

**METUCHEN ZONING BOARD OF ADJUSTMENT
MINUTES**

January 13, 2011

The meeting was called to order at 8:01 p.m. by Pat Lagay, Chairperson, who read the statement in accordance with the Open Public Meeting Act.

Present:	Suzanne Andrews	Brian Tobin, Alt. I
	Pat Lagay, Chairperson	Jonathan Rabinowitz, Alt. II
	Catherine McCartin	Robert Renaud, Attorney
	Judy Sisko	Kathy Elliott, Engineer
	Byron Sondergard	Chris S. Cosenza, Zoning Officer
	Daniel Spiegel	

Late: Robert Fair, Vice Chairperson (8:06)

Absent: Jim Constantine, Planner (with notice)

Ms. Lagay welcomed and introduced Mr. Rabinowitz to the members of the Board.

ANNUAL REORGANIZATION OF THE BOARD

Ms. Lagay chaired the meeting temporarily for the purposes of the Board to elect the Chairperson.

Chairperson: Pat Lagay

A motion was made by Ms. Sisko, seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Vice Chairperson: Robert Fair

A motion was made by Mr. Spiegel, seconded by Ms. Sisko. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Board Attorney: Robert Renaud

Ms. Lagay stated that the Board had the opportunity to review Mr. Renaud's resume and invited the Board to ask questions.

Mr. Renaud described his experience, representing a number of Boards, including the Planning Board for the Borough of Metuchen for the past four (4) years.

Ms. Elliott complimented Mr. Renaud on his excellent work with the Planning Board.

A motion was made by Mr. Spiegel, seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Ms. Lagay asked that the record show that Mr. Fair, Vice Chairperson, arrived.

Secretary: Sharon Hollis

A motion was made by Mr. Spiegel, seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Recording Secretary: Chris S. Cosenza

A motion was made by Mr. Spiegel, seconded by Mr. Fair. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Board Planner: James Constantine, LRK, Inc.

A motion was made by Mr. Fair, seconded by Mr. Sondergard. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Board Engineer: Katherine Elliott, Birdsall Engineering, Inc.

A motion was made by Ms. Sisko, seconded by Mr. Spiegel. The nominations were closed. Roll call vote taken. Motion carried unanimously.

Meeting Dates for 2011 at 8:00 p.m.

January 13, 2011	August 11, 2011
February 10, 2011	September 8, 2011
March 10, 2011	October 13, 2011
May 12, 2011	November 10, 2011
June 9, 2011	December 8, 2011
July 14, 2011	January 12, 2012

A motion was made by Mr. Spiegel to adopt the meeting schedule as proposed, seconded by Ms. McCartin. Voice vote taken. Motion carried unanimously.

TRC Appointments

Ms. Lagay stated that the Technical Review Committee meets on the first and third Thursday of each month, before the Planning Board meeting. The Planning Board begins at 7:30 p.m. with the TRC meeting beginning at approximately 6:45 p.m. Often at times, the meetings are cancelled if there is nothing on the agenda; thus, there are not always two meetings every month.

Ms. Lagay asked the Board if anyone was interested in the position.

Mr. Spiegel volunteered to split the TRC Appointment with Ms. Lagay.

After a brief discussion regarding the TRC and Zoning Board meeting times, Ms. Andrews suggested the Zoning Board meetings to begin at 7:45 p.m. The Board, Mr. Renaud and Ms. Elliott agreed that a 7:45 p.m. meeting time was acceptable.

NEW BUSINESS

Mr. Spiegel requested, for Mr. Rabinowitz's benefit, Mr. Renaud to prepare a "What is a

Variance?" memo, as the previous attorney prepared for new members of the Board in the past. Such memos discussed several topics, including but not limited to the different types of variances, their standards and meeting the burdens of proof.

Mr. Renaud discussed that, in addition to preparing a memo, his approach would be on a case-by-case basis, describing the essence of each case to the Board, with consideration that there are different classes of variances, different types of variances within each class, positive and negative criteria, among other topics.

Mr. Renaud stated that the Department of Community Affairs used to publish a book called "Guide to Planning Boards and Zoning Boards of Adjustment." It should be considered that the Borough look at the cost of these guides and provide it to new members of the Board.

Mr. Renaud informed Mr. Rabinowitz that he will have to go to school to take courses within the next 18 months.

Ms. Lagay asked Mr. Rabinowitz if he had a copy of the Metuchen Land Development Ordinance.

Mr. Rabinowitz stated that he did not.

Ms. Lagay stated that Ms. Hollis will supply a copy of the ordinance.

Ms. Lagay requested the Board to review the directory of the Board and provide corrections to Mr. Cosenza to take back to the office.

Ms. Lagay stated that with respect to the Annual Report, there should be an effort made to have a combined meeting date with the Planning and Zoning Boards.

Mr. Renaud stated that such a meeting will need to be noticed. Furthermore, it would be beneficial to have an agenda to ensure the meeting is productive.

Ms. Lagay suggested such a meeting could take place on one of the Planning Board's meeting dates.

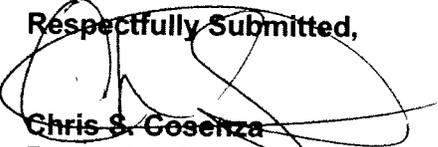
Mr. Spiegel asked Mr. Cosenza about upcoming applications.

Mr. Cosenza stated there were three (3) TRC applications next week. There are no applications for the Planning Board at this time. There is an application that is likely to appear before the Zoning Board of Adjustment next month.

ADJOURNMENT

A motion was made by Ms. Lagay, seconded by Mr. Tobin. Voice vote taken. Motion carried unanimously. The meeting adjourned at 8:22 p.m.

Respectfully Submitted,


Chris S. Cosenza
Recording Secretary