

**CITY OF NEW BRUNSWICK  
PLANNING BOARD  
FEBRUARY 26, 2015  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

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

X	Board Attorney Ben Bucca
X	Board Secretary/Director of Planning Glenn Patterson
X	Principal Planner Mark Siegle
X	Board Planner Henry Bignell
	Board Planner Todd Bletcher
X	Board Engineer Tom Guldin
	Conflict Engineer Chas. Carley

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS FEBRUARY 10TH, 2015 MEETING**

**Motion to Approve: Stellatella**

**Second: Barber**

**Approved by unanimous voice vote**

## V. OLD BUSINESS

### A. DAVID NAIM ABISLEIMAN, PB-2014-11 , Site plan and variance application for the construction of a mixed use building located at 50 Easton, Block 49, Lot 30.01, Zoning District: C-4

Peter Lanfrit, Esq.:

Last presented on this application in September 2014 but no testimony was taken at that time due to procedural issues. These have since been resolved with the Superior Court. They are no longer seeking to use the easement on the adjacent property. He will present three experts.

Jeff Kuzmic, Architect:

He has been involved with this property since 1994 with the previous owners' restaurant. That building burned down in about 2004. The property is vacant now except for some foundation remnants.

The Abisliemans submitted a development application in 2006 to the Zoning Board for a commercial use building. He presented 5 plan sheets form the 2006 approved design.

A-1 2006 building elevation showing a modern expression of design.

A-2 through A-4 are additional 2006 building elevations and floor plans

A-5 3<sup>rd</sup> floor restaurant floor plan from 2006

The property was in the C-3B zone in 2006. It is now in the C-4 zone. The applicant has submitted a new application. It is a 4-story building with ground floor commercial and upper floor residential.

A-6 Basement floor plan. It is a limited basement area to house utilities and retail storage areas. It is not habitable space. There will also be a trash room for the residential units that use trash chutes. The trash operation will use 96-gallon containers. They will be wheeled out via the elevator to the street. Trash pick up will be by private hauler. Pick up will be at least 2X per week and will be as many as necessary.

A-7 ground floor plan. The floor plan is full lot line to lot line on the sides. There is an 18' rear setback. There are two proposed retail spaces of 1900 and 3600 sf. The potential uses may include restaurant uses. The commercial trash room is in the rear of the ground floor. There will be 14 96-gallon containers.

The rear yard will be a concrete pad. There will be an emergency generator and HVAC compressors for the retail.

There will be two retail entrances on Easton plus a residential entrance. There is a service corridor door on the east side of the building that also acts as emergency egress for the residential.

There is sidewalk uplighting on the private sidewalk area.

A-8 Floor 2-4 floor plan (residential). There are 6 apartments on each floor, with 3 3BR, 2 2Br and 1 1BR. There are a total of 18 units. Each floor has an occupancy of 19 for a total of 57 persons. Each floor will have a laundry room with washer and dryers. The laundry room will also have bicycle storage space. Mr. Patterson questioned the feasibility of the space due to its narrowness. Mr. Kuzmic indicated that some washer/dryers could be removed to allow the bikes to face directly in.

The building is 42 ft tall, which is a "C" variance. The height is generated by the higher commercial floor to ceiling height. To comply with the 40 ft height, the commercial ceiling would have to be reduced which would impact how the utilities run through the commercial area. A 12 ft retail height is typical.

A-9 Roof Floor Plan. The two egress stairs up to the roof. The roof mechanicals are partly screened. The elevator requires a 13-15 ft over run according to Kuzmic. Mechanicals will also be housed in the accessory structure. This structure is 21 ft tall, whereas 15 ft is the limit on height of accessory structures. It also exceeds 5% of the roof area. If the accessory structure is reduced in height, mechanical equipment will have to be placed on the roof and be more visible to the Boraie building next door.

Kuzmic said the access stairs to the roof are required. Mr. Patterson said that Mr. Krug, the construction official, had asked that residential access to the roof be restricted. Kuzmic says he disagrees with Krug's code interpretation.

A-10 Sidewalk site plan. A geometric design will be used for the sidewalk. A sidewalk utility vault is also shown. It was discussed that PSE&G may not allow this and if a transformer pad is needed in front of the building a variance is created. The applicant said they would come back to the Board in this case. They would determine this prior to being issued a building permit.

The exterior façade is proposed to be a panelized system of precast concrete with lower floors having "rusticated bands" and the upper floors have a brick pattern in the precast. The building was designed with a "modernist expression". Kuzmic cited nearby buildings with a similar style.

The ground floor retail is lot line to lot line in width. The basement has less width.

A-12 Photo of adjacent building (56 and 58 Easton)

A-13 Photo of building across Easton (NJ Books)

A-14 Photo of buildings across Easton to north of NJ Books

A-15 Photo of buildings to east of 50 Easton (towards Somerset St.)

