CITY OF NEW BRUNSWICK
PLANNING BOARD
AUGUST 12, 2019
MINUTES

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

I. ROLL CALL

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II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE PREVIOUS MONTH MEETING

None

V. COMMUNICATIONS AND REPORTS

None

VI. PUBLIC HEARINGS

25 FRENCH STREET/150 SOMERSET – RWJ BARNABAS HEALTH SOUTH BUILDING EXPANSION, PB-2019-04, Prelim/Final Major Site plan application for the expansion of an existing medical building (2015 RWJ Core and South Building Expansion) located at 1 Robert Wood Johnson Place, Block 24.01, Lot 1.01.

(Lisa John-Basta, Esq.)
Lisa John-Basta, Esq.: The applicant is seeking preliminary and final site plan approval for interior renovations and a modest expansion of the south building located on its campus in New Brunswick. Many of the upgrades are to “right-size” the current operations to accommodate state of the art technology related to the ORs that are operating in the building today.

We intend to call two witnesses, Dan Disario, project site engineer, as well as Adam Ferrari, who is our architect for the project. I should also state that there are no variances or waivers that are required or needed, so it is an as-of-right application.

With that I would like to call our first witness.

Dan Disario, PE: Exhibit A-1 is an aerial plan indicating the subject site, dated August 12, 2019. The purpose of the exhibit is to orient the Board to the specific site for the project that is before you this evening. French Street is basically running from the lower left to the upper right. North straight up. French Street is to the south of the subject site. The subject site is to the east of the intersection of Paterson Street with French Street. This Board had granted approval previously a couple years ago for this site and the applicant has elected to make some modifications to what is being proposed. The purpose of this application is to modernize the surgical services of the hospital. Right now, the operating rooms are undersized, the applicant is going to “right-size” them in addition to making some modifications to the existing building square footage, which will be about 60,000 square feet of existing building that is going to be modified. The applicant is also proposing a building expansion of approximately 29,000 square feet. That building expansion will include three occupiable floors and a fourth floor that will be essentially an area for mechanicals. As far as site elements, there’s really not too much to this application.

A-2 is a site plan rendering prepared by our office dated August 12, 2019. It’s essentially just a color rendering of the site plan sheet that’s in the package that was part of the site plan application. The site itself today has a curb cut along French Street and it serves non-emergency and transport ambulances, anyone with a non-emergency coming for testing that needs to be transported by an ambulance, they come to this area of the site. The applicant is proposing to maintain that curb cut along French Street and is proposing five non-emergency ambulatory spaces for transport ambulances, as well as an overflow area for an additional three transport ambulances if indeed those are ever needed. The building itself, the architect will get into in more detail, essentially will follow this dashed outline along French Street and come over the top of the existing surface parking lot, so when you’re looking from the street you’re going to see a curb cut and into the underside of the building on top. Because of the column spacing that is required to hold up the building, there is an existing underground detention basin system that was put in a few years ago. That system needs to be relocated farther south. As it relates to landscaping, any non-sidewalk or paving areas are going to be stoned. The reason we can’t put any vegetation is because this area will be under the underside of the building, too much shade, nothing is going to be able to grow. So any non-cement or paved area will be stoned. As it relates to utilities, the intention is to connect to existing utilities that serve the hospital proper itself, so
most of the utilities will be connections that will occur internally into the site, with the exception of water. A new water connection is proposed to come out approximately at the easterly side of the parking lot and come straight across French Street, making a new connection for water service. Otherwise all the utilities will be connected internally to the hospital site proper.

We have received review letters from both Mr. Bignell’s office as well as Mr. Carley’s office, we take no exception with any of the comments or statements that have been raised. The applicant will comply with all comments in both of those review letters.

Ms. John-Basta: Just two follow up questions. The proposed parking area, today that’s an existing non-emergency ambulance parking area, is that correct?

Mr. Disario: That is correct.

Ms. John-Basta: So it will be the same operations, just reconfigured?

Mr. Disario: Correct.

Ms. John-Basta: And the proposed use, the expansion of the hospital use, that is permitted within the zoning district in the City of New Brunswick.

