



CITY OF NEW BRUNSWICK
 PLANNING BOARD
 March 9, 2020
 MINUTES

Meeting Location
 City Council Chambers
 City Hall, Third Floor
 78 Bayard Street
 7:00 PM

I. ROLL CALL

✓	Jeff Crum (Chairperson)
✓	Manuel Castaneda (Vice Chairperson)
	George Chedid
✓	John Petrolino
✓	Robert Cartica
	Diana Lopez
✓	Ryan Berger (Class I)
	Chris Stelatella (Class II)
✓	Suzanne Sicora-Ludwig (Class III)
✓	Dale Vickers (Alternate #1)
✓	Yelitssa Checo (Alternate #2)

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARD’S FEBRUARY 10, 2020 MEETING

Motion to Approve: Suzanne Sicora-Ludwig
 Second: Robert Cartica

	YES	NO
Jeff Crum (Chairperson)	✓	
Manuel Castaneda (VC)		
George Chedid		
John Petrolino	✓	

Robert Cartica	✓	
Diana Lopez		
Ryan Berger (Class I)	✓	
Chris Stelatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	✓	
Dale Vickers (Alternate #1)	✓	
Yelitssa Checo (Alternate #2)	✓	

Approved

V. RESOLUTIONS OF MEMORIALIZATION

A. NB HOTEL GROUP LLC / 19 STATE ROUTE 18 / BLOCK 710.02, LOT 6.06 (PB-2017-05)

Motion to Approve: Suzanne Sicora-Ludwig
 Second: Dale Vickers

	YES	NO
Jeff Crum (Chairperson)	✓	
Manuel Castaneda (VC)		
George Chedid		
John Petrolino	✓	
Robert Cartica	✓	
Diana Lopez		
Ryan Berger (Class I)	✓	
Chris Stelatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	✓	
Dale Vickers (Alternate #1)	✓	
Yelitssa Checo (Alternate #2)	✓	

Approved

VI. PUBLIC HEARINGS

A. HEALTHCARE AND RESEARCH PAVILION REDEVELOPMENT PLAN

Planning Board review of the proposed Healthcare and Research Pavilion Redevelopment Plan.

Jeff Crum, Manuel Castaneda and Dale Vickers are excused from the meeting due to a conflict of interest.

Robert Cartica (Acting Chairperson): I just want to make a statement that persons that are going to be presenting, please try to keep your comments brief because there are a lot of people here. Also, try not to repeat comments that other people say, instead you can just say “I agree with what the previous statement was made,” and of course, be very respectful because you know there's a lot of people here and we want everybody to get a chance to comment. So that said...

Dan Dominguez, Acting Director, Department of Planning, Community and Economic Development, is sworn in to the record.

Mr. Dominguez: Thank you. Everyone, welcome to tonight's March 9th Planning Board meeting. Thank you, Planning Board, for this hearing. Tonight, we will be presenting the Healthcare and Research Pavilion Redevelopment Plan. Behind me here, you have a couple of renderings of the elevations and the proposed sky bridges. I hope you can all see, and I recommend you rotate out that way if need be. Down here, I do not have enough easels for every one, but we have a visual of the blocks and lots. I will mark this one as A-1 (rendering of the building elevation), A-2 (rendering of the skybridge) and A-3 (tax map). Right now, at the site currently exists the Lincoln Annex and the smattering of office and residential properties. This is a non-condemnation redevelopment plan, as such there will be no taking under the Housing and Redevelopment Law of any properties on this site. There may be acquisition. There may be eminent domain under other methods, regardless of the adoption of this redevelopment plan, but the school will not be taken by eminent domain, nor will any properties shown here, be taken by the powers of the Redevelopment and Housing Law.

As you can see here, we are presenting for this Cancer Institute of New Jersey, we're looking at about 200 or so feet in height. A little smaller than the medical office building whose redevelopment plan was amended late last year that will go a few blocks up where the parking lot currently is. If you'd like, we can dive into the meat of the redevelopment plan. So, the purpose here is to create more “meds” space for student hospital learning, more cancer research, more labs, more advancements in the medical field, while also addressing the typical needs that a hospital would have with small amounts of retail and the like.

There are two pretty large expanding skybridges on the parcel that would interconnect the proposal with existing pieces of the hospital. There's two, one at this corner here, which connects over here, and the other one will connect here on the board. One of the bridges will connect to this building here and the other one will connect over here.

As you can see the redevelopment area boundaries, or redevelopment plan boundaries, because it's not a redevelopment area, it's a rehabilitation area, includes some parcels that are currently offices, some that are houses, although many of those are already owned by Robert Wood or other entities, and there may be some that are privately owned. Should they be acquired for this purpose, they will need to be dealt with in a regular acquisition manner and purchased, again there will not be any eminent domain under the Housing and Redevelopment Law.

The plan's purpose, which you can see from page five of your plans, within your copies, there is a significant amount of existing medical development in that neighborhood. It fits within the neighborhood context of the area, you have the Rutgers Cancer Institute, Robert Wood Johnson University Hospital, one of which, I believe, is one of three Level One

Trauma Centers in the entire state. PSE&G Children's Specialized Hospital, Robert Wood Medical School, and the Bristol Myers Squibb Children's Hospital. The plan is also nearby, adjacent to, the Transit Village area of the city of New Brunswick, thus making it an optimal place for increased density and expansion, as there is significant access to transit, both busses, shuttles and the Northeast Corridor rail line which is one of, if not the busiest, rail lines in New Jersey.

The parking requirements of this plan will also be to that effect, they will be lesser than expected under the underlying zoning. Here we're looking to develop high-rise buildings with varied architectural lines, clustering of like uses and increased densities in areas where we already have the infrastructure to accommodate them. If you jump over to page 10 of the redevelopment plan in front of you, you have the permitted uses, all of which you'll find are in line with the university hospital and what the cancer center would be, and of course as a permitted accessory use are pedestrian bridges to maximize interconnectivity throughout the entire campus. Bulk standards are pretty typical, you may notice though that there is a front setback set at, that actually is incorrect. I apologize, that's why it is good that we're discussing this here before this becomes potentially adopted by ordinance. It will actually be negative 160 feet instead of negative 100-foot setback. The skybridge is, at least the angular one that you see here, will extend approximately 152 feet across over Somerset Street, so the setback there would need to be more. That is a typo on my part.

As we continue to advance through the redevelopment plan, I talked about the parking strategy and the development, have it be oriented to maximize the strengths of the mass transit of the area, but also allow the development to take advantage of the city's underlying zoning, shared parking facilities. I brought it today in case anyone has any questions about parameters of shared parking facilities on-site or off-site. The idea would be to maximize the utility of these parking spaces, as it's not ideal to have parking be underutilized if you're going to build in maximizing utility by having shared parking arrangements whenever possible. Just over page 12, you'll see a very light parking requirement for the specific medical lab uses that you would find typical to the site. We're having 1.2 spaces per 1,000 square feet of general floor area, and for retail and other commercial, 1.5 spaces, again leaning on the fact that there will be parking constructed at this site, but also that there is access to the Northeast Corridor line, the buses, and the shuttles provided throughout this area. The next couple of pages go into a couple of the nitty-gritty of the outlines of the parking facilities. Now on page 14, bicycle parking ends up being one for every 10,000 square feet of GFA. One parking space, I believe, the building is slated for about 200 or so thousand, so that would be for 20 parking spaces and 20 bike racks throughout the facility. Now for off-street loading, this is one of the places where I did make a modification, at the bottom of page 14, I made a modification today that would not have been in the plans that you received last week, loading areas shall not be subject to the bulk requirements of this plan and may encroach into the right-of-way, as needed, to best allow the new facility to be able to load and unload. The site plan review, should this plan be adopted when the project is presented, will have to address that and ensure it is presented to the satisfaction of the Board that the changes that were proposed are acceptable.

On page 15, we have signage items, particularly awnings, canopies and marquees, we'll start with that there is a permission here for it to encroach into the right-of-way, particularly to allow people on foot or people being dropped off to be able to enter the building at the entrances without being exposed to the elements. So, if there would be an overhanging, it would not encroach more than 15 feet and be at least 8 feet from grade above you. The

setback requirements of the plan will not apply to this and that is something that was added in the first line of that section, so that's slightly amended and I included the words canopy and marquees throughout the paragraph, which I had failed to include in the first place. You have the pedestrian bridge, there is currently a small pedestrian bridge, I believe, here, that exists currently and right now, for the members of the audience, connects right here, currently has sort-of a wrap signage around the two facades. The concept would be that these skybridges be permitted to do the same, should they choose, so they have the ability here to go full or small, as long as they don't exceed the height and the floor of the sky drop. Just so you don't have like a giant billboard that exceeds it on all sides. There will be blade signs, particularly with the goal of wayfinding, particularly for department facility that is intended to go on this site. On the section number wall signs, there was a typo, it should be maximum sign sizes equal to 10% of facade area and not maximum facade sides is equal to 10% of the site area, because that would make any sense, so its maximum sign size equal to 10% façade area.

We jump over to page 19, the right-of-way improvements section was also slightly amended to cut out the first sentence, so it will strictly read as street loading areas for the operation of a building constructed pursuant to this plan may encroach into the city's right-of-way subject to Planning Board review, obviously through site plan review, should it get that far.

We jump over to page 21, you see the relationship of the redevelopment plan and local objectives matches up very well with the city's goal and city master plan. The concentration of major medical facilities, cultural facilities, improve inter- and municipal traffic movement, and this encourages transit use. It encourages shuttle use, bus, train, diversification of the uses by encouraging more research and R&D, which is something that is incredibly important in the modern economy and particularly when you're attempting to change and cure cancer. Jump ahead to the next page, page 22, and the provisions to meet other state and local objectives, as you can see here, there are significant items here where it matches up very well with the state plan from 2001, particularly promoting development and redevelopment in a manner that is consistent with sound planning. Where infrastructure provided for the public at private expense, is a reasonable expenditure of public funds, this is a very good fit for that, the reduction of sprawl, particularly the densification of this site, massively reduces sprawl and coordinates a site for medical facilities. We jump over the next page, and a half page, of issues where it lines up with the state plan, it substantially complies with Middlesex County's master plan, and even Franklin Township, who is not even in our county but our next door neighbor, as they significantly benefit from proximity to Rutgers, Robert Wood and St. Peter's hospitals here in New Brunswick. Therefore, this is also to their benefit.

Jumping here to section 8, page 28 and 29, as I said earlier, I hope in the event, no property in this plan area is going to be acquired by eminent domain under the Housing and Redevelopment Law. This is a rehabilitation plan, or a redevelopment plan for rehabilitation area, there is no designation of a redevelopment area here, and thus those powers are not given to the designated redeveloper, or the redevelopment agency, or the city to condemn under the Housing and Redevelopment Law. As such, in certain cases the redeveloper or the redevelopment authority may acquire, by purchase, property should the need arise. The condemnation under the Housing and Redevelopment Law will not be allowed. Left section 9 blank for fun.

The designated redeveloper will have to clear the area, should they be chosen and want to affect this plan, they'll have to, at their own expense, demolish and construct. The parameters of the redeveloper are over on page 25, will need to provide a preliminary site plan, documentation of evidence of financial responsibilities, the projected total development cost for the redevelopment project, and an estimated timeline for start and completion of said development. Jump over to page 26, you'll see that this is subject to the Planning Board's review, this plan will allow the developer, should they want to, to seek and petition this Board for "c" variances, so typical bulk variances that deviate from this plan. They will not be allowed to pursue "d" variances, which would send them to the Zoning Board. In such cases that a "d" variance be necessary, the designated redeveloper would have to come back before the Board and request an amendment to this redevelopment plan and explain why they need it.

On the last couple of pages, again as any other redevelopment plan, it's in effect for thirty years. There will be permitted temporary land uses for public recreation and public parking on the site, farmers markets and the like, in the interim, while we wait for the development, should that need arise. And I know that you've all had a chance to review the bulk of this plan, hopefully minus the pretty minor edits that I mentioned today, and I might now open for questions from the Board.

Board Comments

Mr. Cartica: I would like to ask that you state specifically what it is the Planning Board is being asked to consider tonight and what the implications are for approval or disapproval of this plan.

Mr. Dominguez: Certainly, so this redevelopment plan is before the Planning Board tonight for advice and consent. They will be looking to see that it conforms with the city's master plan and with all these other master plans. They will also be looking to add any comments to it that they see fit. Should the Board approve the plan, it will be put before the City Council for adoption by ordinance, which takes at least two council meetings. Should the Board vote against the redevelopment plan, the City Council may, at their discretion, choose to still adopt the redevelopment plan with their own rationale for why they are deciding to disregard the mentions of the Planning Board. So, this is sort of a "step zero" on the development side. I know that there's been a lot of things that have happened with the Board of Ed and other entities and this is somewhat separated from that in the sense that this redevelopment plan can be an overlay zone, be adopted, and this building doesn't get built, school never gets sold, then none of these items are held on whether or not this plan was adopted. This plan is simply a skeletal foundation for this project, should it proceed.

Mr. Cartica: I have another question on how you stated that this redevelopment plan is substantially in conformance with the master plan, could you expand on that because the zoning map shows that the site is currently zoned as residential. Would this require a change in zone to hospital?

Mr. Dominguez: Well, so certainly, the site currently right now is in fact in a single and two-family residential zone, although there are parcels already on and in that block that already are departures from that zone. This doesn't change the zoning. This creates an overlay zone that only is applicable to a designated redeveloper, should they pursue this

avenue. Now, with that said, it conforms with the master plan in the sense that it conforms with density, and the clustering of the medical uses in this area, and the natural expansion of the hospital as a cluster node in that area. So, in those senses, it fits within those parameters, as well as encouraging transit and discouraging automobile use in the downtown area.

Mr. Cartica: You also indicated that there would be no exercise of eminent domain, no condemnation associated with this, so that these businesses and residents would have to be willing sellers...

Mr. Dominguez: Under the Housing and Redevelopment Law, yes, so for the purposes of this plan there would have to be willing sale of these parcels to the redeveloper for the purposes of constructing this project. That does include the school.

John Petrolino (Board Member): Can you help me to understand what was the impetus for this proposed plan? Clearly there's a tremendous amount of community interest, not getting too far outside the scope of what we're being asked to consider today. You know, I personally would like to understand what was the foundational concept that brought us to where we are today? Has there been any specific studies with regards to what this would mean to the community going forward in terms of additional resources required? Additional jobs that are created, things of that nature?

Mr. Dominguez: Certainly, there are several hundreds of jobs that will be provided at this site, including running across the gamut income ranges, we're going to make sure that we hire several New Brunswick folks here at this facility. Now, granted this is a sort of change that the hospital finds this to be an adequate and optimal site to locate their cancer institute, as it is across the street from the cluster of the campus. It's easily interconnected by these pedestrian crossways that will allow for easy travel of patients and visitors from one side to the other and integrate the entire hospital as one major unit, while creating research and development jobs, which will be high paying and create spillover benefits to the rest of the city of New Brunswick.

Mr. Petrolino: Was any consideration given to the vacant lot that currently constitutes the Ferren Deck?

Mr. Dominguez: No.

Mr. Petrolino: And is this going to create an additional strain on municipal resources?

