

**CITY OF NEW BRUNSWICK
PLANNING BOARD
JUNE 24TH 2019
MINUTES**

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

I. ROLL CALL 235. J&J. 30C

√	John Cox (Chairperson)			
	Ivan Adorno (VC)			
x	Peg Chester			
√	Sue McElligot			
√	John Zimmerman			
x	Doug Sheehan			
x	Charlotte McNair			
	Evelyn Azcona			
	Nancy Coppola			

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE PREVIOUS MONTH MEETING

Motion to Approve: Mcelligot
Second: Zimmerman
Approved by unanimous roll vote

**V. COMMUNICATIONS AND REPORTS
Resolutions of Memorialization**

None.

VI. PUBLIC HEARINGS

A. 235 GEORGE STREET DIALYSIS CLINIC INC ZB-2019-02, Site plan, use and bulk variance application for the construction of a new medical dialysis clinic with accessory parking areas in the C-2B and R5-A zones at 235 George Street/52 Tabernacle/64 Abeel Streets. Block 126, Lots 3.01, 7, 8.01

Larry Calli Esq.:

The applicant is a contract purchaser from different owners that are looking to sell their properties. The sellers are dealing with carrying costs as we are going through the zoning process. Our goal tonight is to be expeditious and thorough. May ask for a straw poll.

Site Arch:

Michael Harris, Licensed Architect:

LC: Tour of facility

We have made limited changes based on what we've heard in April. We've removed the decorative fence and gate on George St because people didn't want it to look like a fortress. We have added a chain-link dumpster enclosure and a 7 by 7 concrete pad for utilities.

Patients will arrive to be dropped off on Abeel St. Then they will enter the vestibule and be welcomed by a receptionist. Here they will either come to learn about performing dialysis on themselves at home or meet with several professionals on the site.

The treatment will last about 3-4 hours. The interior will include standard things such conference rooms, staff rooms, lounge, closets, medical waste, etc. The Staff will come in via George St. after parking on Morris Parking Deck. The Staff will be about 8 professionals with potentially up to 18 patients.

These types of facilities are highly scrutinized plans by governmental agencies. Therefore, these types of facilities are highly regulated by the federal and state government. Let's assume that the zoning gets approved, the plans will then be sent to the NJ Dept of Health which will review for their regulations. In particular, they will review about 5 items, in addition to what is nationally required for dialysis. Afterwards we can go to the DCA for their review based on construction codes, such as cleanliness and width of egress. This is a two-month process per department.

The elevation on Abeel St. will be the front entrance for clients and it will be designed to replicate the styling of the neighborhood similar to 100-year-old architecture styling. The "Rear" of the building ends up fronting on George St.

There will probably not be much illumination, but there will be an aluminum ramp leading with a door.

Question from Sue McElligot; Answer from Michael Harris:

Q: Recommended Soft planters, in addition to the two trees, to buffer George St due to high volume traffic on thoroughfare. Asked if this will interfere with parking.

A: Agreed and Confirmed that this will not interfere with parking.

William Lane, Engineer:

Walkthrough the existing conditions of the site, as well as the site and location with the neighboring streets. The site used to be home to a former Medoff produce site and a single-family dwelling unit. In addition, there are also a mix of Commercial and Residential units across the street. The new site plan shows the proposed facility and 3 parking areas on the site.

There will be plantings around the parking lot with additional greenery. The site will have its water come in from George St. while sanitary will leave out of Abeel St.

The Generator and transformer are required for the site and must meet state regulations on size, power, sound, etc.

Question by Sue McElligot, Answer from William Lane:

Q: Why is the parking split up into two components? (Loading, handicap, regular parking) Is there a way to reconfigure the building to keep the loading zones separate from parking?

A: After extensive review and lots of revisions from the planner, architect, and the rest of the team, this was the best configuration that was decided upon for dealing with the awkward lot size and building shape.

LC: DCI has realized that this is sufficient parking for their site.

Cox: I know that there was opposition to apply a gate around the proposed parking lot, however how do you plan on stopping church attendees from parking on the site on Sundays?

LC: This is something that will need to be handled through management and further enforcement via Title 39 as needed.

