



CITY OF NEW BRUNSWICK
PLANNING BOARD
JUNE 8, 2020
MINUTES

Meeting Location:
Teleconferencing
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 Stellatella (Class II)
✓	Suzanne Sicora-Ludwig (Class III)
✓	Dale Vickers (Alternate #1)
✓	Yelitssa Checo (Alternate #2)

II. PUBLIC ANNOUNCEMENT

Dan Dominguez (Director, Department of Planning, Community and Economic Development): Please be advised that the notice requirements of the open public meetings act has been complied with and satisfied, and that the annual notice which gave sufficient notice of the time, place and conduct of all public meetings of the Planning Board of the city of New Brunswick has been filed with the City Clerk and it has been placed on the appropriate bulletin board and posted in the back vestibule of City Hall, visible to the public and through the windows of the lobby to City Hall in New Brunswick, New Jersey and has been transmitted to the official newspaper for the city of New Brunswick, namely the Home News Tribune. Additionally, a change of location notice of the time, place and manner of conducting this meeting has been made by the Board Secretary as required by law. New Jersey governor Phil Murphy has issued executive orders limiting the size of public gatherings of individuals until further notice. Furthermore, the CDC has issued guidelines to limit gatherings of groups. The city Planning Board intends to meet on a regular schedule, will meet using the guidelines of the open public meetings act by utilizing teleconferencing system. Public participation at public meetings has been revised, and the public may participate through a conference call-in system. the public is encouraged to call into the conference system through the phone numbers and access code transmitted in the change of location notice to the Home News Tribune and Star Ledger and posted in the back vestibule of City Hall visible to the public through the window. Board professionals will also be available via conference call during the meeting. all parties on the conference call will have the opportunity to hear the planning board meeting. during the portions of the meeting that are not open for public comment, all calls from the public will be muted and the Board will not be able to hear any public comments through the conference call system. during the public comment periods, those on the conference call-in lines who have an interest in addressing the Board will be organized by last name and then called upon to speak. After all organized members of the public speak, the process will happen again until all the public has had an opportunity to speak once and for no more than five

minutes in any given public meeting portion. the timer will time at the completion of each five minute period and I'll notify you that your time has expired. Public needing assistance accessing the call number should call city hall at 732-745-5007.

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARD'S MARCH 9, 2020 AND APRIL 13, 2020 MEETINGS

a. MINUTES OF THE BOARD'S MARCH 9, 2020 MEETING

Motion to Approve

- i. Suzanne Sicora-Ludwig
- ii. Yelitssa Checo

	Yes	No
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)	✓	

b. MINUTES OF THE BOARD'S APRIL 13, 2020 MEETING

Motion to Approve

- i. Manuel Castaneda
- ii. Chris Stelatella

	Yes	No
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)	✓	

V. RESOLUTIONS OF MEMORIALIZATION

a. REQUEST FOR EXTENSION OF APPROVAL / 25 VAN DYKE AVENUE / BLOCK 596, LOT 7.04 (PB-2017-11)

Motion to Approve

- i. Suzanne Sicora-Ludwig
- ii. Chris Stelatella

	Yes	No
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)		

VI. PUBLIC HEARINGS

a. O'BRIEN INVESTMENTS, LLC / 90 LIVINGSTON AVENUE / BLOCK 141, LOT 13.02 (PB-2020-03)

Preliminary and final site plan application with bulk variances, to convert the existing building which contains office space on the first and second floors and an apartment on the third floor, to all office space, eliminating the residential apartment. the applicant also proposes a new monument sign. Zoning district C-3a. (Peter U. Lanfrit, Esq.)

Application moved to future Planning Board meeting, date to be determined

b. SOMERSET URBAN RENEWAL, LLC / 210 SOMERSET STREET / BLOCK 28, LOT 1.05 (PB-2019-08)

Preliminary and final site plan application for the construction of a multi-story medical office building comprised of 228,000 gross square feet of new medical office space to support existing functions of the adjacent hospital. the site is in the healthcare institutional office (hio) zone, as defined by the french-prospect redevelopment plan. The applicant is seeking a deviation from the standards of the redevelopment plan for insufficient parking. (Thomas Kelso, Esq.)

Thomas Kelso (Applicant's Attorney): Yes, members of the Board, Tom Kelso, on behalf of the applicant, Somerset Urban Renewal.

Jeff Crum (Chairman): I'm sorry to interrupt for one second, we're having a little bit of trouble with the recording. We're just going to have to...just give us one second while we get this squared away, I apologize. Okay, Mr. Kelso, back to you.

Aravind Aithal (Board Attorney): I'm sorry, Mr. Chairman, I'm sorry, Mr. Kelso, to interrupt, this is Aravind Aithal, the Board Attorney. Before we start, let me state for the

record, that I have had an opportunity to review the notice, I do find that this Board has jurisdiction. I also would note that the professionals that are in attendance should probably put their names on the record as well.

Mr. Crum: Thank you, very much. Dan, do you want to read off the professional list?

Mr. Dominguez: Certainly. Do we have a representative from Bignell Planning?

Todd Bletcher (Bignell Planning Consultants, Board Planner): Todd Bletcher is here.

Mr. Dominguez: Thank you, Todd, and a representative from Delaware Raritan Engineering.

Charles Carley (Delaware Rartian Engineering, Board Engineer): Charlie Carley is here.

Mr. Dominguez: Thank you, Charlie

Mr. Crum: Okay, I'm sorry, any further questions?

Mr. Aithal: No, sorry for the interruption, that's all I had.

Mr. Crum: Thank you, very much, now back to the applicant.

Mr. Kelso: Yes, so members of the Board, once again Thomas Kelso, on behalf of the applicant, Somerset Urban Renewal, LLC. As was indicated in the introduction, in the application, this application seeks preliminary and final site plan and a parking variance approval to construct a 15-story medical office building. The building will have a fourth floor vestibule and bridge connection to the inside of the Children's Specialized Hospital. The new medical office building will contain approximately 226,000 square feet that will support existing RWJ Barnabas Health Hospital operations, as well as new hospital functions, expand and modernize exam rooms, and provide additional offices for existing and new physicians. The property is located at 201 Somerset Street, and is designated as Block 28, Lot 1.05 on the current tax map. The project also contains improvements connecting to the Children's Specialized Hospital block on Plum Street, which is Block 24.01, Lot 11.01. The subject property is within the French-Prospect Redevelopment Area. While the proposed development is a permitted use within the redevelopment plan for that area and the applicant, Somerset Urban Renewal, LLC, is the designated redeveloper for the project. This is somewhat of a unique situation with respect to the parking variance because the project itself is not proposing any additional parking at the location.

As you know, this building site is located immediately adjacent to the Plum Street parking garage which is operated by the New Brunswick Parking Authority. There is an expectation that parking to the Robert Wood Johnson Hospital will be relocated amongst its various parking facilities, and those operated by the parking authority, such that much of the parking requirement will be satisfied in that fashion, and we'll be providing testimony to you for that purpose. There is an expectation that there still is the potential for a parking variance as a result of the location of those garages and the proposed lease [inaudible] situation that will be provided for parking to be shuttled from another location. And that is essentially an overview of the application. My client, the principal of Somerset Urban Renewal, and the underlying company, AST Development Corporation, is on the line with us. I don't intend to call him, Mr. Robert D'Anton, however, he is available to answer any questions if it's necessary and we just wanted to make sure that you knew that he is on the line because you can't see him sitting in the first row, as typically we would do. As an overview, my expectation is to be calling five witnesses for you, Mr. Christian Roche, who is our civil engineer to go through site planning; Mr.

Matthew Jarmel, who is our design architect, who will take us through the building and it's various components; we will provide traffic testimony with David Disario as our engineering traffic consultant; we will provide testimony from Mr. David Bogle, who is the representative of RWJ Barnabus, to provide a little background with regard to the parking and the plan associated with RWJ, who is intended to be the occupant of the building. And finally, we will provide testimony from Mr. Sean Moronski, our principal planner in support of the variance that's being requested. With that as an overview, unless the board or the consultants have any questions be on the conservative side, potentially anyone who may be a Rutgers employee could potentially have a conflict.

Mr. Crum: Thank you, Mr. Kelso. I know we have a number of Board members, including myself, who have a conflict with Rutgers University. I apologize, I didn't recognize the connection before the meeting. I'm going to have to recuse myself, and I know anyone else on the call?

Manuel Castaneda (Vice Chairperson): Yes, this is Manuel Castaneda, I will unfortunately have to recuse myself as well.

Mr. Crum: Thank you, Manny.

George Chedid (Board Member): This is George Chedid, I'm gonna unfortunately have to recuse myself, too.

Robert Cartica (Board Member): This is Bob Cartica, this conflict applies only to persons who have employment with Rutgers University, correct?

Mr. Aithal: Or financial interest, that's correct, so either directly or indirectly. So if a spouse was employed, that would be an indirect connection.

Mr. Cartica: Thank you.

Chris Stellatella (Board Member): Chris Stellatella, I'm gonna have to recuse myself also.

Mr. Crum: Anyone else? Do we still have a –

Mr. Stellatella: Was that heard? Chris Stellatella recused?

Mr. Crum: Thanks, Chris, yes, we got that.

Mr. Kelso: If I might, for the record, does the applicant want to go on the record and indicate that I understand the intent to be conservative with regard to potential conflicts, but again, the applicant is not Rutgers, the master lease agreement is with Robert Wood Johnson and again, I think it would be a conservative reason to recuse yourself, but just for the record, I understand it but I don't necessarily agree with it. Let me put it that way.

Mr. Aithal: And my advice to the Board would be that there has to be a real conflict here or substantial likelihood of a conflict, not a prospective conflict, or a potential conflict, if a tenant ends up being someone that you would have a direct or indirect financial relationship, or business relationship with. So as of now, as I understand, Mr. Kelso, you're telling me that the tenants are anticipatory, we don't know exactly who those tenants are, is that correct?