Mr. Dominguez: We don't expect that this will create any additional strain on existing resources, particularly with the creation of a new parking deck to meet the demand of most of the parking that will be on this site. Shared parking arrangements will allow the other parking needs to be met at different sites. People will walk, they will be encouraged to take the train. They'll be encouraged to take the shuttles. So, in general, no there will be no additional strain on the city's resources and many of the resources that maybe strained, the developer will have to potentially produce improvements, they're already going to potentially produce \$25 million dollars toward a new school to offset the loss of this school. So yes, the developer is offsetting a lot of the burdens in other ways already.

Mr. Petrolino: So then there is the \$64,000 question, is there a specific plan for the relocation of academics, do we have a timeframe?

Mr. Dominguez: Originally, we had referred two plans to this Board, one for this site for the cancer institute and one for 131/121 Jersey Avenue, where there was an original idea to have the school relocated to. Since then, the Board of Education has created a working group and are mulling at least one other site, which is 50 Jersey Avenue. They may be mulling other sites. I'm unaware of who's on the board, the working group, and the parameters, and what they're looking at except for those two sites. So, we are waiting for any results of that review, I expect it sometime at the end of this month and the plan is to have a redevelopment plan before this Board for that site at the April Planning Board meeting.

Mr. Petrolino: Would be appropriate if we wait for that redevelopment plan for 131/121 Jersey Avenue first, so that we have it, and so that everybody has a sense of how everyone is handling this. I know that it is probably a subjective question...

Mr. Dominguez: Yeah, you know the Board of Ed is mulling those multiple sites and it makes sense to let them review those sites, but also, we have this ready to go now and realistically speaking, there's not going to be any action without all these pieces in place. So, this redevelopment plan can't move forward without a new site for the school. So, whether or not we adopt this or not, it cannot move forward on the other redevelopment plan without this one in parallel, but we can have this as one meeting and have that as its own separate meeting once we have a site recommended to us by the Board of Ed working group.

Aravind Aithal (Board Attorney): Just to add a bit of fog to the question that you asked. The Rehabilitation Law of the Municipal Land Use Law, which is Chapter 40 of the New Jersey statutes, and the Local Redevelopment and Housing Law, which is Chapter 40A of the New Jersey statutes, when it comes to this type of plan, when there's a referral from the governing body, this Board is limited in the amount of time it has to act. As Dan said earlier, it's really the advice and consent of the Planning Board that the governing body is looking for. The governing body can either act on the plans, they can reject the plans or take some of the plan, or some of the recommendations, that are made. It's up to them. There is some expertise that we have here. So, in terms of whether this should come first, before some other component comes first, we're limited by the Municipal Land Use Law. We have to follow the law, so your lawyer would advise you that we have to consider this plan. The larger development project, if it's an off-site development, is considered independently. The governing body has exclusive provenance, and the Board of Education, in this case, which will consider where to relocate a school, they can take that into consideration and make their decision as to where they'd like to place their school.

Since we're not proceeding today with eminent domain, this is what's important here, where the developer, in this case Robert Wood Johnson, would be the redeveloper and could acquire the properties on their own without any sort of input or without any sort of advice or even some restrictions from this Planning Board, and they can use whatever methods they feel appropriate, including going to the Zoning Board and seeking variances to build whatever they want there. This is an ability for the governing body, and for this Planning Board, to act in concert with the redevelopment once there has been made a finding that this is an area to qualify as an area in need of redevelopment or an area in need

of rehabilitation. Once that determination has been made, the next step in the process would be to determine what would we like to see there, what's the best use, what would be best for the community, for the developer in this case, and for the overall impact that it will have on the city. So, again, to focus back on what we are looking at now is whether, under the Municipal Land Use Law and the Local Redevelopment Housing Law, is whether we have any recommendations as the Planning Board that we'd like to pass on to the governing body in this plan that Mr. Dominguez has provided an overview of. I don't know if I just confused anyone more, I apologize if I did.

Mr. Cartica: So, what I'm hearing is that we can attach recommendations associated with the plan.

Mr. Aithal: You could certainly say "look we prefer if this happened or that happened," but it really has to be limited to what's in the plan. And, again, the Board doesn't have the authority to enact this, this is done by ordinance, by the way, and the Planning Board certainly doesn't have the authority to enact ordinances. Only the government body can do that. So, we can make a recommendation that they consider something to adopt with their ordinance, but it's not controlling on the governing body.

Mr. Petrolino: Could you help me to understand what's the implication if we do not pass this redevelopment plan?

Mr. Aithal: Well, the recommendation goes back to the governing body and the governing body can still act to go forward with it. They've sent it to us because they want recommendations within the plan.

Mr. Cartica: So, you, Dan, you did a really good job of kind-of describing exactly what it is we are voting on this evening, but what I am finding very difficult is separating that from the implications of this. I understand that it may not be relevant, but is there any way to proceed both with the school approval in construction, relocation of the school, as well as with this development project, without a displacement that would be involved for students.

Mr. Dominguez: So, to the best of my knowledge, there would be required displacement, I believe the swing space, I believe is called Pathways now, which was constructed circa 10 to 15 years ago. It's a pretty nice school on the inside, I've been there a few times for events and I was pretty impressed with it. I know a lot of people say it looks like a warehouse. Looks can be deceiving. On the inside, it looks like a school. It's in an area with warehouses, but it itself is not a warehouse.

Mr. Cartica: Let's try to keep ourselves in order here tonight. We would really appreciate it, as we want to hear everybody's input tonight.

Mr. Aithal: To add to Mr. Dominguez's comment, and also to address your question, we're limited with the authority of the Planning Board. The Planning Board is limited with the authority as to how long it has to act and what it can do. It would be improper for this Board to say we will only act if an outside condition is met first, because this Board just doesn't have the authority to do that. One of the reasons that the Municipal Land Use Law and the Local Redevelopment and Housing Law is specifically binding on this Board is because you don't want a rogue board. You want to make sure that you follow the law and

as your attorney I would advise you that you must follow the law, and that may not be something that you attach as a condition.

Mr. Cartica: Thank you.

Mr. Dominguez: Are there any further questions?

Board Comments Closed

Mr. Cartica: Are we ready for public comment?

Mr. Aithal: Mr. Chairman, If I could just go over with the Board that, I know that you've already said this, but just for everyone's benefit, generally the Board rules are that the folks that want to speak, that it not be repetitive so they can give other people a chance as well. As we've already heard one outburst, and I understand passions are high, but we can't understand five or six or twenty people talking at the same time, so if you give a little bit to show respect to the person that's talking. If the person is the only one that's talking and if people are going to say essentially the same thing, but they want to get their name on the record, I would recommend just saying "I agree with what Mr. or Mrs. So-and-so just said," that would be advisable as well.

Public Comment

Juan Gonzalez (11 Cotter Drive, New Brunswick, NJ): I'm a professor of journalism at Rutgers University. Well, before I make my remarks, I just have a couple of questions for Mr. Dominguez about this presentation. Number one, how many parking spaces did you say are going to be in this garage?

Mr. Dominguez: At the estimated rate of 1.2 per thousand we'd be looking at, I think, I don't remember exactly, but I want to say it's between two and four hundred spaces.

Mr. Gonzalez: Between two and four hundred spaces, and you say that's going to reduce traffic in downtown New Brunswick?

Mr. Dominguez: It's going to meet the demand of the parking that the building would require.

Mr. Gonzalez: My second question is, and I didn't realize this when you hold up this map, that you are not only seeking to take the school, but you are also taking one, two, three, four, five, six, seven, eight private residences.

Mr. Dominguez: Now, for clarities sake, many of those parcels are already offices or owned by Robert Wood Johnson. Any properties there would have to be acquired, not by eminent domain under the Housing Law.

Mr. Gonzalez: Yes, I heard that part that. I just want to confirm that this is not just taking the school, but it is taking half of the block.

Mr. Dominguez: Yes.

Mr. Aithal: Mr. Chairman, if I may, there is no taking of any property.

Mr. Gonzalez: Okay, yeah I just wanted say that Robert Wood Johnson is interested in more than just one property.

Mr. Dominguez: Taking has a legal connotation to it.

Mr. Gonzalez: Let me just say that a couple of weeks ago, as a journalist, I've covered urban affairs for many years. A couple of weeks ago, I sat down with Mr. Palladino, the head of DEVCO who is spearheading this plan, and I asked him a simple question, why is it that you have to have this school, couldn't you build your cancer pavilion someplace else? And he told me, yes, the perfect spot would have been the garage behind the Children's Hospital, that would have been a much better site to build this on. And I said, well why not leave the school and just tear down the garage? And he said, well, we spent 60 million dollars building that garage. And I said to him, you are already offering 55 million dollars to build a new school, so why not just take your own land, knock the garage down, and build your school there? Then you won't have to bother the kids at the school at all. He said that's an interesting idea, and you obviously have detailed plans on what you want to do. So, I want to deal with the issue of the school, the so-called replacement school, which obviously has to be resolved before you can decide on the demolishing, the closing and demolishing of Lincoln Annex.

Mr. Aithal: Mr. Chairman, the school itself is an off-site improvement to another lot, it is not part of this presentation and what the Board is considering. Certainly, he can make whatever comments he wishes, but the Board can't consider the off-site improvements that are not related to this project.

Mr. Gonzalez: That's fine, consider my comments education of the Planning Board members as they're considering what kind of conditions they might want, and I understand you as a lawyer telling them don't do that, right? But they have their own independent minds. Lawyers aren't always right. Okay, so the site at 131 Jersey Avenue that Mayor Cahill, DEVCO, and Robert Wood Johnson Hospital offered on February 4th as land for a new Lincoln Annex public school is far more contaminated than the public has been told. Our city leaders were either negligent in proposing this site, or they thought the parents and community would never discover the truth. Mayor Cahill has claimed, especially in the video he produced last month about the cancer center project, that the Jersey Avenue site has, this is according to the Mayor, has already been cleared to the standard that medical offices are required, but he has not said a word about how contaminated that site is. Well, we, the Coalition to Defend Lincoln Annex, OPRAed the state Department of Education and they sent us hundreds of pages of documents about what's been going on at that site for the last 15 years. The land at Jersey Avenue is currently not safe for school or residential use, or for any use that requires the disturbing of the soil. According to those records, the soil and the groundwater beneath the site contains high levels of arsenic, lead and copper, as well as half a dozen known cancer-causing chemicals called PA agents or polynuclear aromatic hydrocarbons, which are produced by the burning of coal and petroleum and water at extremely high levels, that was far above either residential or school standards or industrial standards. That's still there after ten years of the owner, and even the city, trying to clean up that site. They cannot get it decontaminated, it is so bad that in 2014 the state required a deed restriction on the property to notify anybody who considered buying the property that it's contaminated, and they ordered the owner to put a concrete cap on the

entire five acres so that gases couldn't escape and that further water could not get into the ground to leach all of that contamination into the underground stream that runs there. So, this is an extremely contaminated site and the idea that the mayor could say "well we can clean it up," well the state is requiring anybody who owns that land to monitor the contamination for the next 30 years. Not one, two, three years, but for 30 years, so that means that if a school were to be built on that site, the school system would have to monitor the site for decades. And so we think it's madness to even consider that site. You mentioned now that there's a 50 Jersey Avenue site that just happens to be owned by Jack Morris, Chairman of Robert Wood Johnson. So, Mr. Morris might actually make some money off the deal at the same time that he's building up a cancer treatment center over the school. So, we think that it is madness to even go ahead with this plan, segmented over here as if what happens to the children who are displaced by this plan is of no concern to this Board. It may be possible, but it's morally wrong. And you should know better. The only way that the site at 131 Jersey Avenue could be made uncontaminated is by digging down 35 feet of soil over five acres of land, carting all that soil away, refilling it again, and then establishing the concrete barrier and the foundation of that area that is strong enough to prevent any of the gases or any contamination from rising through the concrete. That's an extremely expensive task. It's an extremely long term task, so I urge you do not let yourself get segmented. Oh, you're only responsible for this, and the Board's only responsible for this, and everyone's only responsible for a part, but what about the whole picture? How many more people have to be pushed out of downtown New Brunswick? Have you done an environmental impact statement, a study of what this construction would do to downtown?

Mr. Dominguez: That would be something that the developer would need to do as part of the site plan.

Mr. Gonzalez: So, you would have passed everything before you find out what the actual environmental impact will be?

Mr. Dominguez: They have to provide that as part of the site plan. We can't do that review until that part happens.

Mr. Gonzalez: But you're asking the Planning Board to approve this without getting to the bottom...

Mr. Dominguez: Actually, I'm asking the Planning Board to set parameters for development on this site. Not the nitty-gritty of that part. That has nothing to do with the redevelopment plan. That is part of the site plan approval. If and when a designated redeveloper would come through with this presentation for the Board.

Mr. Aithal: Mr. Chairman, I just want to clarify that you are not approving the project, just like you're not approving where a school may be relocated.

A member of the audience stands and begins to share photographs

Mr. Aithal: Did you want to mark that. I'm sorry, I didn't mean to interrupt you. I saw that you were showing some photographs. Did you want to mark them and have them entered into the record? That's all I want to find out.

Danielle Moore (333 Somerset Street, New Brunswick, New Jersey): Actually, I think I will hold onto them, so that I can make sure to post them on Facebook, so that the whole entire city can see them.

Mr. Aithal: The problem is once you show it to the Board and ask the Board to consider those, then it has to be part of the record.

Ms. Moore: Okay, then I will donate them after, that is usually what I do at City Council. Ms. Sicora-Ludwig knows who I am.

Mr. Aithal: If you need those, are they digital photographs?

Ms. Moore: Oh, yes, I can put them on a CD or anything you like because I have over 200 of them.

Mr. Aithal: That is probably a more efficient way to do it. If you want to put them on a CD and also pass them up so that they can look at them as well.

Ms. Moore: Okay, but I would still like to show the audience.

Ms. Moore is sworn into the record

Ms. Moore: Once again, due to where I say this school means a lot, because if anyone should remember, this used to be St. Peters High School. Wow, it was the smartest school then. Okay, now it's Lincoln Annex School, different staff, it is still one of the smartest schools with one of the highest test scores in New Jersey. So, it's not about the staff, it's also to show you that location really means something. Wow, this building, it must be very comfortable to keep our students there, as smart as they are, and one thing I say this is why I'm very disappointed how anyone would be able to approve to put a school here, to where by Joyce Kilmer was closed to Jersey Avenue because it's in a flood zone. Every time it rains, it floods. It rains so hard that not even the city or the county could ever stop it from flooding. Every time it floods, it mixes with the sewage there due to where you have over four drains, sewer drains, there that you could not...

Mr. Aithal: I'm sorry to interrupt, but we are going over some photographs of the site that's the subject of tonight's hearing?

Ms. Moore: Yes, yes. These are pictures of the site, 131 Jersey Avenue.

Mr. Aithal: That's not what this Board is considering today, so you can certainly make whatever comments you wish about that...

Ms. Moore: Well, well I would like to speak to you due to where you will be voting on things...

Mr. Aithal: I won't be voting.

Ms. Moore: If you could please excuse me. Like I said, let me continue to speak. Thank you.

Mr. Aithal: Can you mark those then so the Board can consider them?

Ms. Moore: Could you just please let me continue to speak. I will let you receive them afterwards.

Mr. Aithal: I need to mark those. In order for the Board...

Ms. Moore: I will let you mark them when I get finished speaking please. I said I would donate them to you. I have no problem with that. Thank you. You don't want the audience to see the truth? You don't want the public to see the truth?

Mr. Aithal: We have a procedure...

Ms. Moore: I will get them to you, no problem.

