



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 NOVEMBER 1, 2017
TIME: 7:00 P.M.
LOCATION: PLAINFIELD CITY HALL LIBRARY
515 WATCHUNG AVENUE, PLAINFIELD N.J. 07060

I. CALL TO ORDER – Chairman Scott 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 18	Feb 1	Mar 1	Apr 5	May 3	Jun 7	Jul 12	Aug 2	Sep 6	Oct 4	Nov 1	Dec 6	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	E	P	-	P	P	P		12/31/2020 (4 year term)
Mary Burgwinkle	P	E	P	P	P	P	P	-	E	P	P		12/31/2020 (4 year term)
Robert Graham	P	P	P	P	P	P	P	-	P	P	P		12/31/2019 (4 year term)
Nancy Jordan	P	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		12/31/2020 (4 year term)
Rich Sudol	P	P	E	E	E	P	E	-	P	P	P		12/31/2018 (4 year term)
Nancy Gerald, Alternate No.1	V	V	V	V	P	P	P	-	P	P	P		12/31/2018 (2 year term)
Ian Marshall, Alternate No.2	V	V	V	V	P	E	E	-	P	-	P		12/31/2017 (2 year term)
Attendance Total	6	6	6	6	8	7	7	-	8	7	9		

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 meeting on non-agenda items has been closed.

VI. MINUTES – none

VII. RESOLUTION (MEMORIALIZATION(S)) - none

VIII. DEVELOPMENT APPLICATION(S)

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2017-21	Dr. William Edmunds and Mrs. Denise Edmunds	975 Hillside Avenue	812	1	R-HA Hillside Avenue Historic District Zone

- Board Attorney Vignuolo advised that the board has jurisdiction to hear this application. Chairman Belin read for the record that the applicant is seeking to construct a new 22' x 22' two-car detached garage in the rear yard at the above address. The height exceeds the maximum zoning regulations cited at §17:9-19.C of the city land use ordinance.
- Denise and Dr. William Edmunds, of 975 Hillside Avenue, Plainfield New Jersey were sworn in to provide testimony on behalf of the application. Dr. Edmunds reported that they purchased this property in March 2017 and at the time the existing garage did not have overhead doors. He is seeking to construct a new garage and a porte cochere for additional parking spaces for the family. Dr. Edmunds presented Exhibit A1 depicting a photo of the existing garage indicated a window was removed from the garage, but he would like to replicate the same window added to the new garage. He said in regards to the porte cochere will be attached to the rear of the single family home, some paving and stone work is proposed. He was advised that he will need a height variance to match the existing garage and the porte cohere.
- Planning Director Nierstedt advised that the property is in the R-HA Residential-Hillside Avenue Historic District Zone and that the applicant was issued a certificate of appropriateness from the Historic Preservation Commission.
- Board Members asked if plumbing and electric is being proposed in the new garage. Dr. Edmunds replied that the existing garage has plumbing and electric, but he is going to remove the plumbing from the existing garage, but electric to remain. He said that the new garage there will be no plumbing, but proposing electric consistent with the existing garage. After there being no further testimony, Chairman Belin opened the meeting for public comments. Hearing none, the public portion of the meeting was closed.

- Board Members made comments in regards to the neighborhood and observed that each house have unique features, seeing no negative impact to the neighborhood, and in favor of the idea of the window design matched with new garage design. 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 Graham, the board voted as follows granting approval to construct a detached garage and porte cochere as stipulated.

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Belin	Ruiz	Burgwinkle	Graham	Jordan	Spear	Sudol
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Seven in Favor. None Opposed. None Abstained

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2017-06	Yates Real Estate, Inc.	808-814 Central Avenue	760	10	R-VWB-2 Residential Van Wyck Historic District Zone
1 st hearing 10/4/17 carried; 11/1/17					

- Steven C. Rother, Esq., of Post, Polak, Goodsell & Strauchler, 425 Eagle Rock Avenue, Roseland New Jersey represented on behalf of the applicant. Mr. Rother made a comment about the bronzed plaque located in the city hall rotunda indicating a list of the names of war veteran's. Mr. Rother presented Exhibit A4 depicting the Historic Preservation Commission's process and Exhibit A5 depicting building elevations.
- Andre Yates, Principal, of 810 Central Avenue, 26 Sunrise Drive, Edison New Jersey remain under oath as he was previously sworn in.
- Anthony Flax, Chief Executive for non-profit for Military Veterans, of 706 Bromley Estate, Pine Hill New Jersey was sworn in to provide testimony on behalf of the application. Mr. Flax explained that the Yates House for Military Veterans existed since May 2013 and has provided housing for veterans throughout Union County. A facility for housing male and female veteran's age range from 20s to mid-age and transitioning from an 18 to 24 month temporary housing facility. Mr. Flax talked about the kinds of services provided to house homeless veterans and to do so they will have to meet the HUD guidelines. They also help with employment, money management skills, transportation and/or use of public transportation, Doctor Appointments, provide for property management 24-hours a day, zero tolerance policies, and number of employees up to three including a chief executive officer, a secretary and a chef and they will provide surveillance cameras. He talked about finances, HUD guidelines and HUD-VASH dollars.
- Board Members expressed concern about the 38 variances that need to be addressed and asked if there will be testimony from the applicant's planner. Mr. Rother replied that the Planner will be the last to testify. Chairman Belin asked if the board had any further questions for Mr. Flax. Hearing none, Mr. Rother called next witness.
- Mr. Yates responded to questions of the board regarding safety conditions of the kitchenette and that there will be a kitchenette consisting of an electric stove and microwave range hood in each studio apartment, but there will also be a main kitchen which can be used. Board Members asked about food storage, individual grocery shopping, and type of transportation for 25 veterans to doctor appointments, grocery shopping and other services. In addition, the board made comment that the proposed addition to the building should accommodate the unit size requirement for a studio, reducing the number from 25 to meet the size of the studio requirement.

