



CITY OF NEW BRUNSWICK  
PLANNING BOARD  
AUGUST 10, 2020  
MINUTES

Meeting Location  
Remote Teleconferencing  
City Hall, Third Floor  
78 Bayard Street  
7:00 PM

I. ROLL CALL

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

**Dan Dominguez (Director, Department of Planning, Community and Economic Development):** After reviewing the roll call, I believe that our vice chairperson, Mr. Manuel Castaneda will be running the meeting.

**Aravind Aithal (Board Attorney):** Vice Chairman Castaneda, I believe [inaudible].

**Manuel Castaneda (Vice Chairperson):** That is correct. With respect to the application from Johnson & Johnson, through my current position with New Brunswick Tomorrow, I am partially funded through grants from J&J.

**Mr. Aithal:** So, that would leave him as a conflict. So, if we can have the next senior most Board member acting as the Board Chair.

**Mr. Dominguez:** I believe that our next longest tenured member of the Board is Suzanne Sicora-Ludwig.

**Suzanne Sicora-Ludwig (Board Member):** I was told by our attorney that I should not be chairing the Board since I am the liaison from the City Council.

**Mr. Aithal:** I am sorry. I did not hear that.

**Mr. Dominguez:** Can you please repeat that?

**Ms. Sicora-Ludwig:** Sure. I was told by our city attorney that I should not be chairing the Board since I am the liaison for the City Council. Is that true?

**Mr. Aithal:** Your participation in the meeting in reviewing the Johnson & Johnson application would still fall under the role as liaison unless you have a financial, either direct or indirectly, or other type of conflict with Johnson & Johnson, then you cannot fairly participate in the application.

**Ms. Sicora-Ludwig:** No, I was just speaking regarding the chairing of the meeting. I have no problem doing it though. I have no conflict.

**Mr. Aithal:** Okay, so you will be the next person acting as the chair.

**Mr. Dominguez:** So, Manuel Castaneda, you will run the meeting until we get to the hearing and then Suzanne will take over for the application.

**Mr. Castaneda:** That is perfectly fine. Thank you.

## II. PUBLIC ANNOUNCEMENT

**Mr. Dominguez:** 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's 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 in to 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 JULY 6, 2020 MEETING

Motion to Approve

I. Suzanne Sicora-Ludwig (Class III)

II. Chris Stellatella (Class II)

	Yes	No
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)	✓	

#### MINUTES OF THE BOARD'S JULY 13, 2020 MEETING

**Robert Cartica (Board Member):** I have a question about the minutes. Hello? I have a question about section five, it says public hearing for August 17 Board Meeting, is that correct?

**Mr. Dominguez:** Was that the...? Yes, those were both carried to the August 17<sup>th</sup> Meeting.

**Mr. Cartica:** Okay.

Motion to Approve

I. Robert Cartica

II. Dale Vickers (Alternate #1)

	Yes	No
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)	✓	

#### MINUTES OF THE BOARD'S JULY 20, 2020 MEETING

Motion to Approve  
 I. Robert Cartica  
 II. Yelitssa Checo (Alternate #2)

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

Mr. Cartica: Question, this is Bob Cartica. On the last page, it seems to have a blank table, where it looks like it was done in error.

Mr. Dominguez: On the last page of the ...?

Mr. Cartica: Resolution.

Mr. Dominguez: Bob, on my copy of the resolution, I do not have a blank table.

Mr. Cartica: That's interesting. My copy shows, on the last page, a blank table with our names on it and no votes, but they are on the prior page...

Mr. Dominguez: That is correct because that last page would be the vote of tonight for the memorialization.

Mr. Cartica: Very good. Thank you.

Mr. Dominguez: So again, same people from 7/20.

Mr. Cartica: Okay. Thank you.

Mr. Castaneda: Are there any more questions from the Board before we ask for a motion?

Mr. Dominguez: Excuse me. Members of the public. If it is not your turn to speak, if you would please kindly mute your phone. It would be very appreciated. Thank you.

Motion to Approve  
 I. Suzanne Sicora-Ludwig (Class III)  
 II. Yelitssa Checo (Alternate #2)

	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**

**Mr. Castaneda:** We will begin the public hearing section of the meeting. At this point in time, I will step down as Chair due to my conflict with Johnson & Johnson.

**Mr. Aithal:** Suzanne, did you say that you had a conflict with being Chair, is that correct?

**Ms. Sicora-Ludwig:** I'm sorry. I couldn't hear you, Aravind.

**Mr. Aithal:** I'm sorry. Is this a little bit better. If I understand, you indicated that you did not wish to act as Chair or did I misunderstand?

**Ms. Sicora-Ludwig:** I just was questioning it since I am the Council Liaison, but I have no problem with chairing.

**Mr. Aithal:** Well, I don't see problem with you acting as chair, but if you feel that your role with City Council proves to be a conflict, then Mr. Stelatella can act as Chair in the interim as the next senior member of the Board.

**Ms. Sicora-Ludwig:** It doesn't matter. Chris, if you want to do it, it doesn't matter to me as long as you say it is okay.

**Mr. Aithal:** Yes. I don't see an issue with that.

**Ms. Sicora-Ludwig:** Okay. Then that's fine, then I will continue the meeting with the public meeting.

- A. **JOHNSON & JOHNSON / 1 JOHNSON DRIVE / BLOCK 36.01, LOT 1.01 (PB-2020-09)**  
 Preliminary and final site plan application to remove and replace an existing sidewalk on the west side of J&J World Headquarters Building, to extend the existing walk to the corner of George

Street and Albany Street, and to install a plaza at that intersection. Brick pavers and granite curbing are also proposed at various locations. The signage package proposes a monument-type sign at George Street and Albany Street, new wayfinding and storytelling signs, banners mounted to light posts, mile marker signs, fitness pylons, a J&J sign embedded into one of the retaining walls, and operational signs attached to retaining walls. Bulk variance relief is required for the proposed signage. Zoning district O-1 General Office. (James F. Clarkin, III, Esq.)

**Mr. Dominguez:** Members of the public, if you can please mute yourself when it is not your turn because we are getting a lot of feedback. If you do not mute yourself, then I will mute you myself. Just please. Thank you. Be respectful of everyone whose turn it is to speak. Sorry about that.

**James F. Clarkin, III, Esq (Applicant's Attorney):** Good evening, Board members and professional staff, wherever you all are, this is Clarkin from the firm of Clarkin & Vignuolo representing the applicant. This is an application for sign variances, as well as amended preliminary and final site plan approval. In short, J&J is looking to install a new [inaudible] entrance on George Street and Albany Street, interior walkways within the World Headquarters Campus, as well as new signage and banners within the campus as well. We call this signage and banners, wayfinding and storytelling. There are also new fitness pylon stages that are being proposed together with new landscaping, as well as new recycling and trash receptacles. As such, you may find yourself asking "what is a wayfinding sign?" Well, it is just a fancy way of saying it is a directional sign. With regard to storytelling signs, it will provide a history of J&J and the city of New Brunswick. The reasoning behind these several improvements for J&J is to unify its four building campus and identify it as a single business entity. As well as to activate and modernize the landscaping, all designed to attract superior talent. In order to do so, J&J has chosen to try and create a work environment which is sought after by younger generation of mobile professionals. J&J seeks to replicate the work environment similar to Silicon Valley and other fortune five hundred companies. J&J also believes that this project will help it to provide for, with the city, and to align with the New Brunswick plans to activate the city further.