Mr. Aithal: We have a procedure so that we can make the record complete and understandable. If you are referring to a picture or photograph, which is why I asked Mr. Dominguez to pre-mark those three photographs, three exhibits, so that he can refer to a specific one, that he can say, I'm referring to A-1, A-2 or A-3, so that the record is clear. There will be a transcript of this, an audio recording of this that's being made, and it is hard to tell what photograph you're talking about unless we have a reference. I am not doing it to confuse you or frustrate you, but just to make the record clear.

Ms. Moore: Okay, one question, do you want the pictures or do you want me to put them on CD disc like you just asked the engineer? Do you want the pictures?

Mr. Aithal: Pictures would be easier and it would be less expensive I'm sure rather than printing those up again. If you want to give us a disc and we can just assemble them in the same order as the pictures.

Ms. Moore: Okay, maybe someone can mark it as I'm doing, so that I know what order to donate the pictures back to you, is that okay? So that I don't have to be interrupted again. Is that okay?

Mr. Aithal: However you would like to do it, I just want a mark them, that's all.

Ms. Moore: Okay, who is going to mark them? Okay, as I pass them to her, will she mark them? Okay, thank you. That's all I'm saying. Due to where this land has been contaminated since May 6th of 2011. And as I will stand due to where no place over all sewage drains due to where this, excuse me, at the time it was Council Member Sicora-Ludwig and Council Member Escobar at the City Council meeting four weeks ago said, wow, everything would be cleaned up, well until last week until I came and showed these pictures there's no way you can clean any of this up.

Suzanne Sicora-Ludwig (Board Member): I have to stop you, because this is the second time that you misquoted me...

Ms. Moore: It's on video...

Ms. Sicora-Ludwig: Because what I said at that Council meeting was that the development would not go forward unless the site was cleaned up, that's completely different from what

you're saying now. I'm not trying to be disrespectful, but they're two completely different statements and I just want that to be made clear. I didn't say "oh it will be this, or it will be that." I said the development cannot move forward unless the site is cleaned up. That's what I said.

Ms. Moore: And I said the area is filled with warehouses due to it not being a location for a school to go...maybe if we speed it up just a little quicker, I'll get closer to you. Like I said, where you have drains underneath where they connect all the way to the North Brunswick, where they cannot be removed. That's sanitary sewer, like I said none of these can be removed. No place for a school to go, this is connected all the way to North Brunswick. Where the city couldn't even handle doing. Like I said, every time it floods, it rains, it brings plenty of garbage down. Not an area for a school. Due to the stream being there, like I said, more sewage, you cannot, no one cannot take these out. Every time, how much garbage comes down here, please.

Wow, let's talk about the homeless you have living back there. Do you think you're really going to stop them from coming back there? Please, like I said, I even have over 200 pictures. You know, one thing I would love to say is that sure Channel 12 and Mayor Cahill had everyone fooled, they only took the picture of the front of 131 Jersey Avenue. They didn't go all the way around to the other side to show the people what's all back there. Like I said, I couldn't print them all, but I have over 200 pictures to show what it's like on the other side, even with the graveyard, how many homeless are living back there. And my last, but not least, due to where, like I said, Ms. Sicora-Ludwig, I can call her Ms. City Council due to seeing her at City Council, I do deal with safety issues where they're saying that the children would have to walk to 131. I will tell you what, this location on French Street and Sanford Street, which is right on the other side of where the school is, last year you had eight major crashes, crashing the guardrail down. I met, how many, how many times, you do need them, I have several pictures, over thousands of pictures, to show how many times this has been crashed. Not a place for kids to be walking across. I just had the past year had to call the county to remove the crosswalk at French and Alexander due to where it's not safe. It's impossible to the cross when the light changes green, so you can't cross there. Well, I have so many pictures to show where a car, car accidents due to where what. This is French and Suydam Street. How many times the cars crashed into the store there? My point is this, that this is not a good thing for the kids to even be walking to school with the Board of Education did say it is too dangerous, and even if you do change to 50 Jersey Avenue, well who wants their kids walking to school in the morning, what beginning of every month all you do is see people OD laying right there in that park. Do you want your kids to be around that? Please do think about it. Just take a ride over, right over there, well you know when it's the beginning of the month and you see all the heads down due to all the overdoses over there. Please, you wouldn't want your child to go through this. Please, I hope, like I said, it's just too dangerous. I read to you, what, over 500 pictures of what I just said of each site, that's not school zoned. And please, due to where I just found out the information, that will give us a little talk, due to where the 55 million dollars that Robert Wood Johnson is offering for the school, that's not the money to even clean up Jersey Avenue. That's just for the school, so please, like I said, I've been lied to several times, even under a video, so please do not believe what you hear them say, even under video, the city has lied before, they said they're going to do this, and you didn't do what you said. Please do take a look at City Council meetings.

Mr. Cartica: I just want to remind everyone to, so everyone gets a chance to speak...

Marge Kerber (2 Comstock Street, New Brunswick, New Jersey): I'm going to ask questions about this. I have been a resident of New Brunswick for over 25 years. I'm also a taxpayer, okay, and I've seen a whole lot of stuff go on in 25 years, believe me, but this is the worst thing that you people have ever done. You're displacing 750 Latino kids that can walk to their school and their parents can walk to the school and attend events and conferences and you're going to bus them and I know you don't think it's a warehouse, but I'm sorry I know teachers that work in there. But anyway, I do not want to get into that, my questions are has a traffic study been done on this?

Mr. Dominguez: That is something that the designated redeveloper would have to perform at such a time as they present their site plan.

Ms. Kerber: Do the residents in this area know about this?

Mr. Dominguez: The designation of the rehabilitation redevelopment plan requires no public notice.

Ms. Kerber: Okay, so they don't know about it. These people that are living in these homes for God knows how many years are just going to be told they have to sell out.

Mr. Dominguez: They don't have to sell.

Ms. Kerber: What is the hospital going to do?

Ms. Sicora-Ludwig: They would have to figure it out, but they can't force them to sell the property.

Ms. Kerber: So, they do not even know about it. So, that's another secret part of this whole project. Their secret press conferences, secret Board of Ed meetings, secret committees. I mean this whole thing is done in secret and to me when it's done in secret means that it's not playing fair, okay. It's not. You work for the city?

Mr. Dominguez: Yes.

Ms. Kerber: Okay. I wouldn't have known that. Transit hub, that was interesting, this is going to connect to the transit hub, which is presently a ditch? A big ditch?

Mr. Dominguez: No, I said the transit village, which is a designation of the whole downtown area, not just the ditch. But it does include the ditch, and then some, yes.

Ms. Kerber: I don't know where the rest of the transit village is, but anyway I just have a real problem with my tax dollars going to someplace that I don't think is broken. Let's go back to this picture here, you say it is how many feet tall?

Mr. Dominguez: About 200 feet tall.

Ms. Kerber: Okay, and here is the church over here, look at how small that church is compared to this building, and that church steeple is pretty tall. But you're saying that it is only 200 feet. This is in a residential neighborhood, which is already congested, ambulances

can't even get down Albany Street anymore. Okay, and this is going to solve that problem. I don't think so. Okay, and just as an FYI, I have written a letter to the doctor, the head of the cancer institute, because I am a donor. I've been a donor to them since my sister died 13 years ago, with that amount of money and I'm not going to give them a penny anymore because they're a disgrace. You guys are a disgrace if you approve this. You should be ashamed of yourselves. All these kids have a nice neighborhood school and as this gentleman said, it can be built elsewhere. You know in the Robert Wood Johnson Fitness Center. The first floor is empty. Use that and then get back to the ditch or whatever, you know. I mean there's plenty of places that they can build this. They can build up. Why can't they just build up? But why do they have to take these 750 Latino kids. Believe me, if they were white, this would not be happening. I know that for a fact. But there is so much collusion in the city New Brunswick. Everybody is on everybody else's board. So much conflict of interest, but it doesn't matter. I'm sorry, I said I was not going to go running, but I am because I get riled up about this stuff. You said that there is plenty of parking, sure there is. Robert Wood Johnson doesn't have enough parking now, when they promised parking, they promised access to different streets, and they've never gotten that. Okay, so what makes you think if they're going to pay for this school, clean up this site. Who is going to pay for investment? Me.

Ms. Sicora-Ludwig: They're supposed to pay for that. Even though this has nothing to do with the schools right now. The bussing is part of that plan.

Mr. Dominguez: No, I am only talking about the buses that exist, NJ Transit, the city shuttles and the MCAT, there is no additional shuttles...

Ms. Sicora-Ludwig: I was talking about the school that is going to be built.

Mr. Dominguez: Oh, I apologize.

Ms. Kerber: What building is this?

Mr. Dominguez: It's just a part of the rendering. Whatever is on that block.

Ms. Kerber: Right now, I think it is a house. The gentleman that lives there is going to be real happy, I'm sure. Anyway, I've said enough, for tonight anyway. I just think that you should be ashamed of yourselves to even consider this. For even considering moving those children. And I know that you do not care about the Latino population in this city, I know that for a fact too. But maybe you should start, because there getting large, close to a majority, and the next thing you know, see ya.

Lillian Fernandez (11 Cotter Drive, New Brunswick, New Jersey): I'm a professor at Rutgers. So, I'm really impressed by all the forethought and careful attention that has gone into this plan for the new Rutgers Cancer Institute in New Jersey, but I wonder why there has not been this much forethought and careful attention to the plan of the replacement school of the 750 children that will potentially be displaced by this plan. So, my first question is why are the current facilities so inadequate that there's a need for a new site, a new building, when RWJ Barnabas has only something like a 72% bed occupancy rate in New Jersey. Can someone answer that? Mr. Dominguez or someone else?

Mr. Dominguez: I cannot. I only made the redevelopment plan. I don't know the specifics of the operations of Robert Wood Johnson Hospital. So no, I cannot comment on that.

Ms. Fernandez: Okay, well I just want to make sure that the public knows that RWJ Barnabas has only a 72% bed occupancy rate, that means that almost a third of their beds are empty on any given day, so why the desperate urgent need for this brand new building? Secondly, why can't the Aspire building that went up not too long ago, further in this direction, for the record, I'm pointing to the right on exhibit A-1, why can't the Aspire apartment building be demolished and used as a site for the cancer institute and those adults be told that they need to move out and relocate until appropriate replacement housing is built for them. Can you answer that Mr. Dominguez or anyone else?

Mr. Dominguez: I'm unaware that that site was ever under consideration for this project.

Ms. Fernandez: Okay, why can't the parking garage, which Mr. Gonzalez mentioned, next to the Children's Hospital, be torn down and used as the site for this new cancer center?

Mr. Dominguez: Same answer.

Ms. Fernandez: Okay, then is anyone on this Planning Board concerned about the fact that with the demolition of Lincoln Annex School, Lincoln School will be the only school left in the neighborhood? Is the plan to completely displace the residents of this community and push them further away from downtown? Because it is becoming increasingly apparent to the residents, to half of this city, which is Latino, a large part of it which is immigrant, and you may not have figured that people who aren't important or relevant or who matter, but people are becoming aware that it's not just about Lincoln Annex School. It's about the larger ongoing gentrification and redevelopment plans that continue to push people out of their homes and out of their community. And I will add that I am a homeowner in New Brunswick and I am a taxpayer, however so are all the renters in the city because they pay taxes in the rents that they give their landlords every month. So, there is no reason that we should discredit or discount their input or their opinions and their perspectives on any city development matters. Okay, now the woman before me made a very good point, why can't that abandoned grocery store, with the RWJ Fitness Center be used as the site for this new facility?

Mr. Dominguez: I'm sorry, the abandoned grocery store? Well, it is a very small facility, it wouldn't be able to fit a quarter of this building, but it also wasn't ever under consideration. But it is actually about a quarter of the square footage, I think that place is 49,000 square feet and this is about 200,000 square feet so it wouldn't be able to meet the needs of that facility.

Ms. Fernandez: Okay, well they could make it potentially taller if they wanted it to soar into the sky like all the other buildings that are going up around. Another very important question that I forgot to ask is, if the construction of this site, of this facility, is so desperately needed, so urgent because cancer can't wait and because there are 53,000 new cases of cancer in the state of New Jersey every year and because this is such a major emergency, then why was the city busy building the Performing Arts Center, all the student housing apartments, luxury student housing that's going up all around campus and downtown, instead of having started building this years ago? Why is this only now in 2020 being put forth and why is the community only now being informed about this?

Mr. Dominguez: I'm not sure, I wasn't involved in any of those projects.

Ms. Fernandez: The other question, to go into legal matters that the attorney raised, how can this body, the Planning Board, possibly approve this plan without having settled what will happen to the children of Lincoln Annex? I see absolutely no way that that can happen, whether it's the legal procedure or not. Okay, what I will ask, however, is what are the health impacts that you know, or if RWJ could share it with us, of exposure, children being exposed to PAHs, benzopyrene, arsenic, lead, and all these other carcinogenic contaminants in the ground at 131 Jersey Ave., and I'm sure we'll soon find out at 50 Jersey Ave. once we get those environmental reports. My other question, and I will stop here, is given what we know now about 131 Jersey Ave. and what a literally deadly, toxic place it is, is the city working in collusion with RWJ to cultivate new cancer patients for its center in the future? As cynical as it sounds, this looks exactly like what I just said, that you're going to send kids to a contaminated site where they can potentially develop cancer and then, oh, guess what, they'll be some of a new money-making revenue generated for the cancer center.

María Juarez (264 Drift Street, New Brunswick, New Jersey): I just wanted to express my frustration about this matter because I am a parent of a Lincoln Annex student and I've been hearing everything you say and it is very frustrating for me as a parent. To hear that everybody, including yourself, are making these decisions without thinking of the risk that would affect my child and then I continue to hear more and more things come up and how embarrassing is it that somebody from the community had to come in and educate everyone of the potential site. And who, first of all, I would like to know, decided that 131 Jersey Avenue was an appropriate place for my child to be sent to. Because he is going to be there. Oscar and Magali stand up, please. Those are my children, and he's young enough that he will have to go there, so it would affect me, and I am very upset that people on commenting when the children will not be affected. My children will and are being affected, and it's very sad to know that so many people are not putting so much.... This is great, but even the board, I've attended for every single board meeting, Board of Education meetings, where people have been shut down during beautiful presentations like this, have been posted, well presented, I'm sorry, at the Board of Education meetings. You should have been more focused on showing us the beautiful building you want to have for our children. This I found it very insulting to have to attend a Board of Education meeting where they're having the same presentation, but they're not addressing our concerns, because it is not the first time that I've heard. I just started getting involved, but I know a lot of parents have been asking the same questions and for our Board of Education and for people to keep on hearing us say the same things and not get together and speak and address our concerns, it's embarrassing, it's very frustrating. And it leads me to believe what people are saying. That they don't care about our children, that they want our children to get sick, and it's very sad. It's very sad and upsetting to know that my children are not being considered, because they are the ones that are getting affected. It's embarrassing to have people here say that everybody keeps on throwing the ball to each other and say "no we do not have anything to do with this," then why are you addressing the matter? Obviously, you have something to do with it, if not this wouldn't be talked about here, so it's very confusing to come to meetings like this and find out about different solutions for cancer patients but it's affecting a school. That school is good, I live in this town and I know that there's elementary schools that are not in the shape that this school is. And the amount of money that went into this school and that was invested in this school, for you to consider tearing it down, where

obviously the children are doing good. The children have succeeded in that school and the records show, that's public, you could look in the report card where the children are exceeding expectations. The last board meeting in December they showed how many students in that school have done above and beyond in education, so as a parent, I completely disagree with this going forward without thinking about my child. My child should be a priority, and the other students.