Mr. Disario: Yes it is, and we seek no relief or design waivers from any of the zoning requirements.

Chairperson Crum: So can you just clarify, the existing parking today is non-ambulatory and it will remain for transport ambulances only?

Mr. Disario: Correct. So it’s for transport ambulances today and it will continue to be for transport only ambulances in the future.

Chairperson Crum: Is there any signage that is located near the access point to allow vehicles to know?

Mr. Disario: There is signage. The architect can explain what that signage is.

Ms. John-Basta: If you’re looking for wayfinding signage, there is signage that is proposed in connection with the civil drawings relating to stop signs and the like. Signage is proposed in connection with the addition to the hospital for an entrance sign.

Chairperson Crum: Great. Yeah, I’m more concerned about non-hospital vehicles trying to enter there, just given how busy that circle is.

Mr. Disario: The public will be alerted to the fact that it’s for ambulatory vehicles only.

Chairperson Crum: Great.
Ms. John-Basta: I have no further questions for this witness.

Robert Cartica, Board Member: Just a quick thing, in Mr. Bignell’s letter, it states that no information was provided as to lighting compliance.

Mr. Disario: And we will comply with the City’s requirements for lighting. I think his comment was really specific to the lighting in the parking area and that lighting will be handled by the lighting on the underside of the building. We haven’t detailed that lighting yet, but that will be part of the final architectural plans.

Ms. John-Basta: I’d like to call our next witness, Adam Ferrari our architect.

Ms. John-Basta: You’re a licensed architect, is that correct?

Adam Ferrari: I am.

Ms. John-Basta: In what states are you licensed?

Mr. Ferrari: In the state of Minnesota and Pennsylvania.

Ms. John-Basta: In advance to tonight’s hearing, did you prepare the architectural plans that were submitted to this Board?

Mr. Ferrari: I was.

Ms. John-Basta: Since the witness is not licensed as an architect in the state of New Jersey, I ask that he be accepted as a fact witness for the purposes of the testimony tonight.

Chairperson Crum: Yep. Thank you.

Ms. John-Basta: Describe to the Board the proposed expansion that is proposed at this site, starting if you could with the interior of the site.

Mr. Ferrari: Sure, so as your explained, this is a circle parking lot and it’s kind of the last missing jigsaw puzzle piece of this existing south building. So right now, in this corner where this black triangle is, there’s a staff-only entrance and there’s a staff-only entrance at this other black triangle. This is kind of the back side of the campus, its mostly loading out of this side, the power plant and, as you mentioned, this transport parking lot. So, one of the goals of this project, there is going to be some activity here, to reorient things and to provide a more public entrance on French Street, so it’s more obvious and it’s in keeping with the urban design of the street. This entrance back here will maintain the staff-only entrance and will be used by transport vehicles. As a result of this being a new public entrance, there will be some modest renovations to this level to create a lobby to usher people in and to direct them towards the elevators that will get them networked into the rest of the hospital. The primary entrance for Robert Wood Johnson will continue to be on the other side, so this alleviates one of the issues, which is pedestrians
wandering into this area, no knowing how to get in and have to walk all the way around the campus just to get to the front door.

Moving up to the next level above, it's going to be essential sterile processing, which is the department that basically cleans the wares that go into the OR platform. There are two floors of this expansion that are sterile processing, one is the clean floor and one is the dirty floor. They are separated with the OR between them.

The next level above is where the majority of the work is occurring and that is to create a much easier planning module from a clinical perspective to design the ORs in the hospital, to “right-size” them, bring them up to current modern technologies and make them safe and appropriate for all surgical work.

Next level above that, it starts to get above the existing south building roof and that’s where the other floor of sterile processing exists, and then the top floor which is non-occupiable for the public is electrical equipment and some HVAC equipment that basically takes up this whole 8,000 square foot footprint. So the footprint of the project is 8,000 square feet multiplied by four floors and a small portion of the infill in the adjacent building to create a contiguous platform. So that’s a brief summary of the interior renovations.