The variances that are being requested include variances for the type of signs. The wayfinding, storytelling, and fitness signs are not the type of sign that are permitted in the New Brunswick Zoning Ordinance. We are also requesting a variance with respect to the number of freestanding signs. We have one at the intersection and then we have that was noted to be in the retaining wall. We also have a series of signs that are within the [inaudible] and we need a variance as to a good portion, in terms of the twenty five foot required setback. There are 56 signs proposed, including at least seven that will be in the right-of-way of George Street and Albany Street, most likely hung as banners on the existing poles that are existing in the right-of-way. Very recently, we came to understand that there is some discrepancy with the survey of J&J's property. Particularly along the Albany Street frontage. We believe that our front yard begins at where the curb is, however we have been given another survey that indicated that the right-of-way line and the front yard line is very close to the retaining wall. So, we are asking for at least seven, and perhaps more, signs to be within the right-of-way. J&J is simultaneously seeking approval from the City Council because we need their approval for any signage which is not on our property, but within the right-of-way. In support of the request for the sign variance, we ask you to consider the following. In respect to types of signs, it is really not the proper matter. They are not prohibited by the zoning ordinance. It is just that these types of signs, the wayfinding, the fitness pylons, were just never envisioned by the zoning ordinance. And I think that your Board Planner would agree with what we are saying.

In addition, the J&J property is unique in two ways, both with respect to its size, as well as its land. The size of this lot is 15½ acres. That is quite atypical from anything that you have in downtown New Brunswick. Keep in mind that this lot, Lot 9.01, is not the only lot within the entire J&J campus. There are two or three other lots that go all the way down Albany Street and George Street, towards Johnson Hall, and towards the Rutgers University Campus. As for the

[inaudible], as I noted before, we have a number of different buildings and so all that, I think, is justification for the number of signs. We have one witness this evening who is David Stires. He will wear two hats tonight, who is both our engineer, that will detail for you what the applicant is proposing, and then he will also justify, as a planner, the granting of those variances. We also have a representative of Johnson & Johnson present in case we have a question that only he can answer. Board Members and professional staff, if any of you have any initial questions regarding the scope of this application, I am happy to answer them, otherwise we can go to the first witness.

**Ms. Sicora-Ludwig:** Does anybody have any questions from the Board? Please go to your first witness, Mr. Clarkin.

**Mr. Clarkin:** Thank you. I will call Mr. David Stires.

**Ms. Sicora-Ludwig:** Will you swear him in, Dan.

*David Stires, PE, PP, AICP is sworn in*

**Mr. Aithal:** Mr. Stires, you have appeared before this Board on a number of occasions, is that correct?

**David Stires, PE, PP, AICP (Applicant's Engineer & Planner):** Yes, I have.

**Mr. Aithal:** Since the last time you appeared before this board have your credentials changed in any way?

**Mr. Stires:** They have not.

**Mr. Aithal:** Madam Chair, does the Board wish to accept his testimony as that of an expert in the field of engineering and in planning since his credentials have not changed since the last time he appeared before this Board?

**Ms. Sicora-Ludwig:** We will accept him.

**Mr. Clarkin:** Mr. Stires, did your firm prepare the engineer drawings that accompany this application?

**Mr. Stires:** Yes. They did.

**Mr. Clarkin:** And did you also prepare some supplemental documents that were filed electronically with the Board Secretary for this public hearing.

**Mr. Stires:** Yes. There were some supplemental documents submitted in preparation for this meeting.

**Mr. Clarkin:** Okay, so they were either prepared by you or someone from your firm?

**Mr. Stires:** Yes.

**Mr. Clarkin:** Are you familiar with the J&J World Headquarters Campus, which is the subject of this application?

**Mr. Stires:** Yes, I am.

**Mr. Clarkin:** And have you familiarized yourself with the city's Zoning Ordinance and Master Plan?

**Mr. Stires:** Yes.

**Mr. Clarkin:** You heard me indicate in the opening remarks that the site improvements have a number of different aspects?

**Mr. Stires:** Yes.

**Mr. Clarkin:** Can you go through those, please?

**Mr. Stires:** What we are proposing is an extension of an existing walkway [inaudible] through the World Headquarters property. It is surrounded by George Street, Albany Street and Johnson Drive into the north by the railroad right-of-way. And there are two buildings, they are lower, which includes the World Headquarters building and then the tower building. And there is a fitness walkway on the west side of the subject property that kind of dead ends into grass area as a circular walkway that comes out of the World Headquarters into the back. Our proposal is to redo that walkway and extend it down to the corner of Johnson Drive and Albany Street to cut through the existing grass and wall to create a plaza and kind of link 410 George Street, which is owned by Johnson & Johnson, the World Headquarters building, and then beyond to Johnson Hall. Part of the improvements includes removal of the existing grass and wall. There is a space in there about 75 or 85 feet that will become part of the walkway with brick pavers that extends through that wall and into the site and links up with the existing walkway. In conjunction with that, we are proposing landscaping, lighting along the walkway, and as discussed new signage for the campus.

**Mr. Clarkin:** As part of the new entranceway, are there going to be a series of planters for landscaping?

**Mr. Stires:** Yes. In the plaza area, which is being increased in size on the east corner of Albany and George Street, there will be a large planter about 35 to 45 feet that is at the north end of the plaza. And then, I think people are familiar, there are those planters that provide ADA access down to Albany Street, the signalized intersection. We are going to remove those planters and create a larger planter of about 17 by 15 feet rectangular planter, and then on the opposite side of that area, right up against George Street, we are going to create a non-linear, oddly shaped, planters. And in between those two planters will be a series of steps from the George Street right-of-way down to the Albany Street cross. So, you would have an ADA ramp that merge directly from George Street across Albany Street, you will have a series of steps incorporated into this proposal.

**Mr. Clarkin:** And are we going to have a freestanding sign that is at the intersection as well, correct?

**Mr. Stires:** Yes. It will be a Johnson & Johnson sign on the wall on the east side of this plaza area. A lot of the wall will be replaced. That wall that exists there apparently where the Johnson & Johnson sign is proposed, we are proposing a white concrete wall with the Johnson & Johnson logo.

**Mr. Clarkin:** And what would be the setback of that wall?

**Mr. Stires:** The setback will be 35 feet. 41 feet from...

**Mr. Dominguez:** Can we get closer? I worry that there might be some audio issues with the Board members.

Mr. Stires: So, it is 41 feet on the George Street side and 35 feet on the lower street.

Mr. Dominguez: I'm sorry. Could you two switch so that he is closer to the microphone?

Mr. Stires: So, the ordinance asks for 25 foot setbacks.

Mr. Clarkin: We are also proposing new benches and trash receptacles?

Mr. Stires: Yes. They are typical benches like in a park and two little trash containers. They are inside of the subject's property and they won't be visible for the public. So, on the inside there is grade change that goes up and then down into that area, so you would not see those.

Mr. Clarkin: In addition, to the landscaping within the planters, we will also have freestanding plantings?

Mr. Stires: Yes. The proposal is quite substantial as there are a number of trees that will be removed; however, we are proposing 13 new trees, 15 ornamental trees, over three hundred shrubs, 120 ornamental grasses, 1,600 [inaudible], and 100 ferns.

Mr. Clarkin: And all that was identified on Sheet -1 that were submitted as part of this application?

Mr. Stires: Yes.

Mr. Clarkin: And we are also proposing a landscape plan, correct?

Mr. Stires: Yes. For two reasons, the area on the left side of the World Headquarters is rather flat so we are looking to create some interest with the berm and also re-utilizing the material that we are excavating through the retaining wall [inaudible]. So, we are trying to balance the site [inaudible] while re-using a lot of the material of the site.

Mr. Clarkin: Can you give a little bit more detail as to the proposed lighting?

