

**CITY OF NEW BRUNSWICK
BOARD OF ADJUSTMENT
NOVEMBER 28, 2016
MINUTES
7:30 p.m.**

I. ROLL CALL

	Nancy Coppola, Chair
X	John Cox, Vice Chair
	Margaret Chester
X	Sue McElligott
X	John Zimmerman
	Maria Torrisi
X	Ivan Adorno
X	Doug Sheehan (Alt #1)
x	Charlotte McNair (Alt #2)
X	Nicole Burgos (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 Richard Moody
	Conflict Engineer Chas. Carly

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS OCTOBER 24, 2016 MEETING

Motion to approve: Zimmerman
Second: Adorno
Approved by unanimous voice vote

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

VI. OLD BUSINESS

None

VII. NEW BUSINESS

95 LOUIS STREET, LLC, Z-2016-07, Site plan and variance application for the construction of a multifamily dwelling located at 93-97 Louis Street, Block 419 Lots 36.01 and 39.01, Zoning District: R-5A

Tom Kelso, Esq.

The applicant seeks preliminary and final site plan approval and variance approval for a 34-unit multifamily building. It is in the R-5A zone and requires a use variance. There are also variances for side and rear setbacks, building height, and coverage variances for building and impervious coverage. There is also a parking variance required. 65 parking spaces are required, whereas 33 are provided. This is a similar ratio to other multifamily projects recently developed in New Brunswick.

Charles Massoud, Principal –

He and his partner, Pierre Chedid, have been active with real estate in New Brunswick for over 20 years. He also has a site construction business. He has seen the value of similar multifamily projects in New Brunswick. Mr. Chedid is a real estate professional. The project will have 34 units with a mix of 1, 2 and 3 BR sizes. Parking will be underground under the building. The units will be sprinklered and there will be security cameras. They are also proposing a bus stop/shelter in front of the project, subject to Council approval. This will allow the Brunswick shuttle to pull out of traffic when picking up passengers. There is a need for new housing in the city.

Ed Bogan, Engineer

Exhibit A-1, Rendered site survey

The lot has 125 feet of frontage and 175 feet of depth. Louis Street is a local connector road. The neighborhood is characterized by 1- and 2-family homes with some commercial development.

A-2 Rendered site plan

The building is 14,000 sf as proposed. There are three floors of apartments. There is a side yard variance, a combined side yard variance, and rear yard variance. Building height is 47.9, whereas 30 ft is permitted in the R-5A zone. The building coverage is 64%, whereas 25% is permitted. There is an impervious coverage variance also. There is also an FAR variance.

There are 16 studio/1Br, 12 2BR and 6 3BR units for a total of 34 units.

A-3 Plan showing ground floor access and parking area

The parking requirement is 65 units based on RSIS standards. These standards are in excess of what the parking demand is, based on his experience designing 15 similar projects in New Brunswick. The parking spaces are 9x18 with 24 ft aisles, which meet city standards. There are also van-accessible handicapped spaces and bicycle parking in the garage.

Access to the building is through the front and along the side. There is a transformer pad in the front yard that will be screened. There will also be an emergency generator.

A bus stop is proposed in front of the site that would be 45 feet long. The shuttle bus that currently operates on Louis Street often has to block traffic to allow people on and off the bus. The applicant agrees to construct and maintain a bus shelter at the stop.

The property drains towards Hamilton St from the rear towards the front. The drainage system picks up runoff from adjacent property plus runoff from the property itself. Storm runoff will be collected in a retention basin and then discharged into the storm water system.

Lighting is provided around the building for security. There is a 6 ft board-on-board fence to prevent light spillage, except in the front. In the front of the building, the light will spill onto the sidewalk, which they feel is a benefit to security, especially for the bus shelter.

Foundation plantings are only proposed in the front as the site is enclosed in a fence. Landscaping on the sides and rear would not be seen. Additional landscaping is proposed for the front. Street trees will also be added.

Trash and recyclables will be picked up privately. It is stored inside the building near the garage entrance. It can be picked up from the driveway or taken to the curb to access the truck. Delivery vehicles can also use the garage driveway.

Ms. McElligott asked about landscaping on the side and rear.

Mr. Moody asked about an car share space in front of the site. The applicant is willing to discuss an on-street car share space but is not proposing it as part of the project at this time. While the car share space is shown on the plans, it is not part of what the applicant is proposing, nor is the applicant using the car share space as a mitigation for the parking variance.

