

**CITY OF NEW BRUNSWICK
PLANNING BOARD
APRIL 8TH, 2014
MINUTES
7:30 p.m.**

I. ROLL CALL

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

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS MARCH 11TH, 2014 MEETING

**Motion to Approve: Hunter
Second: Kaplan
Approved by unanimous voice vote**

**V. COMMUNICATIONS AND REPORTS
Resolutions of Memorialization**

A. None.

VI. OLD 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: R-5A and Redevelopment Area 2

Catanese, Fitzhenry and Kaplan stated that they had signed certifications that they had heard the audio recording of the previous hearing on this application that they had not attended. Ms. Garlatti recused herself due to a conflict with her employment and the applicant.

Thomas Kelso, Esq – The applicant and an objector’s counsel have conferred about the expectations for tonight’s hearing that the objector’s professionals would not present tonight and that tonight’s hearing would only consist of public comment and that the hearing will be deferred after the public comment to May 13. The objector’s testimony will be presented at the May 13 hearing. Additionally, Peter McArthur has replaced Ron Gasarowski as attorney for the objector. There are now four objectors represented by Mr. McArthur.

Public Comment:

Kevin O’Neil, father of Jennifer O’Neil of 15 Mine Street. The lot is in the R-5 zone, which is for single/two-family housing where the intent is to preserve the area for high density single and two-family development and not allowing multifamily development. The proposed use is not allowed in the R-5A zone. However, as the lot is also in the College Ave Redevelopment Area. However, the redevelopment plan says the lot is in the IN-1 zone, not the R-5A. The multifamily use is also not a permitted use in the IN-1 zone. The project will not be operated by the university. The Bignell memo states that the use is not in conformance with the land use plan. The memo also states that the building should be harmonious to the surrounding building. The zoning ordinance, redevelopment plan and master plan do not permit a project as it is proposed.

Ms. Bajpay, owner of 22 Stone and 2 Prosper Streets. These properties adjoin the subject property to the rear. She hasn’t been allowed to expand her properties because of a lack of parking and this project has a parking problem.

Bruce Newling. 47 Huntington Street

If only 43 parking spaces can be provided, why can’t only 23 units be provided so as to conform to the parking standard? Why is the building so wide with limited setbacks? A narrower building would allow the transformer to be located in a permitted place. Why does the building allow non-students to occupy it? Why aren’t the units designed as dorms instead of apartments. Workers should be paid at prevailing wages.

Elizabeth Ciccone, owns 52 Welton Street.

Large projects can impact historic neighborhoods like Mine Street and it effects all in New Brunswick.

Gregory Bazilla, 5 Mine Street.

Episcopal Chaplain to Rutgers. He has noticed increasing traffic and traffic congestion in the area. Parking is competitive and leads to blocked driveways. He is concerned about water runoff as he has had problems with this at 5 Mine

Street. The project will further destabilize the neighborhood and thwart investment. He would like owner-occupancy to be encouraged at this location.

Glenn Ollendorf, 85 Easton Avenue

Parking is difficult in the neighborhood. If a variance is needed it doesn't comply and therefore it should be denied. Mr. Bucca explained how a Board evaluates a variance request. Mr. Kelso also described how the applicant was providing justifications for the granting of the parking variance.

Mr. Ollendorf says that there can be a numerical variance but that adequate parking has to be provided.

Mr. Ollendorf stated that the applicant has argued that his nearby projects have successfully rented and parked residents. However, there is an affordable housing shortage and this allows developers to get away with anything.

The waiver of the on-street parking permits is not a full proof system as some streets do not require permits to park. This will be a detrimental impact. Also, the landlord doesn't have the right to waive the right to parking permits. The local ordinance gives the right to the permit to the tenant, not the landlord. A court could overturn the waiver of the permits leading to a great increase in parking on the street.

Kahn Abdul Rahman – 50 Union Street. Parking is a problem on Union Street, which is near Mine Street.

Kathleen Kronemeyer – 69 Wyckoff Street

Has there been a study about the parking permits and number of residents? Mr. Patterson described the parking study that had been done about permit parking several years ago, how the system operates and the limits on permits per property. She said scams often go on about illegally selling/transferring permits.

Mr. Ollendorf – At 6 Sicard Street the parking permits were waived. There are no visitor spaces available at this building during the week.

Ms. Bajpay – she also owns 2 Sicard Street and her tenants have trouble parking. Mr. Kelso asked how many off-street parking spaces she had in total in her 5 units. Bajpay said there were 2 off-street parking spaces in total.

Charles Kratovil, Louis Street, asked if Mr. Kelso had a conflict in representing the applicant as he is also County Counsel. Mr. Bucca said that this was not a Board issue. Mr. Kelso denied any conflict.

The public hearing was adjourned until May 13 at 7:30 PM.

VII. NEW BUSINESS

A. 760 NEW BRUNSWICK, LLC, PB-2014-03, Site plan and variance application for the modifications to the existing buildings located at 760 Jersey Avenue, Block 598 Lot 3.03, Zoning District: I-2

Thomas Kelso, Esq – the property was formerly the Delco-Remy site. The principal is Bob Paulus of Wick Companies. He proposes to demolish a significant portion of the existing building and construct new space. The project will allow for an industrial use for calcium chloride distribution. One variance is needed for the height of an accessory structure.

