

**CITY OF NEW BRUNSWICK
BOARD OF ADJUSTMENT
MAY 18, 2015
MINUTES
7:30 p.m.**

I. ROLL CALL

	Nancy Coppola, Chair
x	John Cox, Vice Chair
	Margaret Chester
	Sue McElligott
x	John Zimmerman
	Maria Torrisi
x	Mike Manzella
x	Doug Sheehan (Alt #1)
x	Andrea Eato (Alt #2)
x	Daniel Chedid (Alt #3)
x	Natalie Azcona (Alt #4)

x	Board Attorney Aravind Aithal
x	Board Secretary/Director of Planning Glenn Patterson
x	Principal Planner Mark Siegle
	Board Planner Henry Bignell
X	Board Planner Todd Bletcher
X	Board Engineer Tom Guldin
	Conflict Engineer Chas. Carly

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS APRIL 24, 2015 MEETING

Motion to approve: Manzella
Second: Chedid
Approved by unanimous voice vote

**V. COMMUNICATIONS AND REPORTS-
Resolutions of Memorialization of Approval**

- A. RECON SERVICES, LLC, Z-2014-16,** Site plan and variance application for the construction of a multi-family building located between Morrell Street and Ray Street in Block 80 on Lots 10, 11.01, and 21.01, Zoning District: R-5A

MOTION TO APPROVE: Zimmerman
SECOND: Chedid

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman	X	
Maria Torrisi		
Mike Manzella		
Doug Sheehan (Alt #1)		
Andrea Eato (Alt #2)		
Daniel Chedid (Alt #3)	X	
Natalie Azcona (Alt #4)		

- B. CLYDE AND MICHAEL ROCKOFF, Z-2014-13** Variance application for the construction of a warehouse with ancillary office space located on How Lane and Terminal Road Block 597.01 Lots: 2.01, 3, and 4.01: Zoning Districts: I-2 and C-6 Amendment to the previously approved resolution to correct scrivener’s errors.

MOTION TO APPROVE: Manzella
SECOND: Zimmerman

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman		
Maria Torrisi		
Mike Manzella		
Doug Sheehan (Alt #1)	x	

Andrea Eato (Alt #2)		
Daniel Chedid (Alt #3)		
Natalie Azcona (Alt #4)		

VI. OLD BUSINESS

a. None.

VII. NEW BUSINESS

- A. CHURCH OF OUR LADY OF MT CARMEL, Z-2014-09**, Site plan and variance application for the construction of an addition to the existing place of worship located at 75 Morris Street, Block 129, Lot 9.01, Zoning District: C-4

The applicant requested to postpone the hearing for the application. The application will be rescheduled for the June 22, 2015 Zoning Board meeting at 7:30 PM at City Council Chambers, 78 Bayard Street. The applicant will provide both public and personal notice.

- B. ROBERT WOOD JOHNSON UNIVERSITY HOSPITAL, Z-2015-02**, Site plan and variance application of the expansion of a previously approved projected known as the East Tower located at 25 French Street, Block 24.01, Lot 1.01, Zoning District: D-HI

Thomas Kelso, Esq – The application is for additional floors on the building at 25 French St. that is under construction. There is no change to the existing setbacks. There is a D height variance due to the additional floor heights. The Planning Board heard the original application.

David Bogle, RWJ Vice President of Construction Services.
The additional floors are to provide additional space to the academic medical center. It will be built in “shell” form now to allow the hospital to capitalize on growth opportunities in the future on a quick basis. The space will be used for offices and research.

Christian Roche, Engineer
A-1 Aerial Photo of the Hospital Campus
The project is about 2/3 complete for the original building. The original approval was for 9 floors of parking and 2 offices floors. They are seeking three additional office floors, which will bring the height to 185 feet, which is more than 10% higher than allowed by the ordinance. The Planning Board previously approved setback and building coverage variances. These bulk variances do not change. The parking originally proposed accommodates the additional office floor space.

Stephen Orutto, Architect

The original building is 11 stories, including 2 offices floors and is 120 feet. The three new stories add an additional 65 feet.

A-2 Rendered East Elevations

The additional floors will be a continuation of the design of the building. The garage is intended to not look like a garage. There is also an interstitial floor.

A-3 Rendered North Elevation

The rendering shows the original office design continues through the new floors.

A-4 Rendered Southern Elevation

The existing office design continues through the new floors.

Susan Gruel, Planner

The reason for the additional height relates to the healthcare use. The bulk variances have already been granted for setbacks and the site is constrained so the only way to expand is to increase the height. The hospital use is inherently beneficial. As to the negative criteria, there is no detriment to the public good as it is located in the appropriate location and does not affect adjoining property. It is a permitted use in the area and does not contradict the master plan. It meets both the positive and negative criteria.

