

Planning Board
City of New Brunswick
March 20, 2012

Roll Call:

x	Robert Colonna, Chair
x	Linda Hunter
x	David Fitzhenry
	Suzanne Ludwig
x	Maria Torrisi
	Tom Valenti
x	Michael Drulis (Class I)
x	Kevin Jones (Class II)
x	Betsy Garlatti (Class III)
	Luis Berrios (Alternate #1)
x	Tony Barber (Alternate #2)

Open Public Meetings Statement was read

Salute to the Flag

Minutes

Approval of the minutes of the Board's January 10th, 2012 meeting

Motion: Hunter

Second: Garlatti

Approved unanimously

Resolutions of Memorialization:

None

Old Business:

None

New Business:

Midco Waste Systems, PB-2011-31, 5 Industrial Drive, Zone I-2

Dennis Auciello, Esq. - applicant is adding a 2nd story to the existing building to add office space. There is no change to the footprint and the facade will match the existing building facade.

Don Baker, Midco Waste and contractor – Midco agrees with the comments in the City Engineer's report and the D&R Engineering report.

The addition adds offices, conf. room and cafeteria. They will have an employee who is dedicated to site maintenance.

Jos. Mullaney, Eng. - Parking on site is sufficient and no variance is needed. 5 handicapped spaces will be added in the lot across the street. A couple of spaces will be lost but there will be an excess over the minimum required.

Public:

None

Board comment: None

Motion by: Fitzhenry

Second by: Drulis

	Yes	No	Abstain
Robert Colonna, Chair	x		
Linda Hunter	x		
David Fitzhenry	x		
Suzanne Ludwig			
Maria Torrisi	x		
Tom Valenti			
Michael Drulis (Class I)	x		
Kevin Jones (Class II)	x		
Betsy Garlatti (Class III)	x		
Luis Berrios (Alternate #1)			
Tony Barber (Alternate #2)	x		

Boraie Development, LLC, PB-2012-10, Zone C-4

Tom Kelso, Esq. - The project is a high-density mixed-use building located in a designated transit village. The project is in the C-4 zone with graduated density. The zone recognizes that density should be constructed close to transit centers. The project has 238 units with 248 parking spaces plus 8800 sf of retail.

Three variances are needed due to the shape of the property. It is a 33,000 sf lot. A lot width variance is required as 150' required with 109' provided. A side yard variance is required with 10' required and 5' proposed. The height maximum is 150' with 159' proposed. A height of 150' is allowed on a 20,000 sf lot and if the applicant had 40,000 sf would allow 250 sf. This lot is 33,000 sf.

The project is for upscale residential, similar to the developer's One Spring project. The project amenities include gym, outdoor area and concierge.

The project is being developed close to employment and transit centers.

Bradford Perkins, Archt. -

A-1 Rendered site plan

- Building has a 4-story base with a 12-story residential tower on top of the base. Most units are 1-BR, with a few studios and 42 2-BR

A-2 Ground floor and typical floor plan

- Main entrance is on Somerset Street. Retail fronts on Somerset Street. Parking and service are entered off of Condict Street.

A-3 Architectural Rendering

- Base of the building is designed to look residential despite having the parking deck front on Somerset Street.

A-4 – Perspective Rendering from Easton Somerset

A-5 – Condict St elevation rendering –

- Attempted to make the parking deck look residential in design.
- The east & west elevations of the parking deck can not have many openings due to fire code.
- Detailing will attempt to replicate the look of openings.

A-6 Cross Section

- The parking deck height is 50 feet.
- The Somerset initial setback is 5ft, and then sets back 2 more times, with 5 and 12 feet setbacks respectively.
- On the east west elevations, the tower is set back from the parking deck edge between 10' and 30' feet.

The roof is a planted roof (A-7) which provides storm water retention and reduces reflectivity. Exterior materials are predominately brick with varied colors. Limestone and granite will also be used.

The density of the project is a sustainable feature of the building as best practice currently says to build units densely in transit hubs to get maximum sustainable effects. The City's zoning reflects these best practices.

Dan Dougherty, Eng. -

A-8 Colored aerial plan

- Existing site has 8 existing buildings in various states of repair.

