

**CITY OF NEW BRUNSWICK  
PLANNING BOARD  
APRIL 17, 2012  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

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

**Board Staff:**

Ben Bucca, Esquire, Board Attorney

Glenn S. Patterson, AICP, PP, Board Secretary

Mark Sielge, AICP, PP, CNU-A, Principal Planner City of New Brunswick

**II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)**

Read by Mr. Siegle

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARD'S MARCH 20TH, 2012 MEETING**

**Approved unanimously.**

**V. COMMUNICATIONS AND REPORTS**

**Resolutions of Memorialization**

- A. MIDCO WASTE SYSTEMS, PB-2011-31**, Site plan application for the construction of an addition located at 5 Industrial Drive, Block 597.02, Lot 4, Zoning District: I-2

**Motion to approve made by Mr. Fitzhenry, Seconded by Mr. Drulis.**

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

- B. BORAIE DEVELOPMENT, LLC, PB-2012-10,** Site plan and variance application for the construction of a mixed-use retail and residential building located at 135 Somerset Street, Block 49, Lots 6, 7, 8, 10, 25, 26, 26.01, and 27, Zoning District: C-4

**Motion to approve made by Ms. Garlatti, seconded by Mr. Fitzhenry**

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

**VI. NEW BUSINESS**

- A. EASTON PARK REDEVELOPMENT PLAN AMENDMENTS,** Recommendation to the City Council regarding the amendments to the previously approved Easton Park Redevelopment Area Plan

**Glenn Patterson, Director of Planning, was sworn in.**

**Patterson-** The site is the former county Vo-tech school and the site has been vacant for several years now. The previously adopted plan in 2006, called for active adult housing for persons 55 years of age or older. The 2008 financial crisis changed the demand in the active adult market. Looking to amend the plan to permit office associated with hospital uses. No ambulatory care or patient treatment at the location. The building will most likely be reconstructed rather than rehabbed. The offices will be administrative in nature. The plan is consistent with the Master Plan land use recommendations for the subject area.

**Bucca-** The master plan specifically mentions the Vo-Tech site?

**Patterson- Yes,** the master plan specifically mentions the Vo-Tech site. It calls for it to be an R-3 (single family) area, but as an alternative it could be a location for possible location for hospital expansion for hospital uses.

**Public Comments:**

**Charles Kratovil, was sworn in.**

**Kratovil-** Questioned who owned the property currently or prior.

**Patterson-** Originally owned by the County, acquired by Housing Authority, sold to 258 Easton Avenue, LLC as the designated redeveloper.

**Kratovil-** Asked whether the school could be used again in its current state

**Patterson-** Plan does not preclude it from being rehabilitated but the economics lend it to be demolished and replaced with new construction

Mr. Kratovil expressed concern over other school issues in town.

**Amber Kartalyan, was sworn in.**

**Kartalyan-** Expressed questions over proposed parking under the plan amendments

**Patterson-** It would be around the building and/or under the building.

Motion to make the finding that the proposed changes to the plan are consistent with the master plan made by Ms. Garlatti, Seconded by Mr. Drulis.

x	Robert Colonna, Chair
	Linda Hunter
x	David Fitzhenry
	Suzanne Ludwig

	Maria Torrisi
	Tom Valenti
x	Michael Drulis (Class I)
	Kevin Jones (Class II)
x	Betsy Garlatti (Class III)
	Luis Berrios (Alternate #1)
x	Tony Barber (Alternate #2)

**B. MASTER PLAN RE-EXAMINATION REPORT**

Review of the re-examination report of the Master Plan of the City of New Brunswick as per NJSA 40:55D-89

**Mr. Patterson explained the function of the Board with regard to the Master Plan re-examination process.**

**Susan Gruel, was sworn in.**

Ms. Gruel explained that they (Heyer and Gruel Associates) were the firm that prepared the 2004 Master Plan. She stated that they reviewed and updated the 2004 Master Plan and looked at changes that have occurred since 2004. She stated that she was going to summarize the key aspects of the report and. Most of the zoning ordinance revisions have occurred and been enacted. Ms. Gruel went over key development projects such as, Gateway, Wellness, Rockoff Hall, Children’s Specialized Hospital, etc. Ms. Gruel identified improvements in circulation such as Route 18 improvements and also identified a continued effort to improve bicycle and pedestrian routes throughout the City. Ms. Gruel identified new community facilities which were constructed since 2004 (Rutgers Public Safety and new High School). Ms. Gruel summarized the proposed sustainability plan element.