Mr. Stires: Yes. The lighting that is proposed [inaudible] for the pedestrian walkway extension for both extensions. Up to city ordinances, that would be 12-foot-high [inaudible] pedestrian lights. We are also proposing several trees with lighting just for accent purposes and lastly there will be a light at the Johnson & Johnson main logo sign on the east wall, basically just in flush with the pavers. We will flush the ground. And it will shine up at the Johnson & Johnson sign.

Mr. Clarkin: All right. In your opinion, will the lighting that is proposed provide safe access [inaudible]?

Mr. Stires: It will provide safe access for the pedestrian walkway. There is a comment in the planner's and engineer's memo about.... There is a waiver request from the engineer. We would ask for a waiver request for the little spillage in the right-of-way. In the planner's memo, I believe that there was a comment, if not I apologize, it was about whether we are providing adequate lighting for the facility. As I stated to the Board, this is phase one of a project that has several phases. And the lighting of other areas of the subject property will be brought into conformance with the ordinance in phase two.

Mr. Clarkin: All right, let's go through the sign packet, please.

**Mr. Stires:** Yes. So, we have 56 signs. Sign 1 will be the main J&J sign on the east wall. It is proposed at eight and a half feet by 18 inches high. If it incorporates, as identified in the comments by the professionals, the entire concrete that it is sitting on, then it would read as an 84 square foot sign. If it includes the granite place on the concrete wall, it would be 108.5 square feet. The second sign is a wall placard sign in the existing granite wall in front of the World Headquarters building that is basically being replaced by a new placard. Its based on the stone size and we are measuring it at 1 foot by 3 foot and that should be more than adequate for the size of the stones out there. Again, that is a replacement of an existing sign. Then we have six wayfinding signs, where two of those are directional and a note to back of three [inaudible] they do have the company logo on them. They are 8 feet, 4 inches in height and 2 feet wide or 17 square feet each. And then we have four wayfinding signs along the pedestrian loop, which are 4 feet-4 inches by 2 feet wide or 9 square feet each. Then we go to the storytelling. For storytelling signs, there are 17 total. Four of those are 6 feet-10 inches by 12 inches or 7 square feet each. Thirteen of those storytelling signs are the banners [inaudible], they are two sizes. They are 2 by 4, but they go on the existing light post. And the second size is a little bit larger, it is 2 feet-4 inches by 5 feet or 12 square feet. Moving along, then we have fitness signs, not only the existing and proposed as we discussed, but it also extends around to the east side of the campus, so there are 26 signs. There is one embedded sign similar to the Johnson & Johnson [inaudible], you will put the candlelight from under the [inaudible] over the [inaudible]. There are 20 square posts that identify certain fitness type of things that you can do...

**Mr. Clarkin:** Exercise type.

**Mr. Stires:** Exercise type. Then there are six [inaudible] markers along the existing and proposed fitness walkway.

**Mr. Clarkin:** Can people go out whenever they want?

**Mr. Stires:** Correct.

**Mr. Clarkin:** Okay.

**Mr. Stires:** And again, they are embedded by three support beams. And lastly, you have site plan, operational signs.

**Mr. Clarkin:** Like no smoking.

**Mr. Stires:** Yes. They are just very small, 8 inches by 4 inches. Basically, along the right-of-way to let people know when coming out to the site that you shouldn't smoke, you shouldn't be skateboarding, etc. [inaudible]. So, if you add all the square footages up, I came up with 111 square feet total sign area and that includes the number for Johnson & Johnson. So, four 11 square foot signs for six signs.

**Mr. Clarkin:** Okay. Originally, we identified seven signs, correct?

**Mr. Stires:** That is correct.

**Mr. Clarkin:** And the number could change depending upon the results of the survey?

**Mr. Stires:** That is correct. There would be a need for an additional in the right-of-way that would be along Albany [inaudible] back to the wall. We believe that the survey that we submitted to the city was accurate and the State DOT [inaudible] that is consistent. We do not have the whole front

of Albany. We only have about one-third of the property. They are consistent with what we have. And we just haven't found any dispute to the fact that the property line runs along the curb line.

**Mr. Clarkin:** So, we would certainly accept that as a voluntary condition of approval that the results of the survey issued [inaudible] from your approval if we are fortunate enough to get it, we would ask for the seven signs in the right-of-way. Keeping in mind, once again, that if we are successful tonight, then we would apply to the City Council for their consent [inaudible].

**Mr. Stires:** I don't think that it is set in stone, but we did mention that [inaudible] "care has the power to change the world" as an example. We did talk about, perhaps, holiday banners during the holiday season. "Have a healthy future" is one of the examples on the front [inaudible], is just one of the examples.

**Mr. Clarkin:** Moving on to the staff report. Have you had an opportunity to review the Bignell Planning report dated August 2?

**Mr. Stires:** Yes, I have.

**Mr. Clarkin:** Madam Chair, I would ask that as part of this review, I would move to the site review comments where Item A asks us to obtain other governmental approvals, which we will of course do. Item B asks for testimony to explain the detail of the site coverage. Item C asks for sign dimensions. And that these be shown on drawings. We will revise those drawings to set forth that data. With regard to Item D, we recognize that there is a 25-foot setback and we have placed it on the plan. With regard to Item E, we will comply with regard to tree replacement calculations. Similarly, Item F, we will place on the plans a [inaudible] that goes the sign area of each of the signs. Item G is just informational stating that the [inaudible] has no objection to the waiver of traffic [inaudible] that we have requested. Have you had an opportunity to review Mr. Carly's memorandum dated 07 of 2020?

**Mr. Stires:** I have.

**Mr. Clarkin:** Madam Chair and Mr. Carly, what we are going to do is hit upon those items that we think warrant some discussion. If Mr. Carly or any of the other Board members have any other questions, we will handle those at the end as well. First, going to Item 5.1, which asks for testimony regarding whether the light provides safe access, and Mr. Stires has already indicated that those are the walkways that are being proposed. I would then move to Item 8.2 with regard to stormwater management features and we will certainly comply with that request. Turning the page, we move to Item 11.1 with regard to recycling and we have Mr. Stires as to the trash receptacles that are being proposed. Item 13.1 pointed out a potential flaw, a discrepancy, in the surveying information regarding the information on [inaudible] and how we were going to handle that. Those are the only items that I was going to hit upon, so I will now ask if there any other issues in that report that anyone would like us to discuss.

**Ms. Sicora-Ludwig:** Mr. Carly or any member of the Board, do you have any question for Mr. Clarkin? [inaudible]

**Mr. Cartica:** I had a question.

**Ms. Sicora-Ludwig:** Yes, Bob.

**Mr. Clarkin:** Once again, those are items that we thought we should hit upon in Mr. Carly's report. If there are any other items that someone else has, we can deal with those now.

Ms. Sicora-Ludwig: Okay.

Mr. Clarkin: Hearing none, we'll move on.

Ms. Sicora-Ludwig: So, Bob had a question.

Mr. Cartica: Can you hear me?

Mr. Dominguez: Yes, Bob. We can hear you.

Mr. Cartica: So, correct me if I am wrong, but [inaudible] Planning Board. But not signs that are proposed within the municipal right-of-way. Do I have that correct?

Mr. Clarkin: Please repeat the question.

Mr. Cartica: I didn't hear you.

Mr. Clarkin: Can you repeat the question? There was [inaudible], we couldn't understand.

Mr. Cartica: Okay, do I have this correct? The Planning Board can grant variances for sign on the existing campus, but not signs that are proposed within the municipal right-of-way. Do I have that correct?

Mr. Clarkin: I think the answer is that both the Planning Board and the City Council have to give approval for the signs that are in the right-of-way.

