

**CITY OF NEW BRUNSWICK
PLANNING BOARD
MAY 13TH, 2014
MINUTES
7:30 p.m.**

I. ROLL CALL

X	Suzanne Ludwig
	Linda Hunter
X	David Fitzhenry
X	Joseph Catanese
	Dayra Azcona
X	Carly Neubauer
X	Clary Barber (Class I)
X	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 APRIL 8TH, 2014 MEETING

Motion to Approve: Garlatti

Second: Fitzhenry

Approved by unanimous voice vote

V. COMMUNICATIONS AND REPORTS

Resolutions of Memorialization

- 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

Motion to Approve: Garlatti

Second: Rojas

	Yes	No	Abstain
Suzanne Ludwig	X		
Linda Hunter			
David Fitzhenry	X		
Joseph Catanese	X		
Dayra Azcona			
Carly Neubauer			
Clary Barber (Class I)			
Kevin Jones (Class II)			
Betsy Garlatti (Class III)			
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

Motion to Approve: Garlatti
Second: Fitzhenry

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

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

Ms. Garlatti recused herself due to her conflict with her employment with the State Department of Higher Education.

Thomas Kelso, Esq. – he noted that an off the record discussion had occurred prior to the call-to-order about the occupancy capacity of the room and moving the venue. He did not wish to move the meeting as the meeting had been noticed for this venue and his client doesn't wish to be seen as excluding the public. He asks that the hearing be carried to a later date so that it can be held in a larger venue.

Mr. Bucca asked if any members of the public would move to the hall so that the hearing could be heard.

Peter McArthur, Esq. stated he represented the objectors living on Mine Street. He said people can't be asked to leave, and suggests that Mr. Kelso is correct and the hearing should be carried to June 10.

The Chairman agreed to carry the hearing to June 10 with the venue to be determined. The applicant will due both public and personal notice.

VII. NEW BUSINESS

- A. 90 NEW STREET, LLC, PB-2013-30**, Site plan and variance application for the construction of a mixed-use building located at 90 New Street, Block 129, Lot 5.01, Zoning District: Downtown Redevelopment Plan Area

Thomas Kelso, Esq. – The application is for construction of a 22-story mixed-use building with 234 residential units in a mix of studio, 1BR and 2BR units, along with ground floor retail and structured parking. The applicant is the designated redeveloper for the site. The applicant seeks relief for parking and other standards. The site is immediately adjacent to the Morris St. parking garage and the applicant has a commitment from the parking authority for 125 spaces in that deck for this project.

There is also a variance for an existing condition with lot width. There is also a step-back variance where at the 60 ft level the building is required to be stepped

back. The only encroachment is the bay window at this level, not the building itself.

The application is similar to the project approved by the Board in 2009. It was a condominium at that time and is now reconfigured for a rental building. This changes the unit configuration and unit count. The building volume is smaller but the unit count is increased.

Marc Carelli, Architect –

A-14 5-page colored rendering collection

The first level has two retail spaces. There is also an entrance to the residential lobby. There is a loading dock for move in/out. Store loading is intended to be done from the street. The parking deck at this level has 16 spaces.

A-1 – ground floor plan

A-2 – 2nd floor parking level. Bicycle parking is shown on this level.

A-3 – 3rd and 4th floor parking level. Additional bike parking is shown.

A-4 – 1st residential floor. It is set back 10 feet and the exterior begins to use brick and metal panels. There will be shrubbery on the top of the setback.

A-5 – residential floor plan floors 6-22 This plan also shows a club house and roof terrace.

A-6 – roof plan

A-7 – basement plan – utilities, fitness center and residential storage space.

A-8 – west and north elevation. The predominate materials are brick, metal and glass with cast stone on the lower levels.

There are window sills of 36” around the garage to comply with the screening requirement but also provide for an open air circulation system.

A-9 – east and south elevation.

A-10 enlarged street façade. Signage will be placed over both storefronts. Other project signage is also shown as to location.

Trash will be stored at the street level parking garage. Trash will be compacted and brought to the street. It will not go through the loading dock. The trash will only be brought out to the street when the truck to pick it up is there. This will be a condition of approval.

The parking deck will use rapid rise doors. They are set back in the garage entrance. The raising and closing is at a similar speed to an arm control. It is controlled by a RF controller on a key fob.

The doors are recessed so that at least one car can be waiting to turn without blocking the sidewalk.

The loading dock can accommodate a large box truck but not a semi. Semis are not expected for moving with the small apartments. Mr. Catanese expressed that some trucks might have a problem with the 12 ft height and would have to load from the street. It will be a property management function to ensure that tenants not use tall trucks.

The colored elevation shows the convex window that encroaches 4 ft into the step back area. The building does not protrude.

They will provide a complying lighting plan prior to obtaining a building permit.

Charles Olivo, Civil and Traffic Engineer

A-12 Aerial photo – The site is on New St between George and Livingston, which are both signalized intersections. He prepared a traffic analysis of the area and visited the site.

A-13 Site plan – A two-way access point is provided to the site. The parking field has a 24 ft aisle. The parking stalls require a waiver for width as they will be 8'4", which is appropriate for low turnover residential use such as this.

Within the site, there is a two-way parking circulation system in the parking deck. Additional parking will be provided in the adjacent Morris St. deck. The site is also walkable to the train station and is serviced by the 814 and 818 buses so tenants can either park or use alternative means of transportation. More parking on site would create a more expensive and higher building. Using the adjacent parking is both economical and creates a better building.

