



The City of New Brunswick

DEPARTMENT OF PLANNING, COMMUNITY AND ECONOMIC
DEVELOPMENT

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January 15, 2021

Attn: David B. Himelman, Esq. (Applicant's Attorney), davidh@dbattorney.com
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Frank S. Aiello (Applicant's Architect), info@aielloassociates.net

Re: 23 Duke Street (Soba College Recovery, LLC)
Block 62, Lot 49.01
Application PB-2020-17
Minor Site Plan Committee Review

Dear Sir/Madam:

We have reviewed the following item(s):

- Minor Site Plan, 23 Duke Street, Soba New Jersey, Block 62, Lot 49.01, City of New Brunswick, Middlesex County, New Jersey, consisting of 3 sheets, prepared by East Point Engineering, LLC, dated December 1, 2020
- New Generator & Canopy Design, 23 Duke Street, Block 62, Lot 49.01, City of New Brunswick, New Jersey, Middlesex County, consisting of 1 sheet, prepared by Aiello Associates Architects, dated November 9, 2020
- ALTA/ACSM Land Title Survey of 23 Duke Street, Lot 49.01 in Block 62 on Tax Maps of City of New Brunswick, Middlesex County, New Jersey, prepared for Duke Street Detox, consisting of 1 sheet, prepared by Braginsky Surveying, LLC, dated December 11, 2017

1. Property Description and Development Proposal

The site measures 12,500 square feet in area and is located to the northwest of the intersection of Duke Street and Courtlandt Street. The site has 125 feet of frontage along Duke Street and 100 feet of frontage along Courtlandt Street.

The site contains a one-story building that is used as a residential drug detox facility. The engineering plans show that there are 17 off-street parking spaces on the site.

The applicant is seeking to construct an overhead canopy on the north side of the building over the outdoor patio area. The canopy would measure 17 feet by 25.67

feet (436 square feet). The canopy would be set back 12.93 inches from the northern property line. A building generator would be placed on top of the canopy, to be located behind a parapet screen wall. The screen wall would be 4 feet high. The canopy fascia would match the fascia on the main roof, and the new canopy parapet would match the top of the existing coping. Architectural plans indicate that the existing brick building façade would be painted. No modifications are proposed to the building's interior. The generator would be used as a back-up power supply.

Zoning Permit C-062-20 was issued to Duke Street Detox, LLC on April 24, 2020 for the construction of certain site improvements at 23 Duke Street, including an outdoor plaza area, modifications to the existing parking lot and new traffic signage. A total of 17 parking spaces would be provided on the site. The outdoor plaza space would include four benches, and would be enclosed with a 6 foot high PVC fence.

While the existing conditions plan (Sheet 2 of engineering plans) reflects the improvements approved as part of Zoning Permit C-062-20, we note that a site visit indicated that these improvements have not yet been completed and appear to be underway. There is an open construction permit for the property issued in October 2020.

2. Zoning District Description

Zoning District	HI Hospital/Institutional
Is the property in a redevelopment area?	No
Do the redevelopment area standards apply to this application?	n/a
Is the use permitted in the zone/redevelopment area?	Yes
Is the use a conditional use in the zone/redevelopment area?	No
Pre-existing legal non-conforming use?	No

3. Master Plan Consistency

The 2004 Master Plan recommends this property for neighborhood commercial use; no changes to this recommendation are offered in the 2012 Master Plan Reexamination.

4. History of the Subject Property

The following zoning permits have been issued for the property in recent years:

C-062-20: Issued in April 2020, as described in Section 1 above.

C-286-19: Issued in August 2019, the applicant was approved to replace the existing chain link fencing with a 6 foot high solid vinyl privacy fence along the side yards only.

C-166-17: Issued in September 2017, the applicant was approved to use the existing medical office building for the operation of a healthcare facility for the treatment of addictions, substance abuse and drug/alcohol dependency.

C-288-07: Issued in July 2007, the applicant was approved to use the existing space for the operation of a chiropractic office.

C-077-06: Issued in April 2006, the applicant was approved to construct concrete egress stairs from the basement floor and a concrete handicap ramp adjacent to the rear of the existing building. The number of parking spaces were reduced from 21 to 19.

5. Existing Property Conditions

The site is located within the City's HI Hospital Institutional district. Land use in the vicinity of the site is comprised of one- and two-family residences, with some multifamily residential apartment buildings scattered throughout. There are several mixed use buildings with ground floor retail, as well as an auto service center, clustered around the intersection of Duke Street, Courtlandt Street and Central Avenue. St. Peter's University Hospital is located in the greater vicinity of the site to the west.



