

**CITY OF NEW BRUNSWICK  
PLANNING BOARD  
MARCH 11TH, 2014  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Suzanne Ludwig
X	Linda Hunter
	David Fitzhenry
	Joseph Catanese
	DayraAzcona
X	Carly Neubauer
X	Clary Barber (Class I)
X	Kevin Jones (Class II)
	Betsy Garlatti (Class III)
X	Josepha Rojas(Alternate #1)
	Andy Kaplan (Alternate #2)

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS FEBRUARY 11TH, 2014 MEETING**

Motion to Approve: Hunter  
Second: Barber  
Approved by unanimous voice vote

**V. COMMUNICATIONS AND REPORTS**

**Resolutions of Memorialization**

- A. MC RICHMOND NB, LLC PB-2013-28**, Variance application for parking relief for the property located at 9 and 10 Dennis Street, Block 3 Lot 36.01, and Block 5 Lot 25.01 Zoning District R-6

**Motion to Approve: Hunter**  
**Second: Rojas**

	Yes	No	Abstain
Suzanne Ludwig	X		

Linda Hunter	X		
David Fitzhenry			
Joseph Catanese			
DayraAzcona			
Carly Neubauer	X		
Clary Barber (Class I)	X		
Kevin Jones (Class II)			
Betsy Garlatti (Class III)			
Josepha Rojas(Alternate #1)	X		
Andy Kaplan (Alternate #2)			

**VI. OLD BUSINESS**

None

**VII. NEW BUSINESS**

**A. CONSTRUCTION MANAGEMENT ASSOCIATES, PB-2013-25,** Site plan and variance application for the construction of a residential building located at 17 Mine Street, Block 71 Lot: 4.01, Zoning District: IN-1 and Redevelopment Area 2

Chairman Ludwig – the Board will hear all of the applicant’s witnesses before taking public comment and will not hear new testimony after 10:30 PM.

Tom Kelso, Esq. – The project is for multi-family residential development on Mine Street in conformance with the College Ave. Redevelopment Plan. This project is in Area 2 of the plan. The area is for housing primarily for, but not limited to, seminary students. Construction Management Associates is the designated redeveloper of the site. The project will develop 57 units with a variety of bedroom sizes. The first floor is dedicated to seminary student housing. Parking will be provided underground and applicant will show that it is sufficient.

A parking variance is required as 43 spaces are provided and the City ordinance and RSIS call for 106 spaces. There are also variances related to a transformer pad located in the front yard. Variances are needed related to the location of it and the screening wall height.

The project carries out the objectives of the redevelopment plan by providing new, safe, secure housing that will primarily house undergraduate students of the adjacent university.

Bernard Reilly, Esq – advised the Board that he was here as objector attorney and has two witnesses.

Mitchell Broder, Principal of Construction Management Associates (CMA) CMA has been working in the city for over 20 years. They previously acted as redeveloper for 99 Bayard Street. The 17 Mine Street project serves as replacement housing for the New Brunswick Seminary. Additional non-seminary units will be provided. The units will have a high-quality level of amenities. There will also be common areas and underground parking.

The current site has two vacant houses and a carriage house.

Parking is provided at .75 spaces per unit, which is typical of other projects they have developed where this parking ratio has worked successfully. Parking will be underground and not unsightly surface parking. They will forfeit the right to on-street parking permits for the site. On-site parking will be managed through hang tags and private towing.

New water piping will be provided in Mine Street. Trash and recycling will be stored and collected inside the project and not at the curb.

Mr. Broder listed several other projects they had developed in the city with similar multifamily projects. He reviewed their professional management staffing for their projects. He stated that they changed the character of Union Street and brought it back from its dilapidated state. The seminary is excited to work with them according to Broder. The project will provide new ratables as well as modern, safe housing.

Steven Schoch, Architect

A-1 Aerial photo of the neighborhood

The site is about where Mine Street takes a bend. It is near College Avenue. The university student center is about two blocks away. There are several similar multifamily buildings in the surrounding neighborhood that were recently developed to serve the college student market.

A-2 Rendered Elevation View 1

The building is a 4-story mid-rise building, which is a permitted use per the redevelopment plan. The building conforms to the bulk standards of the plan. The intensity and volume of the building comply with the redevelopment plan. It meets the height limitation of 40 feet. The roof will drain to the rear and sides, not the front.