Mr. Kelso: The only one that I would say certainly would be Robert Wood Johnson Barnabas Health as the master tenant, correct?

Mr. Aithal: And in terms of the connection between Robert Wood Johnson and Rutgers University, I just want to, if I can flesh that out a little bit, is there a relationship, a contractual relationship between the two with regard to this application?

Mr. Kelso: Not that I'm aware of.

Mr. Aithal: The applicant itself is Robert Wood Johnson, St. Barnabas Health - Barnabas Health, correct?

Mr. Kelso: They're not the applicant, the applicant is Somerset Urban Renewal.

Mr. Aithal: I'm sorry, Somerset Urban Renewal for the benefit of Robert Wood Johnson?

Mr. Kelso: No, Somerset Urban Renewal for the benefit of Somerset Urban Renewal, which is AST Development, and they will be the owner of the facility, they will be the landlord, and we do know that Robert Wood Johnson will be the principal master tenant of the building. As part of the Robert Wood Johnson development of their campus, but not Rutgers necessarily, no, that doesn't exist today. And again, we can't anticipate if there would be other subtenants in the building, and to that extent, it would be typical, there would be a conflict at some point, but we couldn't contractually look to it at the present time. They don't have any financial interest in the application.

Mr. Aithal: So, there were four individuals that have indicated they might have a potential conflict. Mr. Kelso, if you wouldn't mind, I would like to explore that with those members.

Mr. Kelso: Absolutely.

Mr. Aithal: First, with our chairperson Mr. Crum, you indicated that you might have a conflict, is that correct?

Mr. Crum: That's correct.

Mr. Aithal: And the nature of that conflict, as you believe it?

Mr. Crum: My wife works for Rutgers University.

Mr. Aithal: I think we're one step removed from Rutgers University being...number one, Rutgers University is not the applicant here, and as it appears, Rutgers University is not even a tenant here. There is a connection, perhaps with Rutgers University and Robert Wood Johnson Barnabas Health, but I'll set that aside for just a moment. I don't know that that would be a direct conflict. Mr. Chedid, you indicated that you might have one?

Mr. Chedid: Yes, mine would be indirect as well, as my wife also works for Rutgers University, specifically within the medical sector. So, I don't mind moving forward if you guys deem that it's okay for me to take part.

Mr. Aithal: And Mr. Castaneda? I'm sorry, I apologize, I'm thinking Zoning Board, Mr. Cartica.

Mr. Cartica: I have no conflict to my knowledge, no.

Mr. Crum: Mr. Aithal, I think you were right, I think Mr. Castaneda said he had a -

Mr. Aithal: I'm sorry, okay.

Mr. Castaneda: I'm an adjunct professor at Rutgers.

Mr. Aithal: Department of Medicine or anywhere related to the health?

Mr. Castaneda: As part of the health professions out of Newark.

Mr. Aithal: And Mr. Stelatella?

Mr. Stelatella: My wife works for Rutgers in the School of Environmental and Biological Sciences.

Mr. Aithal: And Dan, if I could just inquire, how many members would we have left with?

Mr. Dominguez: Should they recuse themselves?

Mr. Aithal: Yeah, I just want to make sure that the, number one, that the applicant has an opportunity to also ask questions, but first I wanted to find that out as well. How many members –

Mr. Dominguez: Let me make a quick [inaudible] to see how many members we have left. Yelitssa, are you still on the line?

Yelitssa Checo (Board Member): Yes, I am.

Mr. Dominguez: Dale Vickers, are you still on the line?

Dale Vickers (Board Member): Yes.

Mr. Dominguez: So, we have seven voting members should those four recuse themselves.

Mr. Aithal: Seven members left?

Mr. Dominguez: Yes.

Mr. Aithal: Mr. Kelso, did you want to question any of the Board members who believe that they might have a conflict?

Mr. Kelso: The one question I have, the one individual I'm not certain that I think the spouse was, was that the Clinical School, which may well be at some point at least connected with Robert Wood Johnson Barnabas Health. Well, only to the fact that you've got significant...I mean they're both large institutions, and there has been costs directly or indirectly, for purposes of what this application is, and where the parties stand today. To me, the only conflict that potentially arises if you worked for RWJ Barnabas, because we know that they would be the primary tenant, and that would be the only conflict to me that exists. The rest to me are not direct conflicts.

Mr. Aithal: With that representation, I would think that there is no Rutgers University component here, so there wouldn't be a direct or indirect conflict.

Mr. Kelso: And I'm fine with that.

Mr. Crum: Thank you, for that detailed discussion. I think it's helpful to make sure we clear up any potential conflicts. The only outstanding question in my mind is Mr. Chedid and his wife's connection, for the sake of caution, not having full details on what that

relationship is, would it make sense for him to just recuse himself out of an abundance of caution?

Mr. Aithal: Yeah, Mr. Kelso, I would agree with Mr. Crum in this case that perhaps Mr. Chedid should recuse himself. It's just out of an abundance of caution. I don't see that there's a direct conflict, but not knowing the full nature and extent of the relationship of healthcare providers, it might be for the best.

Mr. Kelso: I don't have an issue with that. I agree with you.

Mr. Crum: Thank you. So Mr. Chedid, you have your evening back. Thank you, for your candor and your participation thus far, you can sign off.

Mr. Chedid: Thank you, guys, sorry about that.

Mr. Crum: I will turn the meeting back over to the applicant to start presenting.

Mr. Kelso: Thank you, Mr. Chairman, at this time I will call Mr. Christian Roche for testimony. Mr. Roche, you are a licensed professional engineer in the State of New Jersey, is that correct?

Christian Roche (Applicant's Engineer, Langan Engineering & Environmental Services): Correct.

Mr. Kelso: And in that capacity, you're familiar with the application and the site plan before the Board this evening?

Mr. Roche: I am.

Mr. Kelso: Could you give the Board the benefit of your professional qualifications and experience?

Mr. Aithal: Mr. Chairman, if I may interrupt momentarily. I believe that Mr. Roche has appeared before our Board on a number of occasions and has been accepted as an expert. The last time that he appeared might have been as recently as February. Mr. Roche, is that correct?

Mr. Roche: I've appeared before the New Brunswick Planning Board probably about 15 to 20 times in recent years.

Mr. Aithal: Have your credentials changed in any way?

Mr. Roche: They have not, my credentials have remained the same.

Mr. Crum: Thank you, your credentials are accepted.

Mr. Aithal: And one final interruption if I may, prior to Mr. Roche beginning, and this would apply to all of the witnesses as well, all of the documents and the exhibits had been posted online and are available to the members of the public. And Mr. Roche and all the witnesses, if you're going to refer to a document and a sheet on the plan, if you could just, for the record, indicate what sheet number you're referring to, and then perhaps describe it.

Mr. Roche: Will do. So, in order to try and simplify my testimony tonight in the virtual setting, I only plan to reference two exhibits during my testimony. Those two exhibits are

exhibit 1 which is a colored site aerial, and the second exhibit, Exhibit 2, is a rendered site plan, which is just a colored version of the site plan that was submitted as part of this application. So, starting with Exhibit 1, the project site that we are here to discuss tonight is identified on the city tax maps as Block 28, Lot 1.05. It is bound by Prospect Street to the west, Somerset Street to the north, Plum Street to the east, and Plum Street Parking Garage to the south. I will note that Prospect Street is a one-way street in the southerly direction, and Plum Street is a one-way street in the northerly direction. The 0.24-acre property is currently occupied by an asphalt surface parking lot containing approximately 37 parking stalls, and the site area generally slopes from the south to the north towards Somerset Street. The entire project site is under the French-Prospect Redevelopment Area Redevelopment Plan, which was initially prepared by the City of New Brunswick in January of 2002 and was last revised or amended on October 3rd of last year. Transitioning to Exhibit 2 which is the rendered or colored site plan.

Unknown Speaker: You're breaking up.

Mr. Roche: Any better now?

Mr. Crum: We can hear you.

Mr. Roche: Okay, so moving to Exhibit 2, what the applicant is proposing on site is a 15-story medical office building with a footprint of approximately eight thousand square feet. The overall building square footage being proposed is 226,151 square feet. The project does propose overhangs into the Plum Street, Somerset Street, and Prospect Street right-of-ways. All of these overhang encroachments meet the cumulative negative setback criteria stated in the redevelopment plan. The redevelopment plan allows for a total negative setback of 120 feet and we're proposing a total negative setback of 63 feet. We're proposing an overhang on Prospect Street of 6 feet, we're proposing an overhang on Somerset Street of 7 feet, and we're proposing a 50-foot overhang over Plum Street. And I'll note that the overhang on Plum Street will have a clearance of approximately 16 to 16.5 feet to the roadway below. Easements and aerial rights for all of these right-of-way encroachments will be obtained by the applicant from the city prior to the start of construction. As Mr. Kelso noted, we are proposing two potential connections to existing buildings, we are proposing a connection to the existing parking garage to the south, and we're proposing a potential future connection to Children's Specialized Hospital to the east. From a site access perspective, we're proposing a one-way drop-off off of Somerset Street for patients, which has the ability to fit six to eight cars, and we're proposing to handle our trash loading and unloading and non-emergency type ambulance drop-offs off of Prospect Street on the western portion of the site. We did include in our plan set, truck turning movements which exhibit the maneuvers required by these vehicles that we back into the spaces in a designated loading area. The last thing I'll touch on relative to site access, and our traffic engineer can touch on this a little bit more, is as far as the application, the applicant has agreed to install a new traffic signal at the French Street, Prospect, and Bayard Street. Moving on to the parking discussion, the redevelopment plan requires one parking stall per 400 square feet of gross building area. Using our numbers of 226,151 square feet and applying that criteria, this application will be required to provide 566 parking stalls. The applicant is currently proposing 450 dedicated parking stalls within the Plum Street Garage prior to a certificate of occupancy being granted for this building. We're still requesting that variance tonight because the requirement does state there's 566 stalls required whereas we're proposing 450, and at least several other witnesses to discuss the variance in more detail moving forward with the presentation. The one thing I will note though, relative to a gross square footage perspective, is although the total building square footage is 226,000 square feet, when you take out areas that are not directly medical office space, such as utility corridors, stairwell, that gross square footage number drops

to around 180,000 square feet, which would have a parking requirement of 450, and our other witnesses will provide more support of that variance moving forward.

