	P	--	P	-	P	-	P	P	P	P		12/31/2016 (4 year term)
Mary Burgwinkle	P	P	--	P	P	P	P	P	P	P	P		12/31/2016 (4 year term)
Frank Johnson	P	P	--	-	-	P	-	P	P	P	P		12/31/2015 (4 year term)
Charles McRae	P	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	P		12/31/2016 (4 year term)
Rich Sudol	P	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	P		12/31/2016 (2 year term)
Lana Carden, Alternate No.2	V	V	V	V	P	P	P	-	P	-	P		12/31/2015 (2 year term)
Attendance Total	7	8	--	7	7	9	7	8	9	7	9		

**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-15-01	H & S Fuel Inc., c/o Ramon & Jill Adoni	1100 South Avenue	623	1	TODN-TSC-Train Side Commercial 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 Board Member Burgwinkle and seconded by Board Member Graham, the board voted as follows to dismiss with prejudice this the application as the applicant withdrew the application for interpretation of the zoning ordinance as written.

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Belin	Ruiz	Burgwinkle	Sudol	Graham
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Five in favor. None opposed. None abstained.

2)

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

- Chairman Belin asked the board, if there were any questions/comments in regards to the resolution memorialization. On a motion by Board Member Burgwinkle 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.

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Belin	Ruiz	Burgwinkle	Sudol	Graham
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Five in favor. None opposed. None abstained.

**VIII. DEVELOPMENT APPLICATION(s)**

1)

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

- City Planner Nierstedt reported that the applicant's attorney requested adjournment. The board carried this application to December 2, 2015 board meeting. No further notice will be required. 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.

2)

<b>Application No.</b>	<b>Applicant</b>	<b>Property Address</b>	<b>Block</b>	<b>Lot(s)</b>	<b>Zone</b>
ZBA-2014-30	Michael & Sharmain Sylvester	730 West Fourth Street	114	28	R-4 Moderate Density Residential Zone

- Board Attorney Vignuolo advised the board that he has reviewed the notice of publication and notice of service. The board has jurisdiction to hear this application.
- Property Owner Michael Sylvester, of 730 West Fourth Street, Plainfield New Jersey was sworn in to provide testimony on behalf of the application. Mr. Sylvester said that when he purchased the property it was a warehouse. He is seeking to convert it from a vacant warehouse building to a single-family home. He was told that it is a substandard non-conforming lot. He wants to make it a three bedroom home with a home studio. He talked about the roof and said it is flat, but his intention is to build green space and to preserve the historical look of the building, including the front façade and signage. A former look of a firehouse.
- The board addressed the City Planners report dated October 21, 2015 and talked about the waivers regarding open green space and a detached garage which the applicant is not proposing, but proposes to provide three parking spaces in the rear yard.
- After there being no further testimony, the public portion of the hearing was opened.
- Bernice Paglia, of 124 East Seventh Street questioned the historical value of the building indicating it may have been a former firehouse and asked if this property was listed on the "National Registry of Historic Places". City Planner Nierstedt responded that the building is a stand-alone site, therefore not eligible to be listed as historic property. After there being no further public comment, the public portion of the hearing was closed.
- The board made comment that the building is unique, applicant's willingness to renovate property as a single family dwelling, but made recommendations to get it cleaned up, indicates an enhancement to the neighborhood, like that the applicant is keeping the historic flavor of the building including the signage finished with a wrought iron type look to it.
- After hearing no further comments from the board, Chairman Belin entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member McRae, the board voted as follows granting preliminary and final site plan approval to convert a vacant

warehouse building to a single-family house on a substandard non-conforming lot as stipulated.



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

3)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-26	Dipen R. Patel	351-353 Hill Street	341	8	TODN/PSR1 Zone District

- Board Attorney Vignuolo advised that the board has jurisdiction to hear this application.
- John Wiley, Jr., Esq., of Wiley Lavender, P.C., 343 Main Street, Metuchen New Jersey represented the applicant. Mr. Wiley explained that the applicant is seeking to construct a new two-family duplex dwelling on a vacant undersized lot, waivers from completeness checklist requirement, and relief from bulk zone requirements from TODN/PSR1 (Transit Oriented Development Netherwood/Parkside Residential Zone). He reported that he served notice to the adjoining properties to purchase and/or sell a portion of the land to the applicant, but received no interest.
- Chirag Patel, 242 Metlars Lane, North Brunswick New Jersey was sworn in to provide testimony on behalf of the application. Mr. Patel reported that he purchased the two-family duplex that was fire damaged. He then obtained a demolition permit to clear up the property because it was a hazard. He wants to construct a similar two-family duplex that was previously there.
- Jose Gennaro, Registered Architect, of 193 New York Avenue, Newark New Jersey was sworn in to provide testimony on behalf of the application. Mr. Gennaro briefly stated his qualifications as a registered architect licensed in the State of New Jersey. The board accepted Mr. Gennaro qualifications as a licensed professional architect. Mr. Gennaro addressed the floor plan that depicted the two-family dwelling indicating the first floor garage and storage area, second floor living room, dining area, kitchen, study and the half-bathroom, third floor three-bedrooms and bath for both units, asphalt driveways, HVAC located in the rear, buffering and proposal to plant one shade tree.
- City Planner Nierstedt addressed the Planner's report dated September 29, 2015. The board questioned the entrance/exit to the rear yard indicated on the first floor through the garage and the storage room area. City Planner Nierstedt asked that the applicant be aware of the location of the utility meters and that the utility company should install meters on the side of the house and not the front of the house.
- Mr. Gennaro provided professional planning testimony on behalf of the applicant. He talked about the existing nonconforming bulk relief requirements, the required lot area, depth, coverage and building height and he said this building will be the only property fronting Hill Street, the surrounding properties rear yard abuts the proposed so that all the rear yards face each other and that the applicant is providing off-street parking.
- After there being no further testimony from the professionals, the public portion was opened for questions and/or comments. Hearing none, the public portion of the hearing was closed.
- The Board made comment in favor of the application and that the design is simple, it provides improvements in the neighborhood. After hearing no further discussion, Chairman Belin entertained a motion.