The building is not a 2-story house, it is a 4-story building and is designed as such. It is designed appropriately for a residential building of this size to fit in with the neighborhood. The building expresses a contemporary esthetic. A pitched

roof would create a greater height. The materials, rhythms and scale do not try to mimic the older houses. To be harmonious with the neighborhood, it does not have to be the same style. The style of the building and materials are complementary.

#### A-3 Rendered Elevation View 2

The ground floor has two entrances. One is a central handicapped access that access primarily the first floor. The other entrance is nearer to the interior elevator for access to the upper floors and create some separation of identity.

There is an overhead service door that will access the interior trash/recycling area. This door will be closed except when pick-ups are done so that trash is not seen. It will act more like a storefront than a garage door.

Brick will be used on the base level. Brick will accent the upper levels with stucco and other materials. The façade has setbacks and is not one monolithic wall.

#### A-4 Sheet A101 Garage Level Plan

The garage parks 43 cars. The secure lobby area requires a resident key to access. There are also bike racks, storage areas and utility areas. Bike storage can be provided for at least 20 bikes, whereas the bike parking requirement is 11 bikes.

#### A-5 Sheet A102 Ground Floor Plan

The garage below is a rectangle, whereas the building is more H-shaped. The floor plan has double-loaded corridors. The units have small bedroom counts, e.g., one or two bedroom units so as to better control the living dynamics of the project. There are 57 units with 70 bedrooms. There is a similar building nearby that has 35 units and 70 bedrooms. Both buildings have the same bedroom intensity. The idea is to discourage large parties in large bedroom units.

The parking standard is a function of the number of units not bedrooms. If they built the 35 units with 70 bedrooms their parking requirement would decrease. They opted for more smaller units, which increases the requirement but not the number of occupants.

#### A-6 A105 4<sup>th</sup> Floor Plan

The floor plan is a T-design, not an H-design, which is a smaller mass at the higher level to increase the light. This reduces the shadowing of the building. Only the adjacent building to the north will be impacted by the building shadow.

The entire building is handicapped accessible. The units are either accessible or adaptable. The building has a full fire suppression system. Most of the detached houses used for student housing in the neighborhood do not have this.

The redevelopment plan guidelines discusses compatibility with some of the surrounding buildings but also discusses design freedom. This design guidelines focus mostly on the impact on College Avenue where most of the rest of the redevelopment plan is focused. This site is on Mine Street. There is a balancing of different design goals. The plan calls for more intense uses. In some areas it calls for 300 ft tall buildings where as here it is capped at 40 ft. The same design standards apply to both so there needs to be flexibility as to how they are implemented.

The transformer is required for the operation of the building and PSE&G has standards as to where they can go and it has to be accessible from the street. Metal "estate" fencing is used to screen it with a 6 ft height. The height is needed for adequate screening.

The access to the parking is to the north end of the building.

Edward Bogan, Engineer

A-7 Rendered Existing Site Plan

The lot is 130' x 160' and is relatively large for the neighborhood. The two existing houses are about a foot off of the property line.

A-8 Proposed Site Plan

The building has an H-shape with open court yards. The court yards are concrete and used for outdoor activities. The below grade parking level has 9'x18' parking spaces with 24' aisles. There is two-way traffic circulation. The driveway width is 24', which is typical of current building standards but a design waiver is needed as 30-36' is required.

The applicant has tv'd the sewers to determine capacity. Testing has also been done on water capacity.

The stormwater rules require that the rate of flow is not an increase. Detention basins have been provided to regulate this flow. The storm sewer system will be improved from the site to College Avenue.

The applicant will comply with the City Engineer's memo comments.

Charles Olivo, Traffic Engineer

He analyzed the existing roadway network and the proposed project. Exhibit A-1 shows the context of the project and neighborhood.

Mine Street is two lanes and connects College Avenue to Easton Avenue, which are larger arteries. The trip generations were estimated using ITE standards. All parking is proposed on-site and off-site parking permits are being waived.