Aravind Aithal, Board Attorney: As Mr. Ferrari is not accepted by this Board as an expert, certainly his testimony is to the effect of the proposed changes to the building and to the purpose, for instance, he indicated that the additional entrance would be easier for the public to find, that would be opinion because he’s not licensed here in New Jersey, so those types of opinions can’t be accepted, certainly the Board can give it whatever weight they feel they can.

Chairperson Crum: Okay, thank you for that clarification.

Mr. Ferrari: So I have this exhibit here, what you see in this rendering from this side over is existing building. This is a building on the Robert Wood Johnson campus called the Core Building, recently within the last two years, you may have noticed some construction, all glass and metal top floor put on the building and what that started to do was to take a primarily brick, masonry and stone façade, it was on the campus of the time period when the buildings were built and started to introduce more of the architectural materials that were on the rest of the campus, metal panels, glass and detailing that is similar to the rest of the campus. So we’re borrowing a lot of that language that continues to work its way around the building. What you’re seeing here, this glass portion here is the four stories of additional space over the top of the parking lot. So it’s basically stating that this is the infill. And there is a lower roof on either side of this portion that houses mechanical equipment, which we want to screen from public view, so this top line here is bringing the metal panel screening up to a point where you no longer see that equipment. And then bringing that screen in front of this existing building to the second level above the street and carries that line all the way through. This screen is also tied into this existing building at the corner of Scott and French Street and it wraps the corner slightly and basically puts a period in the sentence.
So this is more of a massing and material view and this is an architectural rendering (Exhibit A-4). On French Street, so this is the new public entrance that’s being created that has a modest canopy over the front with some signage, it’s been determined at this point that it would just be a small sign, not to indicate that this is a front door and not to be confusing, but to provide some convenient access because there are staff and visitors that park in the deck across the street and they will be making their way this way and could go in that entrance right there. Underneath here is the parking lot, so this is the start of the new building, the floors above and so there’s a way in down there and into the site plan layout that Dan illustrated before.

This then all glass façade on the south side is the new infill portion of the building, four floors including that mechanical penthouse and then the metal panel screen that wraps in front of the existing south building high enough to cover to equipment. Another view from the opposite corner near the intersection…this will be A-5, the corner being the existing power plant, which is a brick façade so this metal panel covers that, the new infill portion, the continuation of the panel over here and that seam where the existing adjacent building starts, and you can see that the top floor of that is the metal panel and glass that was already established.

An attempt was made to try to be consistent in terms of the materiality for the new building in the cladding of the façades to try and unify the campus. Also, this side of the campus faces the City and to try to present a stronger face to the City and be a welcoming entry point on this side of the campus.

**Ms. John-Basta:** Just for a quick clarification, the entrance sign shown on one of the renderings, that’s not necessarily a part of the application, a sign permit will be submitted at the appropriate time.

**Mr. Ferrari:** Right. The signage that’s shown here, there will be some signage that is down at the street level, so someone can see where they’re going and again some signage to show that the ambulette can park there and that it’s not for public parking. There’s lots of different examples of this type of sign on the campus now and it would be in compliance with permits.

**Ms. John-Basta:** Thank you. I have no further questions.

**Todd Bletcher, Board Planner:** Mr. Chair, just to be clear, there are no signs proposed with this application, those signs are just conceptual and in the future there would be a forthcoming signage application for whatever particular signage...

**Ms. John-Basta:** That is correct.

**Mr. Cartica:** Just a clarification, are you using the term façade and screen interchangeably, or are they different? I know that there is a façade on this new structure that you’re building and you’re saying there are screens on both sides, are they just to cover what’s behind it?
Mr. Ferrari: It's a screen in front of the existing façades.

Mr. Cartica: Alright. Thanks.

Questions and Comments from the Public: None

Mr. Bletcher: Lists the conditions of approval.

Chairperson Crum: I just want to comment. I think the façade definitely enhances the streetscape in this area, I think this is particularly a devoid section of a very busy thoroughfare, especially with the train going by it, so I think from an urban design perspective I applaud your efforts and thank you for considering how the building will interact with the street.

Motion to Approve: Manuel Castaneda

Second: Robert Cartica

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Chairman Crum: The next item on the agenda is the request to authorize a redevelopment study. This item will be tabled for further feedback from the Planning Department. I think I don’t need to take any other action than tabling it? Very good.

