

**CITY OF NEW BRUNSWICK
PLANNING BOARD
NOVEMBER 14, 2016
MINUTES
7:30 p.m.**

I. ROLL CALL

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

Staff Attending:

X	Board Attorney Arvind Aithal
X	Board Secretary/Director of Planning Glenn Patterson
X	Principal Planner Mark Siegle
	Board Planner Henry Bignell
	Board Planner Todd Bletcher
	Board Engineer
	Conflict Engineer Charlie Carley

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS OCTOBER 11, 2016 MEETING

Motion to approve the minutes: Chand

Second: Kaplan

Approved by unanimous voice vote

V. COMMUNICATIONS AND REPORTS
Resolutions of Memorialization

A. ALPHA RHO ALUMNI ASSOCIATION OF CHI PSI, PB-2016-13, Site plan and variance application for the addition and modifications to the existing fraternity house located at 114 College Avenue, Block 75, Lot 36, Zoning District: IN-1
 Motion to Approve: Chand
 Second: Kaplan

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

B. PROCEDYNE CORP, PB-2016-05, Site plan and Variance application for the installation of a liquid nitrogen storage tank to be located at 11 Industrial Drive, Block 597.02, Lot 6, Zoning District: I-2
Motion: Kaplan
Second: Stellatella

	YES	NO
Suzanne Ludwig	X	
Andy Kaplan	X	
David Fitzhenry		
Salma Chand		
Jeff Crum		
Carly Neubauer		
Clary Barber (Class I)		
Chris Stellatella (Class II)	X	

Betsy Garlatti (Class III)		
David Fresse (Alternate #1)		
Peter Checo (Alternate #2)	X	

VI. OLD BUSINESS

None.

VII. NEW BUSINESS

- A. CITY OF NEW BRUNSWICK ZONING ORDINANCE AMENDMENT, NJSA 40:55D-26** requires the referral to and review of development regulations by the Planning Board prior to adoption. Planning Board shall review the elimination of the R-1A Zoning District and replacement with C-R Corporate Retreat Zoning District.

Mr. Patterson described the R-1A zone as an area near the Landing Lane Bridge that consists to two lots that jointly function as a retreat facility for Johnson and Johnson. The area is currently zoned for low-density single-family residential development. The proposed zone change to C-R replaces residential with corporate retreat as the permitted use. The proposed use is not consistent with the Master Plan, which calls for residential development, but is consistent with the Master Plan’s intent for low density development in this area next to the D&R Canal. The C-R zoning standards reduce the allowable development in the district, which is an environmental benefit. The change also would bring the zoning standards into congruence with how property has been used for several decades. Mr. Patterson said that as Planning Director, he was recommending the Board to recommend the change to the City Council as the intent of the Master Plan was being met. The MLUL allows the Council to adopt a zoning change that is inconsistent with the Master Plan as long as the inconsistency is noted in the adopting ordinance. In this case, the inconsistency is technical, as the intent of providing for environmentally-sensitive development of this area is promoted.

Andy Kaplan stated that a strong case was made for environmental benefits. He asked if there any concerns about making a zoning change to a single property.

Mr. Patterson stated that is the only district that is zoned R-1A and that the district had unique characteristics. It is not spot zoning.

Ms. Ludwig stated that she thought the change will reflect the use of the property in a more appropriate manner.

Ms. Chand asked if the changes would allow other activities in the district.

Mr. Patterson described the uses that are proposed be allowed in the new zoning district. He stressed that the allowable development has been drastically reduced.

Public Comment:

Charlie Kratovil asked whether the taxes would change because of the change. Mr. Patterson stated that he did not know, as the assessment is done by the Assessor. However, the rate does not change as NJ constitution does not allow for a different rate.

Kratovil asked if Johnson & Johnson has been in violation.

Mr. Patterson stated they were a legal pre-existing non-conforming use.

Mr. Stellatella asked if the Board didn't change the zoning, it wouldn't change what they have existing.

Mr. Patterson stated that it would not affect what they have there, but changing the permitted uses would allow the applicant to come before the Planning Board rather than the Zoning Board for future applications.

Motion to recommend adoption of the proposed change to the R-1A zone to C-R Corporate Retreat as the Board finds that the proposed use of corporate retreat is not consistent with the Master Plan but compliant with the intent of the Master Plan for low-density, environmentally-sensitive development in the zone:
Chand

Second: Stelatella

	YES	NO
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)	X	
Betsy Garlatti (Class III)		
David Fresse (Alternate #1)		
Peter Checo (Alternate #2)	X	

VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC

None

IX. ADJOURNMENT

MOTION: KAPLAN

SECOND: STELLATELLA

Approved by unanimous consent