The neighborhood has a rich transportation system and is very walkable. The trip generation analysis does not take credit for this transportation system. 49 trips are estimated during the maximum 1 hour period, whereas ITE estimates that 100 trips per hour is significant new traffic. Therefore this is a low traffic generator. The site is about a half mile from the train station and Somerset/George bus hub. It is also in walking distance to the seminary, student center and the Rutgers bus system. The Rutgers bus system is the 2<sup>nd</sup> largest in the State and is the largest college bus system in the country. Therefore, there are many options other than needing to use a car. This is not a suburban location and suburban parking standards are not applicable.

The redevelopment plan uses the RSIS parking standards. The RSIS standards require 106 parking spaces per table 4.4. However, Section 4.14 states that alternate parking standards can be used if a site has good walkability, access to transit and other amenities. This site has these amenities. One space per unit is often used as a rule of thumb, whereas .75 is used here. However, providing more parking can generate more trips as it encourages more residents to bring cars. It also increases the cost of the project and therefore the rents that need to be charged. The reduced parking helps moderate the rent levels. Having more parking also distorts what the city is trying to accomplish with the robust transportation system. There are also public parking facilities within walking distance. This project has sufficient parking to meet the parking demand given the location of this project and the access it has to transportation and public parking.

It is a low generator of traffic and the parking provided helps minimize the trips that will be generated. The project strikes a balance of providing an adequate parking supply while not generating more traffic than needed.

Keenan Hughes, Planner  
A-9 Planning Context Map

The site is large for the area at over 20,000 sf. The area is heavily influenced by Rutgers University. To the east is much of the rest of the redevelopment area. To the south is another part of the redevelopment area.

23 of the 29 properties on Mine Street are university owned or oriented, e.g., student housing or fraternities. The location is ideal for the proposed use given the proximity to the seminary and the Rutgers campus. The site is one block from College Avenue, which is the main bus corridor of the Rutgers system with 10 bus lines operating there accessing all of the campuses.

The master plan calls for projects that support the university use, which this project does.

The proposed building meets all of the bulk standards of the zoning approved by the Planning Board and City Council in 2012.

The redevelopment plan also has design guidelines. These include step backs in the building heights, variations in materials and other standards that the project complies with.

As a 4-story building is also compatible within the larger campus area.

A parking variance is requested for 43 spaces provided with 106 required. The 106 standard comes from the RSIS regulations. These regulations also provide for alternate parking standards based on being an urban location and proximity to transit. This project has these factors justifying an alternate standard.

The parking variance can be justified on a C2 basis as it promotes the public welfare and the positives outweigh the negatives. The provided parking provides a balance of sufficient parking without over parking. Because of the neighborhood amenities, the site can support the lower parking standard.

The master plan re-exam discusses the need to have alternative parking standards for area such as this with more realistic parking standards such as 1:1 per unit. The redevelopment plan has this standard for Rutgers or Seminary controlled parking, but RSIS does not allow this standard to apply to private development. However, similar projects in the neighborhood have projects of 1:1 or less and function well. Three of the similar projects are operational and this ratio of parking works well.

Parking is provided on a first come/first served basis. If a tenant needs a car and no spaces are available they will look elsewhere for housing. Also, there other parking facilities nearby operated by NBPA.

The 43 spaces mean that less cars will come in and out of the building. This promotes mass transit usage. The university has invested a lot in its transit system.

The grant of the variance will promote MLUL goals e, g, and h. The project strikes a balance regarding parking needs.

The negative criteria are met as on-street parking is controlled through permits which are being waived so it will have no negative impact.

The zone plan will not be negatively impacted as the applicant has supported that the lower parking standard works for this type of project in this neighborhood. The master plan supports student-oriented development in this area. It also calls for supporting bike usage, which this project does. It provides a realistic parking supply for the project.

The transformer location variance is due to practical difficulties dictated by the utility supplier, which requires it to be accessible from the ROW and not above developed areas. This location has been used in other projects when appropriately screened. It is appropriately screened here and is justified on a C1 basis.

Bd Attorney Bucca – The RSIS standard was a requirement that the City had to adopt? Hughes – yes.

Bucca – are these the same standards that are used statewide? Yes

Bucca – is the density and intensity is consistent with the development plan? Yes. Is this not another reason to support the grant of the variances?

Public:

Bernard Reilly, Esq – representing Jennifer O’Neil of 15 Mine Street

Is the seminary housing agreement in place? Broder – No, it is verbal at this time waiting on approval of the plans.