Moving on to Item C, this is amendments to Title 16 of the Land Development Code. This is for the Planning Board review of the proposed amendments to the City's Land Development Code. I think we have a presentation from the Planning Department.

Dan Dominguez, Acting Director, Department of Planning, Economic and Community Development: The City seeks to make some tweaks to Title 16, Land Development Code, you all have the memo before you, hopefully. First we're going to tackle Title 16, Chapter 24, Section 080A and here we will be amending
the definition of Minor Site Plan to include the term “structure,” right now it says “building” and there’s some ambiguity occasionally as to what defines a building and thus to alleviate this issue we are adding the language of “structure,” we propose to add the language of “structure,” for reduction in ambiguity and clarity going forward.

Secondly, Title 16, Chapter 24, Section 090A.11, we would reduce the number of plans required for Minor Site Plan from 19 to 12, we end up having to discard several plans, so we’d like to formalize this so the applicants no longer have to provide a full set of 19 for those meetings.

And finally for Title 16, Chapter 16, Section 040C, we have been finding that the escrow that we collect to support the efforts of our Board professionals have been low and that we are repeatedly going back to the applicants for more and more funds, and as such, to reduce the amount of legwork on our end that we waste in collecting this and running the risk of not being able to fully pay our Board professionals, we would like to increase, across the board, 50 percent those fees. Whatever is left is always returned to the applicant. The amount outlayed by the applicant at the end of the day would be the same, it would just be less frequent that we would have to be going back to them for money. So the amount that they spend would not change, it would just be a bigger bulk of the funds up front. So I ask to the Board for advice and consent to amend the Land Use Ordinance.

Board Discussion

Mr. Cartica: You just provide this recommendation to the City Council?

Mr. Dominguez: The City Council referred it to the Planning Board as is customary. So the Council refers it to the Board and if the Board were to act favorably, the Council would amend the ordinance at their next meeting.

Mr. Bletcher: There’s always a Planning Board referral whenever the Council considers making modifications to the Zoning or Land Use Ordinances, it always gets sent to the Planning Board for their comments. Essentially, you’ll be making your comments and recommendations and it will be sent back to the Council and the Council can consider those as the experts of the Zoning and Land Development Ordinance.

Chairperson Crum: Are the fees, raising them by 50 percent, does this represent an adequate amount to cover...?

Mr. Dominguez: We actually felt that perhaps we should go higher, but we also did not want to scare anyone, so ultimately, we wanted to proceed at 50 percent. A few years from now, when we’re doing a master plan and a new ordinance, we could review all of this wholesale and possibly increase them then, but 50 percent seemed like a conservative number we landed on.

Manuel Castaneda, Board Member: The raising of this amount, would it be something that people can handle in terms of being able to cover that amount?
Mr. Dominguez: Yes. The way the applications are done, smaller projects might be site plan exempt or have smaller site plan “box checks,” and so the way it is calculated they would have not significant costs, so for example, a single- or two-family house in front of the Zoning Board, it would have no escrow review required regardless, and smaller projects that don’t have site plan would have to pay no escrow or a $3,000 escrow, but for the larger projects, they are not, effective the day you end up having to pay $20,000 in escrow now, if we change this ordinance, they would still pay the $20,000, we will go back to them less frequently to ask for money. So the amount that they pay is still the same, it’s just instead of right now, we might have to ask the applicants three times for funds, this might change it to one or two times. Because we are seeing now that, before we go to our Technical Advisory Committee, with our reviews, we’ve already exhausted our escrow, probably about 50 percent of the time.

Mr. Cartica: Just a question about the process. What you described involving the Planning Board and the City Council, is this typical of the process for raising any fees?

Mr. Dominguez: Only land use and zoning fees.

Mr. Cartica: Is there any other public notification involved?

Mr. Dominguez: This is regularly noticed. I will have to publish it in the paper 10 days before the second reading of the ordinance, unless it had amended a zoning that applied to a specific area or a specific zone, there would be additional notice requirements, but this is just a general notice.

Chairperson Crum: Does anyone have any modifications or concerns about the proposed changes? I think we would recommend that this go to the City Council for approval.