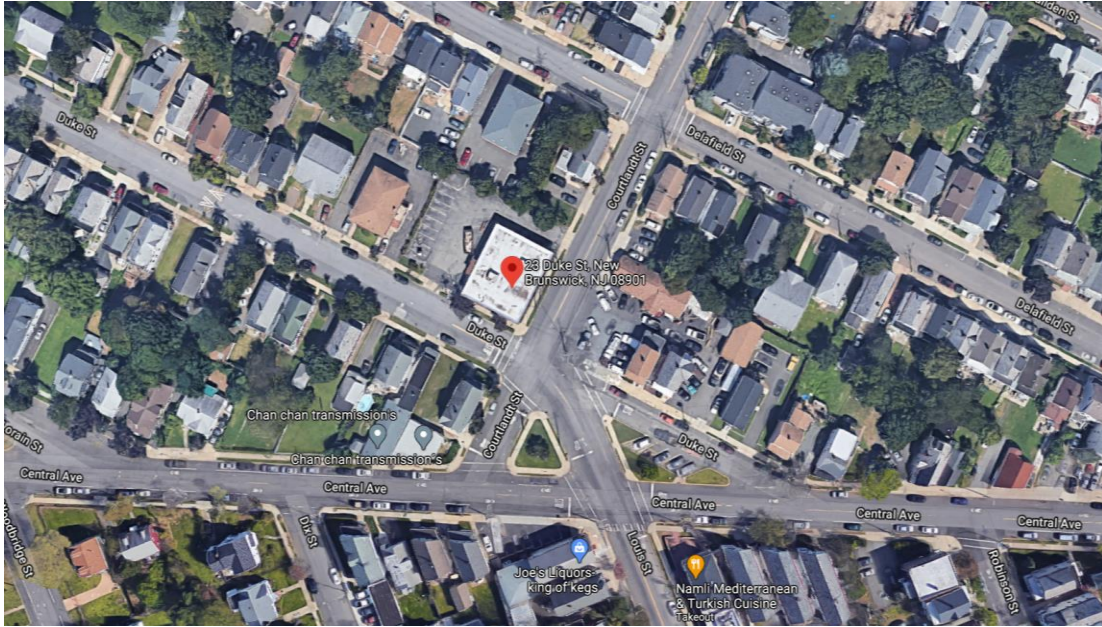
Looking northwest at the site from Duke Street, January 7, 2021



Looking north into the site from Duke Street, January 7, 2021



Looking west into the site from Courtlandt Street, January 7, 2021



Aerial Imagery of the Site, Google Maps, 2021

6. Bulk Standards Zoning Review

The property is located in the HI Hospital Institutional district. Medical offices are a principal permitted use in this zone. There are no variances required as part of this application, as shown in the table below:

HI District	Required	Proposed	Conformity
Minimum Lot Area	10,000 sf	12,500 sf	Conforms
Minimum Lot Width	100 ft.	100 ft.	Conforms
Minimum Lot Depth	100 ft.	125 ft.	Conforms
Minimum Front Setback Duke Street	10 ft.	0 ft.	Existing Non-Conformity
Courtlandt Street	10 ft.	-0.98 ft.	Existing Non-Conformity
Minimum Side Setback (one/both)	5 ft. 10 ft.	12.93 ft. 81.72 ft.	Conforms Conforms
Minimum Rear Setback	10 ft.	-	-
Maximum Building Height	150 ft.	±20 ft.	Conforms
Maximum Building Coverage	50%	32.6%	Conforms
Maximum Impervious Coverage	90%	96.6%	Existing Non-Conformity
Maximum Floor Area Ratio	6.0	0.65	Conforms

7. Plan Review Comments

1. The applicant has requested waivers for landscape plan, lighting plan, utilities plan, traffic impact statement, drainage calculations, statement of environmental impact, and recycling statement. This office has no objections to this request.

2. The applicant should provide testimony for the Committee's benefit as to the visibility of the generator and the proposed screening.
3. The applicant should discuss the status of the improvements on the site relating to Zoning Permit C-062-20.
4. A board on board trash enclosure is shown on plans in the northwestern corner of the site. However, a site visit indicated that the dumpsters are stored in the parking lot area. The applicant should provide testimony as to how trash and recycling is managed on the site.
5. When will the generator be tested (e.g., time of day, frequency, duration of time, etc.)?
6. The applicant should provide testimony demonstrating compliance with Section 17.03.225, Outdoor Mechanical Equipment, specifically:
 - All outdoor mechanical equipment shall be muffled so as to comply with both the Noise Control Act of 1971 (NJSA 13:1G-1 et seq.) and the New Jersey Noise Control Regulations (NJAC 7:29), as most recently amended.

We note that the generator will be set back greater than 10 feet from all property lines

8. Recommendations for Compliance

1. The applicant shall pay any and all fees owed to the city of New Brunswick.
2. The applicant shall submit copies of all approvals and/or exemptions from any outside agency having jurisdiction.
3. The applicant shall comply with the terms of the City Planning report dated January 15, 2021 and the City Engineering report dated January 15, 2021 for the above project.
4. The applicant shall comply with any comments offered by the Construction Official's office.
5. Submission of engineering and/or architectural plans to comply with any changes required by the Planning or Engineering memos or plan amendments offered at the hearing, if any.

Sincerely,



Katie Thielman-Puniello, AICP, PP,
Principal Planner