

**CITY OF NEW BRUNSWICK
PLANNING BOARD
JANUARY 14TH 2019
MINUTES**

**MEETING LOCATION:
CITY COUNCIL CHAMBERS
CITY HALL, TOP FLOOR
78 BAYARD STREET
7:30 p.m.**

I. ROLL CALL

X	Jeff Crum (Chairperson)
	David Fitzhenry VC
X	John Petrolino
X	Robert Cartica
X	Manuel Castaneda
	Clary Barber (Class I)
	Chris Stellatella (Class II)
X	Suzanne Sicora-Ludwig (Class III)
X	Dale Vickers (Alternate #1)
X	Yelitssa Checo (Alternate #2)

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. REORGANIZATION OF THE BOARD

Nomination of Chairperson: Jeff Crum, no other nominations

Motion to Approve: Petrolino

Second: Castaneda

Approved by unanimous roll call vote

Nomination of Vice-Chairperson: David Fitzhenry, no other nominations

Motion to Approve: Sicora-Ludwig

Second: Petrolino

Approved by unanimous roll call vote

Nomination of Interim Secretary: Dan Dominguez, no other nominations

Motion to Approve: Crum

Second: Sicora-Ludwig

Approved by unanimous roll call vote

Appointment of Board Attorney: Aravind Aithal, no other nominations

Motion to Approve: Castaneda

Second: Sicora-Ludwig

Approved by unanimous roll call vote

Appointment of Conflict Board Attorney: McKinamon, Scotland, no other proposals

Motion to Approve: Petrolino

Second: Sicora-Ludwig

Approved by unanimous roll call vote

Appointment of Board Planner: Bignell Planning, no other proposals

Motion to Approve: Sicora-Ludwig

Second: Petrolino

Approved by unanimous roll call vote

Appointment of Interim Planner to Provide Administrative and Special Planning Services: Bignell Planning, no other proposals

Motion to Approve: Castaneda

Second: Sicora-Ludwig

Approved by unanimous roll call vote

Appointment of Board Engineer: Delaware-Raritan Engineering, Inc., Mott McDonald

Motion to Approve: Sicora-Ludwig

Second: Vickers

Delaware-Raritan Engineering, Inc. approved by unanimous roll call vote

Appointment of Hydraulic Modeling/Water System Capacity Analysis: Mott McDonald

Motion to Approve: Castaneda

Second: Sicora-Ludwig

Approved by unanimous roll call vote

Appointment of Traffic Systems Analysis Engineer: Mott McDonald

Motion to Approve: Petrolino

Second: Sicora-Ludwig

Re-Adopt Meeting Schedule for 2019 through January 2020

Motion to Approve: Sicora-Ludwig

Second: Castaneda

Approved by unanimous voice vote

Designation of Minor Site Plan Committee (Appointment by Chairperson):
Chris Stellatella

Designation of Minor Subdivision Committee (Appointment by
Chairperson):
Chris Stellatella

IV. MINUTES OF THE BOARDS DECEMBER 10, 2018 MEETING

Motion to Approve: Sicora-Ludwig

Second: Vickers

Approved by unanimous roll call vote

V. COMMUNICATIONS AND REPORTS

Resolutions of Memorialization

A. COLGATE PAPER STOCK, INC, PB-2018-05 Amended site plan and
variance application for the modifications of the existing site layout
and the construction of an addition located at 12 Industrial Drive,
Block 597.03, Lot: 1, Zoning District: I-2

Motion to Approve: Sicora-Ludwig

Second: Dale Vickers

	YES	NO
Jeff Crum	X	
David Fitzhenry		
John Petrolino		
Robert Cartica	X	
Manuel Castaneda		
Clary Barber (Class I)		
Chris Stellatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	X	
Dale Vickers (Alternate #1)	X	

VI. NEW BUSINESS

- A. **750 JERSEY AVE, LLC, PB-2018-06**, Site plan and variance application for the construction and operation of warehouse facility to be located at 750 Jersey Avenue, Block(s): 598, Lot(s): 3.04, Zoning: I-2

Thomas Kelso, Esq.:

The application is for the construction of a 51,000sqft+ warehouse facility that will also create a new rail spur with the adjacent Conrail rail line. The property is located in the I-2 zone and will require only two new variances one of the side yard setback and one for the rear yard setback.

