

Zoning Board of Adjustment
City of New Brunswick
October 22, 2012

Roll Call:

	Nancy Coppola, Chair
x	John Cox, Vice Chair
x	John Sutton
x	Kim Maloney
x	Margeret Chester
x	Scott Elias
x	Sue McEligot
x	Doug Sheehan (alt)
x	Peter Ventrice (alt)
	Jose Madera (alt)

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARD'S AUGUST 27, 2012 MEETING

Motion by: Sutton

Second by: Maloney

Approved unanimously

V. COMMUNICATIONS AND REPORTS-

Resolutions of Memorialization of Approval

None

Old Business:

D & D, LLC, Z-2012-03, Site plan and variance application for the construction of a multi-family dwelling located at the intersection of Ray Street and Sicard Street, Block 83, Lots 1.01 and 40, Zoning District: R-5A

Mike Baker, Esq – proposing 15 unit multifamily project with small bedrooms and limited common areas. Trash will be stored indoors and picked up 2x per week privately. The 2 existing houses have 9 residents. They will surrender all parking permits as a mitigation for the use and FAR variances.

The existing units are the applicants first units he's owned and he has learned that he needs to upgrade his management. He has listened to the comments from the TAC about this.

Michael Testa, Archt -

A-1 color rendering of the elevation

Attempted to have the new building be compatible with the surrounding architecture. High quality durable materials such as stone and hardiplank are used on the exterior. Parking is accessed through an underpass under the building with parking provided in the rear of the lot. The transformer is located in a non-prominent area.

A-2 Materials sample board

The building is 3-stories with a 36.5'. A parapet wall is used to screen a rooftop solar array. The height in excess of the 30'f allowed is to all for clearance for PSEG vehicles to access the rear of the property.

Sheet PB-1 shows the partial basement plan. Laundry and utility areas are located in this area. There is no habitable space in this area.

The ground floor has 3 h/c accessible units that are directly accessible from the street. Each of these units has their own laundry unit.

Bike racks are located to the rear of the lot.

PB-2 2-3 floor plan.

The bedrooms on these floors are sized to limit occupancy.

PB-3 – building elevations

Vertical elements are used to break up the facade. There is an indoor trash room that can hold two rolling garbage container. Recycling will also be stored here. Pickup will be 2X per week but will be adjusted to more if necessary. Pick up is by private service. It is mechanically ventilated and the floor is pitched to a floor drain. Security cameras will be on all exteriors.

Trevor Taylor, Eng. -

A-3 – aerial photo of the neighborhood

The lot is L-shaped with approximately 11,000 sf of area. There are 13 2br units and 2 1br units.

There are two existing single family houses that will be demolished on the site. The houses are old.

A-4 – colored site plan

Design waivers and variances are sought for the driveway width, stall size and the number of parking spaces. One space per unit is proposed (15) whereas 30 is required.

The project complies with stormwater standards. Landscaping is provided along the frontages and interior parking area. A board on board fence will be provided along adjacent properties.

The FAR was originally 1.23 but was reduced in the TAC process to 1.02, which is less than some similar nearby projects.

Bulk variances are required for front setback, where 6-7 feet are required, which is similar to other properties in the area. Minimum side yard variance is requested but it is also similar to other properties and increasing from the existing conditions. Coverage variances are also requested.

Lighting is proposed under the canopy and on the facade.
Sight distance for exiting cars is increased by providing openings in the ground floor facade.

Open cell foam insulation will be used to insulate the units above the driveway canopy.

The parking garage has a stairwell to access inside the building. The exterior doors have an swipe card system. There will also be security cameras that will record.

Parking spaces will be rented as part of the lease agreement as desired.

Mark Cantriniak, Traffic Engineer

The use is consistent with the multifamily overlay zone recommended in the master plan reexamination and is similar to other buildings in the area. The proposed driveway does not take away existing on-street parking. The site is near the campus transportation system.

The parking requirement is 30 spaces whereas 1 are provided. RSIS has standards for de minimus exceptions based on household characteristics and urban conditions with access to transit. This project qualifies for these exceptions. Also, the master plan reexam recommends a parking standard of 1:1, which is what is proposed. The ITE average parking ratio for multifamily is 1.07 to 1.04, without taking into account proximity to transportation, which this project has. Based on these criteria it is his opinion that the parking provided is consistent with industry standards and is adequate for the proposed project.

The driveway width of 24' is adequate for the facility given the small number of units and residential character of the street. The narrower driveway is also safer for pedestrians.

Applicant voluntarily gives up the parking passes for the property as a mitigation for the parking variance.

Deval Patel – Owner

He wishes to be part of the revitalization of this area and has assembled a quality team to pursue this. Through the TAC process he has learned how he needs to maintain his properties up to New Brunswick standards. He will hire experienced property managers to maintain the property.