From a stormwater management perspective, the lot is entirely impervious today. This application will actually be reducing impervious coverage compared to existing conditions, and as a result of that, we're not subject to the state requirements relative to water quantity, water quality, and groundwater recharge. Drainage from the building and our roof leaders is going to be conveyed to the existing stormwater system beneath Somerset Street. We're proposing utility connections for [inaudible] to the city owned systems, we're proposing an 8-inch connection for sanitary sewer on Plum Street, and an 8-inch connection for water service on Somerset Street. Gas and electric service is going to be provided by PSE&G. We are requesting a waiver for a landscape plan. We did not submit a landscape plan with the initial application, and the reason for this is just the limited site area for landscaping onsite. We did provide landscaping notes and callouts on our site plan, which shows the landscaping that's going to be included, but since there is such limited landscaping, we have prepared a separate plan. So, we are proposing some landscaping at a ground level at the two proposed landscape islands adjacent to Somerset Street. From a lighting perspective, we're proposing two new pole-mounted fixtures along Somerset Street, as well as several recessed lighting fixtures, from the overhang above Prospect, Somerset, and Plum Street. The lighting design meets all city requirements relative to the proposed lighting levels over sidewalks and roadway areas. The last thing I wanted to touch on was the engineering and planning letters we did receive from the engineering and planning consultants. We've read those letters and we have no problem complying with those kinds as far as the condition of any approval.

Mr. Kelso: I believe, if I might ask you, Mr. Roche, you have reviewed the engineering letters and reviews from Mr. Carley?

Mr. Roche: Yes.

Mr. Kelso: And I believe that all those letters, we've either complied with, or will comply with, comments that have been made?

Mr. Roche: Correct.

Mr. Kelso: I have no further questions for Mr. Roche at this time.

Mr. Crum: Any Board members have any questions for Mr. Roche?

Mr. Cartica: With regard to the encroachment onto these right-of-ways, I know that the Bignell Consultant's report advises that the development rights to these rights-of-way should be a condition of approval. Is that a condition of the Planning Board, or is that just a condition of the project moving forward, because apparently those haven't been secured, but they need to be secured?

Mr. Kelso: I can answer that Mr. Cartica, this is Tom Kelso. Yes, it's an interesting kind of unique situation in that the redevelopment plan provides something called a negative setback, which means that by right in the plan, we have a right to overhang into the air rights over the right-of-way. However, at the same time, in order for us to proceed with the project, that would require us to secure easements recognizing our ability to be in, and encroaching, the right-of-way and the air rights in order for us to proceed with the project. Typically how that is done, it's done as a condition of the approval of the Planning Board, because obviously for us to build a project that's representing it, we would have to obtain those easements and therefore, that would be a condition of approval, but it's our expectation that we will make application before those easements, and that in all

likelihood that there would be consideration made for that to be determined by the city. But we agree that it's, it would be a condition of approval of the Planning Board.

Mr. Cartica: Okay, thank you.

Mr. Kelso: If there are no further questions for Mr. Roche, I'll call my next witness, Mr. Matthew Jarmel. Mr. Jarmel, you are a licensed professional architect in the State of New Jersey, is that correct?

Matthew Jarmel (Applicant's Architect): Yes, it is.

Mr. Kelso: And in that capacity, you're responsible for the architectural design, interior/exterior of the building that's being proposed this evening?

Mr. Jarmel: We call it the core and shell of the building, that's correct.

Mr. Kelso: Can you give the Board the benefit of your professional qualifications and experience?

Mr. Jarmel: I would be very pleased to. I hold a Bachelor of Architectural Degree from the New Jersey Institute of Technology. I also have a Masters in Business Administration with a concentration in real estate development and urban land use from Rutgers University. I've been a registered architect in New Jersey since 1994. I'm actually board certified by what's known as the National Council of Architectural Registration Board. I'm licensed in 31 states, I've testified before hundreds of planning and zoning boards throughout the State of New Jersey. I have testified before this Board, but not in many years. I was the architect for a building that's also known as Plum I on the other side of the parking garage here.

Mr. Kelso: Thank you, Mr. Jarmel.

Mr. Crum: Mr. Jarmel, thank you, your credentials are accepted.

Mr. Jarmel: Thank you.

Mr. Kelso: Mr. Jarmel, if you could then, rather than me ask you specific questions, if you could run through the architectural details of the proposed building.

Mr. Jarmel: I would be very pleased to do that. I will be referring to a schematic design package that was submitted as part of the site plan application. It's a series of drawings that are numbered ST-100 through ST-303, they're all dated February 20, 2020. And some of my testimony, I believe my colleague, Mr. Roche, has already spoken to, but I will just reinforce a few points about the building. First of all, the building and the plans call it out as a 16-story building and some of the plan reports note that as well. I want to be clear, the building is actually 15 stories. The reason it has a 16th floor is, we omitted the 13th floor which is very common in high rise construction. No floor number 13 for those that are superstitious. The first floor of the building, the lot area, is just a hair under 10 thousand square feet. The first floor of the building is approximately 8,000 square feet, it will be used entirely for lobby and functions such as an ambulance drop-off, trash drop-off. And that can be seen on drawing ST-200, where you'll see that there is a vehicular drop-off that comes off of Summer Street, drives underneath the building underpass, and there's a valet, a vestibule, and main lobby. The building will have four elevators, three of which are 3,500 pound elevators, all that are appropriately sized for stretchers, and one 5,000 pound elevator that we refer to as a hospital elevator that can hold a gurney with someone laying down. There is a loading dock on Prospect Street that will allow a size for an ambulance

to pull into it, as well as a small box truck. In this area, trash will be stored, there will be electrical transformers, which are within the building, and other various back-of-the-house functions. The first floor, from the first floor to the second floor of the building, has a floor-to-floor height of 20 feet. This allows us to have ample clearance for vehicles that might be driving underneath the building on Plum Street or Somerset Street. Thereafter, all the floors have a floor-to-floor height of 14 feet. The total height of the building finished first floor to the roof, which is how the ordinance defines it, is 216 feet from the top, from first floor to the roof. Beyond that, there is bulkhead for the elevators, and for all the mechanical equipment from the building, such as cooling towers, and other elements, will be stored on the roof within a bulkhead that goes to a total height of 234 feet. But the zoning height, as defined, is well within the allowance of height at 226 feet. There's also a 6-foot parapet around the roof which will screen any and all mechanical equipment that is placed in the building.

Mr. Roche talked a little bit about the net area of the building. Just to reinforce that, this building, because it's on a small footplate and has 4 elevators and 2 stairs, has, what I'll call, somewhat an efficient course. So, we have about 20 percent common area loss factor, which brings the area of the building down to about 180 square feet, which is what we would call the net or usable area that can be used by actual tenants. Approximately 79,000 square feet of the building is what's over what we'll call the negative setbacks span over Plum Street, and come out to the Prospect and Somerset Street. Just to refer to very quickly, drawing ST-100, which is part of the set, includes three colored renderings of the building. We are proposed to design a very high-tech, very attractive, medical office building that uses materials that are similar and of the same high quality that are used in any of the hospital buildings that are adjacent to it or to it. This will include two different colors of glass. There's a clear glass that will go on the Somerset side, a large portion of it, and then a bluish tinted glass. There will also be metal panels used in the facade, various types of [inaudible] where there might be glazed where you don't see the [inaudible] from the outside, and then certain areas where you will, to create a design pattern to it. The base of the building on all three sides, I say three because we only have three sides that face streets, the rear of the building is adjacent with the zero property lines to the parking garage. But the bottom of the building will be clad with a limestone-type material to give it a hard surface for protection. Currently, the building design will have a positive connection to the parking deck. This happens at the fourth floor, which is where the floors will line up. The current design will allow for, but initially will not include, a connection to the Children's Specialized Health Hospital. So, the building stands across Plum Street to that building, and almost touches it. So, in the future if there is a need to connect the buildings for pedestrian access, that can also happen. That essentially completes my testimony about the overview of the building, and I'd be pleased to take any questions that the board professionals or the public have of me.

Mr. Crum: Thank you, Mr. Jarmel. Any questions from any of the Board members? Very good, I think we'll do the public comment later, Mr. Jarmel, but thank you for your testimony. Mr. Kelso, back to you.

Mr. Kelso: At this time, I will call Mr. Dan Disario for testimony, our traffic consultant. Mr. Disario, you are a licensed professional engineer with an emphasis on traffic consulting, correct?

Dan Disario (Applicant's Traffic Engineer, Langan Engineering & Environmental Services): I am.

Mr. Kelso: And in that capacity, you conducted traffic analysis and study of the proposed building and its grounding access and other facilities are around it, is that correct?

Mr. Disario: That is correct.

Mr. Kelso: And could you give the Board the benefit of your qualifications and experience?

Mr. Disario: Certainly. I have appeared before this Board in the past, I have also been accepted as an expert in the field of traffic engineering before hundreds of boards throughout New Jersey as well as other surrounding states. I am a licensed professional engineer in the State of New Jersey, and as it relates to education, I have a Bachelor of Science and Civil Engineering from Temple University, and a Master of Science and Transportation Engineering from NJIT.

Mr. Kelso: I would offer Mr. Disario as a qualified expert in the Field of Traffic Consulting.

Mr. Crum: Thank you, Mr. Disario, your credentials are accepted.

Mr. Kelso: Okay, Mr. Disario, again, not to try to ask you specific questions, but if you could run through your charge here and how you went about it, then if you could give us the benefit of your conclusions and recommendations.