Bob Paulus, Principal of Wick:

A-1 site plan of reflects the 5.7-acre parcel, the proposed 51,180sqft warehouse and the rest of the site improvements.

The property will be leased only to warehouse companies and no manufacturing will be done on the site. The applicant has received NJ DOT approval for a new curb cut on Jersey Avenue.

Questions from John Petrolino; Answers from Bob Paulus:

Q: What types of goods will be warehoused at the facility?

A: Project will house “low-impact” goods such as pharmaceuticals and nothing that would be a fire hazard. Greenery will screen and buffer the property.

Q: What about the goods on the site with regard to fire risk and the goods and chemicals on adjacent sites? Risk of unfortunate combination of materials via fire?

A: The neighboring property of Occidental Chemical is “ice melter”, it is packaged on site and is not at risk of crossing with likely materials at our facility. We shy away from hazardous materials such as butane.

C: Gets at my question. I appreciate the effort.

Q: Will this use the same pump system for dealing with fire as the 760 Jersey property?

A: No it will have its own pump system. Existing pump facilities and water tanks will be coordinated.

Q: Will this be an issue if the properties are sold and have separate owners?

A: No the systems work together but can be run independently if needed.

Q: Do you require an NFA letter from NJDEP before you can start construction?

A: No its an ongoing process. The soil has been remediated and there remains the need to cap the historic fill.

Q: Will DEP have oversight of the property?

A: Yes, they will monitor the property every two years.

Questions from Robert Cartica; Answers from Bob Paulus:

Q: Is the area shaded in green vegetated?

A: Yes it is and will remain so in order to buffer/screen the property from its neighbors.

Leslie Walker, Licensed Engineer:

The subdivision for this project was approved in 2015. The project will provide 20 trees and 55 shrubs and a monument sign with a 25ft setback. Rear setback variance allows efficient access by forklift to loading and unloading rail cars.

Questions from Jeff Crum; Answers by Leslie Walker:

Q: If the structures are no longer need because remediation is complete will they be removed?

A: They are no longer needed for their original purpose, but will now be used for stormwater management.

Q: Will they serve stormwater from both sites?

A: No just from this site, 750 Jersey Ave.

Q: What is the current use of the land for the warehouse?

A: It is currently vacant with some dirt that is currently stockpiled there.

Q: What is the use of the property to the East?

A: A trucking company has an easement there and is using it to store their trucks.

James Debarbieri, Licensed Architect:

Office portion of the warehouse will be closest to Jersey Avenue. There will be approximately 49,000sqft of actual warehouse. Upgraded

aesthetics and external materials were used. Precast concrete/steel frame. Noise would be mostly from the trucking. Mechanicals would be only for heating and the A/C unit on roof would be for only the office space.

Allison Coffin, Licensed Professional Planner:
Project qualifies for variances under both C-1 and C-2. The project would advance the goals of the New Brunswick Master Plan.

Traffic report states that traffic impact would be negligible.

Question from Jeff Crum; Answer by Allison Coffin:

Q: Can you speak about the possible traffic generated by this project?

A: No. There was a prepared traffic report for the project.

Comment by Bob Paulus: The traffic study done in 2014 shows that this project would have no negative effects on traffic flow on Jersey Avenue.

Comment by Charles Carley: I reviewed the report and agree that this project would have no meaningful effects on the traffic on Jersey Avenue.

Question from John Petrolino; Answer by Charles Carly:

Q: Are you saying the previous traffic study anticipated this project?

A: It applied to the larger development and then refined for this project.