A-9 Colored site plan rendering

- Min. lot width is 150 ft, but applicant only has 110 feet. This is large enough for the proposed building as it accommodates the parking deck width. A double loaded bay + single loaded bay fits in less than the 110 width.
- Zone requires a 10' setback from residential zones but only 5 ft is accommodated. This is on the southwest side, near Condict St.
- There are 2 driveway accesses from Condict Street, with one being for loading/service.

A-10 Colored deck circulation plan

- Plan shows a WB40 truck, though this is larger than most trucks that would access the site. Most would be WB30 or less, but WB40 can be accommodated. WB30's would be a trash truck or moving van.

Parking plan has 248 spaces with most at 9x18. Twenty-one (21) spaces are 8.5' in width and a waiver is requested for these. This full size stalls allows the parking count to be reduced to closer to the ordinance requirement.

Control gates for the parking deck have not been designed on the plan yet. Staff raised concern about stacking back out on to Condict St. Dougherty said there are trade offs with interior stacking with persons who may mistakenly enter and get stuck versus residents stacking at a card reader which allows quick entrance.

Trash will be privately picked up 2x per week. Pick up would be mid-morning generally. The owner will have control over when moving vans can access the site.

A green roof is proposed to act as storm water detention, so that storm water it is stored on the roof as opposed to underground. The roof becomes a pervious surface. This provides for cleaner runoff than ground runoff. Post development flow is lower than the existing flow.

All standard utilities are available to the site. The building will have its own transformer. It is possible to construct is in an electrical room or a sidewalk vault. The electrical room would be on the Condict frontage, if one is used, but it is up to PSEG as to how to handle the electric.

Applicant will provide a payment to the tree replacement trust fund for required trees pursuant to the ordinance.

Applicant will comply with the D&R Engineering report.

A site logistics plan will need to be approved by the City prior to construction.

Charles Olivo, Traffic Engineer -

Easton has an ADT of about 13,000 per day and is the main driver of traffic in the area. He compared existing and proposed development volumes. They looked at expected peak hours of morning and evening rush (7-9AM) and (4-7PM). They also look at the 60 minute peak.

The site is well served by public transportation. Approx. 25% of NB population uses bikes, walks or public transit. The analysis has not taken credit for this high alternate transit usage. Given the location though, it should have a high % of trips by non-auto means.

The residential parking deck would not have extensive cueing as drivers use a card reader system to enter the deck. At least one car will be accommodated for stacking. Residential does not have a surge of trips like an event-focused deck so are not likely to get a long cue at the gate.

Given the future condition, all intersections studied will operate acceptably.

Garlatti – would increased volume cause problems with lefts from Condict onto Easton?

Olivo – pushed 90% of volume to Easton to maximize this volume. The analysis showed the intersection operating acceptably with this high percentage of volume going to this intersection. There are also alternative routes to take if there is a back up.

Infrastructure is in place to accommodate alternate transit and limit car use. The study found the worst level of service to be a “D” which is an acceptable condition per ITE.

John McDonough, Planner -

The three (3) variances are lot width, side yard setback and height.

A-11 Area photo set

Bird's eye photo shows the site to be in the center New Brunswick, which is a State designated urban center. The area is also a UEZ and State designated transit village. The city center expands with the daily influx of employees.

The height variance is mitigated due to the sky exposure plane that steps back the building height as it rises.

The photo set also shows the transit village boundary and other projects in the area. Photos also show other uses in the area including The Vue and University Center. The proposed building is in scale with these buildings. The small scale of the existing buildings on-site are not appropriate for this central location in NB. The adjacent Ronald McDonald house has a large setback from the applicant's lot where he is seeking the 5 ft setback variance.

The verticality of the parking deck height at 53' is not substantially higher than the existing buildings that are in the 30-35 ft heights in the adjacent residential areas. The tower is then stepped back from the deck edge.

On Condict St, the proposed set back is increased from the existing condition even though a variance is needed.