Ms. Gruel identified the following recommendations:

- Graduated density zoning
- Creation of a neighborhood plan for the sixth ward
- Preparation of a redevelopment plan for Unity Square
- Revise land use strategies and zoning to create sustainable mixed use neighborhoods
- Continue to encourage pedestrian and bike friendly systems
- Continue to address street congestion
- Explore short term parking in the downtown

**Board Discussion:**

**Patterson-** Explained the master plan re-examination process.

**Bucca-** Had questions regarding graduated density.

**Patterson-** Stated that graduated density is something that the City should look at as a way to encourage additional development in town to aid in revitalizing neighborhoods.

**Fitzhenry-** How would graduated density work in the sixth ward?

**Patterson-** Explained graduated density and how cooperation among property owners and the consolidation of lots would allow property owners to build more, but also minimize resulting orphan properties left behind. Stated that graduated density is a strategy to look at where the economic incentive to improve the housing stock is not currently there.

**Patterson-** Building high density projects near employment centers, transit, and shopping is the greenest thing you can do

The Board discussed the issue of walkability in the downtown area.

### **Public Comment:**

**Amber Kartalyan-** discussed the Lower George Street Redevelopment Area and its susceptibility to flooding. Would like a limit to the impervious coverage allowed in that area.

**Susan Gruel-** discussed the sustainability

**Patterson-** discussed applicable storm water regulations (20% Net Fill limit, no net increase in storm water runoff, riparian zone ordinance, NJDEP stream encroachment, steep slope ordinance).

**Charles Kratovil-** questioned who the stakeholders were for the Master Plan re-exam process and requested a list.

**Patterson-** Explained in detail the stakeholders who were involved.

**Kratovil-** Identified two concerns: 1) stated that the student housing projects are too dense and they lack common space for residents to see their neighbors.

**Patterson-** Agreed with Mr. Kratovil. Stated that graduated density developments would allow for larger developments, which could accommodate the common space for neighborly interaction.

**Kratovil-** Report stated that City needs to evaluate community programming at the youth center. Asked for elaboration.

**Patterson-** Stated that the it may have been how do you coordinate the programming at the Teen Center once Wellness opens.

**Jonathan Malpica**, was sworn in. He questioned the developments in the 6<sup>th</sup> ward. He stated that they lacked the common space and that the pattern of development tends to look the same. Stated that he does not see green elements in previously approved projects.

**Patterson-** explained green elements in prior projects.

**Sam Leibman**, was sworn in. Expressed interest in mixed use, but noted that the mixed use development recently built remains vacant. How do you guarantee if more mixed-use is built that they will not be vacant?

**Patterson-** Explained that the market will rectify the situation and the owners will lower the rents to obtain tenants. Expressed that the owners of the property near the Shell Station on Easton Avenue are holding out for an appropriate tenant to add diversity to a food service dominated corridor.

**Motion to adopt the findings of the re-examination report made by Ms. Garlatti, seconded by Mr. Fitzhenry.**

x	Robert Colonna, Chair
	Linda Hunter
x	David Fitzhenry
	Suzanne Ludwig
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### **C. NEW BRUNSWICK SEMINARY REDEVELOPMENT STUDY**

Mr. Patterson stated that there was a redevelopment study for the New Brunswick Theological Seminary area. Council has referred the matter to the board to see if the study meets the statutory criteria--in the Local Housing and Redevelopment Law—for being designated an area in need of redevelopment. Mr. Patterson stated that public notice was given and the study was available in the clerk’s office for public review.

Mr. Patterson gave an overview of the site. He stated that, as a result of the study, the area met the statutory criteria for an area in need of redevelopment. A generality of the buildings were found to be in unsafe and dilapidated conditions.

Mr. Patterson went through the study—address by address—and provided the condition of each property and whether the property met any criteria needed to be designated an area in need of redevelopment. Below is a summary of the findings of the redevelopment study.

The area to the rear of 3 Seminary Place has a slope that pitches downwards towards Seminary Place. A swale has formed that causes runoff to be channeled to the rear of 3 Seminary Place. The runoff has eroded the ground beneath the walkway that connects 3 Seminary Place to Zwemer Hall. The resulting gully has created a dangerous situation where pedestrians can be hurt if they take a misstep off the walk. The erosion has created a drop off the side of the walkway and created a hold beneath the walkway. In addition to the hazard created by stepping off the walkway, the hole beneath the walkway creates an additional hazard in which a foot or leg can be caught.

A second, larger dilapidated area exists on the College Avenue side of the property where the common driveway used by the residential buildings that face College Avenue is located.

The driveway extends from College Avenue to the rear of the three residential buildings: 31 Seminary, 87 College and 89 College. The driveway is severely deteriorated, with numerous large potholes and chuckholes.