George Sincox, Archt.

A-4 Colored Elevation Rendering

The challenge was to keep the building in scale with the other buildings in the neighborhood. The building is set back and the mass pushed to the middle. The garage area is setback further than the main part of the building.

The design tries to use the single-family house vocabulary to have it be compatible with the neighborhood. There are gables and dormers on the façade. There is a mansard roof. The height is pushed back towards the rear of the property.

The building is 3-stories with underground parking. There is also storage in the basement. He reviewed the floor plans of each floor. Each floor has a laundry area. There is also a lounge and a gym on the 2nd floor.

The exterior is hardiboard and brick. The interiors will have granite countertops and hardwood floors.

He reviewed the left side elevation and said there would be a 6 ft board-on-board fence. He then reviewed the right side elevation, which will have a similar fence.

Charles Olivo, Traffic Eng.

His office conducted a traffic assessment of the project. The site is just south of the Hamilton/Louis signalized intersection. Louis connects to Somerset Street. The street gets volume from Rt 27 also. The street has one lane in each direction.

There are 33 parking spaces proposed for 34 units. The parking will be regulated by a hang tag system. The two existing driveways are consolidated to one proposed driveway that will provide 2-way access

to the underground garage. The setback garage provides drivers and pedestrians good visibility of each other when cars exit the garage.

The trip generation for this number of units during the peak hour would be about 36 trips. This is about one-third of the threshold that ITE says impacts level of service. There is not expected to be a significant impact on the LOS on Louis Street.

The RSIS standards provide for alternative parking standards for areas that are served by transit and accessible to retail and services. This site is less than a mile from the train station and bus hub downtown. The applicant is also attempting to add to the transit in the neighborhood by adding a bus shelter to convert more trips to the bus mode.

Census data show that 34% of city residents do not own vehicles and that many others use transportation other than single occupancy cars to get around. The 1:1 parking ratio is similar to other recently developed multifamily projects.

Mr. Cox asked if left turns from the driveway would be prohibited as there is a double yellow line. Olivo said it was intended as a full movement driveway. The double yellow does not prohibit left turns across it from a private driveway per State regulations. Ms. McElligott said left turns into the garage would hold up traffic on Louis Street. Traffic backs up from the traffic signal. Mr. Olivo said there is a low volume of traffic that would be making these turns.

Keenan Hughes, Planner

The site is in the 1-2 family R-5A zone. The positive criteria for the use variance is justified by the need for housing. The master plan calls for diversity of housing types including workforce housing such as this. This project should have appeal to this market due to its location near the two hospitals. The project advances the City's housing objectives. The site is 4X the size of the minimum lot size in the zone and is unusually deep. Purposes A(public welfare), E (appropriate population density) and purpose G (appropriate location) are advanced by the application.

The negative criteria are addressed as this is an attractive building that is designed to fit into the existing style of the neighborhood. It is consistent with the objectives of the master plan re-exam report.

The FAR and height variances are subsumed in the use. The site has been shown that it is appropriate to accommodate the density and height. The re-exam discusses the concept of graduated density, providing more density for larger lots such as this. There are aesthetic improvements related to the design. This supports MLUL purposes I and G.

The bulk standards are for one and two-family homes so are also subsumed into the use variance. The coverage variances are justified by allowing the parking to be placed underground and avoiding large surface parking areas. This supports A, E and G purposes of the MLUL.

He agrees with Olivo's assessment of the traffic. RSIS allows for alternative parking standards. The 1:1 parking ratio is similar to other projects and it has worked successfully there.

Ms. McElligott asked what makes this workforce housing. Mr. Hughes said the project will not only appeal to students but workers. Mr. Kelso said there was a large employer base nearby.

Mr. Cox asked how many people live on site now and how many parking spaces. There are 6 people in one house and 8 in the other, with 7 cars total.

Public Comment:

John Semlow, Resident at 81 Louis St.

He objects to traffic, parking, aesthetics and landscaping.

He has lived on Louis St for 36 years and there is no parking. There is a bend in the road where no parking is permitted. Parking is very difficult.

Accessing the driveway will be problematic as traffic is backed up in both directions at peak hours. The left turn will be problematic.

The scale is off from the standard in the neighborhood. The building is set too far forward and is not set back like the others. Mr. Kelso noted there is no front yard setback.

He said better housing is needed, but the city needs more owner-occupied housing, not rentals. The existing houses are on big lots so they are attractive to developers.