Olga Herrera (56 Joyce Kilmer Avenue, New Brunswick, New Jersey): So, my question was would you send your kids or grandchildren to this place where you want build a new school for eight hours a day for at least eight weeks and could you take the time to at least analyze the pictures and see the position that you're putting me in? I am a student of Lincoln Annex and frankly I'm worried about my studies. My other question was, did you ever take us into account with what you're doing or did you only think about your pocket? I am pretty sure that one or two of you still remember me when I came to the City Hall for a tour not too long ago, about a week or two, and you all promised that you would do something to help us and I do not see that promise kept. Thank you.

Lillian Fernandez translates for Candido Osorio

Candido Osorio (137 Joyce Kilmer Avenue, New Brunswick, New Jersey): Tengo la primera pregunta para el Senor Dominguez. Usted dijo que trabaja para la ciudad? (My first question is for Mr. Dominguez. Did you say that you work for the city?)

Mr. Dominguez: Si. (Yes, I do.)

Mr. Osorio: Entonces, si usted trabaja para la ciudad entonces porque usted tienes que venir a presentar este edificio para Robert Wood Johnson? (If he works for the city, then why is he presenting this building for Robert Wood Johnson?)

Mr. Dominguez: Primero yo no estoy presentando el edificio, estos son fotos ensenando las detalles del edificio. Lo que estoy presentando es el plan para disenar los limites de como se puede construir este edificio cuándo es para construirlo para el desarrollo. Cuando llega a ese momento, si llega a ese momento. (What I am saying is that I am not creating this plan for Robert Wood Johnson, it is not for this building per se, these are renderings of the building. I am creating a redevelopment plan setting parameters and limitations of this plan for the designated redeveloper, should this plan go forward.

Mr. Osorio: Yo creo que antes de venir a presentar el plan para este institucion de cancer, la ciudad debe de presentar primero el plan para la nueva escuela donde van a mandar los ninos. (I believe that before presenting this plan for the new cancer institute, the city should first present the plan for the new school that the children will be sent to.)

Candido Osorio (137 Joyce Kilmer Ave, New Brunswick, NJ): Usted sabe si verdad que el construccion para este edificio va empezar este verano? (Are you aware that they plan to begin construction on the new cancer institute this summer?)

Mr. Dominguez: I do not know that to be true. However, I do not know the facts of that.

Mr. Osorio: Yo soy el padre de un estudiante de la Lincoln Annex y por eso es de tan importancia para mi estar a todos estas reuniones. Desgraciadamente amos ido a reuniones

de la junta de educacion, de freeholders, emos estado aca. Pero lo unico que amos encontrado son mentiras. (I am a parent of a child at Lincoln Annex. That's why it's so important for me to be at all these meetings. Unfortunately, we have been at Board of Education meetings, Freeholder meetings, here at City Hall, and the only thing that we have gotten are lies.)

Yo quiero que cada uno de ustedes se pogan de pensar, antes de que aproben cual quier avance para este edificio, de todas de nuestros hijos. (I would like the Planning Board to please think, before making any decisions in approving the progression of these plans to take into consideration the children.)

Me gustaria que antes de que tomen una decision que toman en cuenta los padres de los ninos que van a estar enviado a un lugar que esta afectado de muchas cosas donde se puede encontrar muchas enfermedades. (I would like for you to take into consideration, before you make a vote, the voices of the parents and the children and the impact that this could have on their health if they were to be sent to that location.)

Yo creo que eso es lo minimo que ustedes pueden hacer para nuestros hijos que se merecen eso, y creo que ustedes harian lo mismo para la salud y educacion de sus hijos, (I believe that is the minimum that you could do, and I would expect that you would do the same for your own children and fight for them as well.)

Thank you.

Daniel Markham (290 George Street, New Brunswick, New Jersey): I go to Rutgers. I would like to know how much RWJ stands to profit from this cancer institute.

Mr. Dominguez: That's not information that I would know. Again, this is just a plan for the parameters of the building. I have no idea about their financials.

Mr. Markham: So, did you come here just to stand there like a useless sack of shit?

Mr. Dominguez: I came here to present the redevelopment plan that I created for this project.

Mr. Cartica: You're going to have to speak respectfully at this gathering.

Mr. Markham: So, you're sending these children to a place where they will probably get cancer from. You're destroying this effective school by all means and what? So you can rip off cancer patients and price gauge them through the private health insurance industry? Now I'm hearing that, like, the CEO of the hospital owns property that they're going buy, so he's going to profit. All of this is so people can just make money off of cancer patients. That's all I got to say.

Brian Kulas (130 Longfield Court, East Brunswick, New Jersey): I am a former resident. I just have a couple of questions more in regards to planning. First, how many stories is this going to be?

Mr. Dominguez: I want to say about 15 plus or minus a couple of feet. I've set a height limit, and it is up to the designated redeveloper to adjust their stories to meet the height limit. If they want to make one 200-foot story that's on them.

Mr. Kulas: How many floors is the current hospital?

Mr. Dominguez: I want to say it ranges between three to six in different locations.

Mr. Kulas: The current hospital is between three to six stories?

Mr. Dominguez: Right, there is a new medical office building possibly in the pipeline that we amended a redevelopment plan for last year that would be about, I think, 14 stories and 220 feet in height.

Mr. Kulas: How many stories is the parking garage that they just built for 60 million dollars? I am just curious.

Mr. Dominguez: I am not sure exactly where that parking garage is. If it's the one on Plum Street, that's inside Little Albany, I think that's about three or four stories.

Mr. Kulas: What about the one behind the Children's Hospital and how many stories is the Children's Hospital?

Mr. Dominguez: Offhand, I'm not entirely sure. I think it's in that same three to six range.

Mr. Kulas: Can anyone over on the Planning Board please accurately tell me how many floors we are looking at? No? No one has that information. If I'm not mistaken, I believe you said Robert Wood Johnson is one of three trauma centers.

Mr. Dominguez: I said that it is one of three Level One Trauma Centers in the state.

Mr. Kulas: Okay, and it receives air transportation from emergency situations if I'm not mistaken, correct?

Mr. Dominguez: I cannot remember, but I believe you are correct.

Mr. Kulas: By helicopter, the emergency patients come in?

Mr. Dominguez: I'm not entirely sure, but I think you are right.

Mr. Kulas: You think, but you're not sure?

Mr. Dominguez: I've never seen helicopters come through.

Mr. Kulas: So, my question is that, if this is going to be 12 to 15 stories, and the other, maybe the Children's Hospital is maybe eight or nine stories. You're really limiting the emergency traffic for the helicopters coming in, then you're going have to do a lot more redeveloping than you think, because when these helicopters come in, this is for everybody, and these are urgent immediate, life threatening. You know, when that helicopter comes and that's life threatening for these people, they're in immediate danger, and this is everybody, you know,

car accidents, this is the whole region, so there's going have to be a lot more planning than just this hospital. So, my other question is it fair to say that the current transportation hub is the train station right now?

Mr. Dominguez: In what sense of transportation hub? I just want to make sure that you're not saying, you know, the hub, the crater.

Mr. Kulas: So it is the general point of the meaning of transportation access, we're talking the trains, buses, taxicabs. Okay, so let me see, we're talking about New Jersey Transit trains, we're talking the taxicab destination, we're talking about the bus stop, that I believe is on Somerset Street that serves Rutgers buses. The main transportation hub for New Jersey Transit meaning that the buses that go to the Community College, the buses that take you outside Sayreville, the buses that take you to Woodbridge, the buses that take you to Old Bridge, all kind of convene there. If I'm not mistaken, many of those stops all begin and end there. You also have the MCAT, which serves people who are poor, people who are disabled who have to go to social services, so what I'm trying to figure out is when you do all this development, where George Street is, to my knowledge, one way on each side, if I'm not mistaken?

Mr. Dominguez: Yes, two lanes, one in each direction.

Mr. Kulas: And Easton Avenue, I believe is the same right now, with one lane in each direction?

Mr. Dominguez: Yes.

Mr. Kulas: And Route 27 is two lanes in each direction?

Mr. Dominguez: One and two, it depends on where.

Mr. Kulas: Okay, and also there's absolutely, for people who really just want to drop someone off at the train station on the northbound side, you have to kind of stop and immediately, actually the police sometimes ask you to leave real quickly even when... My point is very simple, plus you have the Coach USA. The Coach USA bus that goes down Route 27 picks up right in front of the train station, so how on earth can you please explain to me Planning Board, how does your plan to construct this building without interfering the general health public safety of not just those in this community, but Middlesex County in general. At rush hour, we hardly have enough room at all to fit these ambulances coming in and these are with paramedics, these are ambulances following them. When I lived in New Brunswick during rush hour there were times I had to see police, New Brunswick Police, literally tried to navigate an escort through the traffic, ambulances behind me, because they couldn't really seem to separate the cars, it was just not enough room. I've seen cars kind of uplift themselves on the sidewalk because there was just not enough room and that's, you know. We are not here, we are not against a cancer center, we are not. What we are here saying is that there's better ways, there's other ways, and you don't have to burden the backs of children who have to do it, now, who go to the school, who are going to have to burden this if this is what goes forward. Now, at the last New Brunswick Planning Board meeting, I mean, excuse me, the last Board of Education meeting, there was a student who went, to my memory, and let me clarify that, to my memory, there was a student who went to the 40 Van Dyke warehouse school. She stated that because she went

to that school, to my memory, that she really struggled with education, that it was not a fitting suitable place for her to learn, in that when she went to Middlesex County College she found herself quite behind and she put a lot of that reasoning, to my memory, on the conditions of the school and not just the inconvenience, the burden that was placed on her for just being uprooted to where she wasn't comfortable. I believe this was the Redshaw School, if I'm not mistaken, you're going to this school. So, I feel like I've made my points. I just have a couple more points, you know, that the MCAT, that I mentioned. I heard you, sir, mention that people are going to be encouraged to walk, people are going to be encouraged to take public transportation, what about people with physical disabilities who can't walk? You're just going to encourage them to walk and use public transportation, it doesn't work that way. Things have to be planned safely and accessibly. And I don't even know how you're going to be able to construct this. But there is one thing I would like to close on. If this really is about helping cancer patients, all right, maybe there is a way that this can be done, is it possible that if it, again, does it have to be Robert Wood Johnson? Because across the street from Saint Peter's right across from their emergency department I believe, if I'm not mistaken, is the former Vo-Tech School. The County Vo-Tech High School that is there right now and is just sitting empty, dormant, if I'm not mistaken.

Mr. Dominguez: Yes.

Mr. Kulas: Can we maybe just tone this down a little bit, does it have to be 712 beds? Knock that building down and put a cancer hospital there. You're not inconveniencing everyone, you know, and it is a much safer location. If you have to do eminent domain, well you can cut into Buccleuch Park, which is just lined with trees on the street corner, make that street wider. All right, this is dangerous, but keep in mind this, you know, it's okay if you want to stand there, sir, and say "I'm not sure what those helicopters that are come, coming over," you know. That's fine, but what you're doing is you're creating for people who are in vital situations, being transported by air, helicopter, you're putting them at risk because you're leaving Robert Wood Johnson with one way in and one way out, and that's just not how the weather works. Sometimes the weather that, you know, the helicopter needs to take a different route, so you are putting people at risk. If you want to build a cancer center, knock down the former Vo-Tech right across from Saint Peter's and I think that's a fair compromise.

Miguel Romero-Trejos (299 Somerset Street, New Brunswick, New Jersey): I just want to start off by clarifying that the Board of Education does not provide buses for a school that is under two miles and both of these schools, both the Pathway School, or you know the warehouse school, that is under two miles and same thing with 131 Jersey Avenue. I'd also like to mention that, has anybody here walk down Jersey Avenue recently?

Ms. Sicora-Ludwig: Yes.

Mr. Romero-Trejos: Can you tell me which area you walked by?

Ms. Sicora-Ludwig: I've been down the entire street. So I do not know which area you're speaking of.

Mr. Romero-Trejos: I'm talking about the area where there's a couple houses, there's a recording place called "In the West."

Ms. Sicora-Ludwig: What does that have to do with this project?

Mr. Romero-Trejos: It does, sort of, because the walk to get to 40 Van Dyke is through this area, and that area is not developed, there's a bunch of abandoned industrial, formerly industrial places, like warehouses or other factories and things like that, and the sidewalks are not well. There's a bunch of sidewalks with trees and branches and things growing over it, and roots coming out of the ground. You know, if you're going to have a bunch of young kids that are, you know, between the grades of fourth and eighth grade, and they're going to be walking down the street, playing around, it's not really a place for people. And I think the city is underestimating how much it's going to take to, you know, make this a, you know, a walkable and accessible place. I think you should reconsider and maybe think about building the cancer center in the abandoned hole in the ground. I mean, it's across the area and you're going to have to go through NJ Transit, maybe instead of having a bridge you have a tunnel or something like that. But I mean I think it's pretty clear that, you know, this is a plan that's really only benefiting people that have a lot of money and that are in power and not benefiting the community. That's basically it.

Thea Martin (Rutgers Demarest Hall, New Brunswick, New Jersey): So, although I'm not from New Jersey, not even from New Brunswick, I'm from Washington DC, I have gone through something very similar to what's happening with Lincoln Annex with my high school, Benjamin Banneker Academic High School. It was the year that I graduated that it was number one in DC that it has earned, its students came from impoverished families and would be first of their family to go to college, and were people of color, and were people who could not afford food regularly, so they came to this school and they could eat at the school and because of the school's resources, the entire graduating class, which was about 106, around 100, was able to earn 35 million dollars in scholarships, and this was in a school building which was way too old, it had very damaged floors, it had a lot of cockroaches, it had a lot of dust that could not be cleaned, there were multiple classrooms in which dead mice were in the vents, and it was just not clean vents, not clean air. We did have lead issues because of how old the pipes were, and I bring this up as sort-of a contrast to what the Lincoln Annex School is now. And from what I've been told, it is about four years old and it's in a prime location in which students are safe, and I bring this up because, like my school was safe because my brother, when he went to his middle school, and even in his high school, he was not safe in his middle school. Right outside of the school, behind the playground, he was mugged and some of his friends were mugged around the area in which the school was in. Some of my friends and acquaintances in my high school had family, had friends, who were shot in their neighborhood around their neighborhood schools. One of my neighborhood schools, Cardozo, although it looks as nice as it can be and it is as big as it is, it has a nice campus for most of its time, it did not have working bathroom stalls. It was not fit to see the needs of the people in the neighborhood, and I bring this up because I want you guys to consider the fact that Lincoln Annex is a guarantee. It is a guarantee to serve the population of New Brunswick. It is a guarantee to serve the kids. It is a guarantee as a safe space. The area around it is safe and this may be because of the proximity to Robert Wood Johnson, but you cannot simply guarantee this when you move it to...when you move their location. You cannot even guarantee that through the cancer research center, that the jobs that may be offered to the New Brunswick residents, that they will pay enough to send these kids to a good school in which they are safe, in which they are protected from the elements, and in which there is no radiation. That's not a guarantee and there is no guarantee that enough of these people in the New Brunswick area can be hired, so that way it really adequately feeds the community. And even if when the Lincoln Annex School is

demolished, in the transitional period time between the building of the cancer research center, I think you specifically brought up a farmers market is that correct?