Mr. Disario: Certainly. As the Board is aware, as part of the site plan application, my office prepared a traffic impact statement dated February 20, 2020. I'd be happy to answer any specific questions that the Board, or later on, the public, has as it relates to that document. I think given the nature of the application, I will give you the benefit of some of the high level conclusions that we've reached with respect to the traffic related aspects of this application. As the Board I'm sure is aware, the intent and purpose of this new office building is essentially to accommodate Robert Wood Johnson /Barnabas in terms of existing doctors and other medically oriented professionals into this new space. So, those doctors and medical professionals right now are practicing out of the hospital proper if you will, in terms of the overall hospital campus. So, the relocation of those doctors and other medically-oriented professionals to this building, in terms of an overall impact as it relates to traffic operations, is not going to cause any significant change. Basically, those people and patients are coming to the area today and they will continue to come to the area in the future, they'll just be directed specifically to the building that is before you this evening. Some additional services that don't exist out of the existing hospital are intended to be provided in the new building. We conservatively estimated about 30 percent of the new building square footage will be dedicated to new services that don't currently exist. Based on published information, that 30 percent of new service if you will, would equate to about 140 additional trips into the area during the morning peak hour. That would equate to about 110 vehicles coming in, and 30 vehicles leaving, and then the weekday evening peak hour, about 235 trips. A round 65 vehicles coming in and 107 vehicles leaving.

You heard from Mr. Roche, as well as Mr. Kelso, earlier that the intention is to accommodate the parking for this new building through the adjacent Plum Street parking garage that is run by the Parking Authority. That garage, in terms of driveways, only entering traffic into that garage is accommodated via Plum Street and there are two means of exit, one on Plum Street and one on Prospect Street. We've, again, based on the traffic study we've done, we've looked at the area of operations for those surrounding intersections that surround the site. We've concluded that operations would not be significantly impacted by this proposal, even with the conservative assumption that 30 percent of the new building would generate new traffic. We have identified, and I think it's in the past been a returning theme, if you will, as it relates to the French Street, Bayard Street, and Prospect Street intersection, we've concluded that during peak hours, so

when people are commuting essentially to and from work, both in the morning and the evening, the volumes at that intersection currently would warrant a traffic signal based on those peak hour volumes. The applicant has agreed to install a signal at that location, and we'll pursue county approval associated with installation of a traffic signal. And the only other proposal in terms of approval that we've identified, is that as Plum Street approaches the Somerset Street intersection, Plum Street's a pretty wide roadway from curb to curb today. Functionally, it operates just two lanes, so if somebody is waiting to make a left turn onto Somerset Street, somebody that either desires to proceed through, or make a right turn onto Somerset Street, can easily by-pass that vehicle waiting to make a left turn. So, to formalize that operation, we are proposing to add striping to Plum Street at the Somerset intersection, such that we would stripe an inclusive left-turn lane and then a separate shared-through right turn.

As it relates to the parking variance that we are seeking, I will just respectfully submit some quick testimony as it relates to published parking data for medical office buildings in urban settings. The latest published data that's put forth by the Institute of Transportation Engineers suggested that the average peak parking demand for such a medical office building in round numbers is one and a half vehicles per thousand square feet of gross floor area. So one and a half vehicles per thousand square feet. As you heard from earlier testimony, 450 parking spaces would be made available to service medical office building in the Plum Street Garage. That equates to a little over two parking spaces per thousand square feet on a gross floor area basis. So in my opinion, the amount of parking that is proposed to support this building is in excess of the average peak parking demand for such a medical office building, and therefore, I think the board can find some comfort that there is data that supports granting of that variance as it relates to parking for this application. And with that, I would conclude my direct testimony.

Mr. Kelso: I have no further questions of Mr. Disario, if the Board wishes to direct any to him.

Mr. Crum: Thank you, Mr. Disario, are there any questions from Board members?

Mr. Cartica: This is Bob Cartica. I'm confused on a couple of points here. First, you indicate that pretty much the building is going to be occupied by existing staff, just sort of to relieve congestion and other RWJ buildings? I thought I heard earlier that there would be new physicians also using this space, but I'm just kind of confused as to how a 227 thousand square foot building is not going to increase occupancy in any way. I would just like you to kind of restate and will it stay that way?

Mr. Disario: Sure, the majority of this new building would be occupied by existing doctors and other medically-oriented professionals that are currently practicing out of the hospital proper, if you will, in terms of the hospital campus. We have conservatively assumed that 30 percent of this new building's square footage would accommodate new services that do not exist currently at the hospital. So, we have not assumed that no additional services will be provided out of this building. To the contrary, we've assumed 30 percent of the building would provide entirely new services that do not exist today at the hospital.

Mr. Cartica: And the Plum Street parking lot that this 30 percent would be directed to, if I'm reading this correctly, what assurances do we have that that parking lot would accommodate that capacity, and also what, of the car and the persons that are parking on that lot space right now, what's to become of that?

Mr. Disario: I'll defer to Mr. Kelso, as well as other witnesses, as it relates to securing the parking in the Plum Street Garage. However, I will tell you that it's my understanding that 450 parking spaces will be made available in the Plum Street Garage to support this new

building. And just one other thing I'd like to clarify. We are assuming that 30 percent of the new building will be supported by that parking that's made available at the Plum Street Garage, the Plum Street Garage will support a hundred percent of the proposed building. And if you look at the latest published data, assuming a hundred percent of the building would be accommodated by Plum Street, that data suggests that a building similar to the one that's proposed would have an average parking demand of one and a half vehicles per thousand square feet of gross floor area, whereas if 450 spaces are made available on the Plum Street Garage, the actual parking supply would be a little over two spaces per thousand square feet on a gross floor area basis. So, we're providing more parking vis-a-vis the spaces that will be made available on the Plum Street Garage, than what we would otherwise expect based on the latest parking data.

Mr. Crum: Mr. Disario, this is Jeff Crum. A couple of quick questions that I'm trying to clarify. So, when we say the existing hospital staff, doctors, workers who are, we're saying they work in a hospital but they likely have a doctor's office somewhere else, and that what's being proposed here is that they can locate their traditional physician office to a building adjacent to the hospital. Is that an accurate assessment of what's happening?

Mr. Disario: That is accurate, and I would add to that, it's my understanding that a lot of doctors also have their offices in the hospital and are seeing patients for office hour visits in the hospital as well.

Mr. Crum: Thank you for that clarification. So, the likelihood, and I'm just trying to understand from a traffic perspective, the likelihood is that the majority of the utilizers of this building are already driving to the complex or to the surrounding area already, again asking for clarification if that's accurate.

Mr. Disario: That is correct, yes

Mr. Crum: Thank you. And for the Plum Street Garage, and I'm sorry if I missed this, do you know the current usage of that garage today verses what the projected usage would be after this building is built?

Mr. Disario: I do not. I would have to defer to the Parking Authority for that kind of information.

Mr. Crum: Has the Parking Authority offered any input or suggestions?

Mr. Disario: My understanding is that the Parking Authority has committed to provide 450 spaces to support this building, and the indication is that the Parking Authority in terms of all of its facilities, whether it's lots or garages, has more than enough capacity to accommodate the collective demands.

Mr. Crum: Okay, Mr. Kelso, do you know if there is anything in writing or agreed to with the Parking Authority to date?

Mr. Kelso: Yes, if I might clarify this, first of all, my next witness, Mr. Bogle, the representative of Robert Wood Johnson, is going to help clarify a number of the questions that you just asked him with regard to the interrelationship of the parking and the facilities. But I would say specifically that the Parking Authority had provided to us a written confirmation that Mr. Bogle will refer to [inaudible] and but a letter of confirmation that those 400, well actually confirmation that they have additional parking available for services that I think Mr. Bogle will confirm for you. I will indicate with regard to the 450 spaces, the reason that they are within our control is because those spaces are

actually held by parking passes by the hospital, but I'm going to allow Mr. Bogle to get into the details of that, my next witness.

Mr. Crum: Thank you, Mr. Kelso.

Mr. Kelso: If there are no other questions for Mr. Disario, I will call Mr. Daniel Bogle for testimony.

Mr. Crum: That would be great, thank you.

Mr. Kelso: Mr. Bogle, I believe you are the vice president of Robert Wood Johnson, is that correct?

Daniel Bogle (Vice President of Construction Services, Robert Wood Johnson University Hospital): Correct.

Mr. Kelso: In that capacity, you are familiar with specifically, I think, with facilities and operations, and particularly with regard to occupancy in the buildings, and also with the parking in the various parking facilities, is that correct?

Mr. Bogle: That's correct.

Mr. Kelso: Then what I would like you to do is just give us a little background with regard to your experience in your job as the vice president of RWJ, and then I'm going to ask you to go into the specifics about the interaction of the parking facilities, the expectation that we have here with this garage, the interaction that you have with the New Brunswick Parking Authority with regard to the potential for the parking that they're making available to us. I'm going to allow you to just go ahead and tell us that.

Mr. Bogle: Sure, thank you, very much, good evening. So, my name is David Bogle and I'm a vice president in charge of planning design and construction at Robert Wood Johnson Barnabas Health, and I've been working in New Brunswick on this campus for at least 25 years. I've been involved in all the various developments, along with the overall campus, with the medical school, Rutgers, Children's Specialized, and et cetera. The developer is going to be constructing a 15-story building containing a mixture of administrative floors and medical offices. The developer has met with us, and we've discussed and determined what types of programs that we would put into this building. As you may know, we've sort of explored a little bit tonight, Robert Wood Johnson, the Robert Wood Johnson Medical School and Rutgers have a very complex but intertwined relationship, and that relationship allows us to operate a world class academic medical center in New Brunswick.