LC: This site is managed with a lot of foresight. Therefore, we do not predict much parking conflicts, including on Sundays. It is also important to remember that there are also less people on Sundays and parking has shown to not be an issue for the users of the proposed site. Furthermore, when we build for parking requirements and accommodations, we do not build for anomaly situations, like Black Friday.

Craig Peregoy: Traffic Design/Traffic Engineer:

A Traffic and Parking Assessment was completed for the project.

The Traffic engineer would use trip generation rates ITE. There was some discrepancy as there is no land use for dialysis, and on a square foot basis this type of use is far less intensive than a pediatrician's site.

From the Traffic and Parking Assessment, this project would generate 37 additional morning trips and 33 evening trips. ITE and NJDOT have a concern cap when the number of additional trips generated is more than 100 trips.

In regards to the necessary loading and unloading that the development would require, this was estimated to be at about 1 truck per week vs 2-3 trucks per day. This is not much different from the prior use of the site. The zoning ordinance requires 41 spaces with 16 on site and 15 at the deck for a total of 31 within the loading zone for the site. Perhaps to be viewed as 3 extra spaces. There is also another 100 ft loading zone that is available.

In addition, a dialysis center has far fewer employees than a 10000 square foot medical facility. With a maximum of 8 employees at full operation, it is predicted that there will be about 9 to 12 cars from the employees which the parking deck has enough spaces to accommodate the full capacity of both employee shifts.

Three parking spaces along Abeel street would accommodate the projected parking demand on Abeel St. There is also additional on-street parking available around the neighborhood if it becomes necessary.

Using policing to enforce the emptiness of the parking lots for the Sundays when they will be open (3x a year). Under worst case scenario with all the parking occupied we'd still have the three spaces/loading zone on Abeel to accommodate the peak drop off rate. Typically, these sites are people who are dropped off and rarely anyone parks. The time length of a parked car using the facility is about 5-8 minutes for pickup/drop-off, some overrun depending if paperwork is involved, and 30-45 minutes between patients. Note that Patient overlap does not happen to allow for station cleaning and prep for next patient.

Question asked by Sue McElligot: Answered by Larry Calli:

Q: Can the loading zone be converted to parking formally or a designated drop off site?

TE: This is locally codified as a loading zone.

LC: The use of portable signs to designate the areas to drop off and pickup will be provided.

Charles Heydt: Planner

The zone line of the site splits the property between R-5A and C-2B.

The Main Reason for this application is because it is an inherently beneficial use. That would meet the positive criteria. Dialysis is a much-needed health service and critical for those that require it. Per MLUL, hospitals are inherently beneficial uses, but in the discourse of evaluating this term courts have often interpreted health facilities as inherently beneficial uses. For chronic patients in renal failure, they require 3 times a week service. Davitas on George St. has an 18-chair facility for dialysis; however, this site is still necessary for the neighborhood. There are also two dialysis centers at local hospitals that serve acute patients and another in Somerset County. It is essential that these types of facilities are located for ease of access and easily accommodate a patient's weekly routine. Therefore, this particular site is desirable for its proximity to the downtown.

The site is located in close proximity to an existing residential multi-unit at the corner of Oliver St. (Tabernacle Way) and Abeel St. which is a non-conforming use. There is also a church on the corner of Oliver St and George St. The church is not well-established or well developed and it is located in a single and two-family residential zone.

The Site was managed by a prior use for about 50 years. 16 parking spaces are provided and it's a far less intensive use than the prior. Hours are much more regulated and the parking is well managed. Required Signage and wayfinding will be provided to facilitate access to the site. There is also a final balancing test to deal with the beneficial uses.

For the negative criteria, the proposed project utilizes the site well and consolidates the facility to one building rather than multiple buildings. Parking can be accommodated by multiple means, including on street parking, and at the NBPA parking deck. These facilities also have very low demand for parking facilities.

The proposed project does require one variance required by the C-2B Zoning District for the proposed minimum side yard setback on the south side of the building. A 6-foot-high fence for privacy and separation will be provided to mitigate this. The building is set back in several locations for fencing and landscaping. The New proposed structure will look vastly improved to the existing structure. Coverage requirements are met on the commercial portion of the site, in addition a Stormwater management plan has been provided. The components of the project aim to reduce storm water from any one of the

properties. Additionally, landscaping along George St. will be provided with a Screen generator location.