Setback and lot width variances are justified under a C.2 balancing test where the positives outweigh the negatives. Purposes of zoning are advanced include: A, public welfare is promoted as transit is promoted. The application meets all the higher standard tiers of zoning as no use, FAR, density or parking variances are requested. Purpose I is promoted through improved visual environment. Purpose M, the efficient use of land is promoted through high density development in a transit village. Purpose H, free flow of traffic, is supported based on the traffic report. Purpose C, variety of uses, is promoted through mixed use development. Purpose N, renewable energy, is promoted.

No substantial detriments exist as the setback variances are mitigated through the step backs and compliance with the sky exposure plane standard above the parking deck height. The building complies with the setback after the height gets above the base. Twelve (120 of the 16 stories comply with the set back. Light and air are provided adequately.

The height variance is a "C" variance, so it is minimal. On the positive side, the benefits are the same as stated above and the negative is the de minimus criteria of the 9 extra feet on a 150 ft building. There is no detriment to the adjacent properties. The height will not cause congestion based on the findings of the traffic report. The building will not cater to families given the size of the bedrooms so there will be little school costs associated with it. The zone contemplates 250 feet tall buildings on 40,000 sf lots, so 159' is not out of scale to what could be allowed on slightly larger lot.

Master plan comparability is provided through the project's continued revitalization of downtown. The master plan also discusses smart growth strategies, which this project includes. The master plan says high-density residential in or near the downtown is promoted.

The new State master plan discusses the desirability of creating transit hubs, which is what this project does. Vacancies are lower and more jobs are created in areas such as the New Brunswick transit village states the State Plan. It says the tallest buildings should cluster near the train station. It also says jobs and housing should be located near transit facilities.

The application is consistent with the City and State Master Plan.

Public:

David Spevack – New Brunswick resident. He moved here from Hoboken. Excited to see new development such as this project. Will a project like this improve property values?

McDonough – studies show projects like this increase property values.

Spevack – wants to see more projects like this.

Charlie Kratovil –

- What type of retail uses planned? Kelso – not known yet but likely typical urban retail.
- Is area eligible for a tax abatement? Kelso – it is not now in a redevelopment area but it is being looked at.

- Will building LEED designated? Kelso – will have LEED elements but not seek certification.
- Will building have income minimums that discourage students? Kelso – marked to young professionals and empty nesters but possible that students may live there.
- What will rents be? Kelso - \$2400 for 2BR range, 1 BR at \$1800 range.
- Pedestrian amenities in the neighborhood need to be upgraded if expect more pedestrians. Need a crosswalk at Condict.
- What else does the developer operate? Kelso – One Spring, among others. It is substantially occupied.
- Parking deck at One Spring was supposed to have more parking than was constructed and no public parking as promised. Kelso – the required number of spaces were provided. The public spaces were relocated as NBPA felt it was unfeasible to operate the spaces in One Spring.
- He likes the design of the 135 Somerset deck as is aesthetically pleasing.

Walter Loures, Esq – Representing John Paff owner of 19 Condict.

- What happens to storm run off? Engineer – 94% of site is building and water is collected on the roof, retained and put directly into the storm system directly. There is little surface runoff.
- Was loading dock considered for Somerset St? Olivo – Would have more negative impact if it was located on Somerset Street. Deliveries are fairly infrequent. There was no negative impact from using Condict St as the turn movements can be accommodated. Somerset St was not analyzed directly.
- Parking deck wall adjacent to 19 Condict, will it be impervious to fumes and sound? Eastman – it is a solid wall and little sound will emanate. It is a pre-cast wall.
- Somerset is available to accommodate some of the traffic and should be considered rather than Condict. He requests this to be studied. Allevio – the access management goal is to add driveways to streets that create the least friction on the existing flow. Condict will work better.

Phil Barrood, Esq. - representing Joseph Chedid. Chedid does not object to the project but objects to the side yard setback request.

P-1 photo of 9 ½ Condict

P-2 photo of rear building at 9 ½ Condict

- The existing house on the Boraie lot does not block Chedid house's windows whereas the new building will block them. Kelso – rear building is 8' off property line, plus the 5' the Boraie building will be set back for a total of 13' separation.
- Client is concerned about structural integrity during construction. Ten foot setback would mitigate the potential for damage. Kelso – A construction logistics plan approved and the developer has to protect the integrity of the adjacent property. Boraie has experience with construction like this as it is a similar condition to what they developed at One Spring.

