

**CITY OF NEW BRUNSWICK  
PLANNING BOARD  
JULY 12, 2016  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Suzanne Ludwig
X	Andy Kaplan
X	David Fitzhenry
	Salma Chand
X	Jeff Crum
	Carly Neubauer
X	Clary Barber (Class I)
X	Chris Stellatella (Class II)
	Betsy Garlatti (Class III)
	David Fresse (Alternate #1)
X	Peter Checo (Alternate #2)

Staff Attending:

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
	Board Engineer
x	Conflict Engineer Chas. Carley (Represented by William Obara)

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS March 8, 2016 MEETING**

Approved by unanimous voice vote

**V. COMMUNICATIONS AND REPORTS**

**Resolutions of Memorialization**

None

**VI. OLD BUSINESS**

None.

**VII. NEW BUSINESS**

- A.** The Francis E. Parker Memorial Home, Inc, PB-2016-06  
Site plan and variance application for the enlargement of the existing parking lot  
501 Easton Ave. and 2 Parkview Drive, Block 437, Lot 8 and Block 437.01, Lot 1.03, Zone R-3

The application was introduced by the applicant's legal counsel, James F. Clarkin, Esq. Mr. Clarkin described the proposal as an expansion of an existing parking lot to almost double the existing parking capacity. He stated that the parking lot will encompass two tax lots, 501 Easton Avenue and 2 Parkview Drive for which the applicant is a contract purchaser. He stated that the parking lot itself only requires site plan approval and no new variance approval. Mr. Clarkin stated there were "technical" variances, where variance situations exist, but were not being exacerbated by this application. Mr. Clarkin stated that a use variance is not required as a skilled nursing facility is permitted in all zoning districts. Clarkin stated that a design waiver is being requested in relation to the size of the parking stalls.

**Michael Rodrigues, Engineer (was sworn in)**

Mr. Rodrigues was accepted as an expert witness. Exhibit A-1 (rendered engineering plans) was introduced to the Board. Mr. Rodrigues provided a brief summation of the existing conditions of the properties in question. He stated that the applicant intended to demolish the single family dwelling at 2 Parkview Drive to create additional 27 parking spaces for the facility at 501 Easton Avenue. He stated that the two parking lots would be connected. Mr. Rodrigues stated that the existing stormwater runoff piping would be increase from a 12" pipe to an 18" pipe to help contain any increase in runoff due to the proposal. He stated that the parking lot will be lit via four light fixtures which will have proper shielding to prevent light spillage onto adjacent properties. The landscaping was described to be used in conjunction with a six foot privacy fence to prevent headlight

spillage onto adjoining properties. Mr. Rodrigues stated the applicant will provide sidewalks along Landing Lane from Easton Avenue up to Parkview Drive. The existing loading area will not be disturbed as a result of this proposal.

Mr. Clarkin asked the Board Engineer if the applicant has satisfied all the pertinent items in the issued D&R Engineering report.

Mr. Carley concurred with a few minor comments.

Mr. Clarkin reviewed the review comments of the Bignell Planning Consultant report.

Andy Kaplan questioned the size of proposed parking stalls.

Mr. Rodrigues stated most would be 9'x 18' but a few would be 9' x 16'.

Jeff Crum, asked if there was any consideration to removing the on-street parking along Landing Lane.

Mr. Clarkin stated that it is a county road.

**Bruce Rydel, Planner, was sworn in.**

Mr. Reydel provided planning testimony for the existing variances which were not to be exacerbated by the application.

Chris Stellatella asked how many staff members would be on at any given time.

John Ceminaro, operator of Francis Parker Home, was sworn in.

Mr. Ceminaro stated it was 45 staff at peak times which would drop significantly in the evenings.

Mr. Kaplan asked how staff would access additional parking if they were coming from I-287.

Mr. Ceminaro provided an explanation of the possible route.

**Public:**

No public comment.

Public comment closed.

Mr. Patterson recited conditions suggested to be attached to any motion to approve the application

Motion to Approve with conditions cited: Kaplan  
Second: Stellatella

	YES	NO
Suzanne Ludwig	x	
Andy Kaplan	x	
David Fitzhenry	x	
Salma Chand		
Jeff Crum	x	
Carly Neubauer		
Clary Barber (Class I)	x	
Chris Stellatella (Class II)	x	
Betsy Garlatti (Class III)		
David Fresse (Alternate #1)		
Peter Checo (Alternate #2)	x	

**B. Ferren Redevelopment Plan**

Planning Board review of the proposed redevelopment plan pursuant to the Local Redevelopment and Housing Law

Mr. Patterson reviewed the proposed master plan and made a slide presentation to the Board and public. He described the plan area, the distinction between the areas in need of redevelopment and areas in need of rehabilitation and the neighborhood context of the plan area.