The hospital, Robert Wood Johnson University Hospital, specifically operates several clinics on and around the campus. These clinics happen to be staffed by Rutgers, or medical school doctors, and their assistants, and some of their key personnel, but the clinics themselves are hospital clinics run by Robert Wood Johnson University Hospital. As well, we also provide various office spaces as we're required to, in order for the physicians to be able to move efficiently within the hospital, because the doctors are not in these clinics a hundred percent of the time. They're moving from seeing patients, rounding up patients, performing surgery, doing clinic hours, going to other clinics offsite, and different things. So, it's important for us to have the ability for them to have a nice place to see patients and be able to move around the hospital in general campuses. Given the preliminary program, a number of employees who would be within this building, we have current RWJ, Robert Wood Johnson Medical School, and Rutgers parking. We have a significant amount of staff members that are within the hospital today, as Mr. Disario

indicated, that would work in this building. For example, I'll give you one of the major programs in this is a neurosurgery clinic, and the doctors that would run that clinic are clearly doctors, they're surgeons, so they would already be parking in the doctor's parking lot. It's not a huge tower garage, but that's where they would go. Their medical staff offices are located near there, and that's where they start their day, and usually end their day. Their assistants, who possibly or likely are medical school or Rutgers University employees, they are already accounted for and probably can park in the Patterson Street Garage as part of their part of that parking counts. So, it's unlikely that any of those folks will move to Plum Street, so we're doing that.

The hospital campus, which is not only Robert Wood Johnson University Hospital, but Children's Specialized Hospital, Rutgers University, the medical school, and so forth, I could go on with many entities. It's a very dynamic enterprise that we've been involved with for over 28 years now, I think. I have personally been on the campus for 25 years, and this project is really just one step in the constantly evolving response to the needed healthcare and the process of developing plans that would identify future additional structured parking, it's always going, although we don't have any final locations selected. Given the potential of what this project will complete before any new garages are built, the hospital is prepared to relinquish 450 monthly parking spots in the Plum Street Garage and make those spots available for this new facility, prior to condition of certificate of occupancy. We can make those arrangements for temporary parking by shifting people around, and we do this all the time. The New Brunswick Parking Authority is prepared to lease the hospital up to 500 spaces in allotted 625 Jersey Avenue, and we have a letter referencing that which Mr. Kelso talks about. The hospital has operated through shuttle services to a remote parking lot through the 80s, 90s, and the 2000s, when various demands needed, or while decks were under construction. Specifically, in 1980, the Patterson Street Garage was under construction and we shuttled people to different lots. In the 90s, the main campus and other lots were being constructed, we shuttled people. So, this is nothing new to us and we're prepared to do that while further campus developments take place. So that is how we intend to handle the additional parking that may be required with this new project. And with that, I'll end my testimony and turn it back to Mr. Kelso.

Mr. Kelso: If I might ask you, Mr. Bogle, I think that any of that shuttling service to the extent that you need to, in backfilling some of the other locations, if you need that parking, that shuttle service can also provide additional shuttling for people if there was some reason that this building required more than 450 spaces.

Mr. Bogle: That's correct.

Mr. Kelso: And I think you indicated that a number of the people that would be relocated here actually already have parking spots in the various garages around the campus.

Mr. Bogle: That's also correct.

Mr. Kelso: I believe if I understood, that there might have been something totaling maybe 75 or more staff members who would likely not even move as a result of this, other than move into the building.

Mr. Bogle: That's probably conservative.

Mr. Kelso: Again, I have no further questions for Mr. Bogle.

Mr. Dominguez: Any Board questions, comments?

Mr. Cartica: Bob Cartica again, just wondering who uses the Plum Street lot? Is that primarily used by employees of Robert Wood Johnson, or are there folks going to be displaced by folks in this building?

Mr. Bogle: So, as I mentioned, Robert Wood Johnson leased several monthly passes from the Parking Authority there and we're relinquished those, and we will shuffle our parking and maybe move some people to other locations. However, the Plum Street deck also provides daily and hourly spots that service the hospital today, so that's where your patients would park and things like that, that continues today. But beyond the space that we control I can't, I would have to refer to the Parking Authority, but in general it's a mix of monthly parking and patients in that deck.

Mr. Cartica: My concern is just displacing others who use that deck. Is that possible?

Mr. Bogle: Sure, I mean, if this building is completed before there is no other structured parking or other parking alternative when this building needs a CO, we're prepared to, quote unquote, shuffle our parking and relinquish 250 spots, which would cause people to move from Plum Street to another deck, and those will all be our employees. So we do this fairly routinely. We're not displacing anybody but our own employees, and we do this routinely as a part of our parking and staff management traffic, and that's where the remote shuttle would come in, which would be nothing new to the employee population at Robert Wood.

Mr. Cartica: And I'm assuming that those 40 or so parking spaces that now occupy this lot, that's part of this whole plan to, those are all hospital staff also?

Mr. Bogle: I believe that both of those spots on the lot are controlled hourly by the Parking Authority.

Mr. Cartica: Oh, okay.

Mr. Crum: Mr. Bogle, this is Jeff Crum, first I just wanted to start off by thanking you and Robert Wood Johnson for your commitment to improving New Brunswick and the city. The hospital is a great institution, and the work that you do to care, especially during these times, for our vulnerable populations, it's really important. So, I just want to extend our thanks on behalf of the Board. One item that is not germane to the application, but I assure you it will come up during public testimony, and I'd like to just address it now is, I don't know if you're familiar with this, but there's an elevator on Albany Street that is currently out of service and it has been a topic of this board for probably the last six months. Are you familiar with the elevator that I'm referring to?

Mr. Bogle: I do. That building is known as the Children's Research Building, it's owned and operated by Rutgers University, so the hospital has nothing to do with that building or that elevator.

Mr. Crum: Okay, thank you for clarifying that. So, you don't have any, just making sure I'm a hundred percent clear, you don't have any responsibility or oversight over that elevator?

Mr. Bogle: No, zero.

Mr. Crum: Thank you. I appreciate the non-germane comment. Any other questions from the Board?

Mr. Cartica: Just one more, Bob Cartica. There's a reference here to some pedestrian access, I thought this might have been related to Mr. Crum's question. Can someone enlighten us on what this pedestrian access is? No?

Mr. Jarmel: Perhaps I can, this is Matthew Jarmel. I believe you're referring to a note on the drawing along Prospect Street, is that correct, sir?

Mr. Cartica: Good question. I saw information about proposed pedestrian access, I can't tell you which document, I can't reference the document that I received that information from.

Mr. Jarmel: There are multiple ways that a pedestrian can enter the building. So, the main entry to the building is on Somerset Street and there is both a vehicular drop-off that we talked about. So, pedestrians can enter the buildings off of Somerset Street either...can you hear me okay?

Mr. Crum: Yeah, I think we're getting somebody else speaking, but try again.

Mr. Jarmel: So, pedestrians can enter the building off of Somerset Street and what we'll call the corner of the main entry of the building is at the corner of Somerset and Plum. There is both a vehicular drop-off there, but also a very wide sidewalk, so anybody walking to the building from other areas on the hospital's campus can come there. There's also pedestrian doors that exit on to Prospect Street and Plum Street, specifically on Prospect Street. We've located a secondary door and vestibule that is adjacent to the Plum Street Parking Garage lobby, and that's the lobby that actually has elevator access as well. So if a patient or an employee parked in that, more likely a patient or a visitor of a building, parked in Plum Street, they can take the elevator down on the...I'm sorry, they park in the Plum Street Garage, they can come down on the Prospect Street lobby either using the stair, or the elevator, and enter the building off of Prospect Street to gain access to the main lobby. In addition to that, if you refer, and this is really for a staff entrance, if you refer to the sheet SD-202 in the architectural package, we show a positive connection on the 4th floor of the office building to the parking structure. And that's intended as a staff entry for any of the RWJ staff that are parking in the Plum Street Garage can come in through that door as well, that would be an access control door.

Mr. Cartica: Thank you, I should have clarified this. I'm referring to the pedestrian access in the letter from Mr. Bignell, publicly acceptable pathway between Somerset Street and French Street.

Mr. Jarmel: Okay.

Mr. Cartica: Sorry for not –

Mr. Jarmel: So that may be a question more appropriate for Mr. Roche, our civil engineer, but there are sidewalks both on Plum and Prospect Street, you know, I think unfortunately the topography of the site candidly does not allow for what I would call a handicap-accessible ramp structure there.

Mr. Roche: This is Chris Roche, if I can chime in on that one. I think the requirement that Mr. Bignell was referring to really applies to Block 24 of the redevelopment plan, which is the block to the east of our site. And I know as part of previous applications, the hospital, in order to try and offset, or to provide this connection, when we did the east tower project maybe six or seven years ago, we did put in an ADA compliant connection on the west side of the rail line to provide that pedestrian movement from French Street up to Somerset. And as mentioned as well, there are pedestrian sidewalks on both sides of Plum Street

while the directional slopes of these sidewalks exceed typical ADA requirements, there should be a maximum slope of 5 percent. There are exceptions to those requirements when the street raise also exceed those, so those could still fall under the ADA accessible paths.

Mr. Cartica: Okay, thank you.

Mr. Castaneda: Did I hear correctly that there was going to be patient drop-off on the corner of French and Somerset Street?

Mr. Jarmel: No, not on French and Somerset.

Mr. Castaneda: Plum and Somerset.

Mr. Jarmel: This is Matthew Jarmel. If you refer to drawing SD-200, you'll see what I said is that the main lobby of the building, and perhaps I wasn't clear, is on the corner of Plum and Somerset, but it's not, patients wouldn't be dropped off on the public right-of-way. There is a drop-off driveway that comes off of Somerset two lanes wide where patients would be able to park and actually even valet their car. They can get out and there would be a valet and they would go park their car for them. And then there's a large vestibule that's on the, what I'm calling the Plum and Somerset corner, but it really faces Somerset, and directly to the vehicular drop-off and wide sidewalk there.

Mr. Castaneda: Thank you. I guess my concern is to make sure that that wouldn't cause a traffic issue, cars kind of being stacked until they're able to be moved or valet.

Mr. Jarmel: There's room there for at least six cars.

Mr. Castaneda: Thank you.

Mr. Crum: Any other Board questions? Mr. Kelso, do you want to move on to your final witness?

