

Zoning Board of Adjustment  
City of New Brunswick  
December 6, 2011, 7:30 pm

Roll Call:

x	Nancy Coppola, Chair
x	John Cox, Vice Chair
x	Deborah Celey
x	Kim Maloney
x	Margeret Chester
x	Scott Elias
x	John Sutton (alt)
x	Sue McEligot (alt)
	Doug Sheehan (alt)

Open Public Meetings Statement was read

Salute to the Flag

Minutes

Approval of the minutes of the Board's November 28, 2011 meeting

Motion by: Sutton

Second by: Celey

Approved unanimously

Resolutions of Memorialization: None

Old Business:

None

Notes:

- 1) Ms. McEligot left the meeting at this point as she was the 8<sup>th</sup> member present and only 7 members were eligible to vote on the applications being heard tonight.
- 2) It was announced to the public that the 205 Easton Avenue and 191 Hamilton Street applications would not be heard tonight and the applicants were seeking to reschedule for the January 2012 meeting. Personal and public notice would be provided.

## New Business:

15 Union Street NB, LLC, 15 Union Street, Block 54, Lot 40, Zoning District IN-1, Z-2011-08

Tom Kelso, Esq. - The applicant is seeking use and other D variances as well as bulk variances. The Board previously approved a similar project on this site. The project formerly proposed rooming units and now proposes 2BR units. The building footprint is 7 feet wider, which impacts the FAR and coverage ratios. The variances for parking and driveway aisles are the same as previously granted and the applicant feels the project is a better project now.

Mitch Broder, design and management consultant for the project

The project now is the same number of units, but changing from rooming units to apartments. His firm has developed similar projects on Union Street. His firm has been hired to manage the project by the owners. They also own the project across the street.

A-1 – original approval elevation

A-2 – new elevation

A-3 – new elevation

The exterior has been upgraded from vinyl siding to brick and hardiplank. There are also additional gables and other aesthetic improvements.

They are changing to apartments as Rutgers has developed more rooming-style units on Livingston so they feel apartments are a better development style. The proposed changes are relatively minor.

Broder stated he also represents the "Union St Coalition" which represents 80% of property owners on Union St and they support this project.

Construction is hoped to start this winter.

Chester – are showers H/C accessible. Broder – will let the architect address.

Andrew Banff, Eng -

The site is currently cleared and has approval for developing a 32' wide building. The proposed building is 39' wide. The occupancy of the building, at 36 persons, does not change. The layout and circulation remain the same or very similar to the original proposal. The driveway remains 12 ft. wide.

Transformers will be located in the front of the building but will be screened.

There is a h/c accessible route along the left of the building. This will be lit. There are still 13 parking spaces as in the original application.

Stormwater runoff is slightly increased. The site drains to the Rutgers paved lot to the rear. A detention basin is provided to capture the increased runoff. Water will be pumped to an

existing inlet in Union Street.

Plans have been revised to address some of the City engineer's comments and will continue to work with him to address any outstanding issues.

Variance for the rear parking setback is increased from 2 ft to 1.9 ft.  
On the right side of the property, the landscaping, with trees, will remain the same.

Alex Zabasajja, Archt

A-4 – floor plan for 2<sup>nd</sup> floor

Expansion of the building width improves the functionality and aesthetics of the building. The occupancy stays the same at 36 persons. Kitchenettes have been added to each unit.

Building exterior materials have been upgraded. They have also added gables to improve aesthetics. A gabled porch roof has been added to improve aesthetics.

All 1<sup>st</sup> floor units, 4 units, are h/c accessible.

Keenan Hughes, Planner

Use variance is a technical condition as the use would be permitted if undertaken by Rutgers in this zone. The FAR is increased due to the wider building. The same proofs provided for the original application still apply. The changes make for a better product.

Purposes A, E. and G of the MLUL are addressed by the applciation. The old FAR was .8, whereas, 1.08 is proposed. This is subsumed in the overall use on the site. The site can accommodate the project as adequate setbacks are provided, the height meets standards and landscaping is provided. There is no detriment to the public good as the area is primarily used by students from Rutgers and buildings in the area are commonly three stories. There are no engineering issues which would cause a detriment. The neighbors have stated that they support the project, so character would not cause a problem.

The bulk variances are also subsumed in the use variance request. Coverage was granted at 82% and now seek 89%, but a more functional building is provided and stormwater increase is accommodated. The variance can be granted on C2 grounds.

The parking spaces are the same as the original application with no increase in occupancy. The site is adjacent to the campus and significant transit is available and it is walkable to the campus. The parking level is acceptable for this project in this location. Therefore, there is no detriment to granting the variance.

Kelso – applicant agrees to limit occupancy to no more than two occupants per apartment.

Public:

None

Motion to Approve with conditions By: Celey  
 Second by: Cox  
 Vote:

	Yes	No
Nancy Coppola, Chair	x	
John Cox, Vice Chair	x	
Deborah Celey	x	
Kim Maloney	x	
Margeret Chester	x	
Scott Elias	x	
John Sutton (alt)	x	
Sue McEligot (alt)		
Doug Sheehan (alt)		

John Sudia, 100 Hamilton Street, Block 41, Lot 23.01, Zoning District IN-1, Z-2011-14

Tom Kelso, Esq. - The project is similar to the previous application as it is in the same zone and is a similar style building. The use, FAR and bulk variances are similar. The site is particularly suited for this type of project.