Robert D'Elia, owns 246 Hamilton, aka Ale and Wich Pub

Louis and Hamilton used to be desirable for rentals. That is no longer the case. He is supportive of the project.

Isztan Hortava, 226 Hamilton St.

Student residents have friends who bring cars to their apartments. The traffic in the area is congested. The jog in the road makes for bad visibility.

There is a lack of a courtyard in the proposed plan. Where are the residents supposed to gather?

He read a statement listing his objections: insufficient parking; side streets will become congested; the FAR is 7X the ordinance limit, which provides little common space on the site. Public spaces in the neighborhood will be overused. Impervious coverage will generate runoff on to adjacent properties. The building height is 4-story height. It is unnecessary and can be corrected by reducing the number of units to 18.

Adam Rosenberg, Esq representing two neighbors from 86 and 88 Louis Street

He has also lived in the area.

The concerns about traffic turning in and out of the site have been overblown. There are many driveways on Louis and this turning problem does not happen. His clients are in full support of the project. There are many dilapidated houses in this neighborhood. The project will encourage people to come live on this side of town. Many houses in this neighborhood need upkeep. When the project is looked at in its totality, it will be seen as an improvement.

Tony Chedid, owns 233 Hamilton St.

He supports the application. The new construction will benefit the public good and revitalize the area. He also owns a business on Louis Street also. There are a diverse group of people who walk into his store, not just students. He is also a realtor and he finds it difficult to get owner-occupants to move into the neighborhood. The noise of the college students make this unattractive. As a landlord, he finds there is a high demand for 1BR apartments. The people who will live in these apartments will not all be

college students. They want to live closer to campus. He wants to assuage the neighbors' concerns about the project. This will not be a rowdy apartment project. It will revitalize Louis Street.

Peter Taverov, 245 Hamilton St.

He bought the house 3 years ago and lives at this address. He thinks the lighting to be provided and spilling on to the sidewalk is a positive. He thinks the parking is not a problem. He walks to the station and supermarket and rarely uses his car. He also finds there is usually parking available by his house on Hamilton St. He is supportive of the new development going on in the city.

Juan Karam,

He supports the project. The area is getting run down and needs new investment. He owns two properties on Louis Street. He does not feel the project will negatively impact traffic.

Mitchell Broder,

He supports the project. He used to live on Louis St and Brookside. He has redeveloped a project around the corner from this site and down the street. He was hoping his company's investments would trigger others to make investments like this.

He said he does not experience problems getting into or out of his multifamily project at 76 Louis Street. He supports the idea for the bus shelter at the site.

Charlie Kratovil,

He has lived in several properties in this neighborhood. He has frequently used the shuttle and is pleasantly surprised the project is proposing a bus shelter as part of the project. This location is one of the most used pick up spots for the shuttle. The shelter will help people know the shuttle is available for them to use.

Parking in the neighborhood is a concern. City should work to improve shuttle ridership. More outdoor common space would be good but he is glad there is some.

He asked about anticipated rents. Chedid said he may be \$1300-\$1800 but that is two years down the road. They hope to start construction in June.

Mr. Cox asked if the applicant was waiving parking permits. Mr. Kelso said they were voluntarily waiving the permits.

Mr. Patterson read various conditions to attach to any motion to approve the project.

Motion to Approve with the conditions cited: Adorno

Second: McElligott

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott	X	
John Zimmerman	X	
Maria Torrisi		

Ivan Adorno	X	
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)	X	
Nicole Burgos (Alt #3)	X	
Natalie Azcona (Alt #4)	No Vote	

139 SUYDAM STREET, LLC, Z-2016-06, Variance application for the construction of a two-family residential dwelling located at 139 Suydam Street, Block 158, Lot 14, Zoning District: R-5A

The applicant asked to adjourn the application to a future date. The Board adjourned the application. The applicant will provide personal and public notice of the new meeting date and location.

DAVID BEKUS, Z-2016-11, Variance application for the construction of an addition to an existing single family dwelling located at 278 Comstock Street, Block 220, Lot 33, Zoning District R-5A

Mr. Patterson stated the applicant requested to adjourn the application until the Board's December meeting. The Board adjourned the application until December 19, 2016 at 7:30 pm at City Hall. Mr. Patterson announced to the public the date, time and location of the rescheduled meeting. No further notice is required for the application.

VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC

None

IX. ADJOURNMENT

Motion to adjourn:

Second:

Approved by unanimous voice vote