Mr. Kelso: Yes, at this time I would call Mr. Sean Moronski, for testimony. You are a licensed professional planner in the State of New Jersey, is that correct?

Sean Moronski (Applicant's Planner): Yes.

Mr. Kelso: And in that capacity, you're familiar with the plan that's been presented before the Board this evening, and the variance, with regard to parking, that we are requesting?

Mr. Moronski: Yes.

Mr. Kelso: Could you then give the Board the benefit of your professional qualifications and experience?

Mr. Moronski: Yes, I have a Masters in Urban Planning from New York University, I am currently a New Jersey licensed professional planner, my license is still current, that's been the case since the year 2000, a member of the American Institute of Certified Planners since 1999. I've been qualified as a professional planner in over 100 municipalities, including in New Brunswick, with both boards.

Mr. Kelso: Thank you, Mr. Moronski. If you would then, I'm just gonna ask you to do your analysis with regard to the variance that's being requested, and I'll allow you just to proceed and not interrupt you with questions.

Mr. Moronski: Okay, we are requesting one variance from the redevelopment plan, the number of parking spaces, it's one space per four hundred square feet minimum. We have approximately 226,000 square feet of gross floor area, that requires 566 spaces. Now, we are providing no spaces on the site, however the redevelopment plan does permit the applicant to find parking spaces at lawfully operating parking facilities within 800 feet of the site, which is, as it's been discussed in prior testimony, what the applicant has done. With regard to this variance, I do believe it can be granted under the C2 criteria where the benefits of developing the site with the new medical office building to supplement the existing operations as it's been discussed, not with most of the operations already existing, and it's merely modernizing operations, and that the parking demand that is created is relatively minimal. As was discussed, about 30 percent of the building is dedicated to new services, and that having the available parking spaces outweighs any detriments from granting this parking space variance. The applicant has required 450 monthly parking permits in the garage on Plum Street which is adjacent to the south, and connections for both employees and visitors have been previously discussed.

Mr. Disario, in his analysis, talked about the ITE for medical office building, ITE being the Institute of Transportation Engineers data. The average peak parking demand for medical office building is 1.5 cars per thousand square feet. The 450 parking permits that will be provided in the Plum parking lot provide roughly two parking spaces per thousand square feet. So, based on the available data from the Institute of Transportation Engineers on this use, that the 450 spaces at the Plum parking lot would be sufficient to address demand. There's also been testimony talking, Mr. Bogle, talking about how, depending on operations at a time, whether there is construction going on, and that the operations are used to shifting to other parking garages to have the parking spaces available, and that the applicant does have availability to lease up to 500 spaces from the New Brunswick Parking Authority at a Jersey Avenue lot. And in the past, when they've needed to, they also provided shuttle service which, in the event that the 450 parking spaces are not sufficient or not available, this can be done to address concerns about parking.

We satisfied several purposes of zoning, encouraging action to guide the appropriate use of land in a manner which promotes the public health, safety, and general welfare. The requested relief helps to permit the development of medical office building that supplements existing operation, provides additional space to modernize operations, while at the same time addressing parking within 800 feet of the site. We also satisfied purpose G, providing sufficient space in appropriate locations for a variety of uses. According to their respective environmental requirements, in order to meet the needs of New Jersey citizens, upgrading and modernizing, having a modern medical center building onsite as designed, and being able to address the parking demand within 800 feet of this site, helped to further that purpose as well. For the C2 variance, we also have to address the negative criteria. There's no substantial detriment to the public good, medical office building parking demand can be addressed in the Plum Street Garage, and if necessary, other offsite locations whether it's to a nearby garage or through shuttle service, if necessary. This allows for the site to be developed with medical office building that addresses, that allows for additional office space for doctors who are already in hospitals, the expansion of exam rooms to allow for a more up-to-date medical facility.

The surrounding uses in the area adjacent are already used for hospital and healthcare services. In addition, it's been discussed concerns about traffic and circulation, right on Plum Street, the intersection with Somerset, the proposal to add striping for a dedicated left turn, and a right turn, and a straight lane, to help to facilitate traffic as well. There's no substantial detriment to the intent and purpose of the zone plan. The use is permitted, although the bulk requirements, and the redevelopment plan are complied with, and the parking demand is met within 800 feet of the site, as is outlined in your redevelopment

plan. So, I do believe that for the reasons stated, the C2 variance can be granted. Thank you.

Mr. Kelso: I have no further questions for Mr. Moronski. That completes our presentation.

Mr. Crum: Thank you, very much. Any questions for the Board? Hearing none, we're gonna open this to public comment. Let me just go through the way that we're gonna do this, and this was the same as we did last month. So, at this time, we're preparing to open the meeting to public comment on this specific hearing. Specific items are five minutes per person, in order to ensure that the Planning Board can hear from the interested public and that the public can hear public comment, I will organize the speakers in order by last name. At that time, I will ask for people to announce themselves starting with their last name starting with A and moving through the alphabet. I will ask one or more times for anyone who may want to be placed on the initial list of speakers, then move through the list of speakers by calling the person by name, and permitting them five minutes to speak. Once we complete the list, we would again check to see if anyone else would like to comment. After asking three times, I will then close the public comment portion. Please be mindful that your voice is being telephonically transmitted, and to speak slowly and clearly for the benefit of all. I will ask that you please remain silent when I initially unmute the phones so that we can hear each other, and begin the speaker registration process.

I will ask the members of the public on the phone who would like to comment on this specific ordinance with the last name starting with the letter A, please state your full name and home address.

Mr. Crum goes through the alphabet once; Charlie Kratovil is placed on the initial list of speakers

Mr. Crum: I've gone through the entire alphabet prior to me reviewing the list of speakers. I would like to ask if there is anyone who has not made themselves known, would you now like to speak in the public portion on this specific item? Second call, anyone? Again, prior to me reviewing the list of speakers, I would like to ask if there is anyone who has not made themselves known would now like to speak in the public portion on this specific item.

Mr. Dominguez: Mr. Chair, the sole public commenter is Mr. Charlie Kratovil.

Mr. Crum: Thank you.

Mr. Dominguez: You're on.

Charlie Kratovil (143 Suydam St, New Brunswick, NJ 08901): Thank you, kindly. Members of the Board, I wanted to speak in opposition to this proposal. I wanted to first draw your attention to something on page 6 of the environmental - I'm sorry, Figure 6 of the Environmental Impact Statement, the Land Use Map, and wanted to ask Mr. Kelso, since he probably knows this site well, I think we all know it as a former cigar factory, leather factory, now it's the senior housing, I believe. Can Mr. Kelso confirm that's residential?

Mr. Kelso: Are you talking about this site, Charlie?

Mr. Kratovil: I'm talking about Providence Square I and II, which is just off the next block.

Mr. Kelso: What does Providence Square have to do with this application?

Mr. Kratovil: Oh, on your land use map here for Figure 6, I'm asking whether it's residential or commercial services.

Mr. Kelso: Are you talking about on the adjacent site?

Mr. Kratovil: Yeah.

Mr. Kelso: Well, if you're talking about Providence Square, then it's –

Mr. Kratovil: It's houses, is it not?

Mr. Kelso: Yeah, it's obviously a residential building, the old cigar factory.

Mr. Kratovil: And what does Figure 6 show it, as in your land use map, put together by Langan Engineering, the Environmental Impact Statement, it's page 17 if you're looking at the PDF.

Mr. Kelso: You're asking me, but unfortunately, I can't see it, so perhaps the exhibit that was prepared by Langan, the answer can be given by Mr. Roche.

Mr. Roche: I'll have to pull it up, Tom, typically those figures are based on base mapping that have been provided at state level, and if Charlie, if you're telling the truth, I'll believe you [inaudible] commercial rather than residential on the map.

Mr. Kratovil: Okay, well it paints a very different picture then about this project fitting in or not with the neighborhood, and I just suggested that huge chunk of green between Harvey and Plum is, shouldn't be green in the map, it's inaccurate.

Mr. Kelso: Well, Charlie, just so we understand, the building itself completely complies with the redevelopment plan for the area, it's a permitted use and meets all bulk requirements.

Mr. Kratovil: Okay, I'm just fact-checking all of these documents here that I just happened to glance at, and I see that you're painting an inaccurate picture about the neighboring properties and what type of use that they have.

Mr. Kelso: I think that it's pretty common knowledge that across the street from this, catty-corner, is Providence Square; I don't think we're hiding anything from anybody.

Mr. Kratovil: Well, I agree with that, that's why it would be so wrong of you to misrepresent.

Mr. Kelso: Well, I don't know if I am because I can't see it.

Mr. Kratovil: Okay, well not my fault that you don't have the documents you submitted to this Board, but I'm looking at them on the web here and I see at least one major error in Figure 6, but I'll move on. Regarding conflicts, just so I'm clear, the decision was that employees of Rutgers, people's spouses that are employed by Rutgers, are not conflicted on this project, but those who are employed by Robert Wood, or spouses employed by Robert Wood, should not be participating in this project?

Mr. Aithal: Mr. Chairman, if I may?

Mr. Crum: Yes, please.

Mr. Aithal: Yes, I think that the concern that we had was that Mr. Chedid had a spouse that was employed, and I'm probably going to overstate it, but my concern was that she was employed in the health field and so there may be a potential for a conflict. I don't know that that would have been a direct conflict, but out of an abundance of caution, I thought it was best that he not participate.

Mr. Kratovil: But, putting aside Rutgers, Robert Wood Johnson employees and their spouses should not be participating in the project on the government side?

Mr. Aithal: Mr. Chairman, I don't know that anyone's indicated that they're directly or indirectly, are employed, or have a spouse that's employed, by Robert Wood Johnson.

Mr. Crum: Yeah, I think we asked that conflict question at the beginning, and we expect everybody to identify correctly.

