



**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**

**ZONING BOARD OF ADJUSTMENT**  
**MINUTES**

**DATE: WEDNESDAY OCTOBER 5, 2016**  
**TIME: 7:00 P.M.**  
**LOCATION: 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 7:04 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 20	Mar 2	Apr 6	May 4	Jun 1	Jul 13	Aug 3	Sep 7	Oct 5	Nov 2	Dec 7	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	E	P	P			12/31/2016 (4 year term)
Mary Burgwinkle	P	P	P	P	P	P	P	E	P			12/31/2016 (4 year term)
Lana Carden	P	P	P	P	E	E	P	E	E			12/31/2019 (4 year term)
Charles McRae	P	P	P	P	E	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	7:13 p	P	P	E			12/31/2018 (4 year term)
Robert K. Graham, Alternate No.1	P	P	P	P	P	P	7:40 P	P	P			12/31/2016 (2 year term)
VACANCY, Alternate No.2	V	V	V	V	V	V	V	V	V			12/31/2015 (2 year term)
Attendance Total	8	8	8	8	6	7	7	6	6			

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. PUBLIC COMMENT(S) ON NON-AGENDA ITEMS** – Limited to 2 minutes maximum per comment. (Subject to change by the Board Chairman) The meeting was opened for public comment(s) on non-agenda items. Hearing none, the public portion of the hearing was closed.

**VI. MINUTES**

**VII. RESOLUTION (MEMORIALIZATION(S))**

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-26	Susan Tomljanovic	551 Belvidere Avenue	910	27	R-3 Low/Moderate Density Residential Zone

- Chairman Belin asked if the board had any questions/comments in regards to the resolution. Hearing none, he entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member Graham, the board voted as follows granting construction of a second floor addition directly over the first floor to a single-family dwelling that required relief from combined side yard setback variance as stipulated.

- |       |      |       |       |        |
|-------|------|-------|-------|--------|
| Belin | Ruiz | McRae | Spear | Graham |
|-------|------|-------|-------|--------|

Five in favor. None opposed. None abstained.

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-19	Maritza Pena and Rubericy Guzman	700-704 Stelle Avenue	531	1	R-3 Low/Moderate Density Residential Zone

- Chairman Belin asked if the board had any questions/comments in regards to the resolution. Hearing none, he entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member Graham, the board voted as follows denying relief from the city Land Use Ordinance to retain the after-the-fact installation of a six-foot high wood stockade privacy fence in the front yard without a fence permit as written.

- |       |      |       |       |        |
|-------|------|-------|-------|--------|
| Belin | Ruiz | McRae | Spear | Graham |
|-------|------|-------|-------|--------|

Five in favor. None opposed. None abstained.

3)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-24	Natasha Ali and Damien Johnson	1045 West Seventh Street	535	11.01	R-3 Low/Moderate Density Residential Zone

- Chairman Belin asked if the board had any questions/comments in regards to the resolution. Hearing none, he entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member Graham, the board voted as follows granting a reduction of the paved front yard parking on an existing single family as written.

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Belin	Ruiz	McRae	Spear	Graham
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Five in favor. None opposed. None abstained.

4)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-12	1369-1403 South Avenue, LLC	1369-1403 South Avenue	624	12	NC Neighborhood Commercial Zone

- Chairman Belin asked if the board had any questions/comments in regards to the resolution. Hearing none, he entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member Graham, the board voted as follows granting preliminary and final site plan approval for a four-story, mixed use building with retail space on the first floor and fifteen one-bedroom apartments on the upper floors as stipulated.

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Belin	Ruiz	McRae	Spear	Graham
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Five in favor. None opposed. None abstained.

## VIII. DEVELOPMENT APPLICATION(S)

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-13	Barack Obama Green Charter High School	1038-1040 Central Avenue and 1042-1048 Central Avenue	744	3.01 and 3.02	R-2 Low Density Residential Zone

- The applicant has submitted correspondence to withdraw this application request for use variances, relief from parking requirements, variances from supplementary zoning regulations, waivers from site plan design and performance standards, preliminary and final site plan approval. A 2.5-story single family dwelling exists on Lot 3.01. The applicant proposes to combine Lots 3.01 and 3.02 and construct a 2-story building addition for an educational charter high school for 240 students, 30 staff members, and 2 administration employees. The applicant proposes 5 on-site parking spaces along with 40 off-site parking spaces on adjacent Lot 2.01 per an agreement with the DuCret School.

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-30	Ubaldo Valdez Valdez Grocery	600-602 Berckman Street	615	20	R-4 Moderate Density Residential Zone

