

BOROUGH OF SOUTH PLAINFIELD  
ZONING BOARD OF ADJUSTMENT MINUTES  
December 6, 2016

**Chairman Leonardis** opened the meeting at 7:00 pm.

Please stand for the PLEDGE OF ALLEGIANCE.

This meeting was held in accordance with the Open Public Meeting Act and as such, proper notice of this meeting was published in The Observer and The Courier News and providing same to the Borough Clerk.

It is the policy of the South Plainfield Zoning Board of Adjustment, not to hear any new applications after 10:00 pm and no new witnesses after 10:30 pm.

**ROLL CALL:**

**Present:**

**Gino Leonardis, Chairman  
Ken Bonanno  
Maria Campagna  
Cindy Eichler  
Robert Hughes  
Frank Lemos, 1<sup>st</sup> Alternate**

**Absent:**

**Darlene Cullen, 2<sup>nd</sup> Alternate  
James Gustafson  
David Miglis, Vice Chairman**

**Also attending:** Larry Lavender, Esq.; Nicholas Dickerson, PP, AICP; Bob Bucco, PE, CME, CPWM

**MINUTES:** November 22, 2016

Mrs. Eichler made motion, seconded by Mr. Lemos to accept the above stated Meeting Minutes. Those in Favor: Mr. Bonanno; Mrs. Campagna; Mrs. Eichler; Mr. Lemos and Chairman Leonardis. Those oppose: None.

**RESOLUTIONS:** (1)

**A. Case # 17-16 -- 150 Durham Realty LLC  
Block 541: Lot 13: OPA-1 Zone  
150 Durham Avenue**

Mrs. Eichler made motion, seconded by Mr. Bonanno, to accept the above stated Resolution. Those in Favor: Mr. Bonanno; Mrs. Campagna; Mrs. Eichler; Mr. Hughes; Mr. Lemos and Chairman Leonardis. Those oppose: None

**HEARING:** (1 - Commercial)

**A. Case #15-16 -- Auto Bot, LLC  
Block 472: Lot 2: M-3 Zone  
4307 New Brunswick Avenue**

The applicant is requesting Preliminary and Final Site Plan with Use Variance

Mr. Lavender has reviewed the Affidavit and Notice of Publication. The Board has jurisdiction.

Salvatore Alfieri, Esq. – Cleary, Giacobbe, Alfieri, Jacobs, LLC – attorney for applicant addresses the Board. The original application included an onsite adjuster as well as rental car service. The Zoning Officer stated that those were not part of the original approval. Therefore, we filed for an interpretation and appeal of the Zoning Officer decision. After that we filed an application for an expansion of the site plan. We have rolled all that into one (1) application. Therefore, we are not pursuing the interpretation or the appeal of the Zoning Officer. We will present our site plan and amended use application. This Board approved a four thousand nine hundred (4,900) square foot addition in 2008. That construction never was built by the predecessor. The applicant bought the property one (1) to two (2) years ago,

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and is coming in for a smaller addition and a different design. We have three (3) witnesses... The applicant, the engineer and the planner.

Paul Brannings – 4 Edgewood Court, Colts Neck, New Jersey – principle of Auto Bot LLC is sworn in. Mr. Alfieri questions Mr. Branning.