Mr. Kratovil: Terrific, and I don't believe anybody has not done that tonight, but I do want to point out for the record, that a board member of Robert Wood Johnson was responsible for giving the presentation to the Housing Authority, with essentially the Housing Authority, and redevelopment authority, as their client with regard to this same project, and designating this applicant as the redeveloper. So, I think this already has a serious and high deep conflict problem at its heart, and I think it should give the Board pause and I hope, and I'll give you a few more reasons why you might want to hold off on approval of this project tonight. I know the parking demand –

Mr. Crum: Mr. Kratovil, I just want to let you know, you are over time. I'll let you go another minute, but try to keep continue moving along.

Mr. Kratovil: Oh okay, I didn't, no one stated that there was any kind of time limit, and I believe I'm the only person objecting. I'm an official objector, I don't want my time limited. I want to be able to ask all my cross-examination questions that I'm entitled to ask, and so I'll continue to do that. Can you tell me why did the property change hands from the two LLCs, there was French Street Urban Renewal which had promised to deliver some type of redevelopment and failed to do so, and then in 2009 the property was transferred to Somerset Street Urban Renewal. Can Mr. Kelso, or his client, tell us why that happened and explain the backstory there?

Mr. Crum: Mr. Kratovil, I'm going to ask that you, why don't you go through all of your questions, we'll note them, and then we'll allow time for answers.

Mr. Kratovil: Well, I would submit that to cross-examine someone you would need to be able to get some answers to continue asking additional questions sometimes. So if I could just get the answer to that now. It's important to know the backstory of the site, is all I'm getting at here.

Mr. Crum: Mr. Kratovil, we'll give you a chance. This is public comment, we're not cross examining witnesses so let's try to –

Mr. Kratovil: I'm officially objecting to this application.

Mr. Crum: Okay.

Mr. Kratovil: I'm a resident of the City of New Brunswick, I'm actually the head of the 5th and 6th Ward neighborhood association, and the Planning Board has never, until very recently, had time limits on the ability for people to speak at your meetings, or to exercise

their right to cross-examine the witnesses. This is a proposal for a mega-project and I'm the only person who is asked to exercise these rights tonight to be able to speak to you on this, and I'm asking that my time not be limited to five minutes for all questions about the entire thing. And I think that's reasonable, and I hope you'll work with me here. So, for the record, there is no NBPA representative on the record here, is there one on the call who can make a representation about availability of parking in this 855-space deck?

Mr. Kelso: The testimony was provided through Mr. Bogle that there was a correspondence confirming the ability to shuttle 500 vehicles to and from the lot that they manage on Jersey Avenue. The parking passes that are being referred to are under the control of Robert Wood Johnson.

Mr. Kratovil: I caught that. Does the Parking Authority have anything in writing though for that claim for Jersey Avenue lot?

Mr. Kelso: Yes.

Mr. Kratovil: I didn't see that in the file. Is that on file yet?

Mr. Kelso: It was testified to by Mr. Bogle, we have a copy of it to provide to the Board.

Mr. Kratovil: And to the public. Can you e-mail me it, please?

Mr. Kelso: Yeah, that's not a problem.

Mr. Kratovil: I do want to point out –

Mr. Kelso: Why don't you allow me to answer your other question because you seem to think that there's some conspiracy. Mr. D'Anton is the owner of AST Development Corporation. AST Development Corporation was the master developer for the original project that included all the office space that's there today, and the parking garage. That was done through the creation of an Urban Renewal entity, LLC. That is typical for a project that is developed as an urban renewal redevelopment project. This project, now coming a number of years later, is still being developed through AST Development Corporation with the same principal, and it is typical and common, and I believe you know this, that when you create a separate project with a separate building, you create a different Urban Renewal Entity, LLC to be able to own and operate that facility as a separate and distinct entity. Both of those redevelopment agreements were guaranteed by AST Development Corporation, but the principal determined to create a separate urban renewal entity, common, very common.

Mr. Kratovil: Okay, I wasn't alleging a conspiracy to be clear, I was just trying to get at the fact that the developer had promised to develop the site more than a decade ago and had failed to deliver on that promise, and I was just curious what changed in 2009 that made him want to start anew, with a new LLC, at that site. But I'll move on unless there's anything else Mr. Kelso wants to say.

Mr. Kelso: Okay.

Mr. Kratovil: The Planning Board should think about safety. Safety should come first, and unfortunately the Plum Street deck has had a problem with people jumping to their deaths from it. It's not the only deck with that problem, but it has been a problem unfortunately, a recurring problem, and one where the Parking Authority has only just begun to consider the remedies that are needed there to make it safe to prevent these types of tragedies from happening, and I would suggest that since the applicant is relying on the Plum Street deck

to meet their demands, the part that they are meeting, you may want to make a condition of approval, or just do whatever you can to make sure that the changes do get made to that facility to prevent those types of tragedies. I think that's something that this Board should keep in mind as we continue to you know, build more.

There is a historic site across the street, and I believe that back 15 years ago when this was first hashed out, there was some kind of consideration made that a building this tall would be too tall for the neighborhood. I don't necessarily have an opinion on it, but I think that there were folks in the community that were approached last time and that the decision involved them. Was there any type of community involvement in this decision making? Did Mr. Kelso, or his client, speak to that, or Robert Wood?

Mr. Kelso: The redeveloper is following the criteria that is in the redevelopment plan. It is in full compliance, both in terms of uses, setbacks, height, and the rest. And that process of creating a redevelopment plan is a public process, as you know.

Mr. Kratovil: So, that's a way of saying that no, there hasn't been any community input and this is the only community input that is to be taken, and so I appreciate the Board giving me the chance to at least say my piece here. I'm glad there's a traffic light that is going to be a part of this, I know that it's part of the broken promises from developers over the years has been dealing with the traffic problem in this area. I would suggest building so much space is going to increase the traffic significantly, and a light is definitely necessary. You might want to work on the other side too, on French Street, as what the original part of the redevelopment plan, I believe. And can I just ask about Plum I, the building on that other side, is that fully occupied? Did Robert Wood end up renting the entire thing?

Mr. Kelso: If you're asking me Charlie, I don't know the answer to that. I believe it is, by and large, all Robert Wood, but I can't say that for certain.

Mr. Kratovil: Could Mr. Bogle address it? Is it fully occupied? How many floors out of the ten floors are occupied? Or maybe Mr. D'Anton?

Mr. Kelso: I believe it's fully occupied.

Mr. Kratovil: Who was that?

Mr. Kelso: It's me, Charlie, Kelso.

Mr. Kratovil: Who said that?

Mr. Kelso: Mr. Kelso.

Mr. Kratovil: Okay, yeah, I was hoping to hear from Robert Wood about that because I've seen the financial documents and it seems like there might only be a couple of floors of the building occupied, but I could be wrong. So, I'd like to know if that and I think it's also worth the Board considering hey, was the first very similar building on the same redevelopment plan, was that successful? How occupied is it? I think that's a legitimate consideration since your witnesses have spoken about their past experience on that project and this, obviously this is a continuation of the same thing. So can we just get some on-the-record-statement about whether it's fully occupied, and how many floors are actually in use?

Mr. Kelso: I don't think it's relevant to the, application, but I will tell you that if AST Development didn't have a successful first project, I don't think they would be here doing a second one.

Mr. Kratovil: Sure, I would suggest they've promised a project for many, many years, and there's no guarantees that this will actually come to pass, but I would just like to know about whether the first one was actually successful or not, and if the witness could answer that, they've testified, and I have a right to question them and I'm just asking, could Mr. Bogle tell us how many floors on one are currently occupied? And how does that speak to a need for a Plum II?

Mr. Aithal: Mr. Chairman, this is Aravind Aithal, the Board Attorney. I believe Mr. Kelso objected based on relevance, and I would ask Mr. Kratovil if he could perhaps tell us what's the relevance to this application.

Mr. Crum: Thank you, Mr. Aithal.

Mr. Kratovil: Certainly, I believe one of the witnesses spoke to their own experience on this project and I do obviously feel that this is part of the same redevelopment plan and indeed a very similar plan, and one by the same exact applicant, you know the same exact corporation, and I just feel that it would make perfect sense. It would be extremely logical to consider the success of their first, and I believe only, other project in New Brunswick.

Mr. Kelso: Charlie, again, for the record, I'm almost certain the building is a hundred percent occupied. I believe it's probably a majority RWJ, there's probably some other tenants that are in there, but I'm almost certain that it's a hundred percent occupied and has been for years.

Mr. Kratovil: And would Mr. Bogle be willing to confirm that statement or -

Mr. Kelso: Well, Mr. Bogle -

Mr. Kratovil: Not that I don't believe you believe that, I just want to hear from the person who has firsthand knowledge.

Mr. Kelso: Well, he wouldn't necessarily have -

Mr. Aithal: Mr. Chairman, if I may, sorry to interrupt.

Mr. Crum: Yes.

Mr. Aithal: I don't believe Mr. Bogle was sworn in as a witness, and unless Mr. Kratovil has witnesses that he would like to call, I don't know that Mr. Kelso is obligated to call witnesses on behalf of his client for an objector, an official objector.

Mr. Kratovil: Mr. Bogle was not a witness?

Mr. Crum: Yeah, he was a witness.

Mr. Aithal: I'm not sure if he was, I was asking if he wasn't -

Mr. Crum: Yeah, he was a witness.

Mr. Kelso: I'm making a representation to you, Charlie. The building, I'm almost certain, is a hundred percent occupied, and more than 50 percent of that RWJ, there are other

tenants that are in that building, but it is fully occupied, and has been for a number of years.

Mr. Kratovil: Could the witness answer the question?

Mr. Aithal: I'm gonna step in at this point and I'm gonna advise the Board that this is not relevant to the present application. Mr. Kratovil is not showing relevance to this question to a prior development.

Mr. Crum: And I believe the question was answered, so.

Mr. Kratovil: It was answered by Mr. Kelso, but not Robert Wood Johnson who would actually know for sure. So, I will move on, but I want the record to state that I object to not being able to ask the witness the question. I do believe it was extremely relevant and I do feel that for the record, at the hearing [inaudible], I'm not allowed to ask about Plum I and its success, and I think that's not normal, not okay. I'll move on, will this building block the solar panels on the parking deck next door?