Robert Paulus, Principal of Wick Companies, the parent of the applicant LLC. The property is intended to be used by Occidental Chemical for their eastern distribution center for calcium chloride. The site fits well with their use as they use rail to bring in the raw product and allows for a large amount of outdoor storage. This will allow the project to be built out more quickly and hasten the environmental cleanup of the site.

A-1 Demolition Site Plan

A-2 Rendered Circulation Plan

The proposed plan fits Oxy Chemicals needs for the site. Conrail will service the property. A conveyor will take the material from the rail cars and raise the material up to a hopper to allow it to be moved into the warehouse. The material is then bagged for later resale. All product coming to the site comes by rail and is then trucked out. The peak truck traffic is about 40 trucks per day during the busy season. The bagged product is stored outside to a height of about 15 ft.

The remaining warehouse area will be retrofitted as office use. The water tanks will be converted to store liquid brine for ice melting.

The existing soil contamination will be remediated and capped. The project allows this remediation to happen about 4-5 years faster than it would have otherwise.

James DeBarbieri, Archt. –

A-4 Overall Floor Plan colorized –

There will be small office area at the front of the building to accommodate about 6 employees. There is a large warehouse area and a smaller packaging area.

A-5 Exterior Elevations

The building portion to remain is in good condition and will be cleaned up and windows replaced.

The conveyor and hopper will be a matte stainless steel. The height of the conveyor is 95 feet.

A-6 Additional Detail Sheet with adjoining property photos
The height is not that much different than the railroad catenaries.

William Lund, Engineer and Planner
Trucks will enter the site from Jersey Avenue. The east driveway will be the primary entrance.

Drainage will be towards Jersey Avenue, which will be stored in an open detention area to meet the stormwater regulations.

There is parking in the front of the building for office employees and to the side for other employees. A new rail line will be installed to service the building. Empty rail cars will be stored on other sidings.

The applicant will comply with the Board Engineer's report.

A landscaping waiver is requested for additional landscaping on the site. A landscape buffer is provided along the street and another will be provided along the outdoor storage area to screen it more from the street. In total, 6 landscaping waivers, as described in the Board's planning report are requested.

The height variance is for the conveyor and hopper structure and the height is a function of the slope needed to allow the system to work properly. The structure is not bulky. As the use of the rail will reduce truck traffic and the conveyor and hopper are needed to use the rail system it is necessary and the reduction of truck traffic makes more efficient use of the transportation system and the variance can be justified on a C2 basis. There is little detriment as the structure will not be visible from nearby residential areas.

Kaplan – is a sidewalk provided for pedestrians
Lund – No

Frank Miscovitch, Traffic Engineer
He did an analysis to judge how the driveway access will operate. He estimates a maximum 77 vehicles in a peak hour. This is substantially less than if the site was used for manufacturing.

Two new driveways are proposed in addition to the existing one to provide flexibility during peak use times. The site functions appropriately for the anticipated traffic.

Public:

Charlie Kratovil – He reiterates his concern about Mr. Kelso’s conflict. Mr. Bucca said this was not a Board issue.

Amhwere-Jammes – where is the site in relation to the Jersey Ave Station?
It is about 1 mile away

Richard Rabinowitz – what is the impact on the rail traffic, particularly commuter traffic.

Paulus – the freight traffic operates at night and does not impact commuter service.

Board Comment:

Catanese stated that this would improve a vacant property

Motion to Approve: Garlatti
Second: Catanese

	Yes	No	Abstain
Suzanne Ludwig	X		
Linda Hunter	X		
David Fitzhenry	X		
Joseph Catanese	X		
Dayra Azcona			
Carly Neubauer			
Clary Barber (Class I)			
Kevin Jones (Class II)			
Betsy Garlatti (Class III)	X		
Josepha Rojas(Alternate #1)	X		
Andy Kaplan (Alternate #2)	X		

B. NEW BRUNSWICK BOARD OF EDUCATION, S31-2014-01, Section 31
Master Plan Consistency review for the plans to construct an addition to the existing building located at 165 Somerset Street in Block 51 Lot 2.01
Zoning District: R-5A

Richard Kaplan, Superintendent of Schools

The Board has acquired the former St. Peter’s School and intend to relocate administrative office there so as to allow the existing administrative offices at 265 Baldwin Street to expand the adult school and alternative school. This will help more adults to gain a HS education and help the district keep more students in school. They are looking to start construction in the near future.’

Lloyd Rosenberg, District Architect.

A-1 site plan with photos

A-2 front elevation

The existing buildings will remain and an addition will be constructed to connect the former high school and elementary school with a new addition so they circulate as one building. Also elevators and other handicapped accessibility improvements will be made. The parking area remains the same. Building systems will be brought up to code.

The front elevation will be revised to create the look of a single building. There will be a new front entrance.

Garlatti – Will the Somerset driveway be eliminated? Yes. Circulation will be one-way in off Division and two-way on Hardenberg Street.

Glenn Patterson – the project is consistent with the school goals in the community facilities element of the Master Plan.

Public:

Anthony Larabino , 1050 George Street

Will any bicycle parking be provided? Kaplan - The BOE will consider this.

Charlie Kratovil – What is the total cost and timeframe?

Cost is about \$12 million plus land acquisition. The plan is to complete the project by the fall of this year.

When would the adult school be expanded?

It would follow after this is completed.

Motion to Find as Consistent: Catanese

Second: Garlatti

	Yes	No	Abstain
Suzanne Ludwig	X		
Linda Hunter	X		

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

Adjournment