Questions and Comments from the Public: None

Chairperson Crum: Moving on to Item D, amendments to Title 17 of the Zoning Ordinance.

Mr. Dominguez: The City desires to amend our fee schedule for the Zoning Ordinance for simple permits. One of the issues we often have is that we will deny a permit and then several months later people come back with resubmissions and right now all resubmissions are at no cost. In fact, if you apply for something last year and you come back this year and say “Hey, I made the changes that make sense, give me my permit” and we can’t charge you anything for the time spent to re-review the changes proposed.

Our proposed changes is that anyone would have 30 days after the date of the denial letter to resubmit totally free of cost. These resubmissions, in all honesty, take more time than the initial reviews, but I don’t think it would be fair to charge more for a resubmission review. The resubmission review fee should be less than the initial
fee and should reflect that there are additional costs and time burdens by the City
to do these reviews past 30 days out.

**Chairperson Crum:** My only thought has to do with the single- and two-family
residential structures, what I don’t want to happen is for people to not make
upgrades to their properties because of additional costs. I don’t want to create a
disincentive for low-income families to not improve their properties.

**Mr. Bletcher:** I think the issue that the department deals with is it’s really not an issue
of increasing the fee just to be charging something, I think it’s that applications
come in and, for example, someone makes an application for a 400 square foot
sign, the Zoning Ordinance says 200 square feet, so that the process that the City
goes through is that they automatically deny it because the ordinance doesn’t
permit it and sometimes these things are out there for months or even years before
someone decides to decrease the size of the sign, so this encourages those
applicants to decide what they’re going to do and follow through with it so it’s not
hanging there indefinitely.

**Chairperson Crum:** Would it be possible just for single- and two-family to do a 60
day...to give them some leeway, knowing they’re not professionals, not in the
business of owning real estate.

**Mr. Bletcher:** I think that department-wide, whatever the day period is, it would be
best to be consistent for everybody. And what you see before you, the Council
has referred to the Planning Board, so if you want to propose a change, you would
specify, hey, we agree with Item D, but we would have you consider making it 60
days instead of 30 days.

**Chairperson Crum:** What about a waiver for owner-occupants?

**Mr. Bletcher:** I wonder if it would be seen as the City discriminating against
someone who owns rather than someone who rents.

**Mr. Dominguez:** I would be more inclined to waive the resubmission fee for single-
and two-family dwellings before changing the 60-day clock or doing an owner-
occupied waiver.

**Mr. Castaneda:** In terms of the 30-day window, can you explain the process of the
denial, does that get sent in regular mail?

**Mr. Dominguez:** Yes, the denials go out in the regular mail, we have to turn around
a permit within 10 days, and from the date that the letter was written, it typically
goes out the same day that the letter was written, and then the 30-day clock
begins.

**Mr. Castaneda:** My concern is that they actually have 30 days, sometimes things
can get delayed, they might not get the 30 days that are being proposed. I don’t
want to get as complicated as certified mail, that might be more cumbersome. If
we want to ensure that they get 30 days, maybe extend beyond 30 days to ensure 30 days are given.

Mr. Dominguez: There would be a heavy cost burden associated with certified mail. Perhaps a happy medium would be 45 days. But we don’t waive the single- and two-families and 60 days for everybody. We give a solid two months.

Mr. Bletcher: The denial will say please resubmit in “X” many days, so it’s clear.

Chairperson Crum: I think we're going to go forward with the recommendation for the resubmission to be 45 days, and keep the fee schedule as presented here.

Questions and Comments from the Public: None

V. OTHER MATTERS OF INTEREST TO THE PUBLIC

Comment from Charles Kratovil

Mr. Kratovil: I wanted to ask about the absence of one of the members, Clari Azcona-Barber, is there a reason for her absence?

Mr. Dominguez: I’m not 100 percent sure, but I think she’s on vacation.

Mr. Kratovil: I wanted to confirm the time, place and location of the next TAC meeting.

Mr. Aithal: Minor site plan review meetings are at 9:00 am.

Mr. Dominguez: The next one is at 10:00 am. Going forward they’re at 9:00 am, the third Wednesday of every month. Those are open going forward. The TAC will happen after that, and those will continue to be closed to the public.