- Owner of Auto Bot LLC.
- Has owned the real estate for approximate five (5) years.
- Bought the property and the business.
- Pat was the previous owner.
- Approximately 1989, the business has been at this location. Was a body shop before then.
- Currently, customers must climb stairs to go to the offices.
  - Handicap and elderly cannot get to the office.
  - An old building with no elevators.
  - Proposing offices and restroom downstairs for customers which would be handicap accessible.
  - Office upstairs would then be used for storage and breakroom.
  - Will not increase intensity of business.
- Works with many insurance companies.
  - Farmers, New Jersey Manufactures, Geico, etc.
  - Geico has different protocol then other insurance companies.
  - Geico requires an adjuster onsite who looks at the damage and the vehicle is left for repair.
  - Geico requires Enterprise to be onsite to provide a rental car immediately after the adjuster looks at the damaged vehicle.
  - Adjuster does not sell insurance.
  - Liability is determined prior to customer requesting vehicle to be fixed.
- Owns six (6) body shops.
- Four (4) body shops have Geico adjuster onsite.
- Hours of operation – 8 am to 5 pm Monday through Friday; 8 am to 12 pm on Saturday. No Sunday hours.
- Car rental service.
  - Convenience for the customer.
  - Pre-arranged with insurance company.
  - Customer brings damaged vehicle to body shop and leaves with a rental.
  - Enterprise onsite.
  - Enterprise brings the number of cars that are pre-arranged to the body shop site each day. No fleet of vehicles stored on site.
  - Car rentals onsite is only for the applicants' customers.
  - Approximately, three (3) rentals a day.
  - When vehicle is repaired, the customer comes to the site and returns the rental. Enterprise takes the vehicle back to their location to clean and store it.
  - No rental cars are washed onsite.
- Hours of operation for Geico adjuster and Enterprise are identical to body shop hours.
- Adjustors from other insurance companies will come to the site on an appointment basis with their customers.
- Periodically, customers stop by with appointments for estimates of damage.
- Auto Body is licensed. Not able to do insurance claim repairs with a license.
- No repair work done outside of the building. All work done inside.
- Does not do oil changes. Only auto body repair.
- All stores have water born paint for over twenty (20) years. No solvent based paint.
- Private hauler for pickup of recyclables, fluids etc. Fluids are stored in fifty-five (55) gallon drums. Private hauler removes the entire drum and replaces with an empty one.
- Spray booth onsite. Spoke with Fire Marshall and was advised to use dry-chem.
- No lighting in the rear of the facility. No customers are allowed in the rear of the facility. The area is used for storage... vehicles being repaired or completed.
- Proposed parking has adequate spaces for employees and customers.
- No customers wait for a long period of time. Customers do not wait for repairs to be completed.
- Average repair – eight (8) days.

Using the Bureau of Fire Prevention review letter, Mr. Alfieri reviews the items with Mr. Brannings.

- Will install bollards around gas meter as requested by Fire Official.

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- Fire sprinkler system is Dry Chem in the painting booth. No fire sprinkler system in the rest of the building.
- Will install Knox Box as requested by Fire Official.
- As a condition of approval, agrees to install NFPA 72 fire alarm with remote annunciator, central station connection and pull stations as requested by the Fire Official.

Using the Environmental Commission review letter dated September 1, 2016, Mr. Alfieri reviews the items with Mr. Brannings

- Recycle cardboard.
- Waste on paint. When drums are full, the outside vender removes the drums and replace with empty drums.
- No vehicles idle onsite. Customers come to the site, drop off their vehicle or schedule the drop off for another day and leave.

Chairman Leonardis asked for a clarification. Majority of the board members were members during the previous application. Are the items on the previous application going to be overridden by this application? Per Mr. Alfieri... that is correct. Chairman Leonardis continues that there were numerous site improvements that were not completed. There are two (2) proposed additions? Mr. Brannings states... yes. One (1) in the front and one (1) in the back. Mr. Alfieri asks Mr. Brannings what the proposed addition in the rear will be used for. Mr. Brannings states it will be used to clean up the vehicles – buffing the vehicles away from the paint area.

Chairman Leonardis asks Mr. Brannings to describe the proposed addition to the front of the building. Mr. Brannings states:

- Will be a reception area. Currently, all the offices are upstairs.
- Will be ADA complaint.
- Adding restrooms and kitchenette on the first floor.

Chairman Leonardis continues questioning Mr. Brannings:

- How many cars are in the paint booth at the same time? Two (2).
- What will happen to the facilities upstairs? Will be cleaned out. The back portion that is currently an office will have compressors. Two (2) compressors... one (1) primary and one (1) secondary. A dryer... to dry the air so there is no water in the paint area.
- Mr. Brannings agrees to having no other businesses under any circumstance to be run from the upstairs area.