A-23 Building west side elevation

The elevation has a similar precast and panelized brick precast design.

There are no windows on the first floor as it is on the lot line.

The apartments will be heated and cooled with through-the-wall heat exchangers (PTACs). Toilet exhausts will also be through the wall.

Mr. Bignell asked about the compatibility of the colors shown for the precast. He also asked about creating more "character" to the front elevation, particularly at the roof line. He added there were no architectural treatments around the windows. Mr. Lanfrit said the applicant could review improving this with TAC.

A-17 East side building elevation. It will have a similar design to the west side.

Beth Kenderdiene, Engineer

The building is lot line to lot line on 2 sides so there is not much site engineering. The balance of the site is impervious surface except for a small planted area in the rear by the emergency generator.

A-19 Engineering site plan of 6 sheets

Stormwater is pumped out to the curb. Mr. Guilden said a detention basin is needed and the applicant has to show how it will be detained. The applicant said they may consider adding more impervious area. The applicant will submit revised grading plans and site plans.

The easement with the Boraie property is being vacated.

The applicant will address loading by seeking Council approval of a loading zone on Easton Ave. and this will be a condition of approval.

There is a parking variance for 59 spaces. NBPA submitted a letter (A-20) saying that up to 18 spaces could be made available at the Gateway or Wellness decks.

The settlement agreement has a 9 month period to use the Boraie property. Mr. Bucca asked what the contingency is if they need this access after the 9 month expires. Kuzmic said this is why they are using precast and the basement is recessed 3 ft from the property line.

Kevin O'Brien, Planner

There 2 height variances for height of the principal and accessory structures. These are "C" variances. They can be justified due to the need for the extra height of the commercial floor. The accessory structure will contain all of the mechanicals so that they are screened from the adjacent high-rise residential building. This increases the height of the accessory tower. The variances are justified on a C2 basis. The building is intended to minimize car usage and is within 800 ft of the train station. It is in the Transit Village zone. The master plan calls for additional housing in the downtown .

The benefits outweigh the detriments by meeting these goals of the master plan and C-4 zone. The negative criteria are met as he can not identify any negative impacts from the project.

In 2006 a parking variance was issued for 76 spaces for the commercial spaces by the Zoning Board. This project requires 59 spaces per RSIS. The mitigation is that it is in the transit village, bike parking has been provided and the opportunity for parking for 18 cars at NBPA decks.

The loading zone would be mitigated by requesting an on-street loading zone.

The applicant volunteers to waive residential parking permits and participate in car share by purchasing annual memberships for any tenant that wishes this.

Public:

Charles Kratovil – He asked about the bedroom breakdown and occupancy capacity. He asked about the anticipated rent, which was not known.

He asked what the plans are for the the adjacent former parking lot area are. Mr. Lanfrit said the applicant doesn't own this land.

He asked for the Easton/Condict crosswalk to be restriped as it has worn out.

He asked about the NBPA space offer and Mr. Patterson and Lanfrit reviewed the agreement.

Anthony Larabino: He reviewed the floor plans re the bike parking and suggested using a bedroom in one unit for bike storage instead. Mr. Lanfrit the applicant has some other options they may consider based on demand. Bike racks are also to be in front of the building.

He questioned the precast brick. Mr. Kuzmic reviewed the site limitations that led them to this design. He agreed with Mr. Bignell's comments about a need for more architectural interest in the façade. He also supported the idea of a green roof.

He thought more bike parking is justified but that its location on Easton justified having minimal parking.

James Sinclair: He had a concern about the amount of bike parking as it appears to be haphazard in how it was designed into the building. Kuzmic explained bikes could be locked in the bike parking area. Lanfrit did not know how many bike spaces would be available. Sinclair asked that the bike parking numbers be determined.

He asked if the sidewalk would be replaced. Kuzmic said it would.

Richard Rabinowitz, He asked about emergency access. Kuzmic said there was an emergency generator and a second means of egress.

Mr. Patterson recited conditions to any approval the board wished to consider.

Motion to approve with conditions as recited by Patterson: Garlatti  
Second: Barber

	YES	NO
Suzanne Ludwig	X	
Linda Hunter		
David Fitzhenry		
Joseph Catanese		
Jeff Crum	X	
Carly Neubauer	X	
Clary Barber (Class I)	X	

Chris Stelatella (Class II)	X	
Betsy Garlatti (Class III)	X	
Josepha Rojas(Alternate #1)		
Andy Kaplan (Alternate #2)	x	

**VI. OTHER MATTERS OF INTEREST TO THE PUBLIC**

Anthony Iarabino: asked the board to support a transportation trust fund to be funded by a fee for parking variances granted. If money is collected it should not go for more parking but for transit and alternate transit.

**VII. ADJOURNMENT**