Mr. Cartica: [inaudible] in the Bignell Report.

Mr. Clarkin: We tossed this around [inaudible]. There is a section in the ordinance that says that your signs have to be on your site. That is why I am saying what I am saying that [inaudible], I never argue against that.

Mr. Cartica: [inaudible]

Mr. Clarkin: That's true, is he on? [inaudible]

**Todd Bletcher (Board Planner):** This is Todd Bletcher. If I can just chime really quickly here. The original application was submitted where they had requested the need for a banner sign that goes on the light poles and we had assumed that these light poles were all in the municipal right-of-way, which would be under City Council approval. The Planning Board [inaudible] for signs that are on the site, but in the municipal right-of-way that is the City Council purview to control that. When we took a look at the survey, we realized that some of the light poles, that one would think would be in the City's right-of-way, are actually located on Johnson & Johnson's property along Albany Street. So we are still sorting out who exactly owns those light poles, but according to the site plan that is submitted, they are on J&J's property and we thought it was prudent to make sure that if a variance were needed to do that they apply for them. However, if they are in the right-of-way, then only the City Council would have the authority to grant approval for that.

Mr. Aithal: Yes. This is Aravind Aithal, the Board Attorney. The Planning Board does not have authority to grant approval for right-of-way signage, however they can provide [inaudible] to City Council. If the Board wants to accept this application to approve it [inaudible] where the applicant would be bound to go to City Council for approval. The City Council can certainly look at the resolution of approval that was granted by this Board. It is not dispositive to grant the relief that

they are seeking, but rather that the City Council would take into consideration what the Board decided.

**Mr. Clarkin:** So, if I could answer the Board member's question, saying as we are looking for your endorsement of the signage that is within the right-of-way. As opposed to granting the variance.

**Ms. Sicora-Ludwig:** Does that answer your question, Bob? Hello?

**Mr. Dominguez:** Does that answer your question, Bob?

**Mr. Cartica:** Yes, and I also have a follow up question.

**Mr. Dominguez:** Please.

**Mr. Cartica:** Is access to these improvements, will this be available 24/7? There is no gate here that is closed at sunset or anything like that?

**Mr. Clarkin:** Give me one second, please. [inaudible] with the J&J Representative, it is intended that the public have access [inaudible].

**Mr. Cartica:** Oh, okay.

**Mr. Clarkin:** And that makes sense for a number of reasons including security.

**Mr. Stires:** And there will be a gate to through to the plaza out to the walkway. There will be a gate that swings shut and they intend to shut that at [inaudible].

**Mr. Cartica:** Thank you.

**Ms. Sicora-Ludwig:** Are there any other questions from the Board at this time? Go ahead, Mr. Clarkin, if you need to finish and wrap up.

**Mr. Clarkin:** Okay, we are going to move on to the planning part of the testimony. Certain variances are being requested as part of this application, correct?

**Mr. Stires:** Yes.

**Mr. Clarkin:** Please advise.

**Mr. Stires:** We need variances for three types of signs that are by category, namely wayfinding, storytelling, and fitness signs. We will request variances for the number of signs, as well as variances for the signs within the 25 foot setback. Also, there is a variance request for the number of signs, which includes a variance for the total sign area as I mentioned earlier.

**Mr. Clarkin:** Can the variances be justified first under a hardship?

**Mr. Stires:** Yes.

**Mr. Clarkin:** How so?

**Mr. Stires:** It is a hardship to Johnson & Johnson as it relates to the sign variances. The Johnson & Johnson property is unique in both its size and its layout. The size is approximately 15.5 acres, as discussed. It is a campus setting. It has a number of buildings throughout the 15.5 acres of land,

and also includes [inaudible]. The property is to the north and includes Johnson Hall. It is not a property that is compressed under a small lot like 410 George Street, the building at the opposite corner of George and Albany as an example. And the Palmer Square building to the south and opposite on our street. Because of the layout and area, there are a number of buildings that need more than one freestanding identification sign and in order to function efficiently it needs wayfinding signs, operational signs, such as no smoking or alcoholic beverages. Then because of the orientation of the building and the improvements on the site, it really needs for some of the signs to be within that 25 foot front yard setbacks from Albany and George for the operational signs, such as, again, no smoking or alcoholic beverages, would be effective. They need to be both [inaudible].

**Mr. Clarkin:** Do you have an opinion, as a planner, that the variances requested can be justified by, what we call, the flexible c(2) analysis?

**Mr. Stires:** Yes.

**Mr. Clarkin:** And how does that analysis work?

**Mr. Stires:** First, you identify which signs belong to the City by granting these variances. We will also need to identify whether there will be any detriments from granting these variances as engaged in the planning process. We need to come to a conclusion that the overall benefits of the project can substantially outweigh the detriments.

**Mr. Clarkin:** Okay, lets drill down to the benefits for any benefits. Do you see any benefits that run to the city from granting the various sign variances?

**Mr. Stires:** Yes. There is a whole list of them. First, there is proper identification of the facility, which is important because Johnson & Johnson has numerous visitors that come from around the country, around the globe. If we do not have a big sign, for example on the sixteen story tower building, for the same reasons we need the wayfinding signs, such as the signs that point to the direction from the street to the Johnson & Johnson building. The train station designates the direction of the main entrance. The fitness pylons with their messaging promotes the public health for all of us. I, for one, can use a few loops around the fitness trail. The storytelling signs are both informative and inspiring. Take for example, better healthcare has the power to change the world.

**Mr. Clarkin:** Okay do you see any detriments from this project?

**Mr. Stires:** No. Considering the size of the property, its location as a visitor center site for the City, the number of signs, locations, setbacks, and the total sign area, they are all very much in scale with the scale of the property and other buildings on the campus. Because of this, I do not see any detriments at all.

**Mr. Clarkin:** Okay, so if I were to balance the benefits and detriments, there is no question that the benefits substantially outweigh the detriments?

**Mr. Stires:** Yes, because I really do not see any detriments at all.

**Mr. Clarkin:** Can the variances be granted without any detriments to the public good?

**Mr. Stires:** There is no detriment to the public good, just the opposite as there are substantial benefits as previously testified.

**Mr. Clarkin:** Do you see any impairment to the City's zone plan or its master plan, if these variances were granted?

**Mr. Stires:** As I mentioned previously, it is not so much that the types of signs proposed, storytelling and fitness signs, are prohibited, but rather there all kinds of signs that are simply not produced by the zoning ordinance. As I previously mentioned, this is a property [inaudible] residents have here [inaudible] there will be no domino effect, because there is no other property like this in the City.

**Mr. Clarkin:** Finally, how does the sign package relate to the City's master plan and the Municipal Land Use Law and its objectives?

**Mr. Stires:** It will further the MLUL, Purpose A, the appropriate use of land [inaudible] for the general welfare. Purpose C will be advanced because all of the site improvements can be placed on the property, while still providing adequate light, air, and open space. And then Purpose I, seeks to promote a desirable visual environment to create a [inaudible], and this projects certainly creates a desirable visual environment.

**Mr. Clarkin:** Now, Chair, that concludes Mr. Stires' direct testimony. And he is available for your questions or the questions of your professionals.

**Ms. Sicora-Ludwig:** Thank you, does anyone have questions?

**Mr. Dominguez:** All right, I guess we can begin public comment.

**Mr. Clarkin:** That concludes our direct testimony. I would reserve the right to make any closing remarks after we hear from the public.

**Ms. Sicora-Ludwig:** Thank you, Mr. Clarkin. Do we have any member of the public that would like to speak on this application?