He further described the proposed development program in the redevelopment plan to develop a high-density, mixed-use area with offices, retail and housing. He described the this type of development as appropriate given the central location of the area in the heart of the city and proximity to transit and other mixed-use

development. He reviewed the zoning guidelines for the area, including provisions for pedestrian access, sky exposure planes, the parking strategy and signage.

Mr. Patterson reviewed how the plan supported goals from the City's Master Plan for the area. He noted there were no inconsistencies identified with the Master Plan. He also reviewed how the plan was consistent with the goals of the State master plan and the Transit Village designation for the area.

He asked the Board to consider a recommendation to the Council that the redevelopment plan was consistent with the Master Plan. The Board reviewed the draft report to the Council for this recommendation.

Board Discussion:

David Fitzhenry expressed his concern with parking issues as the City just revisited the Master Plan "4-5" years ago. Was concerned that the parking quantity required would be greater than what the developer could provide.

Mr. Patterson stated that for pure residential buildings that the NJ Residential Site Improvement standards apply, but for mixed use buildings the parking standards in the plan would apply. He stated that the goal was to create an area where you can live and not have to rely on a car as the cost of building underground parking is 30-35,000 per space and those costs borne by developers are typically passed on in the form of higher rents for the commercial and residential tenants.

Mr. Crum asked if Church Street would be eliminated.

Mr. Patterson stated that Church Street between Kirkpatrick and Spring Street would be vacated.

Suzanne Ludwig asked if the sky exposure plane would limit the height of the building.

Mr. Patterson stated that it would have some effect on the height of the buildings depending of the design of the building.

**Public:**

**Louise Forman, Resident at 1 Spring Street**

Stated that she was in favor of getting rid of the eyesore that is the Ferren Deck, but had concerns that an enormous building would shadow the views out of her condo and sought commitment that the views would be protected.

Mr. Patterson stated that many of the renderings that have been shown have been artist's concepts and may be different than what is built on the site. He stated that the idea is to not block view sheds as best as possible, but commented that there are going to be tall buildings and they will block the view of something, but it depends on the type of building to be developed. He referred to skinny tall buildings as being the "in" style for residential buildings, but office/tech type buildings tend to want larger floorplates thus limiting the height.

**Rygiel (Urban Planning Student @ Rutgers)**

He stated that he was in favor of the redevelopment of the site as it is needed. He stated that he had three issues with the first being that superblocks aren't effective in creating a comfortable pedestrian environment and that a pedestrian cross-street should be kept if Church Street is removed.

Mr. Patterson stated that it is really not practical to maintain Church Street going through, but the idea is to create a pedestrian/cyclist street from Church Street to Kirkpatrick.

Rygiel asked that in future considerations a pedestrian access to Church Street be kept.

Mr. Patterson reiterated that the plan already calls for such a thing and that it would not be a superblock from a pedestrian/cyclist vantage point.

Rygiel expressed a concern with higher building height limits and wanted to ensure that with increased heights a concentration was placed on the effect of "wind tunnels" at the pedestrian level.

Mr. Patterson stated that the provision of a sky exposure plane aims to control such a thing, but recognized that the site is in the middle of the downtown, across from the train station, and that this is the area where density should be.

Rygiel expressed that he was happy that the terms transit and pedestrians were being incorporated into the plan, but wanted to see safety upgrades at the Route 27, French Street, and Easton Avenue intersection.

Mr. Patterson stated that it was a County intersection thus the City cannot make the changes itself. He referred to a pedestrian bridge from the NJ Transit platform to the Wellness Center as a potential improvement. He stated that the intersection was a difficult area to deal with due to the volume of traffic, but hopes that a development like this along with a pedestrian bridge would help the situation.

**Mike Parlow, Owner of Clydz Restaurant**

Mr. Parlow asked for clarification that he was in an Area of Rehabilitation and that it was not subject to eminent domain.

Mr. Patterson stated that eminent domain for redevelopment purposes was not an option.

Mr. Parlow asked who the developer would be.

Mr. Patterson stated that a developer has not been designated and gave a brief summation of the designation process.