Chairman Leonardis questions Mr. Brannings:

- Review of architecture plans. Currently both doors open up. Customers can walk in or out which becomes hazardous to the customer. Esthetically does not look nice. Proposing no doors across the front. Curbs will be put in. One door added to the left side of the building. Body work will be done through that area. There will be an isle way throughout the operation so parts can be brought in and out on carts. When body work is complete, the cars will be backed out into the spray booth. The building will have eifs panel with stone front on the bottom portion of the building. All sides of the building will be redone... eifs panels, stucco or stone. Lightening around the building.
- What site improvements will be made? Mr. Brannings states the fencing already exists. There are sliding gates on each side of the building... One (1) way in and one (1) way out. The entire front will be curbed and paved. Grass area will be re-sodded with landscaping. No new sign proposed. Shed will be removed.
- Where do Enterprise and Geico personnel hold business? Currently upstairs. The manager sits in the back office. Then the customer service person. Then Hertz, Enterprise and Geico.
  - No mention of Hertz prior. How long has Hertz been in the building? Hertz has been in the building for a number of years. However, will be leaving the premises by December 31, 2016. Will only have one (1) car rental in the building. Had two (2) car rental companies is to make sure everyone is doing what they are supposed to be doing. Signed new contracts with Enterprise which is mandated by Geico to use. The other carriers can use either with Hertz or Enterprise. With the new contract with Enterprise is they will have clean cars with fuel on when needed.
- Other than Brannings employees there will be one (1) Enterprise employee and one (1) Geico employee. Will there be another rental car, agency or business onsite? The only other people that will be supervisors who come to look at cars, make sure policy and procedures are being followed. They are not staffed onsite.
- Is there anything different about this auto body shop than any other shop? Nothing different except possibly better equipment. They cannot work on cars that are mandated by the maker. For example, Audi requires a shop to have their certification which Brannings does not. Therefore, they will not service Audi vehicles. They are not able to purchase certain parts for the vehicle without the certification.

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Mr. Bonanno questions Mr. Brannings:

- Any parts stored outside? They are stored outside in containers. There are two (2) containers.
- Will you cannibalize any used cars? No.
- Do vehicles get washed after they are repaired? Yes.
- Is this done outside? Yes.
- How do you discard the damaged parts that come off the vehicles? Parts are either steel, aluminum or plastic. Once a week, a rack body goes to every store. One (1) day they will pick up plastic which then goes to Freehold Carnage in Freehold and recycled. Steel gets recycled in the area of the various shops. In this case, somewhere in South Plainfield and recycled.
- Are they stored inside or outside? They are stored in piles outside in the back of the building. Currently, the garbage dumpsters are in the front of the building. They will be moved to the back of the building and will work something out with the garbage company. They come early in the morning. They may give them a key to the gate to open it, get the garbage, then lock the gate back up. It is a sliding gate. There will be a Knox Box installed by the Fire Department. The Fire Department has to order it and install it.

Maria Campagna questions Mr. Brannings:

- There were metal pieces on the side of the building. Proposing to move all that to the back once all the curbing is in place. The dumpsters will be moved to the back of the building. Then the piles of plastic and metal next to the dumpsters. The door will be on the side where that pile is currently. Therefore, the pile is being moved to the back.
- Will all the plastic and metal be in dumpsters or piled up? Usually use damaged pickup beds on the ground and fill them up with the recyclables.
- Currently, Geico on site. Does New Jersey Manufacturers and Farmers come on site? They do the estimates for those companies. They are the agent.
- Asks for a clarification. MR. Brannings stated earlier he cleans vehicle and stated they do not clean vehicles. MR. Brannings explains... they clean the vehicles they repair. They do not wash the rental vehicles or any outside vehicles.
- What do you do with the used wash water? They do not recycle the wash water.
- What happens when you receive a vehicle with it leaking? They do not do Township towing... Pat used to.
  - Chairman Leonardis ask what does that mean? Does not have a contract with the town. When a car has an accident. Most of the fluid is on the roadway. By the time the car goes on a flat bed, then to a storage facility, then back onto a flatbed to the auto body shop there usually is no fluid left.
- Your facility is not the first place? Not for towing's.
- The existing building is two-stories. Is the entire building two (2) story? No... the one (1) section is. Just where the office is. The rest is not two (2) story.
- Are you replacing the square footage that is upstairs with the addition? Is it bigger.
- How will you get the compressors upstairs? Planning to put a doorway from the back. The architect has drawings showing the second floor being reinforced.
- How are they getting up there? With a lift.
- Where are your other five (5) shops located? Six (6) all together. Corporate offices and body shop is in Freehold on approximately twelve (12) acres. Store new vehicles for BMW, Honda, Lexus and Toyotas for their dealerships. Several insurance companies in this location. Mr. Brannings, his daughter and accounting is all out of that building. A facility in Princeton, East Windsor, East Brunswick, South Plainfield and Union City.
- Do they have different names? They are all Brannings Princeton Auto Body, Brannings South Plainfield Auto Body etc. Uses the town name.
- Other than the corporate faculty. How would you categorize South Plainfield facility? Mid-size. The next largest would be East Brunswick across from the mail. It was an old Buick Pontiac GMC dealership that went bankrupt. One of the smaller facility is Princeton. Every facility has either Avis, Enterprise or Hertz.
- What does Auto Bot stand for? Just a name. When you pick a name, the state tells you if its good or bad. You try to pick something that the state is good with.
- Auto Bot is the company that owns the property and the facility's goes by different name. Yes. All the businesses are S Corporation.
- Other than car washing, do you do any other type of cleaning? Other than Freehold, they do not do any detailing.