A 5-foot buffer to property line with 4 trees have been provided. However, there is not enough parking area buffer on Abeel St. In addition, nine trees are required and only 5 are provided. Overall the site is appropriate within the existing non-conforming area, notwithstanding the relief needed.

No comments.

Public Comment:

Elizabeth Ciccone: (Owner of the home located on 52 Welton St. A block or so away from a historic site. Treasurer of the historical commission)

Firstly, none of these projects were provided to the Historic Board in this site. It butts up against Tabernacle Way which contains a historical African American graveyard. Has there been a cultural resources survey done?

AA: There is no area or site that is historical that is impacted by the site. There is no allegation that the historical site is being impacted.

EC: Unclear where the boundaries of the graveyard ends. Without a survey, you can't know for sure if there will be an impact.

Priya Radhakrishnan: (A 2nd generation pharmacist, who runs the Zajacs pharmacy. Daughter of property owner of 233 George St) Concerns about the project. I see a lot of potential problems with parking and traffic issues. This whole area is permit parking only. I want my patients to be able to park. Not enough parking causes visibility issues on Hassart. Who is paying for the parking permits on the site? Planner assumes several staff members and security professionals would be about 15 persons approximately. I doubt that only 8 persons per shift will be viable. No explicit drop off wing for the site. No direct access to the facility by a handicap person. Will there be a ramp to the site? Exit strategies in case of an emergency. It is a jungle of driving and transportation. No visibility to cross George St. I see approximately 3 accidents at this intersection per year. For

medi-transport vehicles. It will be too long for the turns.
How to handle with someone who is double parked? One incident at 11pm at night.

How will pros handle emergency situation?

No one flagged issues with transportation and circulation issues. All staff will be parking off site at all times. Does not offer street parking as a solution to the problems.

Report is misleading because the parking occurred on a day that reflects the wrong time of the year.

TE: Report is to create a baseline of parking in the area but is irrelevant to our use anyway since we will not use any staff parking on the site, only for patients. Our site does not offer on street parking as an option for customers, only off street.

Priya: Meter parking on George Street is always full.

TE: We didn't need a parking variance because we were able to secure parking in the Morris Street Parking Deck.

Peg: Can a patient be taken out the back to the George St. site with ramp access in case of emergency so they do not have to go around the block?

LC: Yes

Priya: What about Tractor Trailers?

TE: Can fit and Medoff used many more trailers weekly.

Priya: Prefer 15-foot space to make improvements. We would like access onto the buffer in between the two property lines.

LC: Want access to our site? Would need access from our property? Your property is over your property line onto our property.

Priya: How often for trailers?

LC: Once a month or two.

Priya: Traffic light for Hassart/George?

Cox: Ask the City.

Michael Ciccone: Mailing address of new structure?

LC: TBD

MC: Can't blend in because it doesn't have a front door onto George. No one has backdoor on George St.

MC: Stated that 80 spots exist within the area, but are never available...

MC: Parking is a challenge and congestion is intense.

Priya: Stirling side

CLOSED

Sue: Not overly concerned about parking, since most are staying there for about 4 hours. When will you open and shut? About 6 to 7.

LC: So really, you're not getting more than 3 chairs used at a time.

Sue: They do provide onsite parking.

Peg: Happy to see dialysis clinic come in to get help for the people in NB.

Cox: Great reuse of this property.

Sheehan: Agree

McNair: Sharing of the parking site would be nice if its low. I believe it is in need for the center. They do need a dialysis in New Brunswick because there are many elderly and sick people.

Cox: Recommend a parking sign saying "parking for patients only". So that someone does not have go out each time to parking lot.

Sue: Make sure you do a nice job on George St, so that it does not look like the back of a warehouse.

