

**CITY OF NEW BRUNSWICK  
BOARD OF ADJUSTMENT  
MARCH 24TH, 2014  
Minutes  
7:30 p.m.**

**I. ROLL CALL**

	Nancy Coppola,
X	John Cox,
X	Margaret Chester
	Sue McElligott
X	Doug Sheehan (alt)
x	Peter Ventrice (alt)
	Jose Madera (alt)
	Tierream Houser (alt)
X	Mike Manzella
	John Zimmerman
X	Maria Torrasi

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS FEBRUARY 24TH, 2014 MEETING**

Motion to Approve: Torrasi

Second: Manzella

Approved unanimously

**V. COMMUNICATIONS AND REPORTS-  
Resolutions of Memorialization of Approval  
None.**

**VI. OLD BUSINESS  
None.**

**VII. NEW BUSINESS**

- A. EGYPTIAN GARDENS, LLC, #Z-2012-11,** Site plan and variance application for the construction of a retail building located at 243-245 George Street, Block 120, Lot 2.01, Zoning District: C-4

James Clarkin, Esq. – Application for a 3-story mixed-use building with ground floor retail and 6 1BR apartments on each of the 2<sup>nd</sup> and 3<sup>rd</sup> floors. There is also one ground floor apartment. The lot is currently vacant. The application has been before the TAC four times and has evolved to the current plan based on staff comments. The use variance is due to the ground

floor residential unit. It is a permitted use, but the location of it on the ground floor creates a technical variance as to use. The project meets all the bulk standards except for the location of the proposed chiller location in the rear of the property. Design waivers are needed for the loading and trash facilities.

Ashram Ragib, Archt. – The building height is about 33 ft. There are 3 stories plus a cellar. In the rear there is a 2 BR apartment on the ground floor.

#### A-1 Building Rendering

Exterior uses brick and concrete planking (hardiplank). Glass is used on the first floor for the retail storefronts. The roof line has parapets with peaks. There is no rooftop equipment planned.

The basement is an unfinished space. The mechanical equipment may be located there. It may also be used for storage.

Façade signage is proposed over the entrances at about 8' by 1.5'.

The 2<sup>nd</sup> and 3<sup>rd</sup> floor each have 6 1BR apartments with similar layouts.

The applicant is not sure if a transformer pad will be required. If it is, it may require another variance and have to come back to the board depending on where it is located. The applicant was encouraged to discuss this with the construction electrical subcode official.

The adjacent building owner has agreed to close in their opening in their building on the adjacent wall for fire code purposes. The applicant will also place flashing over to the neighboring building to keep trash and debris out of the small space between the two buildings. They have an agreement to allow this with the adjoining property owner.

John Dupont, Engineer and Planner

A-2 photo of the previous building on the site that has since been demolished. The site is currently vacant.

A-3 through A-8 – photo of the current site conditions.

The surrounding area has a mix of commercial, residential and other uses. The building takes up most of the lot area. There is a 10' area in the rear that is not developed with building. The chiller, dumpster and loading will occur in this area. This area will be lit by building mounted lights.

The sidewalks along both frontages will be replaced. They will also provide planters along Tabernacle. They will provide the technical staff more details on these.

The increase in runoff is de minimus.

There is no on-site parking proposed and it is not required.

The loading area is below the City standard for width but can accommodate the anticipated size of trucks. Additionally, the trash area is proposed to be changed to 5'x18 to allow the sidewalk for deliveries to be 5'. There is no place else on the lot to locate the chiller unit to meet the setback standard.

The applicant will comply with the City Engineer's memo.

Board Planner expressed concern about the adequacy of the size of the trash area. As a restaurant may be proposed, they may generate significant trash volume. He is also concerned about a potential transformer pad. The applicant will submit the plan for the transformer pad to the TAC for their review and approval.

The applicant will also provide a bicycle parking facility.

The use variance is similar to a conditional use as residential use is permitted in the zone, therefore it is the Coventry Sq. test that applies. It is an appropriate location for the unit. There is also a hardship as the rear location is not a good location for a retail use so residential use is proposed. It is not detrimental to the zone plan. It is a unique situation and there is not detriment to the public.

The loading area is within 3 ft of the lot line and a waiver is needed for this.

The chiller location can not be placed elsewhere on the lot and meet the criteria.

The project can be approved without detriment or damage to the zone plan.

Public:

Charlie Kratovil, - how many ADA units to other units 1:12. All upper floor units are 1BR with ground floor unit as a 2BR.

Does the application have to come back to the Board? Clarkin – seeking preliminary and final approval and may have to go back to the TAC for detail changes.

Motion to Approve with conditions cited by the Board Secretary: Chester  
Second: Manzella

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester	X	
Sue McElligott		
Doug Sheehan	X	
John Zimmerman		
Maria Torrisi	X	
Peter Ventrice (alt)	X	
Jose Madera (alt)		
Tierream Houser (alt)		

Mike Manzella (alt)	X	
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VIII. **ADJOURNMENT**