Public:

None

Board discussion: The board commented that the site is appropriate for the building.

Motion to Approve with the conditions cited: Manzella

Second: Chedid

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman	X	
Maria Torrisi		
Mike Manzella	X	
Doug Sheehan (Alt #1)	X	
Andrea Eato (Alt #2)	X	
Daniel Chedid (Alt #3)	X	
Natalie Azcona (Alt #4)	x	

C. ROBERT WOOD JOHNSON UNIVERSITY HOSPITAL, Z-2015-07, Variance
application for the installation of a digital billboard at the property located at 25 French Street, Block 24.01, Lot 1.01, Zoning District: D-HI

Thomas Kelso, Esq. – the application is for the construction of a digital message board on the east side of the 25 French Street building that was the subject of the previous application. The board is classified as a billboard, which is not a permitted use.

Michael Annecht, VP of Communications at RWJ
The digital board is an extension of the hospital's communication efforts. It assists with their community outreach and hospital branding. The board is about 30 ft x 30 ft.

The board is intended to educate the community about what the hospital does, awards it wins, etc. The focus is intended to be on hospital services, but will also include partners of the hospitals.

A-1 Sample Community Ad – Prostate Month

A-2 North Elevation Rendering

A-3 Cancer Institute Ad for their partner the cancer center

A-4 Hospital services message, e.g., pediatric surgery center

A-5 Rutgers sports messaging, as they are the official hospital of Rutgers athletics

A-6 Community partner messaging such as NJ Jazz Project and other non-profits

A-7 Hospital messaging, e.g., US News hospital rankings

The board will not advertise commercial enterprises unrelated to the hospital. It will not include ads from doctors, at this point, but it may recognize some doctor affiliations.

Mr. Patterson inquired about statements from commercial partners on the board. The hospital doesn't want to be restricted from making an unpaid reference to a private partner, but would not "sell" the space for advertising.

The messages on the sign will change. It is anticipated that the minimum time on the sign would be about 8 seconds before changing. The display is intended to be 24 hour. They do not intend to have animated displays.

RWJUH would choose which non-profits can be on the board and it is intended to be with partners they support, e.g., the NB Jazz Project, which they are a supporter of.

Jarrett Bolton, Bacronics, board design company.

They are the leading manufacturer of LED display boards. NJDOT has a minimum 8 second display time. They intend to comply with any such standard.

The lumen standard is the way the sign brightness is measured. The standard is .3 foot candles above the ambient light in the area. It adjusts automatically. If the sign is too bright, it becomes unreadable. At night, the sign would be at about 4% of its useable brightness. During the day, it will be at about 70%. Therefore, the board will dim at night to an appropriate level automatically.

They are part of the Amber Alert system through the board.

There will be no flashing, scrolling or moving images. The board can be programmed that way.

Mr. Manzella asked about brightness levels. Mr. Bolton said the dimming can be done both automatically and mechanically. The dimming is done so that the image is readable. They do not want to lower it below their standards to maintain the readability.

Mr. Chedid asked who controlled the brightness. It would be Bacronics, not the hospital. The hospital will have input on brightness but Bacronics will have final control.

Susan Gruel, Planner

The previous experts have discussed the board's relationship to the hospital and its mission, which is an inherently beneficial use. This meets the positive criteria. The negative criteria are addressed through the dimming controls, which minimize the brightness and the lack of flashing and scrolling of the messages. In her opinion, it meets both the positive and negative criteria.

Public:

None

Board Discussion:

Mr. Chedid asked if a prohibition on moving images would be included. It would be.

Mr. Manzella asked about 24 hour messaging being appropriate. Mr. Chedid felt that people could close curtains if bothersome.

Motion to Approve with the conditions cited: Manzella
 Second: Chedid

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman	X	
Maria Torrisi		
Mike Manzella	X	
Doug Sheehan (Alt #1)	X	
Andrea Eato (Alt #2)	X	
Daniel Chedid (Alt #3)	X	
Natalie Azcona (Alt #4)	x	

D. ROBERT WOOD JOHNSON PROPERTY HOLDING CORP, Z-2015-03, Variance application for the use of the property as an office located at 11 Hardenberg Street, Block 49, Lot 18.01, Zoning District: R-5A

The 11 and 18 Hardenberg and 19 Division applications were presented simultaneously and to be voted on separately.

Thomas Kelso, Esq

All three applications are similar and have similar proofs. All three buildings are in residential areas but have been used through temporary permits as office space by the hospital for several years. No parking is being proposed on any of the sites. Office users will park in the RWJUH decks. This is a benefit to the community as it reduces parking in the neighborhood.