Public:
None

Motion to approve with the conditions cited by Planning Administration and Services: Sicora-Ludwig

Second: Petrolino

	YES	NO
Jeff Crum	X	
David Fitzhenry		
John Petrolino	X	
Robert Cartica	X	

Manuel Castaneda	X	
Clary Barber (Class I)		
Chris Stellatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	X	
Dale Vickers (Alternate #1)	X	
Yelitssa Checo (Alternate #2)	X	

- B. **520 JERSEY AVENUE, PB-2018-07**, Site plan and variance application for the construction and operation of warehouse facility to be located at 520 Jersey Avenue, Block(s): 242, Lot(s): 16.02, Zoning: I-2

James Clarkin, Esq.:

The application is for removing a junkyard and replacing it with a 67,000sqft+ warehouse facility. The project requires variances for the landscape buffer strip, the number of trees, and foundation plantings.

Kamlesh Shah, Licensed Architect:

The warehouse facility will be 39ft high with a small office/utility area. Mechanical equipment will be on roof in the center area. Built with insulated concrete and windows for natural light.

Questions:

None

Scott Turner, Licensed Engineer:

There will be 1,800sqft of office space, two new driveways on Jersey Avenue on site trash compactor and 14 dock spaces for trucks. 41 parking spaces, 125 new trees installed.

Property has access easement with neighboring property that will be vacated once C.O. is received.

Jim Clarkin asks Charles Carley if there is anything he feels that they need to address. Mr. Carley asked about proximity to the state highway and about garbage pickup.

Answer by Scott Turner: The project is located just short of the state jurisdiction and the garbage will be collected by a private contractor.

Mr. Carley comments: Everything else is satisfactory.

Question from Todd Bletcher; Answer by Jim Clarkin:

Q: Was there any contamination from the junkyard usage?

A: Yes. There was a Phase I and example A-1 here shows some of the remediation efforts being undertaken.

Q: Would you be willing to accept LSRP as a condition of approval since remediation may be a perpetual process?

A: Yes we would.

Question from Jeff Crum; Answer by Todd Bletcher; Answer by Jim Clarkin:

Q: What is to stop this property from being anything other than a warehouse?

TB A: When the building is occupied the tenant will have to file with zoning and that will act as a check on the use.

JC A: Condition of Approval that site will only be used for a warehouse and any other use would require a return to the board.

Questions from Bob Cartica; Answers by Scott Turner:

Q: How will truck traffic impact adjacent residential areas?

A: The location has been a junkyard so it is to be expected that truck traffic has already been common and this use should not be a significant change.

Q: Will truck traffic from this project be geared to travel away from downtown New Brunswick rather than towards?

A: The expectation is that yes they would flow away from the city center as the roads are not conducive to truck traffic.

Question from Bob Cartica; Answer by Jim Clarkin, Answer by Charles Carley:

Q: Do you have an expectation of the volume of truck traffic?

JC A: With only 14 bays there is a limitation to the amount of traffic to be expected.

CC A: Based on the traffic generation manual this property should expect 31 peak-hour trip including passenger vehicles and trucks. Jersey Avenue's peak-hour trips are approximately 1,800.

Public:

Questions from Charles Kratovil; Answers from Jim Clarkin:

Q: What contaminants are on the site?

A: Only soil contaminants.

Q: Who has jurisdiction over this portion of Jersey Avenue?

A: Middlesex County

Q: Would developer signalize the intersection?

A: If the county requests it.

C: States that he hopes the County will request the signalization.

Motion to approve with the conditions cited by Planning Administration and Services: Petrolino

Second: Sicora-Ludwig

	YES	NO
Jeff Crum	X	
David Fitzhenry		
John Petrolino	X	
Robert Cartica	X	
Manuel Castaneda	X	
Clary Barber (Class I)		
Chris Stellatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	X	
Dale Vickers (Alternate #1)	X	
Yelitssa Checo (Alternate #2)	X	

C. 938 SOMERSET STREET, PB-2018-08, Site plan and variance application for the construction of a 2-story Mixed Use building to be located at 938 Somerset Street, Block(s): 554, Lot(s): 6.01, 9, 10, Zoning: C-2B

James Clarkin, Esq.:

The application is to convert 3 currently vacant and vegetated lots into a mixed-use building with 3 commercial units on the ground floor and 3 residential units on above (2 stories). 23 parking stalls are required but only 15 are provided. 6 will be shared parking for tenants and commercial and 1 of the commercial spaces will be designated as 15-minute parking only to act as viable loading and unloading facilities.