- Mr. Yates talked about the process of a veteran transitioning from temporary housing living with five or more veterans provided by the VA, to a YMCA shelter or finding other accommodations for a shelter or become homeless. He addressed the former Abbott Manor facility and indicated it accommodates 36 beds vs. the proposed 25 beds. The units provide for living space, a kitchenette and a bathroom considering an improvement to independent living from temporary housing.
- The Board and Planning Director Nierstedt addressed the Planner's report dated 9/29/17 recommending that the applicant's architect will need to indicate square footage of each studio/apartment depicted on the plans, the number of one or two bedrooms, the caretaker unit and parking.
- Vice Chairman Ruiz asked about the process if a veteran is to be evicted or separated if not cooperative with the housing guidelines. Mr. Yates replied that it is the same process that any landlord would be required to do, but the objective is to have supportive services that is a fit for each individual.
- After there being no further questions and/or comments of the board, Chairman Belin opened the meeting for public questions. Carolyn Ruffin, of 919 Central Avenue asked if this facility is considered assisted living and if the residents are capable of handling all of the daily needs. William Michelson, of 556 Belvidere Avenue asked about eviction and if these veterans going to be covered by the Landlord/Tenant Act. Mr. Michelson asked about long-term planning if the project does not cover cost and asked the applicant if they. Kelli Rosenthal, of 520 Stelle Avenue asked about the handling of daily needs for assistance of medication management or disabilities. Frank Schupp, of 309 Amsterdam Avenue, Roselle NJ asked about situation of criminal activity. Arne Aakre, of 915 Madison Avenue asked about a typical day at the facility. Sharon Robinson-Briggs, of 216 Pemberton Avenue asked about if they are considering partnering with Union County College and workforce development as a center for providing jobs. Nancy Piwowar, of 1129 Myrtle Avenue asked if male only facility, the ratio and the number of trips up to the VA clinic and use local doctors and healthcare facilities. Barbara Drake, of 420 Stelle Avenue asked about the number of cars and parking. Skuyler Freeman, of 1443 Columbia Avenue asked about if veterans will have guests and if there will be curfews. Bruce Butts, of 834 Field Avenue asked if city and county services will be utilized and he asked how long the property has been unoccupied. Geraldine Heydt, of 915 Madison Avenue asked if considered other areas in the city that would have been less cost effective. Ron Wysocki, of 173 Westfield Avenue, Roselle Park New Jersey asked about of the many properties developed why this property. Toni Forbes, of 683 West Seventh Street asked if veterans deserve to live in beautiful restored historic district properties.
- Mr. Yates responded to questions of the public regarding this facility and that it is not assisted living and yes they will have to demonstrate productive lives, but for independent living, tenants will be covered by the Landlord/Tenant Act, cannot speculate of what will happen 10 or 15 years from now, a case manager will be already in a network healthcare system which have a list of services to be provided and the facility will be ADA accessible units, experience indicate never having to evict a veteran for any criminal activity, but the police department is nearby, there are agencies that may be able to do job fairs and back-to-work agencies, a Union County Paratransit already transport veterans to and from the VA or East Orange has been in progress, public transportation and there is income restriction, no curfews, yes city and county services will be utilized in his research dating back 15 years or more, he has purchased and fixed up dilapidated properties at 226-229 East Ninth Street and 108 Crescent Avenue and now this property listed as commercial.
- Board Attorney Vignuolo advised that the property is a residential and that it got a use variance allowing it to be use for a specific commercial purpose.
- After there being no further questions from the public, the public portion of the meeting was closed. Mr. Rother said that he will reach out to Planning Director Nierstedt about his available witnesses for the board's next meeting. The Board carried this meeting to

December 6, 2018. Board Attorney Vignuolo advised the applicant with respect to the timeline submit an extension of time to the board. Mr. Rother replied yes to providing the extension of time.

- After there being no further testimony and no further discussion from the board, Planning Director Nierstedt announced that this application has been carried to December 6, 2017, City Hall Library at 7:00 p.m. and that there will be no further notice.