David Bogle, RWJUH VP of Construction Services

The hospital is in a dense urban environment. They are trying to pull non-essential uses out of the hospital and place them off-campus. There is another subset of people who can be placed off the main campus, but need proximity to the campus on a regular basis. These houses offer an opportunity to do this and. Doing so allows them to improve patient care.

18 Hardenberg is a former house they intend to use to house the managers of their food service operation. It will also house the medical leadership academy, which mentors physicians about the financial aspects of healthcare.

19 Division Street will have the trauma education department and physician liaisons.

11 Hardenberg will have their on-site construction contractor offices. After construction done, the building will be used in a similar fashion to the other two buildings.

There will be no on-site parking at any of the three sites.

Mr. Manzella asked how long the buildings were intended to be used for these offices and is there a long-term plan for where to locate these offices? Mr. Bogle said their clinical programs are expanding rapidly and they usually get any on-campus space available. Therefore, these uses or similar uses would likely stay at these locations for the foreseeable future.

He asked how long the hospital has owned these property and what the former uses were. Bogle said the properties were previously vacant and have been owned for 1-2 years, except for 11 Hardenberg, which has been 6 or 7 years.

Kurt Ludwig, Architect

A-1 floor plan 18 Hardenberg

He stated all three buildings have similar construction. He reviewed each floor. The buildings are wood-frame, former residential buildings.

A-2 floor plan 11 Hardenberg

A-3 floor plan 19 Division

19 Division has 3 stories instead of 2. An exterior handicapped lift and other accessibility improvements will be made.

All three buildings will meet code standards for office space.

18 Hardenberg has no on-site parking. 11 Hardenberg has one space and could have bollards placed in front of the parking space to prevent access.

19 Division has a garage in the rear that needs to have access maintained to. It is used for maintenance supplies. Mr. Patterson asked about physical barriers to prevent parking on-site. Mr. Bogle said they would add barriers to the Hardenberg property.

Susan Gruel, Planner

The buildings are intended to be used for support facilities to the inherently beneficial hospital use. The negative criteria are met as they are an adaptive reuse of the interiors will little change to the outside. They have been used on a temporary basis with little impact. The office use will be less intense than a residential use and there will be no on-site parking. The impact on the master plan is addressed as this support use allows the core uses of the hospital to remain on the campus and have the support uses move off campus, rather

than vice versa. There are also a number of other inherently beneficial uses that are not permitted along the Somerset corridor within the residential area. It is her opinion that the project meets both the negative and positive criteria.

Public:

Jadwage Karanovsky, 5 Condict

They are the adjoining property owner to 11 Hardenberg and RWJUH used to park on the 11 Hardenberg property. What assurances do they have that parking will not return? Mr. Patterson explained the proposed parking restriction in the resolution and the violation and summons process.

Mr. Kelso added that RWJUH would permanently fence off the Condict St. access to 11 Hardenberg.

Board Discussion:

Mr. Sheehan said a fence should be constructed on 11 Hardenberg. Mr. Kelso agreed to this. It was discussed that the final fence designs for both the Hardenberg and Condict St driveways would be reviewed by TAC.

Motion to Approve with the conditions cited: Manzella

Second: Chedid

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman	X	
Maria Torrisi		
Mike Manzella	X	
Doug Sheehan (Alt #1)	X	
Andrea Eato (Alt #2)	X	
Daniel Chedid (Alt #3)	X	
Natalie Azcona (Alt #4)	x	

- E. ROBERT WOOD JOHNSON PROPERTY HOLDING CORP, Z-2015-04**, Variance application for the use of the property as an office located at 19 Division Street, Block 51, Lot 5, Zoning District: R-5A

Motion to Approve with the conditions cited: Zimmerman

Second: Chedid

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman	X	
Maria Torrisi		
Mike Manzella	X	
Doug Sheehan (Alt #1)	X	
Andrea Eato (Alt #2)	X	
Daniel Chedid (Alt #3)	X	
Natalie Azcona (Alt #4)	x	

F. ROBERT WOOD JOHNSON PROPERTY HOLDING CORP, Z-2015-05, Variance application for the use of the property as an office located at 18 Hardenberg Street, Block 51, Lot 31, Zoning District: R-5A

Motion to Approve with the conditions cited: Azcona
 Second: Chedid

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott		
John Zimmerman	X	
Maria Torrisi		
Mike Manzella	X	
Doug Sheehan (Alt #1)	X	
Andrea Eato (Alt #2)	X	
Daniel Chedid (Alt #3)	X	
Natalie Azcona (Alt #4)	X	

VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC
 None

IX. ADJOURNMENT
 Motion to adjourn: Chedid
 Second: Manzella
 Approved by unanimous voice vote