Mr. Kelso: I would ask one of the witnesses maybe they could answer that, maybe Chris Roche.

Mr. Roche: Yeah, I can chime in, Tom. Based on the information we received from the architect, the proposed building location will not have an impact on the existing solar panels on the Plum Street deck.

Mr. Kratovil: Well, I want to be clear, the building hangs over the entirety of the street, is that correct?

Mr. Roche: Yes.

Mr. Kratovil: I would say that this is an extreme proposal and I think that there's some things that are not sensible about it. I think it could be improved upon, and I would hope that the Planning Board would not only include that condition about the parking deck improvements that are needed there for safety, but also that you would consider asking for additional changes before you grant an approval, and that you hold off tonight having only heard from one member of the public on this important project, and with the developer admitting that they didn't consult the community in a meaningful way. I think it would be best for the Planning Board to step up and make your deliberation at the center of this, and I hope that you'll stick up for the community and try to make this project better to that end. That you have one additional suggestion, would the developer be willing to install a bus shelter on Somerset Street or somewhere else on the property to obviously enable more people to get there easier and have a safe place to wait to catch a bus out? Are you still there?

Mr. Kelso: I'm still here.

Mr. Crum: The Board is still here.

Mr. Kratovil: I was just asking if you might consider as a condition of approval, installing a bus shelter.

Mr. Kelso: I don't think that that's an appropriate condition here. We've testified as to the access on Somerset Street and for ambulance access, pedestrian access, and we, as the applicant, are not going to consent to that kind of condition because we don't have any idea whether or not that's feasible or not. Certainly, if the city, afterwards, would look at

an appropriate location, the applicant would certainly consider what the city's recommendation is. But to make that a condition of this application tonight would be –

Mr. Kratovil: Okay, well, then going forward, I'll ask that the applicant consider it, if it's not approved tonight as a condition, but I would hope that the Planning Board will consider making that a condition, if, for no other reason, than you heard tonight that they were considering shuttling hundreds of people to and from their building every day, presumably on buses. So, I would think that having a single bus shelter there would be a reasonable thing to include in the plan for a 15-story building that I believe does come on the path of the New Brunswick [inaudible] and obviously they got their own transportation needs on a daily basis. That would be the least they could do to make up for the impacts they would have on the community here, and I appreciate you're letting me ask all my questions tonight, except that one that you didn't let me ask the witness for Robert Wood. I think Robert Wood needs to do a better job of being a community partner. I hope that they could reach out to me, or maybe I can reach out to them, and we can have a dialogue after this because, I know they are continuing to grow and develop, and I think they need to do it in a responsible way, and this is an extreme proposal. I think that the Planning Board has enough information tonight to really make a difference here and ask that the proposal be changed in a meaningful way. I think there have not been adequate answers to the questions about the past project, and I don't have confidence that this is actually going to be fully occupied and up and running in the timeframe that we've been told. Actually, I don't think we even got the timeframe on this one, and I do think that the developer has a track record of not delivering on what they promise to build, and they kicked everybody out of this block more than 15 years ago and now, finally now, are they promising for a second time to develop it and the plan is, I think, not as good as the first plan from 15 years ago. And you know it's, it troubles me that this neighborhood is getting, you know, not consulted about, the project, such a huge project they should be. I'm also puzzled as to why Robert Wood is not doing it themselves, and they're using AST Development. I think that Robert Wood has plenty of dough, and their finances are quite good, and it's puzzling to me why this company that has a mixed record, or not even really a great record in New Brunswick, why they would be involved. So, based on that, and the conflict of interest that created this problem with the Housing Authority's attorney being at Robert Wood Johnson as the treasurer, I think everybody should be careful how they tread here, and I think this should be tabled or declined tonight, and I hope you'll stick up for the community and hold off on this, thank you.

Mr. Crum: We're gonna call - are there any other members of the public who wish to speak in regards to this proposal? Again, are there any members of the public that wish to speak with regards to this matter? And one last time, are there any members of the public that wish to speak with regards to this matter? Hearing none. Do we have any other board discussion, comment? Okay, again hearing none. Can I get a motion –

Mr. Dominguez: Katie, are you on the line? She'll need to read the conditions.

Katie Thielman-Puniello (Principal Planner, Department of Planning, Community and Economic Development) reads the conditions of approval into the record

Motion to Approve

- i. Suzanne Sicora-Ludwig
- ii. Chris Stellatella

	Yes	No
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)		

Mr. Aithal: If I may, Mr. Chairman, the Board members should have received, as part of their packet, two proposed resolutions for this application. One is an order of resolution for site plan and bulk variance application approval, the other is for an order and resolution for site plan and bulk hearings denial for this application. The applicant has now received approval. I have drafted the conditions, and the resolution of approval. If any of the Board members have not had an opportunity to review that, I would only note that there is one change from what was drafted that is on the conditions. Paragraph, number 10, which is that there is no requirement for a monetary contribution of the city's tree preservation trust fund, and is that correct? Katie, if I could just verify it with you that that is not been a condition that was recommended.

Ms. Thielman-Puniello: Yes, that's not a condition.

Mr. Aithal: So, I would ask that that paragraph be deleted from the resolution of approval, and the remaining 29 conditions be adopted by the Board if they choose to memorialize the resolution with those conditions.

Mr. Crum: Very good. Does anybody wish to make a motion to approve the resolution as amended?

Motion to Approve as Amended

- i. Suzanne Sicora-Ludwig
- ii. Chris Stelatella

	Yes	No
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)		

Mr. Kelso: Thank you, members of the Board, for your consideration and your patience.

VII. OTHER MATTERS OF INTEREST TO THE PUBLIC

Mr. Crum: Moving on to other matters of interest to the public. we are going to read again how we are going to proceed given that we are all by phone. at this pint we are preparing to the open the meeting to general public comment for five minutes per person. In order to ensure that the Planning Board can hear from the interested public and so that the public can hear public comment, I will organize the speakers in order by last name. in a moment, I will unmute the public call-in, at that time i will ask for those with the last name starting with the letter A provide me with your last name, first name, and home address. I will confirm that the information is correct and then move on to the next person ordered alphabetically from A to Z. Upon completion of asking for all last names from A to Z, I will ask one more time for anyone that may want to be placed on the initial list of speakers. we will then move through the list of speakers by calling the person by name and permitting them five minutes to speak. once we complete the list, we will check once again if anyone else would like to submit public comment. after asking three times, I will then close the public comment portion. Please be mindful that your voice is being telephonically transmitted, and to speak slowly and clearly for the benefit of all. I would ask that you please remain silent when i initially unmute the phone, so that we can all hear each other and then begin the speaking registration process. the phone is now unmuted.

Mr. Crum goes through the alphabet once; Charlie Kratovil is placed on the initial list of speakers

Mr. Crum: I have gone through the entire alphabet; I will now ask that if anyone that did not make themselves known and would not like to speak on a particular item which is general discussion. Again, last time prior to me reviewing the speakers, I would like to ask if there is anyone that has not made themselves known that would like to speak? Hearing no additional requests for speakers, we will start with our earlier request: Mr. Kratovil.

Mr. Kratovil: Good evening members of the Board. This was a very interesting discussion on conflicts at the beginning of your hearing, and I just wanted to way in, as I do feel that there could have been more of a discussion on what the relationship between Rutgers University and Robert Wood Johnson is. maybe that guy from Robert Wood Johnson could have answered for us. I am pretty sure that Robert Wood Johnson is the principal teaching hospital of Rutgers University. and I do think that it would have been best if the Board members that had conflicts with Rutgers had continued their refusal that was already made. It was astonishing that we saw folks actually un-recuse themselves after recusing. I just really found that amazing, but I will move on to things that i would like to ask about. Does planning, I'm sorry the 89 French Street, has anything come in on that regarding the ADA violation?

Mr. Dominguez: We are in discussion with Rutgers and as we mentioned before, we are planning on hopefully bringing them into the Planning Board for amending their site plan to bring them before this Board to have that discussion as per the letter from Frank Wong. I spoke to Frank a couple weeks ago and we are working out the details right now.

Mr. Kratovil: Would they be making any actual improvements to the situation or would they just be asking the Board to allow the violation to continue?

Mr. Dominguez: I do not know the specifics of what they are going to be proposing. that, I guess, remains to be seen.

Mr. Kratovil: Okay, well I hope that the Board will continue to be vigilant and I do thank the Chairman over his questions about it today. the other thing that I need to follow up on is the long range facilities plan for the school district. My understanding is that it already has the blessing of

the Board of Education without an important step along the way that is required by law. has anyone on the Planning Board seen this document, the amendment to the long range facilities plan regarding New Brunswick schools?

Mr. Dominguez : Mr. Kratovil as Board Secretary, I can't speak for everyone on the Board, it has not gone through me. However, i am recently in receipt of their packet submitted to the Department of Education where I felt that it was not an appropriate turn around for the Board to review for having the discussion at the meeting, so I will be forwarding that to the Board in the coming days, probably next week. If I am being honest and we will intend to have a hearing on that topic.

Mr. Kratovil: Alright, how much for a copy? What do I have to do to get a copy of it?

Mr. Dominguez: Mr. Kratovil if you're nice enough to email me tomorrow morning, then I can email you what I received at this moment.

Mr. Kratovil: Okay, thank you for that. That concludes my questions for tonight, I hope you are all doing well. I miss you and I hope that we can see each other soon.

Mr. Crum: Thank you Charlie. Are there any other members of the public that wish to speak? Second call, are there any other members of the public who wish to speak? And the last chance, are there any other members of the public that wish to speak? Hearing none, can I get a motion to adjourn?

VIII. DISCUSSION ITEMS

None

IX. ADJOURNMENT

Motion to Adjourn

- i. Chris Stelatella
- ii. Suzanne Sicora-Ludwig