



**CITY OF NEW BRUNSWICK
MINOR SUBDIVISION COMMITTEE
DECEMBER 18, 2019
MINUTES**

Meeting Location:

Department of Planning, Community & Economic Development
Conference Room
25 Kirkpatrick St
9:30 AM

I. ROLL CALL

Affiliation	Staff Attending	
Acting Director of Planning	Dan Dominguez	X
Principal Planner	Katie Thielman-Puniello	X
Board Planner	Todd Bletcher	X
Board Engineer	Charles Carley	
City Construction	Ed Grobelny	X
City Engineer	Dan Burke	X
City DPW & Engineering Representative	Cathleen Marcelli	X
Fire Department	Chris Stellatella	
Mayor's Designee	Ryan Berger	
Planning Board Representative	Suzanne Sicora Ludwig	X
Alternate	Donna Caputo	

II. PUBLIC ANNOUNCEMENT

III. PUBLIC HEARINGS

- I. 760 NEW BRUNSWICK URBAN RENEWAL, LLC, BLOCK 598, LOT 3.03 (PB-2019-09)** Minor subdivision application to reaffirm a prior minor subdivision application to reconfirm a prior minor subdivision approval by the Planning Board (pursuant to Resolution PB-2015-02), due to the applicant not having perfected the subdivision by filing a deed of perfection in accordance with NJSA 40:55D-47 (*Thomas Kelso, Esq.*).

Thomas Kelso (Applicant's Attorney): In 2015, there was a minor subdivision approval to create three lots from existing Lot 3.03. It was associated with the site plan application for the utilization of the main part of the site for the storage and distribution facility which is now operating.

The expectation was that all three lots would be created, and subsequently the owner/applicant would come back afterwards for additional approvals for the other two lots for warehouses. We received site plan approval for Lot 3.04, which is 750 Jersey Avenue. The minor subdivision that was approved in 2015, which were still looking for, was never perfected. It wasn't perfected for a number of reasons, but for a minor subdivision it can be perfected by a deed and the deed was never recorded. The primary

reason was that there was environmental remediation on the site and there was some concern on the part of the Wick principals, that the remediation may impact where those subdivision lines were going to be, there was some hesitation to create the lots if they were going to have to come back and change them. Dealing with the DEP it took some time for that to happen. Bob Paulus from Wick provided a letter to this Committee with regard to the history of the environmental remediation. The RAO was finalized in March of 2019.

Wick Companies now feels comfortable in proceeding with perfecting the subdivision. The subdivision approval has expired. We feel comfortable coming to the Minor Subdivision Committee to reconfirm the subdivision. As part of the original subdivision approval there was testimony provided, there was a need for cross access easements to Lot 3.05 and proposed Lot 3.06 because Lot 3.06 is land locked. Those cross access easements are identified on that plan. The intent is to carry those easements forward. If this is approved, we will create the subdivision deed that creates the three lots and create those easements in the deed itself, rather than a separate easement document. The engineers can have an opportunity to review the metes and bounds before the Planning Board signs off on it.

Katie Thielman-Puniello (Principal Planner): The site is 30 acres that contains a one-story industrial building. Site plan approval was granted in 2014 for the facility, which operates year-round. Mr. Kelso provided a description of the proposed development.

The applicant seeks to reaffirm the previously approved subdivision. Per Resolution PB-2015-02, Lot 3.04 was granted variances for lot width, side yard setback/accessory structure and height for accessory structure. Lot 3.05 was granted a variance for side yard setback/accessory structure setbacks. Lot 3.06 was granted variances for lot width and frontage on roadway.

Mr. Kelso: I just wanted to interject that all of that is still exactly the same. Nothing has changed. All those variances are still valid variances.

Dan Dominguez (Acting Director, DPCED): And also reaffirmed when the site plan was approved earlier in the year for the project.

Ms. Thielman-Puniello: Regarding easements associated with the application, there were two railroad track siding easements for Block 598, Lot 6.01, a 10-foot-wide street tree easement measuring along Jersey Avenue, a 10-foot-wide sanitary sewer easement along Jersey Avenue in the northwestern portion of proposed Lot 3.04, and two access easements on proposed Lots 3.05 and 3.06 providing access to Jersey Avenue.

Mr. Kelso confirmed that the applicant is not proposing any changes to the previously-proposed minor subdivision and agreed to comply with the conditions set forth in Resolution PB-2015-02.

Engineering Comments

Dan Burke (City Engineer): The request for the filed easement will be in the deed. That satisfies my concerns.

No comments from Construction.

No comments from Planning Board Representative.

Aravind Aithal (Board Attorney): The Minor Site Plan Committee does have the authority to grant reaffirmation of the previously approved minor site plan, the caveat being that all the conditions of the previous approval apply.

Public Comments

Charlie Kratovil: What type of contaminants were involved in the remediation and what is the status?

Tim Paulus: It was lead because it was the old ACDelco battery plant. There was an LSRP assigned for years. The issued an RAO issued March 1st of 2019 for the property.

Motion to Approve

First: Suzanne Sicora-Ludwig

Second: Todd Bletcher

	YES	NO	ABSENT
Dan Dominguez	X		
Katie Thielman-Puniello	X		
Todd Bletcher	X		
Charles Carley			X
Ed Grobelny	X		
Dan Burke	X		
Cathleen Marcelli	X		
Chris Stelatella			X
Ryan Berger			X
Suzanne Sicora Ludwig	X		
Donna Caputo			X

IV. ADJOURNMENT