The potholes have completely worn through the asphalt pavement and extended into the ground below. The edges of potholes have a drop of several inches. Additionally, there are loose remnants of the asphalt and stone underlayment that create a safety hazard.

The above dilapidated conditions are detrimental to the safety and welfare of persons using the site, including residents of the on-site housing, students and faculty of the Seminary and other members of the public who traverse through the site. The erosion, deterioration and dilapidation of both the walkway and the driveway create hazardous conditions that can lead to persons being hurt by walking off the eroded areas next to the walkway or into the potholes. These conditions satisfy the criteria of NJSA 40A:12A-5.d for the area being in need of redevelopment.

Buildings:

1 Seminary Place

The 1 Seminary Place building is three (3) story building used to house offices for the Rutgers Philosophy Department. The building was converted to office use from residential use at some point in its history.

The lintels of the windows on the building are in poor condition, with damaged wood and deteriorated paint. The exterior walls and foundation appeared to be in good condition.

Additionally, the rear porch area is deteriorating, with the exterior of the porch subfloor showing water damage.

While the building has portions of it that are poorly maintained, these areas probably do not constitute an unsafe or dilapidated condition.

### 3 Seminary Place

3 Seminary Place is a twin of the 1 Seminary Place building. It is also a former residential building that was at some time converted to office use. It also houses offices and classrooms for the Rutgers Philosophy Department. This building is more deteriorated than its twin.

The lintels of 3 Seminary are also in poor condition, with deteriorated paint. Additionally, the rear porch is severely damaged, with a support column for the porch roof showing extensive rotting and other damage. Additionally, spindles in the porch rail are loose and the porch roof downspout is both bent and pulled away from the porch column.

The basement of the building has also experienced flooding. As the building sits on a hill, up from Seminary Place, the water intrusion is likely due to site runoff which is directed towards the building from areas further up the site. This drainage problem was described in the previous section as is also the cause of erosion on the site.

As shown on the picture to the right, the bottom two feet of sheet rock in the basement had to be removed due to recent flood damage.

### 564 George Street

This three (3) story building is a former dormitory. The building is boarded up and in poor condition. It has been vacant for 3-4 years according to the Seminary's maintenance staff.

Vacant, boarded buildings are by their nature detrimental to the health, safety and welfare of a community. Vacant buildings create opportunities for squatter occupancies and are generally maintained at lower standards than occupied buildings. They also contribute to a decrease in property values for neighboring properties and create the perception of an unsafe neighborhood. "Residents still living in these abandoned neighborhoods face an increasing risk of burglary and robbery. As neighborhoods fall further into disrepair, these crimes are only the immediate impact. Long-term trends could undo the significant progress that many metropolitan areas have made in the last few decades in both neighborhood quality of life and economic progress." (Ronald E. Wilson and Daniel J. Paulsen, Geography and Public Safety Newsletter, October 2008)

### Zwemer Hall

Zwemer Hall is the primary classroom and administrative building on the campus. It also includes assembly areas, such as the chapel, which is used for religious services, and a dining hall. The building was dedicated in 1967.

The exit door on the east side (facing Seminary Place) is blocked by thick vegetation. This creates an unsafe condition in the building, which is used for assembly purposes by not only students and staff, but by the general public for worship services.

### Gardner-Sage Library

The Gardner-Sage Library building houses, as its name implies, the library for the New Brunswick Theological Seminary. An exterior inspection of the building's façade, foundation, steps and roof did not disclose any conditions that were unsafe, unsanitary, dilapidated or obsolescent. The building appears to be utilized for its intended function as a library, which is a core support use for the overall educational training use of the site. The building does not appear to meet criteria for being in need of redevelopment.

### President's House

The President's House contains residential space and offices for use by the president of the Seminary. The building does have areas with peeling paint. However, the deterioration is not to an extent that would be considered dilapidation or a substandard condition. The building does not appear to meet criteria for being in need of redevelopment.

### 31 Seminary Place

This building is a two-story duplex residential building. The building is similar in style and size to the buildings at 87 and 89 College Avenue, which are adjacent to it. An exterior inspection of the building revealed that the building is showing its age, but no substandard or dilapidated conditions were noticed.

### 87 College Avenue

This is a two-story duplex residential building. An exterior inspection of the building and a discussion with the Seminary maintenance staff revealed several substandard and deteriorated conditions related to this building.

The rear entrance stoop is in damaged condition as the bricks have been shifted due to settling or freeze cycle damage. The bricks are loose and have been pushed up higher than the level of the main stoop area. These conditions create tripping hazards and constitute an unsafe condition.

