



CITY OF NEW BRUNSWICK
MINOR SITE PLAN COMMITTEE
SEPTEMBER 30, 2020
MINUTES

Meeting Location
Remote Teleconferencing
9:00 AM

I. ROLL CALL

Affiliation	Staff Attending	
Director of Planning	Dan Dominguez	X
Principal Planner	Katie Thielman-Puniello	X
Board Planner	Todd Bletcher	
Board Engineer	Charles Carley	
City Construction & Fire Code Official	Ed Grobelny	X
City Engineer	Dan Burke	X
City DPW & Engineering Representative	Michelle Paige	X
Fire Department & Planning Board Representative	Chris Stellatella	X
Alternate & DPW Refuse and Recycling	Vacant	

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 Minor Site Plan Committee 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 and Star Ledger. 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 and is posted in the back vestibule of City Hall, visible to the public 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 and Star Ledger.

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 Minor Site Plan Committee intends to meet on a regular schedule, will meet using the guidelines of the Open Public Meetings Act by utilizing teleconferencing and video systems. Public participation at public meetings has been revised, and the public may participate through a conference call-in or video system.

The public is encouraged to call into the 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 or video call during the meeting. All parties on the conference call will have the opportunity to hear the Minor Site Plan Committee meeting. During the portions of the meeting that are not open for public comment, all calls from the public will be muted and the committee 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 committee 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. Any public needing assistance accessing the call number should call City Hall at 732-745-5007.

III. SALUTE TO THE FLAG

IV. PUBLIC HEARINGS

A. THE STATE THEATRE REGIONAL ARTS CENTER AT NEW BRUNSWICK, INC. / 15 LIVINGSTON AVENUE / BLOCK 12, LOT 24.01 (PB-2020-13)

Minor site plan application for building additions and hardscape improvements to the existing State Theatre building and property. Building additions include the construction of an elevator shaft along the southwestern side of the building and an extended entranceway along Livingston Avenue. The building addition will serve as an ADA entrance. The proposed signage will be considered under separate application. (*James F. Clarkin, Esq.*)

Mr. Dominguez: Mr. Clarkin, as this is a Minor Site Plan Committee meeting, typically there isn't any presentation by the applicant, but just wanting to double check.

Jim Clarkin (Applicant's Attorney): The answer is I'm not going to make an opening statement or any presentation, we are in receipt of Katie's report dated September 24, 2020, as well as Dan's report dated September 25, 2020, and when you are ready, we can go through the planning review comments in each and give responses.

Mr. Dominguez: All right, wonderful. Typically, we start with planning comments, so Katie, you have the floor.

Katie Thielman-Puniello (Principal Planner, Department of Planning, Community and Economic Development): Hi, this is Katie. I have my report here dated September 24, 2020, for the Minor Site Plan Committee review. Just quickly going through the proposal, the site is along Livingston Avenue, between New and George Streets. The site contains an indoor theater, commonly known as the State Theatre. There is no on-site parking on the site. The applicant is seeking to construct a building addition at the southwestern corner, which will include an elevator shaft, and will serve as an ADA entrance. There are exterior stairs and an ADA compliant ramp to the rear of the building addition. The elevator itself will be accessed via the interior of the building. The building addition will be irregular in shape and will measure maximum of 10 feet wide and 48 feet

long and will be clad with brick to match the existing building. The applicant is also proposing to replace the existing fire escape on the right and left sides of the building in kind. There are also several other improvements, including changing of the windows, a new entrance system, it looks like the existing metal marquee along Livingston Avenue will be renovated. There is an emergency generator and two dumpsters to the rear of the building on the right hand corner. It looks like there is a screen wall proposed to enclose the generator and the dumpsters. The generator will be set back greater than 5 feet from the property line, in accordance with the standards for outdoor mechanical equipment in the zoning ordinance. There's also a number of interior modifications, which include ADA compliant ramps, new finishes and that sort of thing. It does not look like there are any changes proposed to the interior arrangement of the space, like no walls will be moved or eliminated. And we just note that the proposed blade and canopy signage will be evaluated as part of a separate application. We note that there are no variances proposed as part of this application.