The other units would be market units? Yes

The seminarians would be on the first floor and what unit mix? Broder- 2 studios, 2 1BR and 6 2BR. The other units are not restricted to the type of resident.

Is occupancy only limited by code? Yes.

How many of other of their apartments are rented to non-students. Broder estimated that 99% are to students

Reilly questioning architect Schoch

O-1 Panorama photo prepared under supervision of Jennifer O’Neil of Mine Street.

Are the structures residential houses? Yes

What style are they? Traditional frame construction with some Federalist details.

Does the redevelopment plan require the projects to relate harmoniously to other buildings in the area? Schoch does not agree that this is the main criteria but one among many.

Is the proposed project harmonious? Schoch – when looking at the neighborhood there are similar buildings. The exhibit shows a flat representation of the proposed building that does not capture the depth of the building and other aspects of the proposed building that allow it to be more compatible with the immediate neighborhood. Certainly the mass and height is more than the

surrounding buildings but this is by design of the redevelopment plan and ordinance.

Is the building much higher than the neighboring building? Schoch – it is higher but complies with the zoning standards. The plan has both general and specific requirements and it meets the specific requirements.

Doesn't the plan call for the project to be harmonious to the neighboring buildings? Schoch – the standard is general and applies throughout the neighborhood.

It is harmonious to what other buildings? Schoch – it is harmonious to buildings that have been approved as part of the redevelopment plan. The harmony can also be with buildings that are not immediately adjacent in the redevelopment plan area and vicinity.

What style is the proposed building? Schoch – contemporary.  
Is it not compatible with Federalist? Schoch – No. To be compatible it does not have to be the same style.

Is the building built to the maximum bulk allowed or close to it? Yes.

Your opinion is that a pitched roof would not be appropriate? Yes  
You could have designed the building at 2 or 3 stories? Schoch - It is always possible to under design but direction was to build towards what the plan called for.

Was the height lowered from the original height and how did it change? Schoch – the lowest floor was lowered by a foot and a thinner floor system was used to reduce the height below 40 ft.

What accessory structures exceed 40 feet? Schoch – chimneys, the elevator penthouse and similar structures and they are permitted encroachments. The penthouse height is not known yet as the height is specific to different elevator manufacturers.

Kelso re-direct:

Does the building comply with all the bulk standards? Yes

What structures are just outside the panoramic photo? Schoch - Similar multifamily buildings that are contemporary.

So if the photo went more to the right or left it would show these? Yes

Reilly questioning Planner Hughes:

Testimony was that the project was harmonious to properties along College Ave?  
Hughes – it is harmonious to the College Ave area.

Is it harmonious to the Mine Street buildings? Hughes – Mine St. has a vernacular style along with a surface parking lot. The redevelopment plan envisions a 4-story building that promotes a pedestrian, walkable area, which is what Mine Street is.

Couldn't the governing body have set a different parking standard than the RSIS standard?

Bucca – because it is residential, RSIS supercedes any local standard.

Reilly – City used different standard for Rutgers or Seminary housing.

Kelso – Reilly doesn't know what governing body thought and RSIS supercedes local standards for residential. The Rutgers and seminary standards are for dormitory type uses that RSIS doesn't apply to.

Bucca – redevelopment plan has to follow RSIS logically and it supercedes the locality on residential parking standards.

Reilly – the standard is 106 spaces. Hughes – Yes

Reilly – your client says other of his buildings operate successfully. Have there been any studies to determine if they operate successfully? Hughes – based on discussion with the client and his own observation they have been successful.

Have there been any studies on the impact on the immediate neighborhood? No.

Do you agree that the Mine St. area has a lack of adequate parking?

Kelso – object as a lack of parking does not have basis in the testimony.

Hughes – didn't study the adequacy of parking on Mine Street.

Where would person who couldn't park in the building park if had car?

Hughes – most likely in an NBPA deck with the closest being on Easton Ave but he doesn't know if parking is available there.

Kelso redirect:

Testimony is based on client giving up parking permits? Yes.

Does nearby Union Street have similar styles of buildings? Yes

Is this in the vicinity of the project? Yes

Evangelia Repousis , Woodbridge, NJ – Rutgers graduate and friends with Jennifer O'Neil.

