



Branchburg NEW JERSEY

Procedures for Planning and Zoning Board Meetings*

The Planning Board and Zoning Board of Adjustment are quasi-judicial bodies, meaning that they operate similar to, but not as strictly as, a court of law. Thus, a hearing is similar to a court proceeding in that the Chairperson runs the proceedings, and the Board will vote on a final decision to approve or deny the application before it. The Boards and Board Members have the legal obligation to follow the New Jersey Municipal Land Use Law (MLUL) N.J.S.A. 40:55D-1 et seq., and all discussions, presentations of evidence, questions, and comments with regard to a pending application must be done on the record at a public hearing.

The order of items discussed at the Planning Board and Zoning Board meetings will follow the meeting agendas. Agendas and minutes can be found on the Township website:

Planning Board - [Planning Board \(branchburg.nj.us\)](http://branchburg.nj.us)

Board of Adjustment - [Board of Adjustment \(branchburg.nj.us\)](http://branchburg.nj.us)

Click '[Agendas and Minutes](#)'

Agendas are also posted on the bulletin board in the back of the courtroom on the night of the hearing, located at 1077 US Highway 202 N., Branchburg, New Jersey 08876.

The Planning Board and Zoning Board observe a 10:00 p.m. time limit where no new applications will be started after 9:30 p.m. and no new testimony will be taken beyond 10:00 p.m.

If an application is not completed during a meeting, a continuation date will be announced by the Board Attorney at the meeting, usually without a requirement of the applicant to provide further notice to the public.

Individuals can also seek information about the status of an application or its hearing by contacting the secretary for the Planning and Zoning Boards, Maria DeSimone, at (908)-526-1300 x152 or maria.desimone@branchburg.nj.us.

During a Public Hearing at a Planning Board or Zoning Board of Adjustment Meeting

There are certain times during the procedure of a meeting when the public may either ask questions or make comments.

- ❖ An application hearing begins when the Chairperson calls an application. At that time, the applicant will come forward and will introduce himself/herself. Applicants are often represented by an attorney, although that is not required unless the applicant is a corporation or limited liability company. The applicant/attorney will give an overview of the application (also called a proposal) and call their first witness to provide testimony. If there are review letters from the Board's Planner, Engineer, and/or other professional, these may be read or reviewed. Any witnesses for the applicant who will be providing testimony must state their name and

occupation, be sworn in, and, if they are an expert, present their credentials to the Board for acceptance as an expert before providing testimony.

- After the Board and its professional staff have completed asking questions of a particular witness the Chairperson will open the meeting to the public, limited at this time to ***questions only, and only of that witness. This period of questioning is limited only to questions of that witnesses' direct testimony and is not a time for general comments about the application.***
 - If you have a question, please raise your hand. Proceed in an orderly fashion to the microphone and, when the Chairperson acknowledges you, speak into the microphone.
 - If the person(s) from the public is represented by an attorney, she/he must ask questions through the attorney. However, a person(s) from the public can offer comments, under oath, during the designated public comment period, even if she/he is represented by an attorney.
 - Before asking your question, state your name (please also spell your name) and address for the record and direct your questions to the witness. Please also write your name and address on the sign in sheet next to the microphone.
 - To ensure an orderly meeting and allow adequate time for all members of the public to be heard, the Chairperson may limit repetitive comments or what may be considered irrelevant testimony and may limit the time or number of questions from any one citizen.
- ❖ When the public has had adequate opportunity to ask questions of the witness, the applicant/attorney will then call the next witness and the above procedures will be repeated. When all witnesses have been presented and the testimony is complete, the Board and its professionals will ask any final questions.
 - ❖ After the Board and its professionals have finished questioning the applicant, and before the Board takes action on the application, the Chairperson will open the meeting to the public for comments.
 - ❖ During the public comment time, if you wish to comment, you should raise your hand so the Chairperson can recognize you. Once recognized, you will be asked to come to the microphone. You will then be sworn in by the Board Attorney so that your comments will be given under oath.
 - ❖ The applicant/attorney has the right to cross examine any member of the public who may make comments. Written statements or letters from individuals who are not present, petitions or speaking on anyone's behalf are not allowable as per the MLUL, N.J.S.A. 40:55D-10.D. Written statements from the public cannot be accepted as they cannot be cross-examined.
 - ❖ The Chairperson will then ask the Board to deliberate and act on the application.

Thank you for participating!

Public participation in meetings will assist the Boards in making their decisions. We hope that this public hearing and your participation in it will be a rewarding experience for you. We thank you for participating in this process!

*These guidelines are for the purpose of assisting interested parties in understanding and participating in the municipal land use process. Each application is unique and deviations from the outline may necessarily occur.