Mr. Parlow asked whether there was a developer waiting in line currently.

Mr. Patterson stated that there was no developer with legal standing ready to do this project, but the NBPA has hired Devco to do the marketing for the site and he assumes that they would submit an application to the NBHA to become the designated redeveloper.

Mr. Parlow asked for a timeframe for when "this all is going to take place."

Mr. Patterson stated that there wasn't, but some activity could be seen in the next 6-12 months as the NBPA would like to get the parking garage off of the site to aid in the marketing of the site along with the rendering materials that have been seen around.

Mr. Parlow expressed concern that Paterson Street would remain open while the Ferren Garage would be demolished to keep access to his restaurant.

Mr. Parlow asked if he relocated out, could he relocate back in?

Mr. Patterson stated that he could renegotiate with the developer to go back in or he could find another site in town.

Mr. Parlow and Mr. Patterson discussed relocation assistance and options.

**Sheri Parlow**

Mrs. Parlow asked if there was a chance that the Clydz property would be changed from an area in need of rehabilitation into an area of redevelopment.

Mr. Patterson described the process of designating an area in need of redevelopment. He stated that he didn't know that the Clydz property would qualify on its own, but there is a caveat which allows for properties to be included in an area of redevelopment if needed to make the project work. He stated it wasn't the intention of the plan to include the Clydz property for redevelopment purposes.

Mr. Patterson stated that if there is a "public purpose" and if a public park or public parking deck would be slated for that site, it would represent traditional eminent domain and the procedures involved with that would need to be followed.

**Charles Kratovil, Editor of New Brunswick Today**

Mr. Kratovil questioned where the renderings in the plan came from.

Mr. Patterson replied that they came from the "Core-Vision Plan".

Mr. Kratovil referred to further renderings contained in the handout provided to the Board and public by Mr. Patterson. He asked if the renderings on the final three pages were the actual renderings of what the Ferren site would look like.

Mr. Patterson stated that it was one of many different architects' concepts of what could be developed on the site. He stated what actually gets built on the site will be dependent on the tenant of the site.

Mr. Kratovil referred to a proposed park on the "Core-Vision Plan".

Mr. Patterson clarified that plans change and the proposed location on the rendering is not being considered for a park at this time.

Mr. Kratovil expressed his concern with the safety of the Easton Avenue/Rt 27 intersection.

Mr. Patterson provided some of the difficulties in improving the intersection while also noting Mr. Kratovil's concern.

Mr. Kratovil asked if there were efficiency standards within the plan.

Mr. Patterson stated that there were no specifics within the plan, but most developers do use energy efficient appliances. He stated that the greenest thing about this plan is that it calls for a densely built mixed-use development in the middle of a downtown with a lot of transportation options and is highly walkable. Mr. Patterson stated that building in high-rise format is much greener than any single family dwelling construction in the suburbs.

Mr. Kratovil asked about the developer selection process.

Mr. Patterson provided a brief summation of the developer designation process and subsequent development application process.

Mr. Kratovil questioned whether the NBPA would require approvals for a plan for Block 17 or whether they fall under Section 31 of the Municipal Land Use Law (NJSA40:55D-31).

Mr. Patterson stated that no one is required to follow the redevelopment plan and they could make a site plan and variance application using the base C-4 zoning standards.

Mr. Patterson briefly described Section 31 to members of the public.

Mr. Kratovil asked if the Parking Authority kept the land if it was true they could "build whatever they want".

Mr. Patterson stated that he was not a lawyer and did not believe he was qualified to speak as to what the parking authority act allows parking authorities to do.

Mr. Kratovil was referred to speak to the New Brunswick Parking Authority regarding what their authority/powers to develop are under the parking authority enabling statutes.

Motion to Recommend As Consistent with the Master Plan: Fitzhenry  
Second: Crum

	YES	NO
Suzanne Ludwig	X	
Andy Kaplan		
David Fitzhenry	X	
Salma Chand		
Jeff Crum	X	
Carly Neubauer		
Clary Barber (Class I)	X	
Chris Stellatella (Class II)	X	
Betsy Garlatti (Class III)		
David Fresse (Alternate #1)		
Peter Checo (Alternate #2)	X	

### **VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC**

Charles Kratovil, NB Today

Mr. Kratovil asked questions regarding the Board Attorney and the attendance at the March 2016 board meeting.

### **IX. ADJOURNMENT UNANIMOUS VOICE VOTE.**