The parking deck uses 90 deg parking stalls with 9x18 stalls and 24 ft aisles on the higher floor. These spaces are compliant.

The volume of traffic generated by the project would not impact existing volumes using the ITE standards. There is also more transit available at this site so they have taken a 10% transit credit in conducting the analysis. This complies with industry standards for analysis.

The applicant will comply or has complied with all of the comments in the Board's engineering memo.

Mr. Kaplan asked if on-street parking would be removed. Mr. Olivo said a few on-street spaces would be lost due to the loading area.

Mr. Kaplan asked how the spaces would be allocated between on-site and the NBPA deck. Mr. Olivo said it would be based on demand and price. There is also car sharing being offered at the Morris St. deck.

Mr. Kaplan asked if increased pedestrian traffic had been considered at the nearby signals. Mr. Olivo said it had as these signals have count down lights and other upgrades. The deck will also accommodate 60 bike parking stalls.

Mr. Kaplan asked about the driveway proximity on New Street to other driveways. Mr. Olivo said the sight distances had been reviewed and that they are adequate. The driveway has been designed to allow for safe travel. Ms. Rojas asked about left turns. Left and right turns will be permitted from the driveway as the traffic signals at each block end would create gaps in traffic to allow for both turns.

Mr. Bletcher asked about whether street parking was currently permitted in front of the site now and if so, where would the delivery-trucks park. Mr. Olivo stated that the retailer is not known, but it is expected to be oriented to the building tenants and will have infrequent deliveries. The delivery trucks can park across the mouth of the loading area which will be infrequently used.

Mitch Karon, New Brunswick Parking Authority Executive Director
He confirmed that NBPA is making available 125 spaces on an unallocated basis for the tenants of 90 New Street. The Morris St. deck was constructed with 850 spaces but only has 125 monthly parkers and 220 business parking spaces. It has significant available parking and has never filled up. Car sharing will also be offered at this deck.

Mr. Kaplan asked if the spaces were monthly. Mr. Karon said they were. They are available upon request.

Keenan Hughes, Planner

He reviewed the nearby land use and transit availability. The parking variance can be justified on a C2 basis.

The requirement of 242 spaces is a statewide standard, not an urban standard. There are 125 spaces allocated at the adjacent deck and there will be a car sharing program there also. The state standard doesn't reflect local conditions but RSIS allows for alternate parking standards if conditions warrant. Conditions that warrant an alternative are transit availability and density.

Also, if parking is over-built it is a hidden cost of housing and unintentionally increases traffic in the area. Demand should also be based on a fair market price for parking, not free parking.

As a rental housing project with mostly smaller units it is not likely to attract many children and will have mostly single adults. The market is likely to be similar to The George, which provides all of its parking at the Morris St. deck.

If demand exceeds the on-site supply the 125 spaces are available at Morris St. Additionally, there are 60 covered bicycle spaces in the project.

There are environmental benefits due to less traffic being induced through less parking and a more economical use of resources. This meets MLUL standards a, g and i.

The project also meets the negative criteria as the local criteria justify the lowered parking count. The benefits of the project substantially outweigh the negatives. The project is a classic example of a C2 variance.

The curved windows improve the aesthetics of the project and therefore comply with the MLUL goal.

The lot width variance is justified on a C1 hardship standard as it is not possible to change the lot dimensions.

Public:

George Gussis – attorney and adjoining property owner

How many units would have to be reduced to meet the parking standard? Carelli estimated about 70 units. Gussis asked if this was just about money.

Mr. Gussis asked if Morris St was observed for traffic volume. Mr. Olivo stated that he did. He did not observe problems on Morris Street. He also said they the project deck enters and exits on New Street, not Morris St. He stated the project would have minimal impact on Morris St.

Mr. Gussis asked Mr. Karon about the parking of other projects at the Morris St deck. Mr. Karon stated that the Morris deck does not fill up. Mr. Gussis feels that Morris St. cannot accept more traffic. Mr. Bucca noted that the Morris St. parking spaces already exist and their impact has already been considered.

Mr. Kelso asked Mr. Gussis if he was arguing that the parking authority not be allowed to use levels 5-8 of the Morris St deck. Mr. Gussis said he was not.

Charlie Kratovil –

Will Morris St direction be changed? Mr. Karon said that was no longer being considered.

What will the units be rented for? Mr. Carelli stated they will be market rents.

Will the project apply for a tax abatement? Mr. Kelso said that hadn't been determined but it was possible.

Will the site have any green amenities? Mr. Carelli said they were being considered.

What is the history of the company building the building? Mr. Kelso – this is their first building in New Brunswick and they have built buildings of similar scale.

What are the parking rates going to be at Morris St. Mr. Karon said they would be charged the going market rate.

Richard Rabinowitz –

The 1st floor parking level last space appears to have a difficult angle to pull out. Also, how is the bike parking accessed?

Mr. Olivo stated the bike parking was accessed through the elevator core. He also said the circulation aisle at that location was 30 feet to allow for enough maneuver space.

Board discussion:

Mr. Fitzhenry said that the traffic issue was not that concerning and the project was well designed.

Mr. Catanese noted that the required parking is 241 and the 121 on-site and 125 in the adjacent deck, it exceeds the standard. Also, the Morris Deck is already built so it doesn't add more parking that would be under used and the shared use benefits the public parking authority.

Motion to Approve: Garlatii with the conditions as recited by the Secretary
Second: Fitzhenry

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

Motion to Adjourn: Catanese

Second: Neubauer

Approved by unanimous voice vote.