- On a motion by Board Member Burgwinkle and seconded by Board Member Spear, the board voted as follows granting preliminary and final site plan approval to construct a new two-family duplex home on a vacant, undersized lot as stipulated.

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

4)

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

- Ronald Cucchiaro, Esq. of Parsippany New Jersey represented on behalf of the applicant. Mr. Cucchiaro explained that the applicant is seeking certificate certifying that two (2) existing nonconforming pylon signs remain and seek a variance relief from sign regulations §17:9-51.F2. Mr. Cucchiaro addressed a rendering of both the pylon signs indicating proposed landscaping and aesthetics showing some brick work at the bottom of the pylon sign and indicate the stores that are there.
- Brett Harris, Chief Operating Officer represented on behalf of the applicant, of Florida was sworn in to provide testimony on behalf of the application.
- City Planner Nierstedt reported that the applicant submitted a number of proposals. He explained the variances and that the pylon signs are not permitted in the NC Neighborhood Commercial Zone. He talked about type of permitted signs addressing similar commercial businesses in the area to indicate ground signs at both 7-11 stores, white castle and others businesses along South Avenue. He made recommendations in regards to the landscaping plantings of junipers, hollies and yews.
- Board Members asked about the type of lighting and the issue to propose a monument signs which are permitted. Mr. Harris replied that the lighting is internal lighting and in regards to monument sign he indicated it was an issue that a monument sign blocks the views.
- After no further testimony, the meeting was opened for public questions and/or comments. Hearing none, the public portion of the hearing was closed.
- Board Members made comment that they like the design of the sign, but the pylon signs are huge and opined that the applicant is disregarding the fact that the pylon signs are not permitted, but made recommendations to lower the top portion removing the top molding which is closer to the signage regulations, reduce lettering, provide projecting signs and provide indirect halo lighting. The board asked that the applicant provide revisions to indicate a visual of dimensions, lighting and a smaller signage. Hearing no further recommendations from the board, the board carried this application to December 2, 2015. No further notices will be required.

5)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2015-23	201 Clinton Ave Management LLC	201-215 Clinton Avenue	131	1	NC Neighborhood Commercial Zone

- Board Attorney Vignuolo advised the board has reviewed the notices of service and affidavit of publication. The board has jurisdiction.
- John DeMassi, Esq., of Schiller & Pittenger, 1771 Front Street, Scotch Plains, New Jersey represented on behalf of the applicant. Mr. DeMassi explained that the applicant is requesting a D2 use variance, relief from supplementary zoning regulations, waivers from site plan performance standards, preliminary, and final site plan approval to construct a 35' x 45', two-story addition to an existing one-story car wash. The building addition will accommodate an oil change facility.
- Mario Mendoza, Property Owner, of 7 Blue Ridge Avenue, Green Brook New Jersey. Mr. Mendoza was sworn in to provide testimony on behalf of the application. Mr. Mendoza reported that he purchased the car wash at 201 Clinton Avenue January 2015. He said he operates a car wash in South Plainfield and five other car wash locations in New Jersey and he has been in the car wash business for over 20 years. He said there are about 5 or 6 employees, some car pool and/or bike to work, anticipate 2 employee parking spaces, proposing an oil change facility, two-story addition, no underground oil tanks, oil truck deliveries bi-weekly to fill up oil tank in basement, monthly bulk deliveries in a box type truck, hours of operation are from 8:00 a.m. to 6:00 p.m. Monday thru Saturday and Sunday from 8:00 a.m. to 5:00 p.m. He said the second story he is proposing a restroom, break room, storage area, office space and meeting room for staff.
- Anthony G. Gallerano, Licensed Professional Engineer, of Harbor Consultants, 320 North Avenue East, Cranford New Jersey was sworn in to provide testimony on behalf of the application. Mr. Gallerano submitted Exhibits A1 thru A5 photos depicting existing car wash site, site plan, architectural floor plans and aerial view. He talked about the surrounding neighborhood which does not abut residential property, traffic circulation, proposal two bays and bypass lane, second floor restroom, storage area, break room and office space. He talked about the façade will be earth tone colors, stone stucco, some vinyl siding with earth tone colors, plantings of street trees along Clinton Avenue side, removing asphalt to add new sidewalk and screening refuse and recycling area located in the rear. After hearing no further testimony from the professionals, the meeting was opened to the public for questions and/or comments. Hearing none, the public portion of the meeting was closed.
- The Board made recommendations to show elevations of the new addition, better façade layout, show windows instead of a long wall, indicate signage, wrought iron type fence and adequate landscaping. After there being no further recommendations, Chairman Belin entertained a motion. On a motion by Board Member Spear and seconded by Board Member McRae, the board voted as follows granting a D2 use variance, relief from supplementary zoning regulations, waivers from site plan performance standards, preliminary, and final site plan approval to construct a 35' x 45', two-story addition to an existing one-story car wash subject to all other conditions imposed.

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

**IX. OLD BUSINESS** - none

**X. NEW BUSINESS** - none

**XI. ADJOURNMENT** – There being no further business, the meeting adjourned on a motion by Board Member Graham and Vice Chairman Ruiz seconded by at 11:31 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.