



**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 SEPTEMBER 6, 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 7:10 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				12/31/2018 (4 year term)
Alejandro "Alex" Ruiz, Vice Chairman	P	P	P	P	P	E	P	-	P				12/31/2020 (4 year term)
Mary Burgwinkle	P	E	P	P	P	P	P	-	E				12/31/2020 (4 year term)
Robert Graham	P	P	P	P	P	P	P	-	P				12/31/2019 (4 year term)
Nancy Jordan	P	P	P	P	P	P	P	-	P				12/31/2017 (4 year term)
Jim Spear	-	P	P	P	P	P	P	-	P				12/31/2020 (4 year term)
Rich Sudol	P	P	E	E	E	P	E	-	P				12/31/2018 (4 year term)
Nancy Gerald, Alternate No.1	V	V	V	V	P	P	P	-	P				12/31/2018 (2 year term)
Ian Marshall, Alternate No.2	V	V	V	V	P	E	E	-	P				12/31/2017 (2 year term)
Attendance Total	6	6	6	6	8	7	7	-	8				

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** – none

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

1)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2016-29	Gavett Place Properties, LLC	130-140 East Second Street	315	4 and 5	NAHD North Avenue Historic District Zone

➤ Chairman Belin asked if there were any questions and/or comments regarding the resolution. Hearing none, he entertained a motion to memorialize this resolution. On a motion by Vice Chairman Ruiz and seconded by Board Member Graham, the board voted as follows granting an amendment to a final site plan approval to convert retail space on the first floor to a studio apartment with conditions.

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Ruiz	Jordan	Spear	Gerald
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Four in Favor. None Opposed. None Abstained.

2)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2017-10	NJ Conference of Seventh Day Adventists, Inc.	700-712 West Third Street / 214-216 Spooner Avenue (Corner Lot)	113	14.01	R-4 Moderate Density Residential Zone

➤ Chairman Belin asked if there were any questions and/or comments regarding the resolution. There was one minor correction to be made. After there being no further comment, Chairman Belin entertained a motion to memorialize this resolution. On a motion by Vice Chairman Ruiz and seconded by Board Member Jordan, the board voted as follows granting site plan approval to construct a parking lot for 15 parking spaces accessory to a one-story house of worship subject to conditions.

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Belin	Ruiz	Graham	Jordan	Spear
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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-2014-19	Jose Mora	1116 West Front Street	221	18	R-4 Moderate Density Residential Zone
12/7/16 carried; 1/18/2017 carried; 2/1/2017 carried; 3/1/2017 carried; 4/5/17 carried; 5/3/2017 carried; 6/7/17 carried; 7/12/17 carried; 8/2/17 carried; 9/6/17					

- Board Attorney Vignuolo advised the board that he has not received no notices for the application and the applicant is not present. The board determined that the applicant was allowed time to proceed with this application, but failed to do so. Chairman Belin entertained a motion to carry this application or to dismiss without prejudice. On a motion by Vice Chairman Ruiz and seconded by Board Member Spear, the board voted as follows to dismiss this application without prejudice.

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

2)

<b>Application No.</b>	<b>Applicant</b>	<b>Property Address</b>	<b>Block</b>	<b>Lot(s)</b>	<b>Zone</b>
ZBA-2015-33	DMR Inc.	1647-1657 West Front Street / 109-115 Rock Avenue (corner lot)	210	4.01	LI Light Industrial zone

- Board Attorney Vignuolo advised the board that he has reviewed the affidavit of publication notice and that the board has jurisdiction.
- John Sullivan, Esq., of Vastola and Sullivan, 495 Union New Jersey represented on behalf of the applicant. Mr. Sullivan explained that the applicant is seeking use variance, relief from bulk requires, design waivers and preliminary and final site plan approval to convert a vacant industrial/warehouse building with front yard gravel parking to an automobile dealership/service area, accessory office, accessory storage areas, an asphalt-paved retail/display area for 24 vehicles, and 11 parking spaces.
- The Board addressed the waivers requested and after review, Chairman Belin entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member Jordan, the board accepted the waivers unanimously.
- Brian Taylor, Registered Architect, of 95 Watchung Avenue, Plainfield New Jersey was sworn in to provide testimony on behalf of the application.
- Steve Parker, Professional Engineer, of 370 East Main Street, Somerville New Jersey was sworn in to provide testimony on behalf of the application.
- Property Owner Darren Brown, of 705 West Front Street, Plainfield New Jersey was sworn in to provide testimony on behalf of the application. Mr. Brown reported that he is the project manager of DMR Inc., experience in auto sales over 18 years and he purchased this property over one ago. He stated that he is a homeowner and he is well invested in the community. He said that he was attracted to this property because the location is great it is on a busy street. He said that the property is in poor condition and he wants to improve the property give it curb appeal, a nice fence, trees and landscaping. Mr. Brown addressed Exhibit A1 depicting a colorized rendering showing front elevation

glassed façade for a showroom. He addressed proposed floor plan depicting a storefront showroom facing West Front Street, office space for sales, financing and waiting area, restrooms, and car storage area for minor repairs. He said in regards to hours of operation are from Monday through Saturday 10:00a.m. To 6:00 p.m. and closed on Sunday. He said he anticipates three employees.