Mr. Aithal: Those are with applicants and professionals only.

Mr. Kratovil: I must object. I spoke at the Zoning Board about some transparency matters and after the meeting I spoke to your counsel and he said, “Why don’t you come to the TAC meetings?”

Mr. Aithal: I did tell you that. The Site Plan Review meeting is the public portion of that meeting.

Mr. Kratovil: Okay. But the TAC is different?

Mr. Aithal: That’s for professionals, the applicants and the City’s professionals, they go over the applications before they’re sent to the Board. If an applicant wants you to be present, you can certainly be present.

Chairperson Crum: My understanding of those meetings is, having attended one, is they really are very technical, it’s literally dealing with what’s the turning radius
of the fire truck to make sure it can get around the bend. The professionals are there to be sure the applicant is in compliance with all the rules and regulations.

**Mr. Kratovil:** I appreciate the comment. I would like to attend. There’s no harm in me attending and I was pleased to think I would be able to attend, and now I’m finding out that actually, no I can’t. So, the TAC meetings will remain closed, but the Minor Site Plan meeting will be open to the public.

**Mr. Aithal:** The Minor Site Plan review meeting, action is taken on that, so it’s open to the public. The TAC is very technical in nature, no action is taken. There’s no vote on the application. It’s a review for any technical deficiencies.

**Mr. Kratovil:** Is it fair to say that if the City wanted the public to be at the meeting that they would be at the meeting, or only the applicant has the power to decide who attends the meetings.

**Mr. Aithal:** I can tell you that there are a number of meetings that occur in the City that not anyone from the public can walk into. There are certain requirements that not just the City, but the state and the federal government also...if the president is having a meeting, you’re not necessarily privy to attend that meeting.

**Mr. Kratovil:** The City is not constrained to, the City is choosing to not allow the public in the meeting. Can I come to the meeting? I thought I was allowed.

**Mr. Aithal:** You may attend the public portion of the meeting, yes.

**Mr. Kratovil:** But you said the TAC. So I can’t be at the important part of the TAC meetings.

**Mr. Aithal:** I’m not going to quantify and say one part of the meeting is important and the other part of the meeting is not important. If there’s a public action, the law requires it to be open to the public.

**Mr. Kratovil:** Who do I have to talk to, to be allowed in the meeting?

**Mr. Aithal:** Talk to the applicants.

**Mr. Kratovil:** How do I know what applications are on? Can I get the agenda?

**Mr. Dominguez:** You could OPRA the information as to who has plans on the TAC. That’s public information.

**Chairperson Crum:** None of the Board members attend those meetings. It really is to help the applicant, to get to the level of, hey, you don’t even have a landscaping plan. We can’t even bring you to the Board. Not all towns have TACs, and I think it’s very helpful that the City has a TAC, because it gives the applicant the ability to know what the deficiencies are to be able to prepare a full application that could be presented to the public... I would be afraid if the public
were attending that meeting that poor information would get out about a project that is not at all what the City is even considering.

**Mr. Kratovil:** For the record, this comes out of an experience with the Zoning Board where there was an application and I did file an OPRA request, and the EIS was omitted and I thought there wasn’t one, only to find out there was one, and couldn’t get it for another week after the Zoning Board had already heard and voted on the matter. A potential solution was to come to the TAC meeting. I don’t want poor information to get out. I’m committed to finding facts. Somebody should be able to make this call to open it up to the public.

One more question. Does the Board have the required environmental commissioner?

**Chairperson Crum:** We do, but maybe attendance has been an issue. That is something that we will absolutely address as soon as possible.

**Mr. Kratovil:** Who is it now?

**Mr. Castaneda:** It’s me right now. I did express that I could no longer attend the meetings. I’m serving as a quasi-liaison, but I told them that I just can’t physically attend the meetings, but I will continue as I can until a replacement is selected.

**Mr. Bletcher:** Your meetings continue to be at 7:30 pm. We might ask and request that we also move the Planning Board meeting to be consistent. But for now, you’re still at 7:30 pm.

**VI. ADJOURNMENT**