TE: We were talking about appropriate signage

Sue: Shrubs , windows,

TE: Great adaptable use, does not need extensive parking.
Every patient on site,

CLOSED

B. June 21, 2019 - DNR ENGINEERING GROUP: Submission of all easements and/ or cost access agreements review and approval by board attorneys. Performance law all reviewed by the city engineer. Escrow deposits to be calculated for city ordinance. Report for opening of a road is required. Payment of all water and sewer connection fees. All planning consultant firms report to June 24, 2019 payment of redeveloper fee applicable to city of New Brunswick. Mandatory contribution to the city tree conservation trust fund are now determined by ordinance at TAC. Planning review and escrow funding for all integrated postal review. Payment of any other fees payed to the city of New Brunswick related to the development of use of the project. Payment of any or all outstanding taxes and/or water or sewer fees. Middlesex planning board county approval waiver, soil conversation approval or waiver submitted engineering site plan required by planning or engineering memos. Execution of title 39 marking enforcement agreement all utilities being maintained by applicant at their sole expense. All outside utilities to be constructed underground. All temporary encroachments to the public right of way shall require city council approval. All instruction staging shall be done on site unless an encroachment to the public right of way is approved by the city council. Street shall be kept clean of sentiment and debris. Applicant shall cause the street to be kept clean. If their directed to do so by the Director of Public Works tracking pad shall be available on all construction exits. Replacement of any damaged trees, shrubs, and sidewalks are for the direction of the city engineer. Special condition board work with the board staff to add landscaping to the side along George St. maintain 15 offsite parking spaces by the New Brunswick Parking Authority for employee parking to work with the board staff to provide drop off signage. To install parking signs parking for patients only, applicant required D1 use variance of all variances for front yard, side yard, combined yard, Rear yard, parking lot, lot width, lot depth, and needed a design waiver for a landscape buffer. Going back to what a member of the public brought up, the Applicant will need to look into the event of an emergency. Including how to bring an ambulance onto George St. That's got to go through the approval process as well. We will make that a condition of the approval. To obtain the approval that is necessary so that the removal of patients by ambulance would be through George St.

Motion to Approve: Sue
Second:

	YES	NO
John Cox (Chairperson)	√	
Ivan Adorno (VC)		
Peg Chester	√	
Sue McElligot	√	
Charlotte McNair	√	
John Zimmerman		
Doug Sheehan	√	

C. 501 GEORGE STREET PARKING LOT RECONFIGURATION - ZB-2019-06:

Preliminary and final site plan application with use and bulk variance for the reconfiguration of a parking lot to be located at 501 George St by J & J plaza. Block 34, Lot 1, Zone o-1

Representative from Johnson and Johnson:

Application to resurface and restripe two existing parking lots that are located behind the Johnson hall office building which is located at the intersection of George and Hamilton where it becomes Johnson drive. We will add as a result of restriping, 38 additional parking stalls. Without any increase in impervious coverage. The striping right now is somewhat half hazard. And with some efficiency we can create 38 additional spaces. This will provide a benefit to the land and will also be a benefit to the city. As it will reduce J & J's need to lease as many parking spaces. From the New Brunswick parking authority, the lot has frontages on two streets which is on Hamilton and also on route 18. Plus, it goes all the way to the back. These two parking lots primarily serve Johnson hall as indicative. What's interesting here is that the office building is on one tax lot and the parking lots are on a different tax lot as a result we need a use variance. Because in the o-1 general office, a standoff parking lot is not a permitted use. Your going to hear testimony later on that if these lots were combined into one lot, then we would not need a use variance. Because the parking lot is always insular to the office building that it serves. We also require a variance for the parking setback to route 18, 20 feet is required. What is existing and proposed is 1.5 feet. We also look to maintain the existing nonconforming condition, the lot area required by the ordinance is 10 acres. We have 3.2 acres. The required lot depth is 500 feet. We have 321 and 442. We also require the continuation of the existing nonconforming impervious surface coverage with maximum permitted at 65 percent. And the existing and proposed is 81 percent. We are also seeking

preliminary and final amended site plan approval to go along with a few miscellaneous items for example in the planners report they have asked us for four additional trees. But that's going to impair the ability of the security cameras. To work efficiently. We spoke with your planner about a recommendation to putting those four trees on the opposite lot in the headquarters site. We have two witnesses to see the first is Lisa DiGerolamo, who is our engineer and then we also have a planner from foresight. And we will be significantly compressed in our presentation

So, there is a use variance and we do have a quorum for the application. Mr. Clarke, I've indicated to him that testimony will be put in today which will be put to a vote to the special meeting on July the 8th. That's why we appreciate the consideration that you gave us.