**Mr. Dominguez:** Ms. Chair, I will do the A-Z announcement. Thank you. At this time, we are preparing to open the meeting to public comment for 5 minutes per person. In order to ensure the Planning Board can hear from the interested public and the public can hear public comments, I will organize speakers in order by last name. In moment I am unmuting the public call-in. I'll ask that last names starting with A provide me your last, first name and home address. We will confirm the information is correct, then I will move on to the next person in the alphabet from A to Z. Upon completion of asking all last names from A to Z, I'll ask one more time for anyone who wants to be placed on the initial list of speakers. We will move through initial list of speakers by calling the person by name and allowing them to speak for 5 minutes. Once we are complete, we will once again check to see if anyone else would like to comment. After asking three times, I will close the public comments portion. Please be mindful that your voice is being telephonically transmitted and to slowly speak, slowly and clear for the benefit of all. I'll ask you please remain silent when I initially unmute the phone, so we can hear each other, then begin the speaker registration process. The phone is now unmuted. I'll ask any member of public on the phone, who would like the comment on this specific hearing with the last name starting with letter A, please state your full name and home address.

*Mr. Dominguez reads through the alphabet once. Charlie Kratovil and Danielle Moore are placed on the initial list of speakers.*

**Charlie Kratovil:** Thank you, sir. I will be brief. I may have missed if it was covered in the presentation, but I would like to know to the extent that this area and the amenities will be open

to the public? If I, as a New Brunswick resident, am at the corner of George and Albany, and I feel like taking a stroll down this path or doing some exercises, is that going to be allowed?

**Mr. Clarkin:** The answer is that it is going to open to the public from dawn until dusk.

**Mr. Kratovil:** Dawn to dusk, okay. Thank you. That is really all I have on this. Best of luck.

**Danielle Moore:** Okay, I just have a few questions that's all. First I will say that it is good to hear some of our Planning Board Members finally ask questions on this project instead of voting yes without having any concerns like you did for the Lincoln Annex School with the Rutgers project. I am just curious, why was the investigation of where this is going to go, what it is going to be, if it is open to the public, and like I said, it was good to hear questions compared to Rutgers and the Lincoln Annex. Where there was no questions from the people that were there, even though there were only three voters that just yes. It is good that you investigate by asking questions, I will say that. And, so, does the City will not be putting any money into this project, is this correct?

**Mr. Clarkin:** Correct.

**Ms. Moore:** I hope so. Compared to just last week, when the City said that they did not have anything, every board keeps saying that they do not having to do with it. Then after the meeting, oh, wow, the county added twenty five million dollars to the Rutgers Cancer Center, so I hope that this is really just Johnson & Johnson's money and the City won't be adding money into this at all.

**Mr. Clarkin:** [inaudible]

**Ms. Moore:** Okay, my last question is concerning due to where this project, let me see, how do I ask this question, how do you decide who gets to vote, who makes the rules of who is allowed to vote on what?

**Ms. Sicora-Ludwig:** Ms. Moore, You can ask that during the public portion of the meeting. This is for this particular application only.

**Ms. Moore:** Excuse me. This is in regards to, due to where they said, oh you couldn't vote on this with regard to this application.

**Mr. Aithal:** Madam Chairwoman, this Aravind Aithal, the Board Attorney. If I may.

**Ms. Sicora-Ludwig:** Yes, of course.

**Mr. Aithal:** If the Board may recall, there were two Chairs, where Mr. Castaneda recused himself. The other Board members that are present can vote on this application.

**Ms. Sicora-Ludwig:** Thank you, Mr. Aithal. Do you any other questions, Ms. Moore?

**Ms. Moore:** I am still taken by the investigation, even with the City Council meeting, due to where, yes, meaning you Ms. Sicora-Ludwig, about where you are with the Planning Board and the City Council. How you started off with this meeting saying that you weren't able to vote on these types of this projects. Where, yes...

**Ms. Sicora-Ludwig:** Hold on one second. You misheard me or you weren't listening. That is not what I said. I said that I wasn't sure if I could chair, I never had a question on whether I could vote. That was not an issue at all.

**Ms. Moore:** Okay, excuse me. I said it the wrong way. But either way, my point is finding the exact rules of who is able to chair or vote due to where you are in another board or the City Council...

**Ms. Sicora-Ludwig:** Just for your own edification here, it is state mandated that someone sit on the Planning Board from City Council. That is nothing unique to our board or New Brunswick. It is a state mandated law under the land use law.

**Ms. Moore:** Okay, well I think that I will speak at it with the City Council too, due to where I note that when it comes to the Planning Board, when it comes to certain projects, how certain people aren't able to vote. And it seems to me that I only keep seeing that with the Planning Board, that is the same situation involving the Rutgers Cancer Center. Due to where the Rutgers workers could not vote, so yes, I think that it is time to really speak of if you are in one Planning Board, maybe you shouldn't be in the other. If you do not have the right to do this one when you are in the other group, but yes, I will leave it alone at that. But I will speak upon it in the City Council meeting as well.

**Ms. Sicora-Ludwig:** Okay, thank you. Do you have any other questions?

**Ms. Moore:** No, that will be all. Thank you. Are there any other speakers, Dan?

**Mr. Dominguez:** No, that is everyone. I will just check to make sure, if there is anyone from the public that would like to be added to the list that did not get a chance to speak that would like to comment? Anyone at all? Seeing none.

**Ms. Sicora-Ludwig:** Does anyone from the Board have any final questions for the applicant? Hearing none, is there a motion?

**Mr. Clarkin:** Madam Chair, no further comment from me. Other than I think that this is a [inaudible] not only for J&J, but also for the City of New Brunswick. Thank you.

**Ms. Sicora-Ludwig:** Thank you. Dan, do you have to read the conditions first or so we make a motion?

**Mr. Dominguez:** First we will read the conditions, but Katie are you on the call?

*Katie Thielman-Puniello, Principal Planner, Department of Planning Community and Economic Development, reads the condition of approval into the record*

**Ms. Sicora-Ludwig:** Thank you, Katie.

**Mr. Aithal:** Excuse me, this is Aravind Aithal. Before making a motion, I just wanted to make sure that the following conditions, which may have been broken up or [inaudible]. Payment of a performance bond to be approved by the City Engineer, submission of a Site Inspection Escrow Deposit for Engineering Inspection in an amount to be calculated in accordance with Title 24.160, payment of all water and sewer connection fees pursuant to Title 13.04 and Title 13.08, if required, issuance of a road opening permit from the City Engineer, if required, and finally that the applicant shall schedule a pre-construction meeting with the City Engineering Department. These were conditions that were read while the phone was breaking up, and I just wanted to make sure that the public, the Board, and the applicant are aware of that as well.

**Ms. Sicora-Ludwig:** Thank you, Mr. Aithal.

Motion to Approve

I. Chris Stellatella (Class II)

II. Robert Cartica

	Yes	No
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)	✓	

**B. AMENDMENTS TO TITLE 17 ZONING ORDINANCE**

Planning Board review of proposed amendments to the city's Zoning Ordinance relating to: 1) screening for outdoor mechanicals, 2) driveways, 3) parking requirements for research & development/manufacturing, 4) parking requirements for assisted living, 5) parking requirements for studio apartments, 6) parking requirements for home occupations, and 7) encroachments into the required setback for accessibility-based structures.

Ms. Sicora-Ludwig: Dan, is this your presentation?

Mr. Dominguez: Yes, it is. Aravind, would you like to swear me in on this one?

Mr. Aithal: Madam Chair, if I may.

*Dan Dominguez is sworn in.*

Mr. Aithal: Madam Chair, he has been sworn.

Ms. Sicora-Ludwig: Yes.