Mr. Dominguez: Yes, as a transitional use of the site.

Ms. Martin: I want to bring out that even though that may help sort-of food issues that may be in the community, it is not permanent and therefore does not have the same effect that Lincoln Annex does right now, as a permanent setting for these kids. And I also want to bring up the fact that kids in my school could not do as well they did if they did not have the proper elementary and middle school guidance that we had, because of how extreme our school was, in that we could not get 100 percent graduation rate and that we could not get full rides. I will note that one of my friends, who also lost somebody in a school shooting, was able to get a full ride to Princeton and to George Washington because she had a good elementary and middle school background, because she was safe in her school, because when she was at school she could just focus on her academics and she did not have to worry about health concerns or how she would get back from school. That is what Lincoln Annex is providing to the community, and that's something that I think really needs to be considered. Thank you.

Elizabeth Ciccone (52 Welton Street, New Brunswick, New Jersey): How many of the Planning Board members are actually employed by the city of New Brunswick? How much federal funding will go towards the cancer institute, towards this building?

Mr. Dominguez: I have no idea.

Ms. Ciccone: My understanding is that the cancer institute received federal grant funds towards producing this building, is that correct?

Mr. Dominguez: I have no idea.

Ms. Ciccone: Are you aware that if there were federal funds involved, that this will require a Section 106 review under the National Historic Preservation Act?

Mr. Dominguez: I am aware of that.

Ms. Ciccone: When will you be able to determine whether that review will be needed?

Mr. Dominguez: That's the determination to be reviewed if and when there's a site plan that's presented. They will have to address that as part of their packet.

Ms. Ciccone: How many of these homes have been investigated for actually having some historical provenance in the city?

Mr. Dominguez: I don't know if the potential redeveloper has done any background on it, but I have not. I've just constructed this redevelopment plan.

Ms. Ciccone: Why is it that the city thinks that it's important to move children to a site that causes cancer in order to build a cancer institute? I don't think the irony is lost on any of these people. Apparently it's been lost on some of the city people. The size and scope of this building will cause an encroachment on things that are historically important to the

city. The National Historic Preservation Act requires an encroachment zone to be built around those buildings to ensure that they aren't damaged by the building of the new building, but even that their location isn't somehow made not historic by being in a neighborhood that is no longer historic. What about all of these historic buildings that are right in downtown New Brunswick, such as the train station?

Mr. Dominguez: The train station is a wonderful accessory to this building, it adds a lot to it. I can't see how this building detracts from the train station. If there are any specific federal guidelines that this conflicts with, the developer will have to deal with them at that time.

Ms. Ciccone: The sheer height of the building will encroach on the train station by it causing changes to the sight lines, changes to the angles of the sunlight that reach the street. There are multiple ways that this is an encroachment.

Mr. Dominguez: The developer will have to deal with that at such a time.

Ms. Ciccone: Is the city considering what's going to happen with the other areas around this side, what about the buildings that are not presently in green?

Mr. Dominguez: They will be unaffected directly by this project.

Ms. Ciccone: Directly. How will they be impacted indirectly, and has that been addressed?

Mr. Dominguez: Depending on certain angles, there may be some additional shade. Again, these are all questions that can be addressed during the site plan review of the project. But beyond that, the building also has some built-in stepbacks and, assuming that this is the design that they keep, to try to mitigate the canyoning and the shade creation of the building. It's also smaller than the medical office building that may be coming at the surface lot on Somerset Street, and so it's actually somewhat less intense of an effect on the neighborhood compared to that building, which is already somewhat in the pipeline.

Ms. Ciccone: A lot of mention has been made to the site that was formerly the Ferren Deck. There has been talk about that site, but no talk as to why this can't be moved there. Why can't it?

Mr. Dominguez: That site was not discussed as one of the options for this development.

Ms. Ciccone: What is expected to be put there instead that we would displace it if we had to bump this cancer institute over?

Mr. Dominguez: There's a redevelopment plan with certain parameters for that site and presumably whatever's on that redevelopment plan.

Ms. Ciccone: Well, aren't you in charge of that, what's on that redevelopment plan?

Mr. Dominguez: I didn't craft that redevelopment plan, but to give some context, as far as what I remember offhand, about three buildings, 350 feet in height, mix of office, commercial and residential.

Ms. Ciccone: So why can't that be changed, and this particular building be put there instead of this site.

Mr. Dominguez: The other site was not a consideration for that development.

Ms. Ciccone: So basically because the convenience of the developer would like this spot, no one would bother to ask about a different spot that might be convenient to everybody else in the city. So, with this location, there are other homes all the way around here, but you've made no indication that any of these people have been contacted.

Mr. Dominguez: They have not.

Ms. Ciccone: So even the people living right next to what is proposed, haven't been spoken to about what is proposed.

Mr. Dominguez: The parts of themselves have not been contacted, and that's not a requirement for the development of the redevelopment plan. Site plan approval requires a 200-foot notice, at which point the neighbors and the all the other related, and needed to be notified people, will be. This particular step in the process requires no notice.

Ms. Ciccone: The outcome today, if I am understanding this process well, which I'm not saying I don't, my understanding is that the vote that is intended, is to just give a green light to them looking at this further. That's what it sounds like on the surface, but we've all experienced where these things don't go down that way in reality, so it's very difficult to trust that allowing this one yes vote is going to still allow for the public to have their say in the process. Also, I don't understand how we can be displacing this many people without telling them anything. Yeah, I just really don't understand.

Mr. Dominguez: None of those people are inherently being displaced, they have to again be bought out by the companies, they have to pay for it. There's a relocation component, if that comes to it. There's no eminent domain under the Redevelopment and Housing Law

Ms. Ciccone: Why can't we build a new school first, before we tear this one down? Why does this have to go up before they can make a different school? Why is the order the developer gets the priority and not the citizens? Citizens and children. Why can't we do this in simply a different order? Why does this have to be first? Why is there a rush here?

Mr. Dominguez: As far as I know, the intent is to do this in parallel, we just happen to have this plan ready here today. The next one will be ready at the next month's meeting, but the construction and development of these separate, but interlocked projects, the intent is to have them concur in parallel.

Ms. Ciccone: But that still doesn't answer the question of why you would have to tear down the school to allow this before building the other school. I'm not even saying we shouldn't have cancer care, I think cancer care is important, I think most people would agree that cancer care is important, all I'm asking is why are we doing this part first?

Mr. Aithal: Mr. Chairman, if I may, since I know that we've gone over this several times. What Dan is trying to explain is that this is a review of a proposed redevelopment plan. There is no proposal that this Board is voting on or considering to tear anything down, or

to build anything today, tomorrow, the day after. The city is not building. The city has some control over land use regulations, and this is a control that the city is given to the Planning Board to look at the master plan, to reconcile it against the redevelopment plan, and see what elements of that redevelopment plan, or what specific components, if you have any proposals, additions, subtractions of the plan that you want to send back to the governing body. I think that a lot of members of the public are under the assumption that you're giving a green light to start construction, to tear down the school, and to build the school only after the cancer center been built. None of that is what this Board is considering today. We don't have any plans whatsoever for displacing people either because this is not city-owned property, as I've said several times and that Mr. Dominguez has said, this is not where eminent domain will be exercised. This property, just like any property owner, has the right to say "yes, I accept your offer" or "no, go away I'm not going to sell you my property."

Ms. Ciccone: So he can tell you that you're not really voting on everything, you're just voting on whether this can go forward. So, I am asking you to vote against this going forward because it is very clear that it is not very well thought out and it is detrimental to the community.

Mr. Cartica: I just want to remind everyone that we have a three-hour limit on these meetings, so again try to keep your comments as brief as possible, we need to complete this meeting by 10 o'clock.

Charlie Kratovil: So you'll adjourn it and continue the meeting later?

Mr. Aithal: Excuse me. Just one second. If I may once again remind the Board members if you can ask members of the public that if they wish to repeat what has already been said, perhaps they can say I agree with the person that said something just before them.

Mr. Kratovil: Point of order, if we reach the time limit, this meeting will be adjourned and the meeting continued, correct?

Mr. Aithal: Mr. Chairman, this is the time now when members of the public can comment or ask questions. There is no point of order here, at this point. This is continuing with the public session.

Mr. Kratovil: Could you just answer my question, please? Are you going to allow us to speak or if we hit the three-hour limit, will you adjourn and continue the hearing later so that you can get all the testimony? I believe that the curfew is on testimony, right?

Mr. Aithal: Mr. Chairman, there are members of the public that are still waiting to speak perhaps we should address them first...

Diego Rosario (137 Joyce Kilmer Avenue, New Brunswick, New Jersey): So, I am a Lincoln Annex Student, I'm attending Lincoln Annex right now. I don't want to be sent to a warehouse, honestly... So, I don't want to be sent to a warehouse, and I don't want future children to be sent to a contaminated area that we don't know what chemicals must be lurking around 131 Jersey Avenue. Now, that site is contaminated, and it seems to most of us that the cancer institute is the cause of future students getting cancer. I don't want future kids getting cancer either, so I want you to check your opinions and come up with a better solution for all of this.

Alex Pelaez (30 Lee Street, New Brunswick, New Jersey): I came here to say that I do not want my school sold because I love that school. And I do not want to be in busses there, and being there, I could get sick from it. And I want you to check your opinions, because I do not want that school to be sold.

Lillian Fernandez translates for Caritina Hernandez

Caritina Hernandez (137 Joyce Kilmer Avenue, New Brunswick, New Jersey): Buenas, yo soy madre de Diego. El esta estudiando en Lincoln Annex que es unas de las mejores escuelas de la Ciudad de New Brunswick. (I am a mother of Diego who is studying at Lincoln Annex, one of the best schools in New Brunswick.)

Ms. Hernandez: Estoy aqui para decirles a ustedes que no permiten que construiere este edificio Acosta de nuestra seguridad de nuestros hijos. (I am here asking you to please not construct this building at the cost of the safety of our children).

Ms. Hernandez: No estoy en contra del instituto de cancer. Estoy en contra que destruiere la escuela de mi hijo para este edificio cuando el hospital Robert Wood Johnson tiene otras lugares para construir su edificio. (I am not opposed to the construction of the cancer institute, I am opposed to closing my son's school, especially when Robert Wood Johnson has other sites where it could build this.)

Ms. Hernandez: Mi consciencia pregunta es para consciencia el Senor. No se si usted esta de cuenta de destruir la escuela de su hija para construir un centro de cancer donde van a salvar vidas para en contra consciencia de su hijo estando en peligro caminando por esas calles tan peligrosas y es esas lugares tan contaminando. (She's asking Mr. Dominguez, specifically, if he would be in favor of tearing down the school if his daughter attended that school, to build the cancer institute if he knew his daughter would be in danger walking to the new location and in danger because of the contaminants at the site.)

Ms. Hernandez: Quiero que ponga en consciencia que esta poniendo en peligro 750 ninos. Si vas a salvar ninos, pero va a poner en peligro 750 vidas. (I missed something earlier, the cancer institute may save lives, but it will be putting others in danger, the lives of children. She said, yes this cancer institute may save lives, but it will be putting the lives of children in danger.)

Ms. Hernandez: Yo no se si ustedes viven en la ciudad de New Brunswick, pero yo tengo 15 anos en la ciudad de New Brunswick. (I do not know if you all live in New Brunswick, but I have lived here for 15 years.)

Ms. Hernandez: Y yo se como se vive aqui y yo he visto edificios construido tan grande que no nos beneficia a nosotros. (I know what life is like here, and I have seen all this new construction of buildings that do not benefit the existing community.)

Ms. Hernandez: Esto nos afecta demasiado porque esta sacando las pocas escuelas que tenemos. Se las estan quitando para empujarnos para afuera como que no tenemos derecho de estar aqui. (On the contrary, they are affecting the community negatively because they are tearing down schools, which is affecting the community and people have a right to be here in the city.)

Ms. Hernandez: Me gustaria que usted toman el tiempo para visitor esa area donde quieren mandar nuestros hijos para ver como de peligroso esta y lo complicado que es para llegar a esa area. (I would like you to visit 131 Jersey Avenue and walk down there and see for yourself what the conditions are like, and particularly Mr. Dominguez, who is presenting this plan, to go to the site and see how dangerous it is there.)

Ms. Hernandez: Yo se que ustedes son personas inteligente. Nosotros no solo estamos pensando del future pero Tambien del presente. (I know that you are all intelligent people. I just want you to know that we are not only thinking about the future, but also about the present right now.)

Ms. Hernandez: Todos estan diciendo que esto es el futuro. La escuela que ustedes quieren construir es el futuro. Pero que pasa de la seguridad de nuestros hijos hoy mismo. (Everyone keeps saying that this is the future, that the new school is the future. But what about the security of our children now?)

Ms. Hernandez: Estamos aqui, no solo yo, estamos muchos padres. No solo los voluntarios y las organizaciones, pero tambien los padres. (There are many of us here, not just people from different organizations, but also parents of children at the school.)

Ms. Hernandez: Estamos aqui exigiendo la seguridad y dignidad de nuestros hijos y de nuestra ciudad. (We are here defending the safety, security and dignity of our children and our city.)

Ms. Hernandez: Eso es todo, gracias. (That's all. Thank you.)

Amairani Marin-Juarez (Lincoln Annex School Student, New Brunswick, New Jersey): I am a sixth grade gifted-and-talented student. So, I want to go off of what other people are saying about moving us to, whether it be a warehouse or to a new school, to build Lincoln Annex in a contaminated place. I disagree with this, because as other people are saying, it's funny how you guys are building the cancer institute to help cancer, yet the place that you are trying to send us to can be the cause of cancer. And if this does cause cancer, then the cancer institute is getting money, and we're losing the base of our education. I also want to add that we're not against cancer, we just want our voices to be heard and we want to be able to have our education. Also, like, how they don't want to provide transportation for us, think about how that will affect us, because I've been to the place that they want to build our school, and, like, if you were to be there just listening to how fast the cars go is, like, scary for me as a child. Not only I don't think that's right to send us there. Not only that, but I know that when I go to Lincoln Annex, I feel very motivated to go to school just because Lincoln Annex is a very clean place and it's nice and I feel comfortable going to school. I can't say the same about going to a warehouse, I wouldn't feel comfortable. I wouldn't feel motivated to go to school, that's kind of disappointing. So, I don't think that you should send us to a warehouse, because we deserve better than a warehouse and that's not right for you to do. Thank you for your time.

Julia LaChance (88 College Road West, Princeton, New Jersey): I'd also like to swear in my credentials as an engineer. I am a PhD candidate at Princeton University in the Department of Mechanical and Aerospace Engineering. I hold four college degrees, two in applied math, a Bachelors and a Masters, as well as a Bachelors and Masters in mechanical

engineering. I have designed submarines, helicopters and jet engines. I've performed engineering on 3D printers in Zurich, Switzerland and math research alongside Fields Medalists. And so I hope you can take my word and my analysis to the full extent of its accuracy.

I wanted to speak against this plan because I don't feel that it's in the interest of the community, and to emphasize the manner in which the current DEVCO plan is legitimately attempting to put the students on contaminated sites. I want to emphasize the fact that the concerns the community has are true. The two sites, 131 Jersey Ave. and 50 Jersey Ave., are both contaminated brownfield sites. Where I had the ability to read the permit forms, as well as associated engineering documents over the weekend to assess the level of contamination at 131 Jersey Ave. All of these documents should have been available to DEVCO, so again it is an insult to the community that they did not perform this level of analysis before proposing those sites. So, I'm going to focus today on the 131 Jersey Ave. site because this site is extensively contaminated and it's the first and primary site that DEVCO has proposed for the location of the new school.

