



**BOROUGH OF GLEN RIDGE
Board of Adjustment**

2019 Rules and Regulations of the Board of Adjustment

ARTICLE I - Organization & General Provisions

A. Title of the Board

The Title of the Board shall be: "The Board of Adjustment of the Borough of Glen Ridge, New Jersey."

B. Annual Meeting

The annual meeting of the Board shall be held on the regularly scheduled January meeting of each year, at which time the Board shall elect from its members a Chairman and a Vice-Chairman in accordance with the requirements of N.J.S.A. 40:55D-69. The Chair shall also appoint a Secretary, who may or may not be a member of the Board or a municipal employee and at its option, a Board Attorney, all of whom shall serve for one year and until their successors have been appointed. The Chair may appoint such other officers or assistants and employ such experts or staff as it may deem necessary. The terms Chairman and Vice-Chairman shall refer to male and female members of the Board.

C. Duties of Officers

Chairman

The Chairman, subject to these rules, shall decide all points of order and matters of procedure governing the meetings, unless otherwise directed by a majority of the Board in session at the time. He shall have, subject to these rules and governing statutes, all the powers and perform all the duties normally appertaining to his office. He or his designee shall swear all witnesses giving testimony before the Board.

Vice-Chairman

The Vice-Chairman shall preside at all Board meetings and hearings in the absence of the Chairman, unless the Vice Chairman shall, either in person or by way of writing, relinquish the chair to a member of the Board.

In the absence of the Chairman and Vice Chairman, the members of the Board of Adjustment present shall designate, by simple majority vote, a member of the Board to preside.

Secretary

1. Subject to these rules and under the direction of the Chairman, the Secretary shall conduct all official correspondence, compile the required records, maintain and keep in order the necessary files and indices, and generally perform the secretarial work of the Board. He shall notify the Municipal Clerk and the Officer charged with enforcement of the Zoning Ordinance of all meetings of the Board and shall provide them with a list of the matters scheduled for hearing at each meeting. He shall give all notices of meetings required to be given by the Open Public Meetings Law, the Municipal Land Use Law, or any other applicable law or ordinance.

2. The Secretary of Board shall have the care and custody of all records, documents, maps, plans and papers of the Board, for which the care and custody of which no other provision is made by statute. When "yeas" and "nays" are taken, he shall call the roll in the order of the arrangement of the seats of the members, beginning first at his right, and the Chairman shall be called last.

3. He shall make record of, and keep on file, the minutes of the proceedings at each meeting or hearing held by the Board, and shall enter therein with the other proceedings, such resolutions and orders as are adopted, and a copy or synopsis of each report, petition, and other paper presented.

4. He shall cause to be mailed to each member of the Board at his residence address, a true copy of the minutes of that meeting. He shall issue notices of meetings, and shall perform such other duties pertaining to his office.

D. Attendance

Regular attendance at meetings of the Board is expected of all members. No member should miss more than two consecutive regularly scheduled meetings of the Board, or four meetings total during any one calendar year, or whenever a member of this Board shall absent himself from meetings of the Board, without just cause, for a period deemed detrimental to the conduct of Board business. The Board may recommend to the governing body of the municipality in writing that such member be removed in accordance with the provisions of N.J.S.A. 40:55D-1, et. seq.

ARTICLE II –Meetings

A. Meetings

The regular meeting of the Board shall be held at the Municipal Building, Glen Ridge, New Jersey at 7:30 p.m. on the second Thursday of each month, or on such dates as shall be determined by the Board.

B. Special Meetings

Meetings may be called by the Chairman, or in his absence, by the Vice- Chairman, at any time or upon the written request of two members, provided notice thereof be mailed or given to each member of the Board at least two days prior thereto, and to the public as required by the Open Public Meetings Law, P.L. 1975, c. 231.

C. Meetings Open to Public

All regular and special meetings of the Board of Adjustment shall be open to the public.

D. Order of Business

The order of business at all meetings shall be as follows:

1. Open meetings statement and roll call.
2. Approval of minutes of previous meeting.
3. Motions for adjournment of scheduled cases and other motions, if applicable.
4. Calendar of Hearings.
5. Communications.
6. Action on other new or unfinished business.
7. Adjournment.

E. Quorum

At all meetings of the Board, a quorum for the conducting of business shall consist of four members. In the absence of a quorum, the members present may adjourn the meeting, and the hearing on any motion or petition, to another date.

F. Voting

1. In all matters, any action may be authorized by a majority of all votes cast, provided a quorum is present, except where specifically limited by the Municipal Land Use Law.
2. The Secretary shall keep or cause to be kept minutes of each meeting of the Board, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact.

ARTICLE III – Procedure for hearing applications or appeals

1. The applicant or appellant shall file the notice of his applications or appeal with the Secretary of the Board or the officer from thereof with the Secretary of the Board. The applicant or appellant shall perform all actions required by the form, which is to be furnished by the Board, and shall provide all the information requested on the form, together with any other information which may be required by the Board whether such information is called for by the form or not.
2. Each application or appeal filed on the proper form with the required data shall be numbered serially and placed upon the calendar of the Board by the Secretary to be set for a public hearing.
3. At the time of the public hearing the applicant or appellant may appear in his own behalf or be represented by counsel or agent. The statement of the applicant or appellant shall be first, followed by that of the Building Inspector and any private citizen for or against the proposal, in that order. The applicant or appellant shall then be given an opportunity for rebuttal. At the close of the testimony of each witness the opposing party or his agent or counsel may cross-examine. Following such cross-examination it shall be in order for the chairman to accept questions from the floor. All questions or remarks from the floor must be directed to the chairman who may then refer them to the proper person. Members of the Board may interpose questions at any stage of the proceeding. Their questions are to be entertained before those from the floor.
4. A transcript of the testimony taken before the Board shall be made available to any interested party as defined by statute upon payment of the fee prescribed therefore. All requests for such copies shall be made to the Secretary not later than 7 days after the date on which the hearing is held. A deposit of \$50.00 shall accompany each request for such a transcript. A transcript or copy thereof shall be made available to each person fulfilling the requirements of this section not later than 17 days after the conclusion of the hearing, at which time the balance of the deposit in excess of the fee shall be repaid to such person or any deficit shall be paid to the Secretary. This fee shall be in addition to any other fee or costs imposed.

5. Whenever the Board imposes any condition with respect to the granting of an application or appeal such condition shall be set forth in the resolution stating the decision.

6. A copy of the resolution stating the action taken by the Board and signed by the Chairman shall be forwarded to (1) the applicant or appellant, as the case may be, (2) the Building Inspector, (3) the Borough Administrator and any other interested municipal body.

ARTICLE IV – Fees

1. Application fees and list of property owners shall be in accordance with Glen Ridge Code Section 16.16.020

2. The following items will be furnished to the applicant or appellant at cost:

- (a) A transcript, recording or the minutes of a hearing
- (b) A duplicate recording of a hearing
- (c) A copy of a transcript of the recording or minutes of a hearing
- (d) A copy of a decision for anyone but an applicant or appellant

ARTICLE V – Records

A file of all materials and decisions relating to each case shall be kept by the Secretary as part of the records of the Board.

ADOPTION

The foregoing rules and regulations were adopted by the Board of Adjustment of the Borough of Glen Ridge on January 10, 2019.

Michael P. Zichelli

Michael P. Zichelli AICP/PP
Secretary to the Board