And moving on to page 5, we will go through our plan review comments. On page 5, Item 7. Item 1, we note that the applicant has requested waivers for traffic impact statement, environmental impact statement, landscape plan, lighting plan, utility plan, site logistics plan, other environmental impact-related items, and a traffic circulation plan. We have no objection to these requests. The applicant indicated that a site logistics plan would be submitted as part of resolution compliance.

Mr. Clarkin: We are gratified there are no objections. And, yes, we will get the site logistics plan.

Ms. Thielman-Puniello: Item 2, we are wondering if you can provide testimony as to the height and materials of the screen wall. Will it be tall enough to screen the generator? And we would like the plans to be revised to provide a detail of that wall.

Mr. Clarkin: I'd like to have Chris Roche, or engineer, address this item please.

Christian Roche (Applicant's Engineer): Sure, Jim. Katie, what we're anticipating is an 8 to 10 foot high chain link fence with screening slats. That's what is currently out there today and those slats would be almost a red or clay color to match the building. Again, that's what is currently out there and we will revise the plans accordingly.

Ms. Thielman-Puniello: All right, that sounds fine. Item 7.3, when will the generator be tested - time of day, duration and frequency?

Mr. Clarkin: Okay, I think I can address this one. Just like we did with Parker Homes, we would agree as a condition of any approval that it would be tested once per week, during a weekday, say between the hours of 10:00 AM and 4:00 PM. Duration is customarily 20 minutes.

Ms. Thielman-Puniello: Okay, thank you, that sounds good. Item 7.4, there are no changes proposed to the interior layout of the theater?

Mr. Clarkin: Actually, there are a few interior changes. Is our architect on the call?

Tom Gallagher (Applicant's Architect): Yes, this is Tom from DLR Group. There are some minor changes. The seat count of the theater will go down slightly to accommodate the ADA seating. We are moving the donor lounge from the orchestra level, the street level, up to level two, and we are renovating restrooms and adding restrooms off the lobby on the orchestra level. There are some other improvements with lighting and finishes in the inner lobby and outer lobby.

Ms. Thielman-Puniello: Okay, I guess that covers Item 5, but it doesn't look like this will be any change to the way the theater operates, correct? It's going to continue to operate as it has.

Mr. Clarkin: Yes.

Ms. Thielman-Puniello: Okay. Item 7.6, are there going to be any changes to the size of the marquee as part of the renovation, or is it just being refurbished?

Mr. Clarkin: Refurbished. No changes to the size.

Ms. Thielman-Puniello: Okay. That's all for my comments. Just Item 8, recommendations for compliance. The applicant shall pay any and all fees owed to the city of New Brunswick, the applicant shall submit copies of all approvals and exemptions from any outside agencies, and the applicant shall comply with the terms of the City Planning report dated September 24, 2020 and the City Engineering report dated September 25, 2020. And we will add that the generator shall be tested once a week, during the weekday, between 10:00 AM and 4:00 PM. That's all I've got.

Mr. Dominguez: Okay, thank you, Katie. Dan Burke.

Dan Burke (City Engineer, Department of Engineering): Good morning, everyone. I'll go right to the comments. The demolition plan encroaches on the adjacent property and appears to be blocking what I would assume to be exit doors on the building. I recommend you consult with the fire official for the requirements for access up and down that alleyway, and provide some sort of authorization to use that alleyway, which is off-site.

Mr. Clarkin: We are in a position where we can work with Rutgers University, the owner of the adjacent property, to obtain their approval for the construction fence to encroach onto their property.

Mr. Burke: And if those doors are, in fact, emergency egress, I presume they are –

Mr. Clarkin: They are.

Mr. Burke: Work with the fire official as to how far off the face of the building that they require to have emergency access to that building.