The front porch area is also in deteriorated condition.

There is also damage to the roof area that has led to leaks and water damage inside the unit according to the maintenance staff. The leaks may come from the old Yankee gutter on rear of the house.

Additionally, the roof is sagging where the interior structural wall that divides the two units in the building meets the roof. The roof sags to either side of the structural wall.

Inside the unit, there are water-damaged first floor ceilings due to leaks from the second floor bathroom.

This property has several dilapidated and/or substandard conditions that create safety problems and unwholesome living conditions for the residents.

#### 89 College Avenue

This is a two-story duplex residential building. An exterior inspection of the building and a discussion with the Seminary maintenance staff revealed several substandard and deteriorated conditions related to this building.

The windows on the side of the building are in poor condition, with holes in the frame and missing caulking.

The Bilco door providing access to the basement is deteriorated, with the foundation of the door significantly damaged.

The front porch steps are pulling away from the house.

This building has several conditions: deteriorated windows, a dilapidated Bilco door and porch steps that are pulling away from the house that are in a dilapidated, substandard condition that make the living environment unwholesome as these conditions are either dangerous or cause the system, such as the windows, to not function properly.

#### 93 College Avenue

This building is a two and a half story house that is currently used by Rutgers Hillel for eleemosynary purposes.

The building has several features that are in a dilapidated, substandard condition.

The dormer on the eastern side of the building is deteriorated. The paint on the dormer has completely worn off in places, exposing the wood underneath to the elements. Some of the exposed wood is rotting. Additionally, pieces of the clapboards are missing.

The building's chimney is in very poor condition. Numerous bricks at the crown of the chimney are missing and others are in danger of falling off. This is a dangerous condition.

The front steps leading to the building are also in deteriorated condition.

#### 81 Bishop Place

81 Bishop Place is a two-story building that may have been part of the original Seminary campus. An exterior inspection found that the building is in good maintenance.

### Maintenance Garage

The maintenance garage is located in the middle of the campus between Zwemer Hall and Scudder Hall. An exterior inspection of the building found that this building was satisfactorily maintained.

### Storage Building

The storage building is located between the maintenance garage and Scudder Hall.

Vegetation is severely overgrowing this building, almost to the point of hiding the building.

Additionally, the roof is in poor condition. It shows extensive rusting, as well as peeling paint.

These conditions create an unwholesome environment in the building for work as the vegetation creates an unsafe and unsanitary work environment and the poorly maintained roof can lead to the creation of unsafe working conditions, if it has not already done so.

<b>Building</b>	<b>Redevelopment Criteria “a” Status</b>
1 Seminary Place	Does not meet criteria
3 Seminary Place	Meets criteria
564 George Street (Scudder Hall)	Meets criteria
Zwemer Hall	Meets criteria
Gardner-Sage Library	Does not meet criteria
President’s House	Does not meet criteria
31 Seminary Place	Does not meet criteria
87 College Avenue	Meets criteria
89 College Avenue	Meets criteria
93 College Avenue	Meets criteria
81 Bishop Place	Does not meet criteria
Maintenance Garage	Does not meet criteria
Storage Building	Meets criteria

Buildings Meeting Criteria	7
Buildings Not Meeting Criteria	6

A generality of the buildings in the redevelopment study area evidence conditions that are substandard, unsafe, unsanitary, or dilapidated. The conditions create unwholesome living and working conditions due to the dangers and inadequate conditions they impose on residents and other occupants of the buildings.

Mr. Fitzhenry questioned whether the Seminary requested that a redevelopment study be conducted.

Mr. Patterson stated that the Seminary is looking to work with the City in a public-private partnership.

Ms. Garlatti asked if there was any historical designation for any of the dwellings on the site.

Mr. Patterson stated that no properties are listed on the historic register.

**PUBLIC COMMENTS:**

Charles Kratovil, identified himself.

**Kratovil-**What is the actual difference from the enacted of a redevelopment plan?

**Patterson-** it allows the City to create zoning to permit other uses on the site not permitted under the current zoning.

**Kratovil-** Asked who lived along College Avenue in the residential dwellings.

**Patterson-** believed it was occupied by Seminarians, staff, and maybe some professors

Motion made to City Council to recommend that the area meets the statutory criteria for an area being in need of redevelopment made by Mr. Fitzhenry, seconded by Ms. Garlatti

x	Robert Colonna, Chair
	Linda Hunter
x	David Fitzhenry
	Suzanne Ludwig
	Maria Torrisi
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x	Michael Drulis (Class I)
	Kevin Jones (Class II)
x	Betsy Garlatti (Class III)
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**VII. ADJOURNMENT**