Mr. Dominguez: Thank you, Madam Chair and members of the Board. Tonight, we have several, relatively minor, zoning amendment for advice and consent. Let me just actually ask the Board Attorney, will the Board have to vote on these individually, correct?

Mr. Aithal: You can vote on these collectively, if the Board chooses.

Mr. Dominguez: Okay, so I will go through the amendments in question, and you can vote on them afterwards if that is okay, Madam Chair. Madam Chair?

Ms. Sicora-Ludwig: Yes. Please do that, sorry.

**Mr. Dominguez:** First, just to review on the screening for outdoor mechanicals, particularly if you have seen the items that were sent to you with your packets. We are looking at alternatives for evergreen plantings for the screening of outdoor mechanicals. Particularly one, if it is set back behind the building envelope, meaning that you wouldn't be able to see them from the street, then you would not have a requirement to screen them at all. And alternatively, to have alternative screenings, such as the condenser fencing that you would see in the packet that you received. As an alternative to evergreen plantings. We are not changing any of the setbacks, which are currently 10 feet from any property line. So, we are just revisiting alternatives for evergreen plantings.

Now continuing forward for driveways, an assessment that I have made in terms of reviews of driveway permits, we have, I guess let's call it an issue with our zoning code. Anything that is used for parking, whether it is pervious or impervious is automatically considered impervious for the purposes of our zoning calculations, which sometimes creates a lot of issues at the margin for approving residential driveway permits. You know, very small lots that are 25 by 100, which are a lot of the City's residential properties. In this case, an alternative measure here would be to allow for what is known as a ribbon driveway, which creates two pathways, either with brick pavers or asphalt what-have-you, for the vehicles to park on top of, but then leaves a strip of grass or vegetation in the middle. Our intent here is to allow that strip of vegetation to not be counted towards impervious coverage, so that we can facilitate on certain lots being able to allow, without variances, driveways if they are able to implement this technique. We would only be allowing the centerpiece of the ribbon driveway to be counted, not the edges, as sometimes cars may park on the side and may compact the ground, and that would make it become impervious, which can be done with gravel or other substrate materials for driveways. Like brick pavers are compacted and are impervious anyway. So, that is a general gist of that with that review.

Continuing forward to parking requirements for R&D and manufacturing in the City. Currently, we require 1 space per each 500 square feet of GFA and an additional space for every two employees. It is kind of tricky to determine that with the two employees, and becomes complex to enforce on a long enough time line. As operations change and you are not getting, like if I started with 40 employees and a month later I have 100 employees, I'm not obligated to tell you necessarily. Even if I am, am I going to? So, it becomes a very serious issue for enforcement issues just from a practical standpoint. And since we should be encouraging R&D and manufacturing in our I-2 versus other more noxious industrial uses, we should base it off of just gross floor area. And splitting the difference between what is the current requirement, as well as what was approved in the Cancer Center Redevelopment Plan, would set the R&D rate as 1.2 spaces for every 700 square feet, whereas right now, again 1 space per every 500. And alternatively, at the Cancer Center Redevelopment Plan, 1 space per every 1,000 square feet. In this case, that Cancer Center Redevelopment Plan, that Cancer Institute would be relatively nearby transit, versus the industrial, although there is a train station out there. But alternatively, the kind of lab work that we are likely to see in the Cancer Institute is very hands on research, whereas a lot of the manufacturing that might happen out in the industrial would be less likely to be as hands on as cancer cell studies. As such, this sort-of gives a bit of latitude for development out there and allows projects to adequately park themselves, rather than meet a standard that may not fit what is the appropriate requirement in the present.

Continuing forward to the assisted living. This one is sort of an easy one. RSIS has a standard for assisted living parking spaces, which is 0.5 spaces for unit. Technically, we don't have to add this to the zoning code because its state law, so whether we like it or not, it doesn't particularly matter because it is the standard. But I have had calls in people potentially interested in potentially bringing assisted living into New Brunswick and I think that it would be prudent to include it in our code, as we do already have aspects that are already in RSIS for residential buildings and developments.

**Mr. Cartica:** Dan, RSIS stands for?

**Mr. Dominguez:** Residential Site Improvement Standards.

**Mr. Cartica:** Thank you.

**Mr. Dominguez:** [inaudible] Continuing forward to studio parking standards. Again, the RSIS is actually silent on studio apartments, but our current code has decided to treat them as single bedroom apartments. And is unfair for two reasons. One, regardless of size, they are capped to two persons of occupancy due to requirements with common area and bedroom sizes, where a studio is just one unit. They can't differentiate there, so you can only have two people there. Whereas, a single bedroom conceptually, it gets complicated, but it can have infinite people if you make it big enough, but then it would still have a parking requirement of who knows what. So, if you are renting a studio, you are also less likely to own a car, simply because you can't afford a car or you cannot afford a larger accommodation than a studio. The recommendation here is that studios under 550 square feet would require a 0.5 space, while studios above 550 square feet would require one space, except for in high-rise developments, because RSIS sets the standard at 0.8 spaces for one bedrooms. So here, we recommend that the studios stay at 0.8, similar to the one bedrooms in the high rises. As the difference between 0.5 and 0.8 is relatively negligible. This would also differentiate larger upscale studios that we have seen in some of our newer development that might be seven, eight, nine hundred square feet, where the tenants would likely have more disposable income and more likely to own a car and have a need for a parking space.

Next, looking at home occupations, in that packet that you received there is the definition of home occupation, which excludes outside staff and economic activity for a home occupation. We typically don't approve home occupations that bring client activity to the home, but the parking standard is plus two spaces. Given a potential mini revolution with home occupations regarding COVID and the likelihood of increased work from home, particularly the type that won't require client visits, there is recommendation here to remove the two parking space requirement, as, again everyone would have to be living there who is already working in such a home occupation, so they would essentially be already parked for. And that is sort of the general gist of that one.

And finally, this would be an amendment to allow setback encroachments for accessibility-based accessory structures, essentially, for all intents and purposes, ADA ramps and the like. This would copy what some other towns do, which is cut the setback requirement in half for how much an ADA ramp or the like can encroach into the setbacks of a development as to accommodate their needs. As those things are semi-permanent, but not completely permanent structures, the applicant would have to revalidate the need for the structure every two years. Other towns often do it in six month intervals or one year intervals, but I think two years is probably a reasonable approach to revisit whether or not the person in particular is there. This would not be permanent necessarily, and if you grant them a variance typically, you would be running it with the land and so you would potentially have that setback encroachment there, and so this creates a more elegant solution that is dynamic in changing with the occupancy of the place in question. And those are the amendments before us tonight for advice and consent by the Board.

**Mr. Aithal:** Madam Chair, this is Aravind Aithal, the Board Attorney. If the Board wishes to separate out any one of the seven, otherwise the Board can certainly have the discretion appropriate to vote on all seven.

**Ms. Sicora-Ludwig:** Thank you, Mr. Aithal. Does any member of the Board have questions on any of these amendments? No questions for Dan to any of them? Well, If I am hearing none, do we just need to make a motion?

Mr. Dominguez: We do need to open up for public comment.

Ms. Sicora-Ludwig: Oh, I'm sorry.

Mr. Dominguez: It's fine.

Ms. Sicora-Ludwig: Okay, hearing no questions from the Board, we will open it up to the public at this time.