3)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2017-22	New Jersey American Water Company	1341 North Avenue	459	28	R-2 Low Density Residential Zone

- Board Attorney Vignuolo advised that the board has jurisdiction to hear this application.
- Frank Tedesco, Esq., of Dilworth Paxson, LLP, 457 Haddonfield Road, Cherry Hill, New Jersey 08034 represented the applicant. Mr. Tedesco explained that the applicant is requesting to demolish three existing truck ports and construct three new truck ports in the same location. The use variance is required as truck ports are not permitted in the R-2 Low Density Residential Zone District.
- Paul Paparella, of 111 Wood Avenue South, Iselin New Jersey was sworn in as a Licensed Professional Engineer and Planner.
- Joe McKernan, of 100 Dobbs Lane, Cherry Hill New Jersey was sworn in as a Registered Architect.
- Greg Domalewski, of 5 Commerce Way, Hamilton New Jersey was sworn in as a Licensed Professional Engineer. Mr. Domalewski said that he has testified before numerous board commissions. The board accepted his credentials as a licensed engineer.
- Michael Bange, of 1341 North Avenue, Plainfield New Jersey was sworn in as an Operations Project Manager for the applicant.
- The Board, Board Attorney Vignuolo and Planning Director Nierstedt addressed the city Planner's report dated September 27, 2017 in regards to the waiver requests. After review, the board granted waiver letters A, D, H, E and I of the report on a motion made by Vice Chairman Ruiz and seconded by Board Member Burgwinkle as those waivers were granted by voice vote.
- Mr. Bange explained that the existing truck ports have lived out their life span and so they are requesting to construct new truck ports. He said that there are no plans to expand. He talked about the safety for the neighborhood, number of employees are 150 and general hours of operation are from 8:00 a.m. to 4:30 p.m. Monday thru Friday and then there is 24-hour emergencies servicing 24 towns and provide water services to over 165,000 customers.
- Board Members asked about the type of equipment to be stored, trucks using the newly paved residential street on Columbia Avenue and asbestos, the number of diesel vehicles and if fueling on-site.
- Mr. Bange responded that there are crew trucks, backhoes, loaders and vans, but no on-site fueling this will be done off-site.
- Mr. Domalewski presented Exhibit A1 depicted an aerial map showing property boundaries, property located in LI Light Industrial Zone district and indicating some residential in the neighborhood. Mr. Domalewski presented Exhibit A2 depicted a rendering of the proposed three truck ports indicating that there are no additional entrances, vehicle access remain the same, parking same, no increase in impervious coverage, use of the same footprint area, proposing a two foot retaining wall and bordering it with landscaping and that there are no changes to the hours of operation.

- The Board, board Attorney Vignuolo and Planning Director Nierstedt addressed the city Planner's report dated September 27, 2017 in regards to the variances of a preexisting non-conforming eight foot height chain-link fence which are not permitted in commercial front yard. The Board made recommendation that the applicant provide for a decorative fence specifically, wrought iron type look. The applicant agreed to the wrought iron look type fence.
- The applicant's architect Mr. McKernan, presented Exhibits A5 and A6 depicting architectural rendering of the proposed truck port and the Columbia Avenue building facade. He explained that the exhibits note design materials, building height, elevation and security cameras. The applicant is willing to comply with street trees subject to the Shade Tree Commission.
- The applicant's Professional Planner Mr. Paparella explained the C2 variance and indicated no significant detrimental issues to granting of variances for preliminary and final site plan approval.
- After there being no further testimony from the professionals, Chairman Belin opened the meeting for public questions and/or statements.
- Yvonne Brooks, of 1406 Columbia Avenue made a statement that the company put the eight foot chain-link fence up so the kids could not play there and also fleet washes trucks 6:00 a.m. and you can hear the generator and also the lighting effects home. Skuyler Freeman, of 1443 Columbia Avenue asked about trucks travel this street and there is a sign stating no trucks and they travel Frederick Street also. Mr. Freeman asked about the weight and size of the trucks. Mr. Bange replied that he can send out a memorandum that trucks are not to use residential streets. Clifford Holmes, of 1463 Columbia Avenue asked regarding demolition if the neighborhood was notified of the asbestos issue. Lewis Williams, of 1339 Columbia asked about repairs. Mr. Bange responded that he will give his contact information for if there were concerns. After there being no further public questions and/or statements, the public portion of the hearing was closed.
- On a motion by Board Member Burgwinkle and seconded by Board Member Sudol, the board voted as follows granting a use variance, preliminary and final site plan approval to construct three new truck ports in the same location of the three old truck ports already demolished as stipulated.

➤	Belin	Ruiz	Burgwinkle	Graham	Jordan	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 Vice Chairman Ruiz and seconded by Board Member Graham at 11:52 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.

Phone: (908) 753-3486 * Fax: (908) 226-2587 * Website: www.plainfieldnj.gov