Mr. Aithal: If I may just interrupt a moment. Mr. Chairman, it would appear to me that the bulk of the testimony that is going to be provided to us about an off-site location not being considered by this Board. Certainly, Ms. LaChance has an opportunity to share whatever she would like to say, but there are some city residents that I would imagine might want to go ahead of her if she wishes to defer until...

Ms. Sicora-Ludwig: I agree that if someone wants to speak about this particular presentation, that would be helpful too. Is there anyone that wants to speak about the cancer institute? I mean maybe we should take those first and hear opinions that are relevant to...

Ms. LaChance: In particular, I am going to refine some points that the two Rutgers professors here have made, that's all. So even if DEVCO is able to go through their remediation plans, I assess that there is still a substantially high health hazard to the students at these two locations. I'm going to focus on the site at 131 Jersey Ave. Because this site is so extensively contaminated, there are multiple remediation strategies that a company like DEVCO may take to remediate this site. Obviously, the...

Mr. Aithal: Mr. Chairman, if I may. Are you a Licensed Site Remediation Professional?

Ms. LaChance: No, but I can confirm that the Licensed Site Remediation Professional...

Mr. Aithal: I am not trying to stop you from saying what you need to say, but you presented yourself as an expert in the field. I just want to clarify for the Board that she has not been accepted as an expert in the field of either environmental law or, in this case, structural engineering...

Ms. Moore: Why every time someone presents evidence, the right type of evidence to you, you interrupt and say something else to get them off track when they have evidence?

Mr. Cartica: Please keep in mind that the Planning Board has a specific role. I know that is very difficult to grasp. And again much of the statements made here are about an off-site,

you know... For our benefit, it's most relevant that comments be directed towards the redevelopment plan...

Ms. LaChance: So, I do not anticipate that DEVCO will be able to perform a full "XD2" remediation of the site, that's when you actually excavate all of the soil and filler material during the remediation process, namely because it's prohibitively expensive, but also because some of the contamination has a source off-site 131 Jersey, so the groundwater will continue to be contaminated. What I do anticipate their strategy to be would be to take presumptive measures, and that's when you put a thin layer of filler down and then cap it with a few layers of concrete, but this type of strategy, although more cost effective and legal, comes with many health risks. The first risk that I anticipate is that of vapor intrusion and this is a very serious problem. Vapor intrusion is when chemicals that are present in the soil escape into the air and contaminate the internal airspace of the building. So this gap, the vapor can enter the building through cracks and the foundation, through gaps between the walls and the corners of the foundation, or even through utility lines, but underground. So this is very serious, and the licensed site remediation professional also notes that this is a risk saying "any redevelopment on this site should take into consideration the potential for vapor intrusion from the ground water contamination."

Mr. Aithal: If I may interrupt, do you have a copy of the report? Would you like to just introduce that into evidence?

Ms. LaChance: Certainly.

Mr. Aithal: Why don't we mark that by numerical?

Ms. LaChance: Yes, I can pull up the full document at the end of this. Hold on one second.

Mr. Aithal: By introducing it, the Board will consider it, so you don't need to go through it specifically.

Ms. LaChance: So, that's my first major concern. My second major concern is the financial risks to the school downstream, because all of these presumptive measure plans, are basically like putting a patch on a contaminated land and they're associated with a lot of maintenance fees. You have to maybe maintain bands that keep pressure from collecting under the concrete layer, and also extremely intensive investigation procedure as often as frequently as quarterly. So, these are all financial risks that an already burdened school district will have to... So, I mentioned vapor intrusion. There are ten contaminants present at the site. Just thinking about soil contaminants alone, not even considering the extensively contaminated groundwater, and, of those, almost all of them are what we call VOCs, volatile organic compounds, and some of them are semi VOCs. What that means is that they all present this vapor intrusion risk. So, I just wanted to go through a list of these chemicals, and I can provide you the official list from the permits as well. Here's the soil contamination list. I also have some of the groundwater contamination lists. But all of this should be easy to access via the Open Public Records Act.

Mr. Aithal: Ms. LaChance, if I can just ask, the list that you are presenting, is that the basis for your ultimate conclusion that the 131 Jersey site is environmentally inappropriate for the school?

Ms. LaChance: A large part of it. Yes.

Mr. Aithal: Okay.

Ms. LaChance: Ten of these contaminants exceed not only residential standards, but also non-residential direct contact criteria. So, despite the fact that DEVCO plans to remediate the site to industrial standards, what they're really referring to is the remediation of EPHs and that's essentially, like, oil products and related backgrounds like that. You're not really looking here at substances which will present a vapor intrusion risk, and almost all of these are carcinogenic, if not downright toxic, and if I cite the safety information related to these chemicals, the information is coming from a textbook called Sax's Dangerous Properties of Industrial Materials, 12th edition, by Richard J. Lewis, Sr. So, here are the soil contaminants which I again anticipate will be capped and not removed from the site: 1. Benz(a)anthracene, a confirmed carcinogen with experimental carcinogenic, neoplastic genic and tumorigenic data by skin contact, and other routes, which is poisonous by intravenous route, human mutation data report recorded; 2. Benzo(b)fluoranthene, confirmed carcinogen with experimental carcinogenic and tumorigenic data, mutation data reported; 3. Benzo(k)fluoranthene, confirmed carcinogen with experimental tumorigenic data, mutation data reported. There's a trend, so I'll skip a bit of the details. Benzoate[a]pyrene, this is exceptionally dangerous and another confirmed carcinogen. Indo[1,2,3-cd]pyrene, confirmed carcinogen. Bi Benzoate[a]anthracene, another confirmed carcinogen. Copper, toxic by inhalation, questionable carcinogen, experimental tumorigenic data, experimental teratogenic and reproductive effects. Arsenic, confirmed human carcinogen producing liver tumors, poison by subcutaneous in intramuscular and intraperitoneal routes, human systemic skin, gastrointestinal effects by ingestion, an experimental teratogen, other experimental reproductive effects and mutation data recorded. Lead, I'm sure you've all heard how poisonous lead is by ingestion, so I'll skip some details. The major organ systems affected are the nervous system, blood system and kidneys. Experimental evidence now suggests that blood levels of lead below 10 Mg per dL can have the effect of diminishing the IQ scores of children, and it's noted that children absorb about 50% and retain about 30% compared to adults, who only retain less than 5% and pricing, which is a possible carcinogen. I've mentioned that the EPH, which was still not remediated to residential levels, are all carcinogenic, if not outright toxic, and this is not even including the contaminants present in the water, like the PAHs, arsenic, lead, and so on. I've noted that some of the sources of the groundwater contamination stem from off-site, so even if full remediation of the site will not enable the school to drill wells, they'll have to source water from the water main. All of these things need to be taken into consideration and all of this information is publicly accessible. There's no reason that DEVCO or anyone else could not have looked at this site and done a similar type of analysis. It's just irresponsible.

Mr. Aithal: Was there anything else that you wanted to mark in to evidence? This is your opportunity to put in the record what you believe is appropriate.

Ms. LaChance: I wanted to note that the soil is currently so toxic that I am recommending the community to not take any direct action on this site of 131 Jersey as it stands. We note in the deed notice...specifically prevent direct human contact and/or ingestion of the soil, and to prevent the release of airborne soil particles, to avoid potential inhalation exposure risk. Likewise, that concrete cap, which is apparently cracking, as Juan mentioned, is also intended to prevent vehicle traffic generation of airborne dust particles from the impacted

soil and to prevent inhalation exposure risks. So again, this soil is so contaminated, I would not recommend that people walk on this site and breathe the air, and yet this is the best and brightest recommendation of DEVCO for the new school site. It's just irresponsible. In engineering when you do not perform an engineering analysis to its full extent, people can literally die and that's exactly what we're talking about here with the contamination level present at the site.

Mr. Cartica: Could I get a show of hands as to the number of folks that plan on speaking?

Mr. Aithal: We've had many of these folks already speak, so it's the Chair's prerogative...

Mr. Kratovil: That's not true.

Mr. Cartica: Mr. Aravind, could we put a time limit on this?

Mr. Aithal: Sure. The Planning Board Chair can limit the amount of time each individual has. Since we have several people that we want to get to, perhaps you should limit of three minutes.

Mr. Cartica: I'd like to make that suggestion. Also, again I'd really like to prioritize the statements that are relevant to the redevelopment plan and not to the location of the school. I know it's difficult to accept that, but again that's the charge that we have here in terms of our purview of this redevelopment plan.

Jennifer Garcia (111 Handy Street, New Brunswick, New Jersey): I am a current Rutgers student and a proud alumni of New Brunswick High School. I graduated in 2015, and I really did experience a lot of transferring. I was one of the first classes in order to experience four years at New Brunswick High School. I am proud of my achievements. A lot of people graduated, but not many people pursued the path to college. The only reason why I did is because my mother pushed me, and yes somebody else said that I did lack the great education. I wasn't taught math enough and because of that I had to go to a community college. I couldn't go straight away to a four-year university. One, I wasn't prepared and two, I just didn't have the funds, and that's what most New Brunswick residents or the students are going to have to confront is to go to a community college and then go to a four-year university because it's free now, but again it depends of their elders. With that being said, I also want to say that I do have a friend who has a father and he worked for a contractor, a roofing contractor, and he was found to be diagnosed with apoptosis. That was 15 years later after he walked away from the job. He is trying to get workers compensation, they wouldn't give it to him because one, he is undocumented and two, because once he wanted to receive those funds, the company declared bankruptcy.

With that that being said, even though that I know that this 131 Jersey Ave. is a consideration, who's going to be liable if the children do have cancer in the future? Is it the Planning Board? Is it RWJ? Is it the Board of Ed? Who will be liable? That is my question. So is there an answer or no? Okay, then I guess that no one will be liable. I do not think that the Board of Ed will be liable either, considering the fact of how they have presented themselves to the community. They are not transparent, and I also did speak to Mayor Cahill. He was telling me that he also did transfer schools and he's a minority, supposedly, and he also said that he was a janitor, but the thing is that his experience and being educated, and mine is not the same. One, he is white and I'm Latina. I have more obstacles

than he does. You're creating more obstacles to these students of color. I didn't have a right way path to go to education. I had to prepare myself. All the work I did was myself. I didn't have a math teacher, and also this is also seen in my siblings. Why? Because there's not enough teachers, so it's also really another problem in New Brunswick. And I also want to say something about the lead in Roosevelt. I had to pay out of my pocket. I am also a part time worker. I had to pay for water just for my sister to take to Roosevelt because she can't drink out of the water fountain. That really did cost a lot of my paycheck. Yearly, I will be paying probably around 200 dollars or probably 300 and I am only a part time worker. What do minimum wage workers get now it is \$10, back then it was \$8.35. Thank you.

Anthony Ballaro (Rutgers Demarest Hall, New Brunswick, New Jersey): I'm a student at Rutgers. This is my third year here, and I feel as though I had some time to get to know the wonderful community here in New Brunswick. I would just first like to say I'm not here anti-Robert Wood Johnson. When my aunt had her hip replacement at Robert Wood Johnson Hospital and she made a fantastic recovery. My mother has worked at the ER here and it has provided her the ability to support my family. And my mother was a nurse and my father is a doctor, but they had not expected was when I was born two weeks early and I was delivered at St. Barnabas, who works in conjunction with Robert Wood, and if it weren't, and I was placed on NICU for the first two weeks of my life and was premature, and had it not been for the doctors there, I would not be here today now. Now, so I say this now to say that I am nothing but indebted to Robert Wood Johnson, and I don't have a personal vendetta, but when my parents were finally able to take me out of the hospital, take me out of NICU, they needed to do one thing. They needed to have a car seat for the baby, and as any parent will know, this is a very basic thing. Right now, this plan with the proposal of these buildings and these structures, we have the baby, we have the car, but there is no car seat, and these children are our babies. There are fourth graders that go to these schools. These aren't just middle schoolers, these are people in the fourth grade and to not have a plan prior seems to describe nothing but negligence on the part of the proposal. As well as why is it that the first site proposed as an alternative, while this may not be within the scope of this hearing, why was the first site that is proposed is so evidently problematic and so easily debunked and discovered by the residents of New Brunswick?

I would just like to end on my mother, that she has two tumors in her brain, but one of the things that I've learned about cancer treatment, my father is not an oncologist, he's a primary physician, but one thing I learned is that the most effective way to treat cancer is either prevention or treating it early. Right now, this Board meeting serves as a prevention, as stated earlier, this is stage zero of planning. Now would be a wonderful time to stop anything from progressing forward. We don't need to go terminal. We don't need to go forth. We don't need to go, because down the line further and further these children will be eroded. If we stop right now, we can save so much time, so much heartache, so many more meetings of you having to hear us, and I would greatly recommend implementing that basic tenet of medicine of primary prevention, preventing before the problem happens at stage zero rather than terminal stage four. Thank you.

Lillian Fernandez translates for Maria Chiquito

Maria Chiquito (63 Louis Street, New Brunswick, New Jersey): Primero quiero dar buenas noches. Gracias por el tiempo, y buenas noches a todos los que estan aqui presente.

(Good evening. Thank you for your time and I just want to say thank you to everyone that is present here tonight.)

Ms. Chiquito: Solo quiero decir que este proyecto se ve grandioso. Casi perfecto. El unico detalle es que quieren es que quieren contruirlo y destruir nuestra escuela. (I just want to say that this project is massive. Almost perfect. Except for the fact that it is proposing construction and demolition on the site of our school.)

Ms. Chiquito: Yo conoci a Dan Dominguez trabajando para la comunidad. El trabajaba en Unity Square. Y el y so un manifico trabajo ayudando a la comunidad. Asi es que yo quiero pensar que, yo creo que, en el fondo el sabe que esto no es correcto. No es correcto por el simple hecho que esta denando a nuestros ninos y a la comunidad. (I actually know Dan Dominguez from when he used to work for the community. He worked at Unity Square. He did a magnificent job helping the community. With that said, I would like to believe, that he knows that this is not right. It is not right for the simple fact that it is harming our kids and our community.)

Ms. Chiquito: And you did a very great job helping the community. I need to say that.

Mr. Dominguez: Thank you.

Ms. Chiquito: Tu conociste a mi hija, Diana. Diana va en quinto grado. Quiero que la imagines estresada y triste llorando desde muchos meses por esta situacion. (You actually met my daughter, Diana. Well, Diana is now in fifth grade. So I want you to imagine her stressed out, sad, and crying for several months because of this situation.)

Ms. Chiquito: Este yo se que es su trabajo, que usted es un jefe, eso creo que todos lo temenos claro. Pero lo queremos dejarle saber a todos que es que la situacion que estamos viviendo cuando unos de nosotros como padres y lo que estan sintiendo nuestros hijos. (I understand that you have a job to do and that you have a boss, I think that we all have that clear. However, what we want to leave you all with is that all of us want you to know the situation that we living through as parents and what are children are feeling.)

Ms. Chiquito: Antes de que ustedes voten, me gustaria que supieran que la mayoria de los ninos que van a Lincoln Annex viven cerca, viven en el vecindario, si los ninos estan transferido a Jersey Ave entonces trendian que travesar Somerset, French, y Jersey Ave donde es una area muy peligrosa. (Before you take a vote, I just want you all to know that the majority of students that attend Lincoln Annex live close by, they live in the neighborhood. If the children are transferred to Jersey Avenue, then they would have to travel through Somerset, French and Jersey Avenue, where it is a very dangerous area.)