Lisa DiGerolamo: NJ Licensed Engineer since 1996

Submitted Drawing c3. The property is located basically on Hamilton street which turns into Johnson drive. We have also George St. to one side and also route 18. Johnson hall is up on George St. and again there's that nice lawn between the two pieces. The property is irregular shaped. It is a rectangle approximately about 3.2 acres. We do have access from Hamilton street into the parking area. The parking area is actually a middle lot and a lower lot. But they are disconnected by a retaining wall. So, this is like the middle lot and then have the lower lot. It does have frontage to route 18, but of course it does not have access to route 18. It actually has another wall on the back of that lower lot. There are 212 stalls currently in the two parking lots. We are reconfiguring the parking lots, where we are proposing in the lower parking lots to increase the stalls by 38. The reason we are doing that is because originally, we had drive isles on the outside of that lower parking lot, but by bringing the parking to the outer edges and the drive isles to the interior. We are actually allowing the isle two serve lanes of parking which is also allowing us to increase by 38 stalls which comes up to a total of 250 stalls. We are going to do the restriping that's what is going to allow us to gain the additional stalls. All the new paint will be used for a pedestrian walk way from the lower lot up to the lawn area so all that will be restriped. We will also have all of the signage on the south side reinstalled, as well as the striping of the lower area. The other item that will be done is currently that there is a recycling rec area in the back corner where we will add a concrete pad area and it will also be reinstalled. From a lighting perspective there are a number of fixtures out there right now. Which do serve both lots and they are located along the perimeter between the two lots along the edge on Hamilton street. I do have a survey of the lighting level out there with some suggestions for Johnson and Johnson to improve the lighting out there. Including the revamping of some of the fixtures out there. And some primitive trees along the edge this north edge here. So, Johnson and Johnson are in the process of

doing that maintenance and we will go back out there to test the light levels after it is complete. I think that the last item is for those additional planting trees to be placed on the headquarters site so that the security cameras still have a good view of everything. The access will remain, the garden hoses will remain, obviously the security cameras will stay, and you will basically see that same transition of pedestrians from the lower lot to the middle lot. And up to the Johnson hall area.

Johnson and Johnson Representative: We will obtain all necessary approvals.

Sue: Where will these 200 some employees find parking while this work is being done?

Johnson and Johnson Representative: We have obtained a resolution from the city council that allows us to do the work on various weekends during the month of July. Including through the midnight areas into the earlier morning. So there are not going to be any disturbances to the employees.

James Clarke: Planner

There are currently two parking lots. The upper and the lower. Connected by some stairs. There is also a retaining wall that separated the two lots. There's the garden station, lighting station, dumpsters, crosswalks right through the property. And also, some sidewalks around it as well. The purpose of the parking lot is provide parking for J & J employees and visitors, specifically for Johnson hall, which is in the adjacent lot. A d1 use variance is required for this project, in addition to that a parking set back to the street specific to route 18. There are also three existing non conformances. Which are lot area, lot depth, and also impervious coverage. Parking is a permitted insularity use as the ordinance specifically calls out parking decks and garages. I would also argue that parking lots are an insularly use. As its customary to an office use. Variance would not be needed if the two lots were on the same tax lot. This property is suitable for the proposed parking lot changes because of common ownership of Johnson hall on one tax lot and also two parking lots on adjacent lots. That fact along with the proximity of the two are the two factors for suitability. Nothing needs to be engineered, it's really just painting and restriping. Reason A: (municipal land use law.) health safety and general wellness, for the health and safety part, we are providing 38 stalls and reducing the need for employees to travel further downtown to nearby garages. This can reduce pedestrian accidents with vehicles. As for the general welfare part, I would say that we are adding 38 stalls that is 38 more spaces for people visiting to use the garages near the downtown. Further the employees won't have to circulate the parking decks looking for on street parking. Less need for more parking garages, less impervious surface coverage which is a good thing. Purpose G: Is specific to providing sufficient

space for appropriate locations for a variety of uses. Parking lot is totally appropriate to filling surface, after reviewing your master plan I found two goals that would be furthered. 1st: Providing parking supply that meets the needs of the downtown that is also convenient and also continued enhancement of the city's downtown residential office and commercial district. Negative Criteria: No substantial detriment to the public good or no substantial adhering at all. Because of this unique situation where the tax lots are separated this requires the need for a use variance as opposed to if it were just one. Justification for parking not setback to the street: (Hardship) a street with two frontages on Hamilton and route 18, and (c2) removing pavement would be contradictory to the purpose of the application. Negative criteria: Does not set back on anyone's property and never caused any detriment to the traveling public. Reason for nonconformances: Parking lot has been operating this way for several decades.