- The board asked about security, type of auto repair, turning radius, chain link fence, parking for sales and signage. Mr. Brown replied he will provide security cameras inside and outside, auto repair include oil changes and any major repairs are done by his mechanic off-site.
- Mr. Taylor submitted Exhibits A2 through A5 depicting left side elevation, right side elevation, and front façade elevation and photos. He addressed the exhibits indicating loading dock, overhang doors, and chain link fence, but said fence not on the subject property. Mr. Taylor addressed the proposal include reduced impervious coverage, a total of seven parking spaces including one handicap parking space, trash/recycling area with a solid wood fence enclosure, buffering, additional landscaping, street trees proposed, reduced curb cut and install a guard rail on an existing retaining wall.
- The board asked about lighting plan, security cameras, and the chain link fence. Mr. Taylor responded in regards to the lighting plan to replace the high pressure sodium to LED lighting, the applicant is providing security cameras and chain link fence and monument sign.
- The board made recommendation regarding chain link fence is to be replaced with a decorative type fence.
- Joseph Schaffer, Licensed Professional Planner, of 23 Henry Street, Metuchen New Jersey was sworn in to provide testimony on behalf of the application. Mr. Schaffer described the proposal to convert a vacant industrial/warehouse building with front yard parking to an automobile dealership/service area, accessory office, accessory storage areas, an asphalt-paved retail/display area for 24 vehicles, and 11 parking spaces, use variance, several bulk requires, design waivers and preliminary and final site plan approval. Mr. Schaffer reported he has visited the site and that the former use was a Mack Truck assembly plant and he reviewed the city's Master Plan and Municipal Land Use. He talked about the proposed auto dealership use is not permitted in the LI zone, but said that auto repair and auto body shop are permitted uses and in his opinion the proposed use is appropriate.
- Public comment: Mr. Mark Timko, of 1701 West Front Street expressed concern about traffic congestion, trucks and buses from a nearby school. Ms. Nancy Piwowar, of 1129 Myrtle Avenue said she concur in regards with the traffic congestion. She expressed concern about monument sign blocking the intersections. She asked about a retaining wall abutting the railroad tracks and its responsibility to maintain from graffiti. Mr. Brown replied he will place security camera facing the wall. After there being no further comments and/or questions from the public, the public portion of the meeting was closed.
- Mr. Sullivan made a summation that several bulk variances are existing conditions, supplementary zoning necessary for efficiency of the operation, site operation benefits outweigh detriment analysis, use variance advances the purposes of the MLUL and Master Plan, improve the aesthetics, add some activity and revitalize this area. He asked that the board consider approving this application.
- Board Members expressed concern about graffiti and traffic congestion and the assurance that these issue can be addressed.
- Board Members made comments that they like the application, considering car dealership new standard of smaller facilities to operate, modernized building, parking on-site, project aesthetically pleasing, improvement for the betterment of the city, curb appeal day and night, show community growth, applicant's taking advantage of the improving area and in regards to traffic people will have a nice building to look at, not a

drastic change in the use, a well put together project and like the idea of bringing in an organized and operable new business. The Board asked about the timeline. Mr. Sullivan replied that the applicant should not commence work until the board resolution is memorialized and permits can be issued.

- 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 Spear, the board voted as follows granting use variances, relief from bulk requirements, design waivers and preliminary and final site plan approval to convert a vacant industrial/warehouse building with front yard parking to an automobile dealership/service area, accessory office, accessory storage areas, an asphalt-paved retail/display area for vehicles, and eleven on-site parking spaces with conditions.

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

3)

Application No.	Applicant	Property Address	Block	Lot(s)	Zone
ZBA-2017-01	New Jersey Cash for Cars, LLC	1659-1665 West Front Street/101-107 Rock Avenue (corner lot)	210	3	LI Light Industrial zone

- Board Attorney Vignuolo advised the he has reviewed the affidavit of notice and publication and that the board has jurisdiction to hear this application.
- Thomas Lanza, Esq. of Lanza Law Firm, LLP, 2416 Plainfield Avenue, South Plainfield New Jersey represented on behalf of the applicant.
- Henry Hinterstein, Licensed Professional Planner, of 71 Eden Avenue, Edison New Jersey was sworn in on behalf of the application and will provide testimony as a Licensed Professional Planner. Mr. Hinterstein explained that the applicant is proposing to renovate an existing one-story building as office space for an automobile dealership with 22 on-site accessory parking spaces.
- Steve Parker, Professional Engineer, of 370 East Main Street, Somerville New Jersey was sworn in to provide testimony on behalf of the application. Mr. Parker provided testimony as to the existing conditions.
- Paul DiGiacomo, Property Management of Rockaway New Jersey was sworn in to provide testimony on behalf of the application.
- John Vasiliadis, Principal Representative said that he like the area, plan to renovate and rehab the existing building. He said the hours of operation will be from Monday through Friday 10:00 a.m. to 6:00 p.m., Saturday 10:00 a.m. to 5:00 p.m. and closed on Sundays. He said in regards to the number of employees will be about 2 or 3, no oil changes or repairs are to be done on this site, but will be done at his site in Green Brook New Jersey Route 22. He stated that he would like a fence around the vehicles for safety.
- The board addressed the city Planner's report dated August 31, 2017 and reiterated that all chain link fences are to be removed and replaced with a decorative type fence. Board Attorney advised that that the existing fence is shown in the public rights-of-way and a new decorative fence should be placed on property. The board discussed buffering, reduced curb cut, street trees subject to the Shade Tree recommendations, landscaping, lighting and signage subject to the city Planners recommendations.

- After there being no further testimony from the professionals, the meeting was opened for public questions and/or comments. Ms. Nancy Piwowar, of 1129 Myrtle Avenue asked about the enter/exit entrance. Mr. Parker responded that the only access will be on West Front Street and none on Rock Avenue. After there being no further comments from the public, the public portion of the hearing was closed.
- There being no further comments from the board, Chairman Belin entertained a motion. On a motion by Vice Chairman Ruiz and seconded by Board Member Spear, the board voted as follows granting site plan approval for an automobile dealership with 22 on-site accessory parking spaces with conditions.

➤	Belin	Ruiz	Graham	Jordan	Spear	Sudol	Gerald
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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 seconded by Board Member Jordan at 11:08 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.