Mr. Dominguez: At this time, we are preparing to open the meeting to public comment for 5 minutes per person. In order to ensure the Planning Board can hear from the interested public and the public can hear public comments, I will organize speakers in order by last name. In moment I am unmuting the public call-in. I'll ask that last names starting with A provide me your last, first name and home address. We will confirm the information is correct, then I will move on to the next person in the alphabet from A to Z. Upon completion of asking all last names from A to Z, I'll ask one more time for anyone who wants to be placed on the initial list of speakers. We will move through initial list of speakers by calling the person by name and allowing them to speak for 5 minutes. Once we are complete, we will once again check to see if anyone else would like to comment. After asking three times, I will close the public comments portion. Please be mindful that your voice is being telephonically transmitted and to slowly speak, slowly and clear for the benefit of all. I'll ask you please remain silent when I initially unmute the phone, so we can hear each other, then begin the speaker registration process. The phone is now unmuted. I'll ask any member of public on the phone, who would like the comment on this specific hearing with the last name starting with letter A, please state your full name and home address.

*Mr. Dominguez reads through the alphabet once. Charlie Kratovil and Danielle Moore are placed on the initial list of speakers.*

Mr. Kratovil: So, I wasn't planning to speak on this, but I heard a mention of the Cancer Institute, so I could not resist asking, what exactly is going to affect that project here? I heard something about making things a little bit more relaxed when it comes to parking. [inaudible]

Mr. Dominguez: So, Mr. Kratovil, this is a standard for, I guess, the regular I-2 sort of use developments. The actual redevelopment plan for the Cancer Institute actually has a more relaxed standard than what this amendment would do. This amendment would change the existing code for R&D and manufacturing in the City to essentially to match closer to what it currently is and what is being granted in the redevelopment plan for the Cancer Institute.

Mr. Kratovil: Okay, I am deeply concerned about the parking for the Cancer Institute. It was not really publicized, but the public is going to be expected to front the money to build a \$55 million dollar parking deck for this space with nearly 1,000 parking spaces in this redevelopment. Can you tell me how this change impacts the amount of parking that would ultimately be built if that project moves forward?

Mr. Dominguez: It has absolutely no change, as the redevelopment plan has its own standard for those uses.

Mr. Kratovil: Right, it won't actually affect the Cancer Institute or the project. They already have what they need.

Mr. Dominguez: They have their own standard.

**Mr. Kratovil:** Right, well, I guess I do not have very much else to say on this topic, except that it is a really rotten deal for the kids at Lincoln Annex who are going to be thrown out of their school and sent to the warehouse that one of your applicants is coming before you in just a week. And he will be represented by the county government attorney moonlighting as a private real estate attorney to help that man and his company to pave over some of the green area.

**Ms. Sicora-Ludwig:** Do you have comments on this particular application, Mr. Kratovil?

**Mr. Kratovil:** No. I think I covered it, but yes, I look forward to that next hearing on the warehouse. Thank you.

**Ms. Sicora-Ludwig:** Thank you.

**Ms. Moore:** Hi. Yes, I do just have one question. With regard to the driveways, now if there is a resident driveway, they are able to park any kind of vehicle, commercial vehicles, in their driveway, is that correct?

**Mr. Aithal:** I don't think this has anything to do with ...

**Mr. Dominguez:** Yes. This has no effect on that, but if you have any questions regarding that, I suggest that you give me a call tomorrow with any concerns that you might have, and then we can go through and review the applicable code and we can have a discussion about that, if you have any questions.

**Ms. Moore:** Okay, so this was just based on the driveway situation giving permission to people who are requesting driveway, is that what this is in regards to?

**Mr. Dominguez:** This creates a unique, essentially recommendation and alternative for the way to provide a driveway under the code. Usually it will be to the benefit of smaller lots that struggle to have enough impervious coverage and the like.

**Ms. Moore:** Okay, I understand. Thank you.

**Mr. Dominguez:** Are there any other members of the public that would like to comment on these amendments? Anyone that did not get a chance to get on the initial list of speakers? Last call? Seeing none.

**Ms. Sicora-Ludwig:** Thank you, Dan, for the presentation and for the information. Would any member of the Board like to move a motion to move all the amendments? We can move them as one unit, correct Aravind?

**Mr. Aithal:** That is correct.

Motion to Approve  
I. Chris Stellatella (Class II)  
II. Ryan Berger (Class I)

	Yes	No
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)	✓	

VII. RESOLUTIONS OF MEMORIALIZATION

A. JOHNSON & JOHNSON / 1 JOHNSON DRIVE / BLOCK 36.01, LOT 1.01 (PB-2020-09)

Mr. Aithal: Ms. Ludwig, this is Aravind Aithal.

Ms. Sicora-Ludwig: Yes.

Mr. Aithal: Just moving on to the next section. If the Board would consider adopting the resolution of the Johnson & Johnson application this evening? It has been drafted, and it probably should have been provided to all Board members, but I can resend it if you would like.

Ms. Sicora-Ludwig: I have no objection, does anyone from the board have any objections. Go ahead, we can do that at this time, Aravind. Can you read it?

Mr. Aithal: The applicant seeks approval of its preliminary and final site plan application to construct a new plaza entrance at the intersection of George Street and Albany Street, and to install interior walkways and new signage and banner in the World Headquarters located at 1 Johnson Drive, New Brunswick, New Jersey. Whereas the applicant requests approval to make the proposed improvements including a new plaza entrance, new signage, walkways, banners, fitness pylons, benches, trash receptacles, landscaping and lighting [inaudible] with particular variances, of which are non-permitted signage type, i.e., storytelling, wayfinding, and fitness, sign setback, and signs in the public right-of-way. Where the applicant is seeking the Planning Board for approval of its preliminary and final site plan application to permit the proposed application on Lot 1.01, Block 36.01 of the City of New Brunswick tax map on the property commonly known as 1 Johnson Drive, New Brunswick, NJ. Whereas the applicant presented themselves before the Planning Board on August 10, represented by James F. Clarkin, Esq., and evidence was presented by David M. Stires, who was the engineer and professional planner. Whereas the state of emergency and public health emergency, upon order of Governor Phil Murphy, pursuant to executive order guidelines in an effort to prevent further spread of COVID-19 the applicant and the public did not need to attend in person. Therefore, in-person participation was revised to allow full participation by [inaudible] through documents submitted no later than 10 days prior to the hearing. Testimony provided at the hearing so that witnesses and members of the public [inaudible] via telephone conference. The documents, testimony, and comments that were accepted and newly considered by the board where the application was limited to no more than five individuals that were permitted to physically attend the meeting in City Council chambers, with all those in attendance in order to observe proper COVID-19 protocol including meeting physical distancing guidelines and whereas testimony [inaudible] to support the application including A-1 to A-3 were presented by the applicant and considered by the Board. Where the Board reviewed plans submitted by the applicant. Not less than 10 days prior to the hearing.

Whereas the application plan and supported documents were made available for public inspection on the city website at [www.cityofnewbrunswick.org](http://www.cityofnewbrunswick.org). The email that went over and got reviewed by the [inaudible] business hours [inaudible] in the office of the Department of Planning, Community, and Economic Development of New Brunswick. Where members of the public in attendance telephonically were given an opportunity to comment and/or provide testimony. Where the Planning Board made the following findings and determination: 1) the subject property is located in the O-1 Zone; 2) the proposed site is a single lot that houses the applicant's world headquarters campus, which the applicant seeks to make improvements to the existing office campus including new plaza entrance, new signage, walkways, banners, pylons, benches, [inaudible] landscaping, and lighting; 3) the applicant seeks certain variances for non-permitted signage type, storytelling, wayfinding and fitness, sign setback, and signs in the public right-of-way. 4) the Board finds that the granting of the variance for any signs proposed in the public right-of-way refers to City Council, however the Board finds that the signs in the public right-of-way are both aesthetically and modularly appropriate as proposed by the applicant [inaudible] stamp by City Council; 5) the Board finds that the applicant has demonstrated public improvement to the property and that the variances can be granted without substantial detriment to the public good; 6) the Board finds that the application for the requested variances can be granted without substantial detriment to the City's zone plan, master plan, or public good. The Board finds that the applicant has made a showing in both improvements [inaudible] variances [inaudible] from the (c)2 standard and proposed (c)1 standard under the Municipal Land Use Law. Therefore, as a result of the granting of the applicant's site plan and variance can be granted and made subject to the following conditions, which were previously read into the record. The only additional condition would be that all oral representations made by the applicant, council by the applicant, or applicant's witnesses, match specifically contained herein to be incorporated by consent of the applicant. That will be the resolution if the Board would consider it for adoption.