The parking situation is a concern. If the similar buildings are 95% occupied is the vacancy due to the lack of parking? As a woman she would not want to use an underground garage due to its dangers. New Brunswick and Rutgers are not

safe. The 43 spaces will generate too much traffic. Rutgers also has breaks when transit operates at a lesser intensity.

Ludwig – you stated there will be too much traffic generated but there is also a parking problem and want more parking. Isn't this contradictory?

Charlie Kratovil – Louis Street

Building is characterized as replacement housing. When was the seminary housing last occupied?

Patterson – The Seminary townhouses were occupied in 2012 when the redevelopment plan was prepared.

What is price for the land?

Kelso – the land agreement is not public at this time.

What are the rents proposed to be?

Broder – they are not set yet but will be similar to rents in similar buildings.

What are the qualifications for tenants of the market units?

Broder – verification of employment, income or parental guarantee

Current buildings on site are characterized as dilapidated and what use were they put to?

Kelso – objection as to relevancy.

Kratovil – weren't they Rutgers Catholic Center?

Broder – the buildings appear to be in poor shape with boarded windows and siding falling off.

Kratovil – not right to lump these houses with other dilapidated buildings in the area. The building were presumably in good shape and don't need to be demolished.

Bucca – no prohibition on the owner demolishing his property.

Kratovil – concerned that floors will be thinner than usual regarding noise.

Schoch – change was from wood to concrete system which is more sound-proofing.

Kratovil – concerned with parking area safety. Will there be cameras?

Broder – common areas including the parking area will have cameras. This is typical of their projects and the students and parents like this system.

Kratovil – are the cameras monitored 24/7 – No

Kratovil – this is a serious concern.

Kratovil – is a parking garage to be built across the street moving forward and would this create more traffic.

Kelso – this is not relevant to this application

Kratovil – the Rutgers bus routes have limited weekend schedules and on break times.

Kratovil – listen to the three owner occupied people from the area. We want more home ownership not less.

Alejandro Peiraroni – 15 Mine Street

Parking is a problem on Mine Street.

Also concerned with the transformer after having witnessed Hurricane Sandy when transformers exploded. Will this restrict first responders from entering the building if it explodes? It should be underground.

What other buildings look like this with the flat top roofs and flat face? The applicant should make the building look more like the neighborhood. His house will be shadowed by this building. He suggests a different design that is not as close to 15 Mine Street.

The traffic experts should have numbers that are scientifically derived as to how many cars at what times.

Michael Sisler, Skillman – grew up in New Brunswick and provides off-campus housing in New Brunswick. He is a competitor to the applicant and they are building a building for him.

This is an excellent location for student housing. His experience is that students want to live here. His project has a slightly lower parking ratio and they are nearly sold out and have parking spaces left over as the tenants want to use the transit system.

The older houses used for student housing do not have the safety system of new housing such as this. New housing like this is part of the positive direction the city is moving in.

Bruce Newling, Huntington Street

Concerned about the issue of safety related to the access to the parking garage. World Trade Center was originally attacked by a bomb in the parking garage. He believes terrorists will target soft targets like this, especially as Rutgers has a large Jewish population it becomes a target of opportunity.

Archt Schoch designed 66 Sicard Street in 2011 and forgot that the handicapped parking had to be comparable to the non-handicapped and did not design it as such. Has he made similar mistakes on this project?

He likes the use of concrete floors as they are less susceptible to explosions.

Has Schoch addressed possible terrorist assaults on the building? No  
Would parents be concerned about this being a soft target? Hughes – a parent would likely feel safer with this property than an older unit.

Jonathan Mills, 13 Mine Street.

He has lived there for over 20 years.

He will wait until the continuance of the hearing next month to testify.

George Dawson, Llewellyn Street and on the City Historical Association.

There was a 1980 architectural survey of the city related to the historical significance of properties. They identified 4 or 5 buildings on Mine Street worthy of historical significance, including 13 Mine Street, which was constructed in the 18<sup>th</sup> century as a vernacular farm house of which it is the last remaining of its type. The street is not a historic district but has many older buildings. The street does have historical significance and would likely be deemed eligible for nomination.

Board Secretary Patterson – the hearing is being continued to the April 8 meeting at 7:30 PM where the public comment portion will be continued.

**Motion to Adjourn approved unanimously by voice vote  
10:40 PM**