Ms. Chiquito: Entonces yo quisiera que reconsideraran su voto en que este proyecto seria mayor si era construido en otro lado y no muevan nuestro escuela. Nuestra escuela es especial y es practicamente la unica escuela que temenos en ese vecindario con Lincoln que es solamente a primero a tercer grado. (I would like you to reconsider your vote in that this project would be major if it were constructed somewhere else and not cause the school to be moved. Our school is essential and it is pretty much the only school in the neighborhood aside from Lincoln School, which is only open to first to third graders.)

Mr. Cartica: We are going to have to stop it there in terms of time. Thank you.

Ms. Chiquito: Thank you.

Russ Cirincione (429 Cottrell Road, Old Bridge, New Jersey): I am running for Congress for this district, so this is important to me. So, there are a lot of issues, if I was sitting in your seat, there would be a lot of questions swirling around my head. So, I think it would be good to focus on some questions to be resolved. I know that this is just one Planning Board meeting in the abstract, but we really have to consider the most important question above all else, is how can this Board serve the children? How can you serve the people of New Brunswick, the working families that live here and make our community what it is? Will the people here be served by a replacing a very good school and displacing hundreds, close to a thousand, of students, teachers, employees, and ripping them from their communities for something that ultimately serves someone else not in New Brunswick, not the people here. This proposal really only benefits Robert Wood Johnson and if we're only looking at this proposal on its own, I think that this plan right here today is an abomination to the people of New Brunswick, towards students here. When we consider a different number of factors, there are many alternative sites that are very more convenient for New Brunswick. Replacing and tearing down this school will be a huge inconvenience for all the young students going to school. Walking several blocks would be easy for us, but not for young first and third graders, it's a lot, and especially when it snows outside, when it's raining, it's a lot more difficult to do. And, I mean, Robert Wood Johnson wants a nice little overpass or whatever, but they can provide a really fancy shuttle to wherever they want to, put this site somewhere else.

And then we look at the self-dealing of this plan, when it comes to light, all of the different aspects of self-dealing, between Robert Wood Johnson and other parties, and that really flies in the face of justice to be honest. If you want to show a sense of community, you need harmony in that sense of community, because of the self-dealing here and you know the fact that Robert Wood Johnson did not make a plan, or did not even have the decency to create a plan for the construction, I know this is coming in April, which is always another month away, it just shows that you don't care about the students here, about the people of New Brunswick, because I think ultimately they want to warehouse all the children, you know, we know the warehouses, a lot of vacancies and making kids walk that far is just unacceptable, I have a three-year-old son, and making them walk that far is just out of my mind, you know. So, really the question is, you saw the school based on this plan right here right now, I think it's honestly very clear the answer is no, because the public interest and keeping the school open far outweighs everything else.

Herb Tarbous (411 New Market Road, Piscataway, New Jersey): I'm an announced candidate for Middlesex County Clerk. I had some questions about the process for counsel or Mr. Dominguez. So I guess there was a Council resolution that was passed that referred this matter to this Board, is that correct?

Mr. Dominguez: Yes.

Mr. Tarbous: Do you have the resolution here, can it be read into the record?

Mr. Dominguez: I do not.

Mr. Tarbous: You don't have the resolution here?

Mr. Dominguez: No.

Mr. Tarbous: Okay, well I had some questions about the resolution, because I was going through Title 40. Let me just ask this general question first, you were talking about Title 40 today, right? Is that the Housing and Redevelopment Law?

Mr. Dominguez: 40A

Mr. Tarbous: 40A. Okay, well Mr. Dominguez, you said at one point that this is not a condemnation hearing, but that Title 40A also had a process for non-condemnation hearings. So this whole procedure is still covered by Title 40A? Is that correct?

Mr. Dominguez: Yes, but this is non-condemnation.

Mr. Tarbous: Right, because I thought I heard you say at one point that the New Jersey Housing and Redevelopment Law would not apply here.

Mr. Dominguez: No, it does. So, it is not a redevelopment area, it is a rehabilitation area, and it is a redevelopment plan for a rehabilitation area, which explicitly prohibits the use of eminent domain under 40A.

Mr. Tarbous: Well, since you do have the resolution, there was also a public hearing notice for this hearing, I imagine, right?

Mr. Dominguez: No. Redevelopment plans do not need a notice for the designation of a redevelopment area...

Mr. Aithal: I think that he is saying for the meeting...

Mr. Tarbous: The Planning Board would have to issue a notice of the meeting, is that correct?

Mr. Cartica: Yes, that was read at the beginning of the meeting.

Mr. Dominguez: We do an annual notice for all of our meetings.

Mr. Tarbous: Because I was going through Title 40A today, and it said that the Planning Board was responsible to create a map and put it at the municipal clerk's office, was that done?

Mr. Dominguez: That is for the designation of a redevelopment area, not for redevelopment plan, so we did not need to do a redevelopment area here, as the whole city was designated as a rehabilitation area in the 70s, and so we can create redevelopment plans as overlays and just present them to the Board with referral from the City Council.

Mr. Tarbous: What does that have to do with the rehabilitation versus redevelopment area?

Mr. Dominguez: Rehabilitation has a lower threshold for triggering and again if you make a redevelopment plan for a rehabilitation area, there are certain limitations that you don't have. You can't do any condemnation. There's limitations on tax abatements and a whole slew of other items, but the whole city is a designated area in need of rehabilitation, so if you only do a redevelopment plan for an area need of rehabilitation, you don't have to do any special notices. If you do designate the area in need of redevelopment, which we did not do with this site, then you would have to do all those steps and we've done that as the city for many redevelopment plans in the past.

Mr. Tarbous: Okay, it seems strange to me because Title 40A gives specific criteria for an area to be eligible for rehabilitation, correct? But you are saying that the entire city at some point was named an area in need of rehabilitation.

Mr. Dominguez: Correct, I want to say in '74 or thereabout, was designated an area need of rehabilitation, yes.

Mr. Tarbous: And how long does that designation last?

Mr. Dominguez: Off-hand, I do not know if it ever expires. But I do not think so.

Mr. Tarbous: Okay, I just want to touch on a couple of the ethical and community aspects of this...

Mr. Cartica: I'm sorry but...

Mr. Tarbous: Please, just one more thing, and it's a complement to Ms. Sicora-Ludwig, is that I read today on a public website that you have an appreciation for me, for growth within New Brunswick that explicitly expands integrity of neighborhoods we call our home. And I think we all agree with that.

Suki Bhatcacharya (Johnson Apartments, 159 Davidson Road, Piscataway, New Jersey): So I'm a PhD student here in political science at Rutgers. I've also been an undergraduate here a while ago before I went to work before coming back, and I also organized with the Central Jersey DSA in the area, as well as being member organizer at AAUP-AFT. So just giving a background, just to know that I feel like there's a lot of stuff happening in the city that have to be contextualized, but I'll get to that a little later, I'll be under time. But really quickly just more about the process, when you mention that the issue is limited, when some people were talking issue and they veer into talking about the school, is that something you're saying is separate?

Mr. Cartica: Yes.

Mr. Bhatcacharya: Okay, then what would be the process, then if people want to talk about this school? Is there supposed to be another meeting they can ask for?

Mr. Dominguez: Yes, next month the Planning Board will be dealing with the redevelopment plan proposal for whatever site the working group for the Board of Ed produces.

Mr. Bhatcacharya: Okay, and who is part of the working group?

Mr. Dominguez: I do not know. I do not know if anyone here does...

Mr. Bhatcacharya: Okay, if community members want to be in touch with the working group, how do they get in touch with them because that's...

Mr. Aithal: You might want to get a hold of the Board of Education.

Mr. Bhatcacharya: I mean we've had talks there, not to say that they haven't really been the best at responding, they kind of like walk out. But okay. So, process wise, is what you're saying is we should go to the BOE and ask them who the working group folks are, is that...

Mr. Aithal: I think that's where you are going to find an answer, because we can't give you the answer. That is where you should probably go.

Mr. Bhatcacharya: But is there a process? What about the fact that the Planning Board able to or interested in meeting with community members, you know just like even apart from this situation, like not having them just to come to City Hall? We have been talking to the community group separately, and I hear their concerns more on like a deeper level than maybe you guys want right now, because you're saying this is a part of different thing, but everyone's connecting the two. Is there a possibility for Planning Board members to...

Mr. Cartica: I'm not getting the question.

Mr. Aithal: I think that what he is asking is for a meeting with members of the Board in some other setting. Unfortunately, the Municipal Land Use Law specifically prohibits those sorts of meetings. As I am sure that you can appreciate, you do not want us meeting with developers without members of the public on approving a plan, so there is no such mechanism.

Mr. Bhatcacharya: Didn't you have to meet to get this? Or, yeah, I guess that is fair. Just really quick, what is the next step that you can advise, would that be the next Planning Board meeting?

Mr. Aithal: We don't advise.

Mr. Bhatcacharya: Okay, I will just wrap up really quickly. I just wanted to ask some questions on our end to figure out what to do. I think that is something that is reasonable and I was hoping for some clearer answers, but I just want to say, like I said, I was an undergraduate here in 2010. Then I came back now recently, and I have seen a lot of changes that have been happening in the city, so again everything has to be in context. I don't know if there is some sort of legality to it, but hearing people out about why they are mad, sending their kids from this location to another. It is all connected in a process in New Brunswick, where it feels like groups like this are basically PR, it seems like, for property redevelopers and creating a roadblock to actually creating some sort of democratic process.

Also, when I was sitting there and I've been at City Hall events, there is a certain kind of condescension and looking down on people. And I feel like that if you really want to prove people wrong about that, maybe it would be best to reach out or find a way that is legal or something to provide a space for people to keep having these talks, because clearly there

are more people that are willing to line up. So, maybe having another meeting that is maybe not the next month, or something like that, where you can actually show them that you are not just here doing that smoke and mirrors thing, get people angry, and then just come back to find that there school is gone and everything else is done. Because I feel like is a little unclear to me the process of what to actually do as a community member. And yea I just wanted to say...

Mr. Cartica: I'm sorry, you've used your time.

Mr. Bhatcacharya: Well, how much time is it that other people are using?

Mr. Cartica: Three minutes.

Mr. Bhatcacharya: Okay, well thank you so much for giving me the time.

Viriyah Hodges (8 Wharton Way, High Bridge, New Jersey): I actually have a few questions about how this facility is going to be run, as you had it made it specifically clear that you do not want to discuss the off-site. So, I will focus on the facility. Will Robert Wood Johnson be charging the patients for cancer treatment and how much?

Mr. Aithal: This is a plan that has been referred for development of that site as a hospital, as a cancer research and cancer institute, you can certainly ask that when the application comes in from the applicant that is going to be operating it but...

Mr. Hodges: So you cannot tell me in any way....

Mr. Aithal: I think you're a little bit ahead of the game, because we don't know.

Mr. Hodges: I see. Can you tell me if there's any way the city government will be benefitting from this?

Mr. Aithal: I'm not really sure that I understand the question.

Mr. Hodges: Will Robert Wood Johnson paying for... Never mind, I'll move on to another question. You mentioned that this is a site for rehabilitation for redevelopment that term implies that the area is somehow not fully functioning or somehow decrepit, however there's already a very functional, or is somehow depreciating. However, there is already a very good school there along with a clearly active community and neighborhoods, so what justification is there for this redevelopment or rehabilitation at all?

Mr. Aithal: There was a study that was conducted some time ago, so there's a legal criteria in the Municipal Land Use Law for a determination as to whether an area is in need of rehabilitation or an area of need redevelopment. If it meets that criteria, then it could be designated as such and it's not unilaterally a designation, I believe that the DCA also is involved at this point, or are involved only upon approval?

Mr. Dominguez: I think that it is only upon approval does it get submitted to them, but yeah, that designation happened in the 70s under the parameters of the Local Redevelopment and Housing Law. There are specific outline bullet points of what criteria can trigger creating that designation.

Mr. Hodges: Can you tell me the results of that study?

Mr. Dominguez: The results was that the city of New Brunswick in its entirety was designated an area in need of rehabilitation.

Mr. Hodges: Wow, but what is the reason, what is the justification?

Mr. Dominguez: At some juncture, at that time, whoever was involved with the city government and city planning decided that it was in the interest of the city to move forward, positive change in development, to designate the entire city as an area in need of rehabilitation and the criteria worked out and so they did that.

Mr. Hodges: But you cannot tell me a specific reason?

Mr. Dominguez: I mean I have no reason to lie. So, I do not really know how to answer your question.

Mr. Dominguez: It's in the criteria of the Municipal Land Use Law.

Mr. Hodges: I see. Well thank you for the time, I guess.

Mr. Cartica: Thank you.

Maron Soueid (9 Lake Farrington Drive, North Brunswick, New Jersey): Okay, so I was born in New Brunswick on Hamilton Street. Raised partially in New Brunswick, so the school would have affected me had I stayed in New Brunswick, had my parents stayed in New Brunswick, the school would have affected me. I ask the Board to have some empathy, just like I, you know, feel like I need to have empathy for these people who are experiencing this now. I was lucky enough to leave New Brunswick, to have my parents, you know, get a better job outside of New Brunswick and to leave the city. However, I don't think that most of the families who use this school, this is a nice area, it's actually what I consider, that Somerset-Hamilton area, to be a lot better than it was when I was growing up here. So, I don't think that there's really a need to essentially displace these people and move them to a different place. Right, have them move to a school that doesn't necessarily, you know, fit the requirements for a good education, and I am an educator. I've been an educator for about ten years, okay, and from what I've seen, from what I've read about this site, it doesn't seem like a place that I would ever want my children or my students to be having an education to learn in. Okay, it's not a place that is properly conditioned for a good education.

Okay, so I just asked you, the Board, to consider once again the pleas of the families here who are directly affected, and their education is a direct consequence of the building of this cancer center, right. It's a direct consequence, alright, and this has happened in many cities across this country, and it's happened in many small towns across this country. It's a process known as gentrification, okay. If this is one step, okay, it's not entirely, you know, this isn't entirely the process, but this is one step of moving people away from the environment that they're used to, the schools that they have attended and learned from, and, you know, moving them out and essentially displacing them. Okay, so I ask you to consider to, you know, really have some empathy for the people who are going to be directly

affected by this, because I know Jersey Ave. and I know that getting there is not fun. It's not easy. The roads are bad. The area is not nice, okay, and just consider the pleas of the families. I feel like if I was still here I would want exactly what they're calling for today. Right, this is a good school in a good area, right, and just consider their pleas.

Carlos Castaneda (137 Joyce Kilmer Avenue, New Brunswick, New Jersey): I just want to know that this whole thing has been a mess for the beginning, lack of transparency from the Board of Ed, from the mayor, and everybody involved in this. And I think our community do not deserve this. I think the situation would be different if those 760 kids in that school be white and rich, right? It will be definitely, we wouldn't be here sitting down and at many different meetings, so we'll probably have more lawyers like you, right defending them. But we don't have the resources right now, but we do have our voices so we're not going to stop. We're not going to stop coming to every meeting that we need to come in order to stop the abuse of our community. More than half of the population in New Brunswick right now is immigrant and the mayor is not thinking that way. He's not looking that way. Where is his leadership? He hasn't shown his face in more than seven months. Six months it started, so if you can relay the message to the mayor to have him come up with a public forum where community members could come in and ask questions, so you don't take all the heat. We have, I don't know if he's a public official, Keith Jones, harassing the women, the mothers of Lincoln Annex on Facebook. Every time my mom expresses her feelings on Facebook, there he goes, putting all this harassment, all this postings. So please relay the message that Keith Jones and the mayor we need for him to show his face in a public forum, or is he too afraid to answer questions from the community if this is so wonderful? We need more leadership in this city and we need a leadership that reflects the community that lives in it. Thank you.