- Corey Klein, Esq., of Hehl & Hehl, Union New Jersey represented on behalf of the applicant. Mr. Klein explained that the applicant is requesting relief from the mounting height of the sign regulations in the city land use ordinance.
- Property Owner Ubaldo Valdez, of 602 Berckman Street, Plainfield NJ was sworn in to provide testimony on behalf of the grocery store. Mr. Ubaldo reported that he obtained the store in 2015 from a family member. He talked about making improvements and remodeling the store in the neighborhood. He said that he would like to remove the former awning sign and close the entrance that faces Berckman Street and the new entrance and new sign at the corner of Berckman Street and East Sixth Street. He wants the new sign to be seen from traffic travelling on East 5<sup>th</sup> Street.
- The Board, Board Attorney Vignuolo, Planning Director Nierstedt addressed the solid roll down grill, type of lighting, cameras, refuse/recycling and hours of operation.
- Mr. Ubaldo replied that when he got the store he did not change anything on the outside, but he agree to change the grill to the law, already have cameras and remove the old awning. In regards to the trash, he said that the city removed the trash can and he uses his own can that he removes at store closing. He said that the store is open from 7:00 a.m. to 10:00 p.m. and the lights are turned off when the store closes.
- After hearing no further testimony, Chairman Belin opened the meeting for public questions and/or comments. Cheri Bullock, of 1060 Central Avenue expressed concern about the billboard above the store, sign should comply, bags in the trash can, hanging out and consider planters to soften up the corner lot. Planning Director Nierstedt advised the board that the store does not own the billboard, but is owned by a property owner. He said that he will try to reach the property owner of the billboard sign.
- Mr. Ubaldo said that corner lots attract garbage, but he keeps it clean every day. He said that if the board could contact the city to bring back the trash container, he will remove his own. After there being no further comments from the public, the public portion of the hearing was closed.
- The board made recommendations that the applicant comply with the design guidelines to replace the solid gate grille indicating 60% opening for public safety, meet with Planning Director Nierstedt for correct lighting, contact Department of Public Works to reinstall a garbage receptacle, provide back lit type sign, cameras remain and plant one shade tree on East Sixth Street side. The board made comment that they appreciate the renovations made to the store. After the board having no further recommendations, Chairman Scott Bey entertained a motion.
- On a motion by Board Member Burgwinkle and seconded by Board Member McRae, the board voted as follows granting relief from the sign regulations of the city land use ordinance with conditions.

Belin	Burgwinkle	Ruiz	McRae	Spear	Graham
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Six in favor. None opposed. None abstained.

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-10	JSB340 Properties, LLC	915-919 North Avenue	340	5 and 6	TODN Netherwood Train Side Residential Zone

- Board Attorney Vignuolo advised the applicant's attorney for the record that there are six members present. Mr. Klein requested to proceed with six board members present.
- Corey Klein, Esq., of Hehl & Hehl, Union New Jersey represented on behalf of the applicant. Mr. Klein said that his applicant request to proceed with six board members present. He explained that the applicant is proposing to combine Lots 5 and 6 and construct an addition to an existing automobile repair/body shop.
- Property Owner John Bruno, of 919 North Avenue, Plainfield NJ was sworn in to provide testimony on behalf of the application. Mr. Bruno reported on the operation of the business for over 31 years. He made comment in regards to his passion to restore antique/classics for transportation. He addressed the difference between a general body shop vs. restoration in antique/classic cars involve research for original parts, similar to historic homes. He submitted Exhibits A1 thru A26 of photos depicting classic cars. He talked about the maximum cars restored are up to fifteen a year, not a high volume business, computerized environmentally friendly, ideal location because most car shows happen around the train stations. In addition, his building look more residential than business and he is seeking to build the addition to somewhat look like the train station.
- William Hollows, Professional Licensed Engineer, of 192 Central Avenue, Stirling NJ was sworn in to provide testimony on behalf of the application. Mr. Hollows submitted Exhibits A27 thru A30 depicting the existing conditions of the site indicating gravel pavement and barbwire fencing to be removed. He talked about the proposal indicating to combine Lots 5 and 6 and construct an addition to an existing automobile repair/body shop including a six foot height new metal fence/wrought iron type and proposing hedge type plantings, with additional plantings in the rear.
- Roger Winkle, Registered Architect, of 947 Park Avenue, Plainfield NJ was sworn in to provide testimony on behalf of the application. Mr. Winkle submitted Exhibits A31 depicting an architectural plan to indicate the existing building and the elevations of the proposed addition not including a garage in the front and rear of the building. He talked about the material of the proposed building to match the existing building of stucco and stone. He showed location of a spray booth and ventilation. Board asked about fumes and the smell of painting cars. Mr. Bruno replied that he has the state of the arts computerized most environmental friendly equipment that is designed for normal air circulation.
- Paul Ricci, Professional Licensed Planner, of Clark NJ was sworn to provide testimony on behalf of the application. Mr. Ricci reported that he has testified as a Licensed Planner in Linden, Middlesex, and Prospect Park and throughout Union County. He explained that the application is for d1 and d2 use variance, an historically auto repair/body shop permits uses in the Light Industrial zone considering expansion of use now located in the Transit Oriented Development Netherwood/Trainside Residential TODN/TSR is suitable in the surrounding area and consistent with the city's master plan.
- After hearing no further testimony from the professionals, the meeting was opened for public comments and/or statements. Cheri Bullock, of 1060 Central Avenue expressed concern about the cars parked in front of the property, property located in the residential area and she expressed concern about property maintenance and enforcement issues. There being no further comments and/or statements in regards to this application, the public portion of the hearing were closed.
- The Board made comments that this is an interesting concept, but considered it an investment and improvement to the property. The Board made recommendations that the applicant remove the barbwire fencing, limit vehicles parked in the front yard of the property, install a decorative wrought iron type fencing creating a nice appearance. After there being no further discussion and/or testimony, Chairman Belin entertained a motion to approve or deny this 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 combine Lot 5 and 6 and construct an

addition to an existing automobile repair shop/body shop for restoration of classic motor vehicles and antique transportation as written.



Belin	Burgwinkle	Ruiz	McRae	Spear	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 at 10:21 p.m. on a motion by Board Member McRae and seconded by Vice Chairman Ruiz.

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.