Chairman Leonardis asks if application gets approved, will it be built? The previous application that got approved did not. Can we put a timeframe on when these improvements are to be completed? Mr. Brannings states yes. We have a

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Contractor and finances are in place. Does it have to be done... no. But wants it done. It is as inconvenience for my customers. The new plan is much more convenient for people. Chairman Leonardis reiterates... what is the approximate time when the work will start and finish? How about starting June 2017 to the middle of 2018... one (1) year. Mr. Brannings states perfect.

Nick Dickerson asks Mr. Brannings to reiterate the number of people onsite.... Geico having one (1), Enterprise having one (1) who else? Mr. Brannings states.... CSR, estimator, manager, 4 body men, parts person, prepper, clean up person for the facility and painter. A total of thirteen (13) people in the building.

Chairman Leonardis asks where do employees park? The employees park in the back.... Ten (10) employee parking in back and sixteen (16) customer parking in front. Mr. Dickerson ask, those sixteen (16) customer parking is for the vehicles in different stages of repair or will they be for customer parking. MR. Brannings states no cars that are being worked are will be in front of the facility.

Mr. Dickerson questions Mr. Brannings:

- The rental will take part during the regular business hours? Yes.
- Only Geico and Enterprise onsite? Yes.
- All storage will be moved to the trash enclosure whether its dumpsters or piles? Yes.
- Is there enough parking for vehicle repair during peak season? The insurance companies want the vehicles repaired in four (4) or eight (8) days. If it's a drivable car, they want it done in four (4) days. IF it is not a drivable car, they want it done in eight (8) days. Starting in 2017, all auto bodies will be held to a higher standard. If you meet the insurance company standard, you get their work. If not, you don't. It's too costly for an insurance company to leave cars 'laying around'.
- If you are having a great increase of vehicles, do you have enough room to store them? They are able to bring cars to their other facilities for repair. They have their own wrecker. They are looking into getting a small carrier to move vehicles to other locations.

Chairman Leonardis asks if this application if approved, will you agree that you will not have loaded car carriers with overflow of vehicles? Mr. Brannings states no.

With no further questions, Mr. Alfieri calls his next witness, Robert Gazzale – Fisk Associates, 631 Union Avenue, Middlesex, New Jersey – is sworn in and accepted as a Professional Engineer. Mr. Alfieri asks Mr. Gazzale to review the site plan.

- Block 472 Lot 2.
- Lot size – fifty-four thousand seven hundred seventy-three (54,773) square feet or 1.26 acres.
- Southeasterly side of New Brunswick Avenue – midway between Stelton Road and Tyler Place.
- Zone – 3M.
- New Brunswick Avenue – fully improved county road.
- Existing building of approximately seven thousand four hundred (7,400) square feet.
- Drainage ditches located along the southeasterly of property line to the rear and south west side.
- Eighty percent (80%) impervious.
- All utilities on site. No extension required.
- Adjacent uses are commercial and industrial.
- Proposing:
  - Two (2) additions – one (1) to the front and one (1) to the rear of the building.
  - Remove smaller structures.
  - When completed – building will be approximately nine thousand three hundred seventy-seven (9,377) square feet.
  - Parking lot will be rehabilitated – new pavement and curbing. Minimum two inch (2") milling.
  - Impervious coverage will be reduced by ten percent (10%). Runoff reduced.
  - Significant landscaping.
  - Existing sign will remain.
  - Parking for total of forty-three (43) cars.
  - New trash enclosure – 30' x 35'.
  - Will remain gated.
  - Lightening – front to Borough standards with wall scones. Rear with wall mounted lights - Not to the intensity to illuminate the entire rear.
- Drainage – will maintain existing system.