Jennifer Beam, Planner

D variances are required for use, height and FAR. The height and FAR are subsumed in the use variance. Per Medici standards they have to show the site is specifically suited for the use. It is immediately across the street from the Rutgers campus. The MP reexam report

recognizes this as well as graduated density on lots larger than 10,000 sf. Therefore, the site is specifically suited. It also meets the special reason standard as it meets 3 of the purposes of zoning in that it promotes the general welfare and safety, provides sufficient space in a particular area as it is located across from the campus in an appropriate area for this style of development and the promotion of an enhanced visual environment by replacing the two older houses with a new facility.

The recent MP reexam has recommended graduated density housing near the campus and this project meets the intent of the MP reexam. A recent study of Easton Avel also called for this area to be student oriented.

There is no negative impact to the zone ordinance and zone plan as shown by the previously referenced MP reexam report. There are also no negative impacts on the surrounding land uses.

Public:

Andy McGuinnis -

He is a long-time landlord in the neighborhood and has general concerns about the development.

Charlie Kratovil -

What is the allowable occupancy? Approximately 58 persons.

Are non-students welcomed? Yes.

What is the rent? It is market determined.

Are only the first floor units accessible? Yes

Who will manage the building? Construction Management Inc.

He likes the aesthetics of the property.

Concerned that there are limited common areas and small bedrooms. Kratovil opposes these student-oriented types of housing units. He likes the solar panels on the roof.

Board

McEligot – it follows what MP reexam has called for

Maloney – other types of housing are provided in town and this is across the street from university and appropriate.

As a mitigation the applicant suggested having no outdoor alcohol use but this was

Motion Sutton

second Maloney

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	x	
John Sutton	x	
Kim Maloney	x	

Margeret Chester	x	
Scott Elias	x	
Sue McEligot (alt)	x	
Doug Sheehan (alt)	x	
Peter Ventrice (alt)		
Jose Madera (alt)		

New Business:

MIKE DRULIS, Z-2012-12, Variance application for the construction of an additional bedroom in the basement of the existing dwelling located at 38 Laurel Place, Block 413, Lot 30, Zoning District: R-5A

Pat Bradshaw, Esq – The project is for a 2-family house with an additional bedroom being proposed, which requires a 1 parking space variance. The use is permitted.

Michael Drulis – owner. He lives at the house with his family. He proposes to add a basement bedroom for his monther-in-law, who stays with him for an extended period. The house only has two bedrooms currently. He has a wife and child. The mother-in-law does not drive when in NJ. No additional footprint is proposed to the house. It is an interior reconfiguration.

Drulis proposes that a condition of approval that the bedroom will not be rented out to anyone besides family members

Publid: None

Moition to approve with conditions: McEligot

Second : Sutton

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

205 EASTON REALTY, LLC, #Z-2011-15, Site plan and variance application for the construction of a mixed-use office and residential building located at 205 Easton Avenue, Block 82, Lot 6.02, Zoning District: C-3B

Tom Kelso, Esq. - The applicant proposes a 71,000 sf building with underground parking and multifamily residential. There are a total of 53 units. There is also 4,000 sf of office space. The use is permitted in the C-3B zone. There are D variances for FAR and height. There are also bulk variances for coverages, front yard, rear yard and parking variance. The applicant intends to have his offices located in the building.

Mitch Broder – owner

The project will have 2 ground floor offices plus 34 1br apartments and 19 2br apartments.

A-1 – typical interior rendering

A-2 – lobby area rendering

Tenant storage lockers will be provided. There will be a 1400 sf gym (A-3 rendering) and lighted outdoor terrace.

The project has metamorphosized over the past 18 months based on community input. The retail use has been removed, a floor eliminated, unit count reduced and height reduced.

A-4 through A-7 – current condition photos

59 parking spaces will be provided underground. It is monitored by hang tags and there will be a towing service. The parking ratio of 1:1 has worked in similar projects. They will also provide a ZipCar availability for short term rentals of cars.

The stormwater system in Easton Avenue will be improved. Trash will be picked up privately.

The market for the building is persons who are post-students and student mix. The building is called the Bookend.

The building is similar in scale to SPUH buildings across the street. It is only 12 ft taller than adjacent houses and there is a 60' setback from the house to the rear.

The project is inline with the recommendations of the recent Bloustein School report about Easton Avenue.

A-11 thru A-16 photos of other projects developed by the applicant.

Ed Bogan – Engineer

A-18 rendered existing site plan.

The existing condition is an older professional office building. Proposed is a 4-story building. (A-19 rendered site plan) There is an underground detention system at the rear of the building. There are only 2 visible parking spaces, the balance is underground. The peak usage of the office and residential uses are complimentary, allowing 59 spaces to be more than sufficient.

A front yard variance is requested for an 8 ft setback to enhance the aesthetics at the corner. The balance of the Ray St. setback exceeds the setback requirement. A building coverage variance is requested, but not an impervious coverage variance. An FAR variance is also required.