John Sudia – Owner

He is an electrical contractor and owns investment property. He has owned this property for a number of years. It is 80+ years old and worn out. It needs to be replaced and he wants to replace it in a similar fashion to what has been done on nearby Union Street.

The facade uses brick to mimic the college style in the area. The parking area allows cars to pull out instead of backing out as is now down, onto Hamilton Street. Security systems will be provided and landscaping will be provided.

Mitch Broder, Development Consultant

His firm has developed similar projects on nearby Union Street. Sudia sought his firm out when they developed 32 Union Street. They would provide construction management services to Sudia.

Experience is that parking of 1 space per unit is adequate. Proximity to transportation affects the need. The site is 100+ feet from Rutgers buses and is near the Gateway parking deck. Sudia will give up resident street parking permits for this project.

Ed Bogan, Engineer

Property is on Hamilton St between College Ave. and Union Street. It is 73' x 124' with an irregular shape.

A- 1 photo of adjacent Rutgers garage

A- 2 photo of existing property conditions

A-3 montage of 9 photos of the property and adjacent properties.

Currently the site has 4 apartments with 13 residents. Parking is in driveway aisles with cars stacked in the driveways. Cars have to back onto Hamilton and cars must be shuffled. The proposal is for 17 parking spaces under the proposed building with cars pulling out onto Hamilton instead of backing out. Twenty-five apartment units are proposed. A refuse area is provided and a transformer is provided in the front. It will be screened.

Side yard setback of 2.2 ft. is proposed. This allows for exterior columns to be used to support the building. If they were interior to the building they would conflict with the parking footprint on the ground level. The building face meets the setback standard. Only the columns require a variance.

Landscaping is provided on the left (east) side. Small lawn areas are provided in the front. A sidewalk is provided on the west side to provide a 2<sup>nd</sup> egress. Fencing is proposed in the rear.

Garbage is stored on the ground level in a room. It will be brought to the curb. A bd-on-bd fence will screen the transformer location.

Access from the parking to the units is through a stair in the garage or at the front.

Kathryn Flores, Archt

Ground floor has parking and 1 h/c accessible unit. 2<sup>nd</sup> and 3<sup>rd</sup> floor both have 12 units.

Access is from the front of the building with 2<sup>nd</sup> access through a stair in the parking area. All the units are studio apts. The interiors are well appointed with appliances and quality countertops.

Exterior front facade is brick. Sides and rear are a combination of brick and hardiplank. The front facade has parapets and is setback in the center to improve the aesthetics.

The trash room is on the ground floor and is concealed behind the front wall.

A-5 photo of 6 Sicard property – provided for comparison to the type of materials to be used.

Security systems are provided for the units and the parking.

Chester – The h/c unit is remote from the other units and is surrounded by parking. Are other units like this in other projects? Broder – only other is at 6 Sicard and it is not occupied yet. The unit will not experience excessive noise.

Keenan Hughes, Planner

A Use variance requested as the use is not permitted in IN-1 unless developed by Rutgers. An FAR is also sought as IN-1 doesn't contemplate this type of project.

There is a need for off-campus housing in this neighborhood that is not being met by Rutgers. The goal is consistent with the master plan. The site is well located adjacent to the Rutgers campus and the Scott Hall transit hub. The lot is 2x the minimum lot size for the zone.

The project replaces poor quality student housing with a larger supply of high quality student housing. The project is in scale with the neighborhood.

The project further MLUL purposes A, E, and G. The project generates a larger FAR by the nature of the project. The standard is whether the site can accommodate the use. The site can do this as height is met and set backs are met with exception of the columns. The ground level parking under the building improves on the existing condition.

The neighborhood already accommodates student housing and the project will not be detrimental for the area.

The side yard setback is only due to the column location. It does not impair maintenance access. It is justified on a C2 basis.

The coverage variances are related to the FAR variance. There are no detriments as the project is an aesthetic improvements.

The parking provides an adequate balance for the proposed needs. The RSIS standard is 45 spaces, which is too high for the use in this location. 17 spaces are proposed. Less than 1 space per unit functions due to the proximity of the Rutgers bus stop. It is also a block from the Gateway parking facility and is 2 blocks from the train station.

Public:

None

Motion to Approve with Conditions By: Cox  
 Second by: Celey  
 Vote:

	Yes	No
Nancy Coppola, Chair	x	
John Cox, Vice Chair	x	
Deborah Celey	x	
Kim Maloney	x	
Margaret Chester	x	
Scott Elias	x	
John Sutton (alt)	x	
Sue McEligot (alt)		
Doug Sheehan (alt)		

205 Easton Realty, LLC, 205 Easton Ave., Block 82, Lot 6.02, Z-2011-15

Applicant requested an adjournment of the hearing to the January 19, 2012 board meeting. The applicant will re-notice with both personal and public notice.

Hamilton Street Realty, LLC, 191 Hamilton Street, Block 57, Lot 56, Zoning District R-5A, Z-2011-17

Applicant requested an adjournment of the hearing to the January 19, 2012 board meeting. The applicant will re-notice with both personal and public notice.

Adjournment