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- Roof leaders will drain to splash boxes. Some may be piped directly to the ditches.

Using Najarian's Associates review letter dated August 29, 2016, Mr. Gazzale begins on page 3.

- Item C - Variances/Design Waivers
  - 2 -- not seeking bulk variance.
  - 3i -- requesting waiver for Traffic Impact Statement. The site has been operating as auto body for many years. No significant increase in traffic.
  - 3ii -- requesting waiver for Environmental Impact Statement. Was waived for original application. Environmental Commission is not requesting.
  - 3iv -- Mr. Brannings will comply.
  - 3v -- Key Map one thousand (1,000) foot radius.
  - 3vi -- has two hundred (200) foot radius but waiver for streams, watercourses, flood plains, existing woodland.
  - 3vii -- Topography. All area paved around.
- Item D - Checklist Compliance
  - 1 -- Traffic Safety is not requesting Traffic Impact Statement. However, they would like sidewalks. Applicant was not proposing sidewalks. Board requests the sidewalks to be installed. Will comply. Traffic Impact Statement waived.
  - 3,4 & 5 -- Mr. Bucco states he would like to see some sort of radius to make sure there is no adverse effects to the neighboring properties. Will comply
- Item F - Site Requirement/Layout
  - 1,3,4,5 -- will comply.
  - 2 -- Board agrees, no screening required.
- Item G - Grading/Drainage
  - 1 -- will comply.
- Item H - Traffic
  - Previously discussed.
- Item I - Environmental
  - Will replace Burning Bush with noninvasive plant.
- Item J - Landscaping/Lighting
  - Seeking relief for the rear. No customer access. Building mounted lighting not to .5 ft. candle – public minimum but enough for employees to get to their vehicles. Mr. Bucco states this area is secured by fence and area is only for employees. Therefore, has no issue in granting the request.
  - Will comply for the front.
- Item K – Utilities
  - Will comply.
- Item L - Miscellaneous
  - Will comply.

Using T&M Associates review letter dated September 7, 2016, Mr. Gazzale begins on page 4.

- Item 7 – Planning Comments
  - a, b, -- will comply.
  - c -- will comply.
  - All others previously addressed.

Mr. Bonanno asks about the drainage from the leaders. Mr. Gazzale states that those leaders that will fall on splash block and the grading of the parking lot will direct the water to the ditch. The center of the ditch is rock.

With no further questions, Mr. Alfieri calls upon his next witness, Christine Ann Nazzaro Cofone - 125 Half Mile Road, Suite 200, Red Bank, New Jersey – is sworn in and accept as a Professional Planner. Mr. Alfieri asks Ms. Cofone to justify the D2 variance – Expansion of a Non-Conforming Use Variance.

- Located in M3 zone which does not permit auto bodies.
- Use currently exists.
- Relocation of the overhead doors.
- Handicap access.
- Previous application which was not completed is much larger than current application.
- Can consider criteria G in Land Use Law - sufficient space in appropriate location.

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- Can consider criteria I in Land Use Law - creating a desirable environment.
- Adjacent to Piscataway – uses are commercial and retail. In South Plainfield – industrial.
- M-3 strictly prohibits residential use.
- No bulk variances required.

Chairman Leonardis addresses the Board. The use is existing. No increase in intensity. Meet all bulk variance. Enhancement to building, lighting, paving, landscape etc. No other businesses in the facility. All work done inside. Garbage moved to the rear of the building. Granting of waivers.

Mr. Dickerson states there may be need for a parking variance. There is no standard for the amount of parking for this type of use.

With no further questions from the Board or audience, Chairman Leonardis calls to vote. Mrs. Eichler made motion, seconded by Mr. Lemos. Those in Favor: Mr. Bonanno; Mrs. Campagna; Mrs. Eichler; Mr. Hughes; Mr. Lemos; and Chairman Leonardis. Those Oppose: None.

**INFORMAL HEARINGS:** None

**OLD BUSINESS:** None

**NEW BUSINESS:** None

**CORRESPONDANCE:** None

**EXECUTIVE SESSION:** None

**ADJOURNMENT:** 8:35 PM

Respectfully Submitted,  
Joanne Broderick  
Recording Secretary