No questions.

Letter from J & J – Dated: May 17, 2019

Directed to the technical advisory committee. Dear Sir, Over the last few years we have been focused on reducing the need for supplemental parking from the New Brunswick Parking Authority. We encourage the use of ride sharing, car sharing, mass transit and flexible work schedules. We have also installed automated car counting systems that have helped made decisions on parking. Since 2017 we have reduced our offsite parking from the New Brunswick Parking Authority by 100 parking stalls. With plans to repave and restripe the parking stalls at Johnson hall, 501 George St. We will continue to reduce our supplemental parking from the Parking Authority.

No comments.

Public portion.

CLOSED.

D. 30 CHARLES STREET MULTI-FAMILY UNIT - Z-2018-14: Site plan application variance application for the construction of a multi-family residential building at 30 Charles St, Block 454, Lot 32.01, zoning C-2B

Representative:

We have an open statement from our architect. We will come back at regular meeting with responses to our engineer. This is an application to revitalize a unique property which right now is not a benefit to the city. Property is unique as it has a non-conforming two-family house that sits on the front with a

wonderful pink color. In the back is a two-story masonry block building. So, you have two uses that really don't belong. All the buildings on the lot are proposed to be demolished. In their place we propose a three-story apartment building with an almost conforming number of parking spaces at ground level. The second and third floor each have three residential units for a total of 6. Each of those residential units will have two bedrooms. The property is a 10,000 sq. ft lot. It has frontage on Charles St. and is located mid-block between Livingston and Joyce Kilmer Ave. The proposed construction will meet all of the coverage requirements and FAR. The proposed parking building is a permitted use in the C-2B zone. However, we are before you because the project is not certain of those conditions. Lot area is not being met. Density is more than what is being permitted. However, we will be presenting testimony to you at the next meeting from our professionals that in our opinion the site can handle the proposed density that is being proposed. In addition, we feel that we sized the property with the correct number of units. We went through three TAC meetings, we work very hard with the staff, we made a number of significant additions to the plan, the most significant of which was the reduction in the number of units from an original 8 down to 6. We are short by only one parking space. Most times when I stand here, we have a substantial number of differing parking spaces, but not this time. We are going to have three witnesses, one of which is here today.

Robert Krause: Licensed Architect since 1984

The front façade appearance was a concern to make it conforming with the rest of the neighborhood. We wanted to make it look more residential. I took all photographs myself between January and April. 16 pictures. Parking comes in from the side. Showing examples of what is on Charles street, to show that the façade matches. Not a terrific looking street. The last edit was to do something to improve the back elevation. Added brick on lower level. On the front side, there was pretty good discussion a few things we are looking for is to hide the parking. On the lower level, there is also bicycle storage, with an enhancing appearance of the lower level with brick. Some detail on the side, parking comes in through here.

Floor plans. Images. On the ground level, there are the utilities, stairs, garbage, bike storage, entrance, and 10 parking spots plus 1 handicap parking. All parking spots are 9 by 18. The first floor has units of 1120, 1164, and 1189 square feet, so they are pretty large. This is a result of working out parking to be proportionate with the second and third floors. The Upper third floor would be the same configuration as the second. There would be 3 units on each floor for a total of 6. The roof slopes upwards with gables, then turns into a flat roof. Will not be more than 35 feet. The Façade signage is just the address, no commercial signage. There will be signage for fire connection.

Sue: With the HVAC units and Solar Panels on outside perimeter, is there something hiding it? Is it visible?

Representative: Yes, there is something hiding it as it will be 2 ft high, not visible.

This hearing will be carried to the July 22nd meeting.

CLOSED

V. OTHER MATTERS OF INTEREST TO THE PUBLIC

A. Discussion Items:

Sue: Are we changing the start time to 7'o clock for the July 8th meeting?

Dan: No, the time change starts on the July 22nd meeting.

VI. ADJOURNMENT