William Doren, Licensed Architect:

The building will have 3 retail units on the 1st floor and 3 apartments of varying sizes on the 2nd floor. Building will be 28.6ft high with a parapet to screen air conditioners and any other roof mechanicals. Façade will be brick and have 4 signs on one side (Somerset Street side) with a combined 24sqft. The number of signs is in violation but not total sign area is acceptable.

Question from Jeff Crum; Answer from William Doren:

Q: What is the unit break out for the project?

A: Three commercial on the first floor and three residential on the second.

Ronald Sadowski, Licensed Engineer:

The engineer reviewed the general physical characteristics of the plan. The applicant agreed to not permit restaurants as commercial tenants as a condition of approval.

Question from John Petrolino; Answer from Jim Clarkin:

Q: How is this parking adequate for three retail spaces including the possibility that they may be restaurants?

A: The spaces will be shared for retail and residential and the residential spaces will be only for the retail establishments during work hours so they are only available to residential tenants during night time hours.

Jim Clarkin steps aside to confer with team

A: No restaurants. You make a good point that restaurants tend to operate later in the day and it makes sense to just eliminate them.

Comment from Todd Bletcher:

C: The City's definition of restaurant is broad and includes cafes and any types of eateries.

Comment from Jim Clarkin:

C: We understand these limitations and we accept them.

James Clarkin IV, Licensed Planner

The parking variance is justified as the dynamic nature and times of the uses will seldom conflict. The benefits of the variance are the activation of the property with a productive use, a residential in-fill project.

Question by Manuel Castaneda; Answer by James Clarkin IV:

Q: You are hoping to use on-street parking what is its current status of use?

A: Earlier today I saw that all three on-street spots were open.

Questions by Dale Vickers; Answers by James Clarkin IV:

Q: Did you perform any of this analysis while school was in?

A: No I did not, but I did notice some students walking home from school.

Q: I meant with regard to college students taking up parking spaces.

A: College students have classes at all hours so it would be a conclusive way to determine the availability of parking spaces available.

Question by Bob Cartica; Answer by James Clarkin:

Q: Will the apartments have a dedicated parking space?

A: It is envisioned that there will be dedicated spaces during the available night-time hours. Will be factored into lease agreement.

Question by John Petrolino; Answer by James Clarkin:

Q: How will this project impact residential permit parking in the area?

A: This area does not have signage for permit parking

Ronald Sadowski, Licensed Engineer:

After several visits the street parking was regularly only 30-35% occupied during the times of 10:30am and 2:30pm.

Public Comment:

Mildred Arrieta, Neighbor:

She expressed concern about the traffic generated from the property, about car accidents, what types of businesses (she expressed that she would not want a liquor store there), and would rather the vacant land be converted to a park.

Ernest Harrison, Neighbor:

The intersection of Somerset and Oliver may have a serious flooding issue the city needs to address.

Charles Kratovil:

Would the developer be willing to waive permit parking rights?

James Clarkin, Esq.:

The applicant would be willing to waive permit parking rights and is amenable to all methods to move the project including on-street parking waiver by deed restriction.

Issues final comments on how the retail establishments will have different use hours than the apartments so there should be no issues about spillover parking. Additionally, he states that they are open to suggestions for changes required to move the project forward.

Motion to approve with the conditions cited by Planning Administration and Services: Sicora-Ludwig

Second: Petrolino

	YES	NO
Jeff Crum	X	
David Fitzhenry		
John Petrolino	X	
Robert Cartica	X	
Manuel Castaneda	X	
Clary Barber (Class I)		
Chris Stellatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	X	
Dale Vickers (Alternate #1)	X	
Yelitssa Checo (Alternate #2)	X	

D. AMENDMENT TO THE SCATTERED SITE REDEVELOPMENT PLAN
Carried to February Meeting.

VII. OTHER MATTERS OF INTEREST TO THE PUBLIC

None

VIII. ADJOURNMENT