



**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**

**SPECIAL MEETING MINUTES**  
**WEDNESDAY JULY 23, 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 7:08 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 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						12/31/2018 (4 year term)
Alejandro "Alex" Ruiz Vice Chairman	-	P	--	P	-	P	-						12/31/2016 (4 year term)
Mary Burgwinkle	P	P	--	P	P	P	P						12/31/2016 (4 year term)
Frank Johnson	P	P	--	-	-	P	-						12/31/2015 (4 year term)
Charles McRae	P	P	--	P	P	P	P						12/31/2017 (4 year term)
Jim Spear	P	P	--	P	P	P	P						12/31/2016 (4 year term)
Rich Sudol	P	P	--	P	P	P	P						12/31/2018 (4 year term)
Robert K. Graham Alternate No.1	P	P	--	P	P	P	P						12/31/2016 (2 year term)
Lana Carden, Alternate No.2	V	V	V	V	P	P	P						12/31/2015 (2 year term)
Attendance Total	7	8	--	7	7	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 2 minutes maximum per comments/statements. Hearing none, the public comments on non-agenda items was closed.

**VI. MINUTES** – none

**VII. RESOLUTION (MEMORIALIZATION(S))** - none

**VIII. DEVELOPMENT APPLICATION(S)**

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-12-01	Plainfield South Avenue Center Associates LLC	1405 South Avenue			MU Mixed Use Zone District

- Board Attorney Vignuolo advised that the board has jurisdiction.
- 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. He presented Exhibit A1 indicating a property survey dated 1996; Exhibit A2 indicating property survey dated 1989 a history of the property and the uses; Exhibit A3 indicating a court document section of a transcript. He indicated that the sign existed for many years with no citations and it predates the ordinance. He is requesting that the pylon sign continue to exist.
- Katheryn Gregory, Licensed Professional Planner, of 96 Linwood Plaza, Fort Lee New Jersey was sworn in to provide testimony on behalf of the application. Ms. Gregory presented Exhibit A4 depicting a photo board of existing conditions from a walking view of the area; Exhibit A5 depicting aerial map indicating largest site in the area; Exhibit A6 depicting a series of photographs of various signs along the South Avenue corridor; property is located in the NC Neighborhood Commercial zone; a flexible C1 cases in hardship and C2 the benefits outweigh the detriments; proposal for an aesthetically pleasing and pedestrian friendly type signs.
- City planner Nierstedt addressed his report dated May 26, 2015 and asked that the board consider the square footage. He said that supermarkets do not need to have large signs. He said of recent retail applications approved by the boards comply with the ground signs which a more appropriate for public safety.
- After hearing no further testimony from the professionals, the public portion of the meeting was opened for questions, comments and/or statements. John Hadzidhadorou, proprietor said of his experience that people made comment that they were not able to

find the business and that his intent is to provide businesses and services to the neighborhood. After there being no further concerns from the public, the public portion of the hearing was closed.

- Board members made recommendations that this board is setting a precedence to uphold the sign regulations, credibility of proof of sign, ground level sign more appealing, attractive and beneficial, safe and provide signs that are not blocked by street trees. The board recommended that the applicant work with the Planning Division's office, therefore, the board carried this application to the September 2, 2015 board meeting. No further notice required.

2)

<b>Application No.</b>	<b>Applicant</b>	<b>Property Address</b>	<b>Block</b>	<b>Lot(s)</b>	<b>Zone</b>
ZBA-13-11	M&W Towing Services, LLC	413-421 West 2 <sup>nd</sup> Street / 201-205 New Street	243	1	MU Mixed Use Zone District

- Board Attorney Vignuolo advised the board has jurisdiction.
- Board member Carden recused herself from this application.
- The Board reviewed the completeness waivers and granted them by general consent.
- Donald B. Whitelaw, Esq., of 239 U.S. 22 East, Green Brook New Jersey represented the applicant on behalf of the application. Mr. Whitelaw explained that the applicant is requesting preliminary site plan approval to expand an automobile body shop to include automobile repair services, automobile towing and automobile storage.
- Tenant of Wiggins Auto Body Shop John Dobos, of 289 Haven Way, Somerset, New Jersey was sworn in on behalf of the application. Mr. Dobos stated that the primary source of business is towing services and a small office. He said the business also provide towing service for the Plainfield Police Department, AAA and some Insurance Companies.
- The Board, Board Attorney Vignuolo and City Planner Nierstedt asked about the number of employees and the hours of operation. Also, the board observed during the week about 17 cars parked on site, outdoor storage (car tires), large rolling dumpsters, too many signs posted, barbwire chain-link fence and no street trees.
- Mr. Dobos replied that the hours of operation are from 8:30 a.m. to 5:00 p.m. Monday through Friday and on Saturday and Sunday the site is closed, but operate towing services.
- Robert Gazzale, Licensed Professional Engineer, of Fisk Associates, 631 Union Avenue, Middlesex New Jersey was sworn in on behalf of the application. Mr. Gazzale addressed revised plans dated 1/6/14 depicting existing conditions of an auto body on one side of the building and the proposed towing service to operate on the other side of the building, the length of the building is set up against the rear rail road property line, parking activity takes place in the front of the building, property 100% impervious, fenced with barbwire, outdoor tire storage. He said the applicant is proposing to expand an automobile body shop, automobile repair services, office space and primary use of a towing service. He is also proposing to remove barbwire/chain-link fence, overlay and restripe parking lot area for handicap and eleven (11) parking spaces, reduce impervious coverage, remove outdoor tire storage, screened trash enclosure with chain link fence slated, add wall mounted lights, provide some landscape and repair curb/sidewalk.
- Roger DiNiscia, Licensed Professional Planner, of 347 Mountain Avenue, Montclair New Jersey was sworn in to provide testimony on behalf of the application. Mr. DiNiscia briefly

explained the history of the site and that it was built in 1941 establish as an automotive repair shop and body shop, a CO issued in 1982-1991 auto body/repair use permitted auto body/repair, in 2002 change to MU permits car wash/service station which are related towing service as an accessory use is permitted inherently beneficial for an automobile repair/body and that the use accommodates the towing service use which operates on and off the site.

- After there being no further testimony from the professionals, the meeting was opened for public questions and/or comments. Hearing none, the public portion of the hearing was closed.
- The Board asked about the time frame of completion. Mr. Gazzele responded the project should be complete in 6-months. The Board made recommendations to provide iron wrought type fence, security cameras, street trees subject to the recommendations of the Shade Tree Commission, lighting plan subject to the City Planner's report, outdoor tire storage removed, and repair of the curb/sidewalk subject to the Board Engineer's report. After there being no further recommendations of the board, Chairman Belin entertained a motion to approve or deny application.
- On a motion by Board Member Burgwinkle and seconded by Board Member Graham, the board voted as follows granting preliminary and final site plan approval to expand an automobile body shop to include automobile repair services and automobile towing with conditions.
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Belin	Burgwinkle	McRae	Spear	Sudol	Graham
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Six 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 seconded by Board Member McRae at 10:52 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. For further assistance please call (908) 753-3486.

ZBA special meeting.7-23-2015

Phone: (908) 753-3486 \* Fax: (908) 226-258 \* Website: [www.plainfieldnj.gov](http://www.plainfieldnj.gov)