Design waivers are needed for front yard (Ray St) parking spaces near the driveway entrance.

Level 1 has 10 units, the office area and the access drive to the parking. Below ground there are 57 parking spaces. The drive aisle width is adequate as the adjacent parking is at 42.5 deg. which is less than the 45 degree standard but adequate.

Ask for a design waiver for a loading space as there is no retail space in the project.

Trash will be stored inside the building and brought out to the rear driveway for pickup.

Tenant loading is anticipated to be from the basement but will not accommodate large vans trucks. Applicant will make application to Council for a loading zone so that the issue can be aired as to whether loading or on-street parking is preferred.

George Simcox, Archt.

The building is setback to not be imposing on the corner. A-20 Courtland St perspective. Various materials are used on the exterior to break up the facade and less the perspective of its mass.

The transformer will be on Ray St remote from Easton and will be screened.

The full building is accessible or adaptable units.

Charles Olivo, Traffic Eng

The driveway is being pushed as far away from the traffic signalled intersection as possible, which reduces friction near the intersection. The proposed condition will increase on-street parking availability due to the elimination of other curb cuts.

The site is served by the NJT 818 bus and is a few blocks away from the Rutgers bus system. Trip generation is expected to be less than the ITE average, but the ITE average is used in the analysis. This use is a low traffic generator per ITE.

The office and residential use are complimentary in terms of peaks. The proposed 59 spaces are sufficient to accommodate the expected parking demand. The parking stalls will be shared.

The internal circulation uses angle parking with the stall angled at 42.5 deg. The design exceeds the ULI design standards and will operate successfully.

Zip Car membership will be provided. This essentially provides the capacity of 5 parking spaces per studies of the Transportation Research Board. They encourage less car ownership and encourage mass transit usage.

Keenan Hughes, Planner

The use is consistent with the C-3B zone. D variances for FAR and height are sought.

The issue for the Board is whether the site can accommodate the proposed intensity of use. This area of Easton is in need of revitalization. An NJTPA study called for this area to be a development node. The height and FAR support the density called for in this report.

The building is designed with a positive visual impact. The project supports the purposes of zoning A, E and I.

The parking variance has been supported by Mr. Olivo's testimony. It is also across from SPUH, a major employer and near transit options. Mr. Bogan addressed the front yard setback issue previously. The benefits of the improved corner outweigh any detriments. The rear setback is mitigated by the proposed fence and the rear of the building is fully spec'd as to design.

There are no detriments from the proposed design waivers and will address the loading zone issue with the City Council.

The project will have a catalytic impact on Easton Ave and the positives outweigh the negatives.

Public:

Kevin Hoagland, he is a resident of the nearby neighborhood and he has discussed it extensively with neighbors. He appreciates that the developer has taken concerns into account and eliminated the retail and lower the height and he supports the project.

Charlie Kratovil, the project looks like a phenomenal project. The occupancy would be 144. The units are estimated to rent in the \$1400-\$1600 range. Parking will be provided at a fee. The roof will have a light color to reduce the heat island effect.

What if the zip car demand is more? Then more can be obtained.

What is the security? Cameras will be provided as well as lighting and electronic access keys for the doors.

This is a very good project.

Cord Brody

Owns house at 52 Wyckoff that is adjacent. Where is the garbage going to be located?

What are the construction hours? Normally 8 – 5.

How is drainage being handled? The site drains to Easton and improves on the existing condition.

The project might be better if it went out to Wyckoff but it's a nice looking building.

Andy McGinnis

It is a nice project but concerned that it will become overcrowded with college students.

Motion sutton
second Chester

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

SHERWOOD DEVELOPMENT, LLC, Z-2012-07, Site plan and variance application for the construction of a multifamily dwelling located at 12 Bartlett Street, Block 75, Lots 22, 23.01, 25, 29, Zoning District: IN-1

Adjourned to November 26

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
John Sutton		
Kim Maloney		
Margeret Chester		
Scott Elias		
Sue McEligot (alt)		
Doug Sheehan (alt)		
Peter Ventrice (alt)		
Jose Madera (alt)		

96-100 BAYARD STREET ASSOCIATES, Z-2012-04, Site plan and variance application for the construction of a multi-family residential building located at 96-100 Bayard Street, Block 20 Lot 6.02, Zoning District C-4

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
John Sutton		
Kim Maloney		
Margeret Chester		
Scott Elias		
Sue McEligot (alt)		
Doug Sheehan (alt)		
Peter Ventrice (alt)		
Jose Madera (alt)		

Adjourned until November 26

EDWARD SCHRUM, NU-2012-01, Certification of Pre-existing legal non-conforming use/status application for the dwelling located at 49 Carman Street, Block 125 Lot 1, Zoning District: R-5A

Adjourned until November 26

Adjournment
11:02 PM