Leo Valdes (311 Magnolia Street, Highland Park, New Jersey): I'm a graduate student in the history department at Rutgers University across the street. I just want to say a couple of things. First of all, man in the green sweater, have you been, like, doodling this whole time? Have you been listening, have you been taking notes? Okay, I am just making sure, because you have all have been looking down and, like, these people especially the parents and the children, are people who should be respected and, like, somebody, one of the other students from Rutgers, said that the behavior, your body language, has been extremely disrespectful and at Board of Education meetings it's the same kind of behavior, the same kind of body language, it's really disrespectful. And I think that is a really valid point to bring up, because again this development affects community members. The other thing, before you interrupt me, this may be beyond the scope of your legal realm for this context, but the fact is that this site building this does have implications that kind of snowball effect, that's why this isn't a private investment only, that's why it's a public issue, that's why the public is here, because it's not just the building of this hospital, it has broader implications. So, shutting down with that context makes absolutely no sense and also just reveals that you guys aren't listening to the community members. So, that's my point number two. And then the last point I wanted to make was just about gentrification. It's a word that's been thrown out a lot. It's a word that's in the media. And it's a word that has a lot of racial and class implications because it's a very powerful phenomenon that does displace low-income and communities of color across the nation and that's what's happening in New Brunswick. There's no reason that this hospital has to be built in this location. There's really no reason and all the biggest impact of it will be the fact that it's gentrifying the city even more, as people, residents have been pointing out that it's been going on for twenty years. So, I just want to say that history will not absolve you. You are gentrifiers, even you, who's just a

schmuck getting your paycheck for this company, like history won't absolve you. Sorry for using that word and sorry for being disrespectful. Body language is also disrespectful, so I hope that you can all provide an apology as well, you know. So, you know including you Mr. Lawyer. So, I just want to say that it's really important to decide what side, who you want to listen to. Who you want to be known for in the future and like making these decisions to support these corporations, it's just going to bring profit for a couple people on the top and completely displacing these community members is really, really wrong. It's just wrong and it's unnecessary. There are other sites, plenty of other sites, so I just want to leave you with that, and I hope it keeps you up at night because it should. Because it's wrong. It's politically and ethically wrong, and economically unnecessary.

Lenin Lasher (29 Robinson Street, New Brunswick, New Jersey): I mainly just have two questions. My main question is, why you guys can't build the cancer institute at the contamination site that people are talking about where the school will be at? And if any of those reasons then are, like, better than trying to like help the community and stuff, like, it is better to actually just get rid of this school and not build on the other site that you guys want to send the kids to? Why can't you build it there? You have the resources and money to clean up the site, and not make it like contaminated, but a public school definitely does not have the resources compared to a private institution, and you guys are obviously getting a lot of backlash. So, I am wondering what the reason is for choosing the school rather than the other open site that is available? If anyone can answer that.

Mr. Aithal: Mr. Chairman, I think we've gone through this a couple times. This was referred to us from the governing body. We don't choose the site. We're not developing the site and we're not doing the construction of the site. We do not operate the hospital and we do not operate the school. There's a plan with certain parameters that this Planning Board is considering over whether to accept, reject, modify. That's all we're looking at this point. That's our legal charge.

Ms. Lasher: Okay, well thank you.

Charlie Kratovil (P.O. Box 3180, New Brunswick, New Jersey): Good evening Mr. Chairman and members of the Board. I hope that you will be a little bit lenient with the time, I have been very invested in this issue, as you know. I come to all your meetings and I provide the service of recording them. And in all the time that I have been here I have never seen the Planning Board implement any type of time restriction on testimony. So, I hope that you'll just give me a little bit of your attention tonight so I can get my point across that I've spent a lot of time preparing for.

Mr. Cartica: The reason for that was that at some point we set a three-hour limit on these meetings...

Mr. Aithal: And everyone went over.

Mr. Cartica: So that is the basis for that.

Mr. Kratovil: From what I understand, if there is too much testimony to take, you can adjourn the meeting and reconvene at a later date. And continue the testimony, rather than truncate the testimony and limit what folks are able to present.

Mr. Aithal: Proceed.

Mr. Kratovil: Sure, I'll do my best. So, I do have a question about the time limit for this to be acted upon. The attorney mentioned that, you know, you have no choice, you have to have this hearing and you have to do this. What time window do you have to do that?

Mr. Aithal: Mr. Kratovil, I did not say that. What I said was it's referred to us from the governing body and we have 45 days to act.

Mr. Kratovil: Okay.

Mr. Aithal: If we don't act within the 45 days, then the governing body can act unilaterally.

Mr. Kratovil: Okay, and isn't true that the resolution actually asked you to hear two different things? Right? 131 Jersey and 121 Jersey was in the resolution?

Mr. Dominguez: Right, we referred both sites with one resolution to do two plans for them. It was just convenient to do one resolution.

Mr. Kratovil: I understand. So, you're saying that we have to do this one thing, but this other thing that the resolution also calls for is not being done correct?

Mr. Aithal: The other site?

Mr. Kratovil: Yeah, the other site is not being considered as part of tonight's resolution. Okay, I guess I want to ask, first of all, there's no representative of DEVCO, Board of Ed, Parking Authority, hospital, no one here to testify to anything having to do with this.

Ms. Sicora-Ludwig: Not that I'm aware of.

Mr. Kratovil: Okay, then I'm going to urge you to hold off on approving this plan. You have a lot of community input, but we don't have anything on the record from the Board of Ed about the current status of the school, how badly the overcrowding is in our district, how little we can afford to lose a school, and we don't have any testimony from the people who actually want to do this project to support it. I understand there's a site plan approval process later on, but for them to ask you to do such a big thing and for the City Council to refer to you, I think it would only make sense for them to at least send a representative in case there's questions and none of them have done that. So, I think that you know the public has exercised our right to be here and to speak up on this. I think if you look at the master plan of the city of New Brunswick there is a section on schools and it probably doesn't look kindly upon giving away or selling or closing a school. You know that's an important part of the community fabric and the master plan accounts for that, that wasn't touched upon and there's a lot of misinformation about sort of the relocation. I know the mayor said that 131 Jersey Ave. was going to be closer for most families, when it's just clearly not. I also want to bring up the issue that I've been bringing up at your meetings since October, where Robert Wood Johnson, Rutgers and DEVCO broke their promise that they made it to this very Board. There's a building at 89 French Street, where they are supposed to provide an ADA accessible walkway for folks to be able to cut through their campus to make up for the lost land that they gobbled up, Scott Street and Brown Street. We gave them public land and they agreed to do some things in exchange for that and they failed to meet their

obligation. There was supposed to be a traffic light at the corner of Plum and French. Robert Wood said they would pay for it. So now we're hearing that Robert Wood Johnson is going to pay for a new school. We've heard this before. We've seen this play before. Now I hear it's a 25 million dollar school, instead of a 55 million dollar school.

Ms. Sicora-Ludwig: No, I think the statement was that because we injected 22 million into the current Lincoln Annex and this was going to be 55 million, so I'm assuming they were just talking about the difference that the city would be making on it. That is where I think that number came from.

Mr. Aithal: Time.

Mr. Kratovil: It's the Chairman's call.

Mr. Cartica: We are out of time.

Mr. Kratovil: I would just finish by saying that both of the proposed relocation sites are contaminated. That is unacceptable. We have a history of selling and destroying our schools in this very neighborhood. The Washington School is a great example, sold to the hospitals, now the neighborhood needs a school and Robert Wood wants to take that one too. The Vo-Tech School that was mentioned previously is sitting there vacant. That's another closed school in the Fifth and Sixth Ward neighborhoods. Let's not continue that pattern of removing educational facilities. Lincoln Annex is a good thing, and I don't have any judgment on any one of you, except for the Councilwoman who sent this to the Board. You have a vote tonight where you can do the right thing, this is your moment to really put the community first. I am hopeful that my remarks might inspire others to also speak and maybe you can adjourn the hearing and have another hearing on this in the future, but if you do take a vote tonight I hope you'll do the right thing and vote this down. They can come up with another plan and they sure will. But you need to do your part for the community and vote no.

Nicole Gamboa (89 Louis Street, New Brunswick, New Jersey): I hope that I do not echo on too many comments that have already been made by the community. Although I do think that if I do, it's because of their significant importance and I do think I will definitely echo Mr. Kratovil's comments tonight, especially considering the need to postpone this decision because of the lash back that I think it's happening with the community. That outrage is sort of just ridiculous, if you ask me. If you look at downtown New Brunswick, the effects of gentrification, like, just can't be understated, especially you know how the Hyatt Regency was built over what used to be a Puerto Rican Cultural Center. I mean, the reflections of, you know, gentrification in this community are just unbelievable.

I am currently a Rutgers staff member and I did my undergrad at Rutgers. And just all across the board, all I hear is the disdain that, you know, people feel for Robert Wood Johnson at this point, and while I understand that you guys are still trying to decide if this is the right thing to do or for who this is the right thing to do, I think it's important to consider the families that are directly being affected, because while you can count on Rutgers students being undergrads and leaving after four years and maybe not taking the utmost interest in this, there are families that live here 365 days a year, constantly having to deal with these decisions that are made, and displacing this many students does not serve in the interest of anybody. I do wonder what the ethicality of it is at some point, where you get the nerve

kind of, quite honestly, but I do definitely think I just want to echo the fact that this decision cannot possibly be made right now without all the possible information that we can have. I think of the public, I'm so uninformed, with the amount of actual people that are here at these meetings that can actually provide a significant amount of information that I think that I need. And that I think that you guys need to make an educated decision like this. So, I just you want to echo those comments. Thanks.

Mr. Cartica: Are there any further public comments?

Motion to Close the Public Comment Portion: John Petrolino
Second: Suzanne Sicora-Ludwig

Mr. Aithal: We just need to take a roll call. Actually, we can do it by unanimous consent.

Public Comments Closed

Mr. Aithal: Mr. Chairman, this is an opportunity for members of the Board to have a discussion to determine what they would like to do with this application.

Mr. Cartica: Is there any consideration of the comments that have been to postpone?

Board members voice no

Mr. Cartica: Are there any recommendations to accompany the Board's vote on this issue?

Mr. Petrolino: No, I would like to address my colleagues on the Board, as well as the public, when the opportunity is appropriate.

Mr. Aithal: You can go ahead, you can have comments, if you would like to address the Board members and his thoughts on the redevelopment plan...

Mr. Petrolino: Thanks. I'll take my three minutes, if I may. So, I think it's important for everybody here to understand that the people who serve on this Board do so without compensation. We don't get special parking privileges or anything else. We serve on this Board as citizens. I know that we have a freeholder as well, a different category of service. But you're also a citizen.

Ms. Sicora-Ludwig: And I did this way before I was a councilwoman.

Mr. Petrolino: Absolutely, absolutely, but it's important to understand that, at least from my perspective, I believe I speak for everybody up here, that we do this because we have a passion for New Brunswick, same as you do. We want to do what's right for this city and in a lot of instances it's very easy to see what is right and what requires deeper thought. I think that it's easy to see the passion that the community is presenting. It's also very difficult to discount the benefits of a state-of-the-art cancer center in New Brunswick. I think that I have certainly been thinking about this for the past two weeks, since I knew this was coming up and it's been a very difficult decision for me, but I think that at the end of the day my position is that I will not support this.

Mr. Aithal: Mr. Chairman, there was a 28-page redevelopment plan and testimony which was presented by Mr. Dominguez. If the members of the Board wish to act on that, as I said the referral comes from the governing body. The recommendations made by our planner have been reduced to a plan, in writing, that the Board members have. If they'd like to add, delete accept, or reject in whole or in part, this is the opportunity for the Board members to have that discussion and then make the appropriate motion and move.

Mr. Cartica: Are there any recommendations?

Board members voice no

Mr. Cartica: You may proceed with the vote.

Mr. Aithal: There will need to be a motion to accept the plan as it is written and then the Board members can certainly... Well, first, procedurally it would make sense to say if there's any Board member that wishes to make any modifications or changes to the plan, they should probably put that on the table as a motion.

Mr. Cartica: I'm thought I had asked if there were any recommendations. I thought we had covered that.

Mr. Aithal: If there are no recommendations to make any modifications, then Mr. Chairman, I believe that the Board should consider whether to make a motion to approve the plan and then vote and obviously the person that's making the motion to approve doesn't necessarily have to vote in the affirmative, but if they do in fact approve it, they can always reject it if they wish, but this is a motion to approve the plan as presented. Someone needs to make that motion.

Motion to Approve: Robert Cartica
Second: John Petrolino

	YES	NO
Jeff Crum (Chairperson)		
Manuel Castaneda (VC)		
George Chedid		
John Petrolino		✓
Robert Cartica		✓
Diana Lopez		
Ryan Berger (Class I)	✓	
Chris Stelatella (Class II)		
Suzanne Sicora-Ludwig (Class III)	✓	
Dale Vickers (Alternate #1)		
Yelitssa Checo (Alternate #2)	✓	

Mr. Aithal: So, the recommendation will go to City Council for them to consider.

IX. OTHER MATTERS OF INTEREST TO THE PUBLIC

Mr. Kratovil: Once again, members of the Planning Board, thank you to the two who took the right vote. I would like to follow up on the issue with Robert Wood Johnson and the violation of the Americans with Disabilities Act and the violation of this Board's resolution from 2002 and 2004. I got a letter from Rutgers that said they're going to, you know, make an application to I guess get permission to the make their law breaking legal, could you give me an update on what their plan is to actually honor what they promised they were going to do?

Mr. Dominguez: I only have the letter that you have. I know that they're going to, at some point they are going to submit an amendment to their resolution, they'll go through the regular TAC process, so we're probably looking at TAC in April. So, we will probably have them before this Board in May or June. I don't know what the specific amendments that they are proposing are, but that's their current stance right now.

Mr. Kratovil: Okay, well I would urge the Board to hold them accountable for everything they promised us 18 years ago. They shouldn't be able to get away with not delivering on their promises and it doesn't bode well when they're promising something so huge in exchange for taking something so big from our community, so I hope that they can actually start to follow their own promises even if they have to go back in time to dig them up. Maybe Danny and Katie can help me pick up those promises again, because it's just rolling on what's been going on, people with disabilities and others have to walk a football field out of the way because Robert Wood Johnson and Rutgers can't be bothered to make good on things that they didn't just verbally say, things they swore to. Things they promised to this Board they would do in writing and it's just wrong. We should not be bending over backwards for those guys.

Ms. Moore: I will say that the three that are the ones that did vote yes, they are part of the city due to where they work with Mayor Cahill, like Vice President of City Council Ms. Sicora-Ludwig. They are working with Cahill. That is the reason why they said yes.

X. DISCUSSION ITEMS

XI. ADJOURNMENT

Motion to Adjourn: John Petrolino
Second: Suzanne Sicora-Ludwig