

WELCOME....

...to a meeting of the East Brunswick Zoning Board of Adjustment. This brochure has been prepared to help you understand the hearing and application review process and the format of the meeting agenda.

Zoning Board Organization.

The Zoning Board exercises approval authority over variance and other development applications in East Brunswick. Development applications under the jurisdiction of the Zoning Board are appeals, bulk variances, and use variances. Site plans and subdivisions in conjunction with a use variance are also heard by the Zoning Board. The Board is established and governed by the **New Jersey Municipal Land Use Law** and **East Brunswick Township Ordinances**.

The Board consists of seven voting members and four alternates appointed by the Township Council. The Board attorney is present at all meetings to furnish advice as needed and to ensure that all legal requirements are met. The recording secretary compiles complete minutes of all proceedings. The Department of Planning and Engineering provides staff support. Many agencies of the Township review each application for the Zoning Board. These include:

- Dept. of Planning & Engineering
- Dept. of Recreation, Parks and Community Services

- Dept. of Public Safety
- Dept. of Public Works
- Construction Inspection
- E. B. Sewerage & Water Utility
- Health Department

ZONING BOARD SCHEDULE

The Zoning Board usually holds public hearings on the first and third Thursday of each month at 7:30 P.M. in the Municipal Building. Special meetings may be scheduled when needed. All meetings are open to the public except for Executive Sessions.

PUBLIC NOTIFICATION OF HEARING

The law requires that property owners within 200 feet of a site that is the subject of an application must receive a notice from the applicant by either certified mail or hand delivery. The notice will include:

- Description of the request
- Date and time of the hearing
- Requests for waivers

The public may review files and plans for all applications at the Department of Planning and Engineering located in the lower level of the Municipal Building between the hours of 7:30 A.M. - 4:30 P.M.

PRESENTATION OF THE APPLICATION

The Zoning Board is addressed by the applicant or by the representing attorney, who describes the application. Among the items presented by the applicant may be the following exhibits:

- Plans and graphic renderings
- Traffic studies
- Environmental reports

Testimony by the Applicant

In many cases the applicant will present his or her own case. In some cases there will be witnesses for the applicant, usually licensed professionals, to present testimony. All applicants and witnesses will be placed under oath and specific testimony will be presented. The witnesses may display and refer to additional exhibits at this time. All exhibits presented are marked into evidence and considered by the Board. Questions may be asked by the Zoning Board or the Township professional staff.

Public Questions

After questions by the Board and staff, the public has the opportunity to ask questions of the witness. The following procedure is used for each witness.

The Chairman will ask whether any member of the public wishes to be heard on an application.

To be heard:

- raise your hand and wait for the Chairman to call on you
- proceed to the front of the meeting room to the microphone
- the Chairman will request that you raise your right hand and will then administer the oath
- state and spell your name and state your address for the record
- ask questions, make statements or give opinions.

When public testimony is presented by a business entity other than a sole proprietorship, a licensed New Jersey attorney must make the presentation.

A group of residents interested in an application should designate a single spokesman to represent the group. A homeowners association must be represented by an officer of the association or an attorney.

PUBLIC COMMENTS

After all testimony is presented by the applicant, the public has an opportunity to present comments, opinions and statements. Letters and petitions are not considered by the Board. A person must be present or represented by another person to make statements or ask questions.

DELIBERATION BY THE BOARD

Public hearings on an application can last

for more than one meeting. After the Zoning Board closes the public hearing the Board will begin the deliberation process. The Board may deliberate on an application at a future meeting. The Zoning Board will then vote to approve the application, vote to approve with conditions or vote to deny with specific reasons given for the denial.

Resolution of Memorialization

The Zoning Board attorney will then write a resolution of memorialization, which is a record of the Board's decision. The Board will vote at a future meeting to approve the document.

APPEAL PROCESS

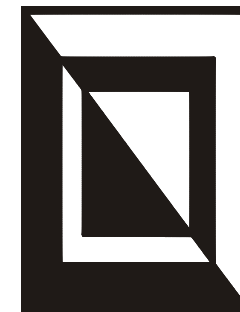
After the resolution is adopted, a notice is sent to the Home News for publication. Appeals to Superior Court can be made up to 45 days after publication.

The information in this document is procedural in nature and not intended to cover all situations or circumstances. It is not intended to be a substitute for legal advice from an experienced attorney. The information should be read in conjunction with the Municipal Land Use Law, relevant New Jersey federal statutes, and New Jersey's Rules of the Court.

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Guide to A Zoning Board Meeting

**Township of East
Brunswick
Department of Planning & Engineering**



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www.eastbrunswick.org