Ms. Sicora-Ludwig: Thank you. Is there a motion from the Board?

Mr Cartica: Just a question, you are asking us to authorize this resolution of memorialization in lieu of what you would normally provide in writing at the next regularly scheduled meeting?

Ms. Sicora-Ludwig: Yes.

Mr. Aithal: That is correct.

Mr Cartica: Okay.

Motion to Approve  
 I. Chris Stellatella (Class II)  
 II. Ryan Berger (Class I)

	Yes	No
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)	✓	

**I. OTHER MATTERS OF INTEREST TO THE PUBLIC**

**Mr. Dominguez:** At this time, we are preparing to open the meeting to general public comment for 5 minutes per person. In order to ensure that the Planning Board can hear from the public and so that the public can hear public comment, I will organize the speakers by order of 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. I will now ask that members of the public that would like to speak on this specific hearing with the last name starting with A, please spell your full name and home address.

*Mr. Dominguez reads through the alphabet once. Charlie Kratovil and Danielle Moore are placed on the initial list of speakers.*

**Mr. Dominguez:** Is there any member of the public that did not get on to the initial list that would like to add themselves, please state your name. Last call.

**Mr. Kratovil:** Good evening, members of the Board, I will be brief. Just in reference to your next meeting. I do see that you have the changes of rules that you are proposing for the conduct of the meeting, and I do want to ask for a copy of those and ask if they include time limit.

**Ms. Sicora-Ludwig:** I don't have them in front of me. Dan, do you have them in front of you.

**Mr. Dominguez:** I don't. But it is online.

**Mr. Kratovil:** Okay, under Planning Board documents?

**Mr. Dominguez:** It is under miscellaneous documents that says Planning Board rules. I am going to do a quick control 'f for [inaudible].

**Mr. Aithal:** Madam Chair, if I may.

**Ms. Sicora-Ludwig:** Yes, please.

**Mr. Aithal:** This is Aravind Aithal, Board Attorney. I am not sure that the five minutes has been included. Mr. Kratovil's point is well taken [inaudible] obviously for the Board's discussion at the next meeting.

Ms. Sicora-Ludwig: Thank you.

Mr. Dominguez: Yes, it does not seem to be [inaudible].

Mr. Kratovil: I am not sure what was said there, but I want to make sure that there is not a time limit, because in the past it has been very beneficial for when there are complicated questions or complex applications for the public to be able to get full answer to their questions without being rushed to be able to exercise their right to cross examine witnesses and that kind of stuff. So, I would look kindly upon the rules that preserve that historic right that the public has had under meetings run by the person running this meeting at a previous time prior to the pandemic. I know that things are a little different right now and they do have to change a little bit, but I would be a concerned about permanently instituting time limits as it is not going to be helpful for getting to the real issues with the application, because at the end of the day, they often do get passed. But the discussion that we have and that you and others have about the application often improve the end result by getting different conditions added or just getting questions that would resolve them and out of the way so that mistakes can be avoided, and that the final projects feel a little better than what the applications were. So, I would hope that you would just preserve that. I do not mean to be long winded or longer than it needs to be. Thank you for your time, and have a good evening.

Ms. Sicora-Ludwig: Thank you, Mr. Kratovil.

Ms. Moore: Hello, can you hear me?

Ms. Sicora-Ludwig: Yes, Ms. Moore.

Ms. Moore: Hi, I would like to start by speaking about what I brought up to City Council that it is a concern and an issue. The Planning Board out of a few buildings or programs that were being made, it is situation of who is able to vote in and not able to vote due to where they are in another group. It was the same situation with the Rutgers Cancer Center. And I still do not really say that that is a good [inaudible] to where how many Planning Board members are there?

Mr. Dominguez: There are nine regular members and three alternatives. All today 11 members, Ms. Moore.

Ms. Moore: Thank you. Due to where, out of all those members, only three voted yes for this cancer center, due to where most walked out because they work for Rutgers or something, where I think the City needs to look into stopping, letting people vote double. And say to you, Ms. Sicora-Ludwig, City Council and Planning Board, where I surely will speak up to it due to where it is getting curious to me that when you first came on you said it was not about voting, it was about sharing. But like I said, I still think that there is a problem where, like I said, for the Rutgers Cancer Center only three of them voted. Like I said, you are making a big mistake regardless, like I say, the lord lets me see things for a reason, due to where I told you that 131 Jersey Avenue floods. Three weeks ago, on Channel 7 news it was there. I am telling you that 50 Jersey Avenue is not safe for a child. is Robert Wood Johnson going to build a wall, no they are not. Are they going to stop the kids from anyone crossing at night? Did someone tell you that. someone got killed by the Amtrak train in New Brunswick not too far from there. And like I said, you are making a big mistake like I said its all about, yes, yes, yes just like you did with Johnson & Johnson and like I said for some of you that do not even live in this area, it is a shame that you are even sending these kids to even think that it is not about a million dollar new school. It is an area not for a school, drinking, drugs. You wouldn't dare want your kids around there. And I will say that I did put the Planning Board names up there to show the public. Over 100 shares [inaudible] for how you voted without investigating, that that is not no area for a school. And you all, I can't say all of you because it was only three. But the three of you that did vote yes, it is like you do not care. Every word, yes, yes,

yes, without investigating and I think the City ought to look into that who they are voting for 'cause they certainly don't care in putting a school over there is a horrible thing. Especially when your kids don't have to pass through there where, wow, how many ODS, three times a day, picking up three times. I put it up there Planning Board to show the people proof, they want to put a school over there. You ought to be ashamed of yourself. Like I said, the City can't say I am crazy. Like I said, the lord lets me see things due to where now the City believes me that when I say something, wow, it don't take advantage what somebody gets hurt. Like I said, and surely keeps saying that you made a big mistake for helping to sell the Lincoln Annex school and sending the kids to 50 Jersey Ave. That is not an area for a school. And like I said, the three of you, I am not going to say all of you the three of you ought to be ashamed of yourself to see what you have done. You wouldn't dare want your kids over there to go to no school surrounded by almost six bars. Drinking, drugs. The police department can't handle it, picking up people three times a day rolling in the road. Think of what you did the three of you. Like I said Ms. Sicora-Ludwig, I know you have been sitting under pressure of what you have done, 'cause ever since that day you haven't showed up to not one meeting.

**Ms. Sicora-Ludwig:** Excuse me, Ms. Moore. I do not go to meetings because I have a compromised immune system and that is really none of your business, but I attend every meeting like I am supposed to. I have not missed a single meeting.

**Ms. Moore:** Believe me, like I said, you will feel the guilt and the pressure [inaudible].

**Mr. Dominguez:** You are over time, Ms. Moore.

**Ms. Moore:** All right, Thank you.

**Mr. Dominguez:** Are there any other members of the public that would like to get on the list of speakers? Last call? Seeing none.

## II. DISCUSSION ITEMS

*None.*

## III. ADJOURNMENT

- I. Chris Stelatella
- II. [inaudible]