

**ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
MINUTES
February 27, 2023**

**CALL TO
ORDER**

The meeting was called to order at 7:02 p.m.
1 City Hall Plaza
Rahway, NJ 07065

Adequate notice of this meeting, as required by the New Jersey Open Public Meetings Act, also known as the Sunshine Law, has been provided by an Annual Notice sent to the City's official newspaper NJ Star Ledger on January 12th, 2023 and posted on the bulletin board of the Municipal Complex, posted on the City website, and filed with the Clerk of the City.

FLAG SALUTE

The Board will then salute the flag.

ROLL CALL

On a call of the roll, the following Board Members and Officials should be present:

BOARD

Ms. Joann Gemenden, Commissioner
Mr. Brandon Givens, Commissioner
Mr. Adrian Zapotocky, Commissioner
Mr. James Heim, Commissioner
Mr. William Tomkiewicz, Commissioner
Ms. Robert Parson, 1st Alternate Commissioner
Mr. Richard Zdan, 2nd Alternate Commissioner
Mr. Roy, L. Smith, 3rd Alternate Commissioner
Mr. James E. Pellettiere, Commissioner Vice Chairman
Mr. William Hering, Commissioner Chairman
Mr. Malcolm Thorpe, Esq, Board Attorney
Ms. Jacqueline Dirmann, Board Engineer
Mr. Kevin O'Brien, Board Planner
Mr. Steven Decker, Acting Board Secretary

Absent from this meeting was Commissioners Parson and Pellettiere which were excused absences

- Board Professionals Jacqueline Dirmann and Kevin O'Brien were excused from this meeting

REGULAR MEETING:

The meeting was called to order 7:02pm.

Chairman Hering announced that the board professionals, Planner Kevin O'Brien and Engineer Jacqueline Dirmann were excused from the meeting.

Chairman Hering opened the meeting with the salute to the flag, placing the Open Public Meeting Act Notice and reading of the agenda into the record.

The following action took place.

Memorialization:

2265-2291 St. Georges Avenue, LLC

2265-2291 St. Georges Avenue

Application #13/22

Block 255 Lot 36

Applicant seeking Preliminary and Final Major Site Plan, Use "D" Variance and Bulk "C" Variance

Commissioner Zdan commented that on page 5 of the resolution, section A line 7 it states, "the Applicant has not satisfied the positive and negative criteria and **has shown** special reasons for the Use Variance pursuant to N.J.S.A. 40:55D-70(d)(1).

Commissioner Zdan believes it should say "has not" shown special reasons.

Attorney Thorpe agreed this will be amended.

Commissioner Zdan made a motion to memorialize the resolution with the agreed upon amendment.

Motion: Commissioner Zdan

Second: Commissioner Hering

Yes: Commissioners Zdan and Chairman Hering

No: none

Abstain: Commissioners Givens, Gemenden, Tomkiewicz, Zapotocky, Heim, and Smith

Absent: Commissioners Parson and Pellettiere

Motion Approved

Minutes:

MINUTES: Any necessary changes to the Zoning Board of Adjustment meeting minutes of January 23, 2023 shall be made and approved by action of the Commissioners

Motion: Commissioner Gemenden

Second: Commissioner Zapotocky

Yes: Commissioners Gemenden, Tomkiewicz, Zapotocky, Heim, Zdan, Smith, and Chairman Hering

No: none

Abstain: Commissioner Givens

Absent: Commissioners Parson and Pellettiere

Minutes were approved

The meeting was open the public. There were no comments from the public.

Chairman Hering gave an update on the Planning Board.

A motion was made to adjourn the meeting.

Motion: Commissioner Zdan Second: Commissioner Gemenden

**Yes: Commissioners Givens, Gemenden, Tomkiewicz, Zapotocky, Heim, Zdan, Smith, and
Chairman Hering**

No: none

Abstain: none

Absent: Commissioners Parson and Pellettiere

ADJOURN: There being no further business; the meeting was adjourned at 7:13 pm.