Mr. Clarkin: As a point, the building is unoccupied, except for construction purposes. So, we'd ask that that be kept in mind.

Mr. Burke: That's fine. I'm good with whatever the fire official is good with.

Mr. Clarkin: Okay.

Mr. Burke: The generator. You don't indicate the fuel type. I'm assuming it's either diesel fuel or gasoline, sorry, natural gas. It's proximity to the HVAC units on the nearby roof, loading area, brings concern for the exhaust getting into the system. Can you address that?

Mr. Clarkin: Chris Roche, can you handle that?

Mr. Roche: We're not anticipating any fumes getting into the air intake, Dan, if it's okay with you, as part of resolution compliance, we'll provide a memo from the MEP engineer, noting that there is no anticipated impact.

Mr. Burke: That's fine.

Mr. Clarkin: Chris, what's the fuel?

Mr. Roche: We're considering diesel.

Mr. Burke: I'll skip the signage. Curbs, sidewalks fronting the property, portions are substandard and anything that's damaged during construction should be brought up to city standards.

Mr. Clarkin: We agree to comply with 3 and 4, Dan.

Mr. Burke: Thank you. The applicant should consider providing a system limiting access to the alleyway on the north side. During my site visit, it appeared to be occupied and it's heavily littered. No changes to city utilities were indicated. The applicant has agreed to work with us on a logistics plan. Performance guarantees and the other approvals or waivers –

Mr. Clarkin: We agree with 7, 8 and 9.

Mr. Burke: Good, that's all I have.

Mr. Dominguez: Thank you, Dan. Ed with construction.

Ed Grobelny (Construction Official): I want to make sure the fire department connection is going to stay on the south face front of the building, where it is now, on Livingston Avenue?

Mr. Roche: Correct. We're not anticipating any changes.

Mr. Grobelny: Any new upsized fire sprinkler lines or metering devices has to be approved by the local water utility, and any new HVAC units, their condensate, their sump pumps, like in the elevator shaft, are not permitted to discharge into the sanitary sewer, they have to go into another means, besides the sanitary.

Mr. Roche: No issue.

Mr. Grobelny: The only other issue I have, is the replacement of the fire escapes, possibly the stairways, rather than being an elevated stairway, go right to grade, for ease of egress. On the north and south side, the one does, but the other does not, I believe.

Mr. Clarkin: Can we address that?

Mr. Roche: Yes, we can.

Mr. Grobelny: One has weather protection and the other does not.

Mr. Roche: When those are replaced, we don't have an issue with both of them getting down to grade.

Mr. Grobelny: That was my only comment. If there's no Knox box on the building, I took a walk around the building, I didn't see one, for fire department access, that one be provided.

Mr. Clarkin: Yes, sure.

Mr. Dominguez: Thank you, Ed. Fire?

Chris Stellatella (Fire Department): I think Ed handled most of our concerns, with the fumes coming off the generator being next to the HVAC and the exit egress coming off of the fire escapes and then our other concern, we would like a Knox box be added to the building. That's it for us.

Mr. Dominguez: Thank you, Chris. Aravind, anything on the legal side?

Aravind Aithal (Committee Attorney): Nothing from legal.

Mr. Dominguez: Okay, I will open it to public comment in case there is anyone on the call.

At this time, we are preparing to open the meeting to public comment for 5 minutes per person. In order to ensure the committee 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 those who would wish to speak to add their names to the list. Is there anyone on the line from the public, all the lines are unmuted, if anyone would like to speak please announce yourself and I will add you to the list. Anyone at all, last call? Seeing none, can I get a motion?

Motion to Approve

First: Chris Stellatella

Second: Ed Grobelny

	YES	NO	ABSENT
Dan Dominguez	X		
Katie Thielman-Puniello	X		
Todd Bletcher			X
Charles Carley			X

Ed Grobelny	X		
Dan Burke	X		
Michelle Paige	X		
Chris Stelatella	X		

V. PUBLIC COMMENT

None

VI. ADJOURNMENT