Louis Barrood – family owns adjacent property on Somerset St. and he owns property around the corner.

- He reiterates the comments of Phil Barrood. The building will block sunlight to their

property and both buildings will be near the property line. The setback standard should be retained for the project. Kelso – there is no setback required between the Barrood property and the building as the C-4 has a 0' sideyard setback within the C-4 zone.

Louis Dulory- Moved here from Westminster Twp, lives at One Spring St now. Boraie has been a good developer and manager at One Spring and wants to see more development like it.

Antionette Chamoun, owns 9 ½ Condict with Joe Chedid
135 Somerset is beautiful building but wants the 10' setback. Kelso – applicant has made an argument to support the variance and if comply with the 10' feet it destroys the functionality of the parking deck. Dougherty – width of building is 105' at that location and that is the minimum needed for the parking dimensions.

Patterson – can aisles and spaces be narrowed to allow the building to be narrowed? The aisle is 24', can it be narrowed to 22'? Olivo – design meets standards and would not be appropriate.

Kelso – can accommodate some narrowing but not 5'

Sam Boraie – Condict St side is 105.5'. When narrow aisles and stalls you get safety issues. The architects could reduce the width of the drive aisles by 1ft each to reduce to 103.5'. This would increase the side yard setback of the building to 7 feet from 5 feet for the portion of the building adjacent to the Chedid/Chamoun property.

Jadwiga Karanevesky, 11 Condict homeowner

- She feels project does not fit into the neighborhood. They've fixed up their deck and now will look at a wall. Will Condict St be closed for construction? Where do the cranes go? Parking is problematic now and this will exacerbate the problem. Where do guests park? Olivo – 50 residents live there today and only 16 off street spaces. Project will provide more parking. Loading will be done off-street. Parking management is designed to all be handled on the site.
- Commercial trucks block streets delivering to other businesses. Alevo – The site has multiple ways to exit the site to avoid backups. Guests may have to park on the street plus there is a new parking deck open to the public at Gateway.

H. Chapman, Hardenberg St – Concerned with the parking. Will the applicant agree that no resident parking permits will be issued to residents of this project? Kelso – The applicant voluntarily consents to this condition.

Lou Barrood – can 2 or 3 feet be set back more on the Somerset side

Boraie – No setback is required and they are providing 2 feet. Doing more would be a problem for the project.

End public comment:

Motion by: Garlatti

Second by: Jones

Garlatti: What is the role of Board regarding requesting more pedestrian improvements. Can I ask Council to address these issues? Bucca – Yes

Bucca – Three variances are requested, side yard, lot width and height

Garlatti – Is this building height taller than University Center? Patterson – approximately the same height.

Garlatti – side yard setback for Ronald McDonald did anyone speak from there? Patterson -No

Fitzhenry – City is in transition. I've moved due to transition and this makes the city progress. The parking deck proposed is aesthetically positive.

Hunter: If it was a smaller building it would have less impact. It is disproportionate to the neighborhood. Fitzhenry – It is disproportionate as the neighborhood is now, but the new zoning permits this and they have accommodated on the setbacks.

Torrisi – safety during construction, how is it maintained?

Boraie – They have built in a similar situation with One Spring. They are required to provide safety nets and other actions to maintain safety and reduce nuisances. The crane would be located in the center of the building.

Drulis – concerned with the traffic congestion and safety.

	Yes	No	Abstain
Robert Colonna, Chair	x		
Linda Hunter	x		
David Fitzhenry	x		
Suzanne Ludwig			
Maria Torrisi	x		
Tom Valenti			
Michael Drulis (Class I)	x		
Kevin Jones (Class II)	x		
Betsy Garlatti (Class III)	x		
Luis Berrios (Alternate #1)			
Tony Barber (Alternate #2)	x		

Mr. Patterson announced that due to the late hour, the presentation and hearings related to the Easton Park Redevelopment Plan amendment and the Seminary Redevelopment Study were being adjourned to the April 17 meeting Planning Board meeting that would be held at Council Chambers at 7:30 pm

Adjournment 11:50 pm