

**CITY OF NEW BRUNSWICK
BOARD OF ADJUSTMENT
MARCH 27, 2017
MINUTES
7:30 p.m.**

I. ROLL CALL

	Nancy Coppola, Chair
X	John Cox, Vice Chair
	Margaret Chester
X	Sue McElligott
	John Zimmerman
X	Tracey Piparo
	Ivan Adorno
X	Doug Sheehan (Alt #1)
X	Charlotte McNair (Alt #2)
X	Evelyn Azcona (Alt #3)
X	John Bogar (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 Rich Moody
	Conflict Engineer Chas. Carly

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS FEBRUARY 27, 2017 MEETING

Motion to approve: McElligot

Second: Sheehan

Approved by unanimous voice vote

V. COMMUNICATIONS AND REPORTS-

Resolutions of Memorialization of Approval

- A. 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

Motion to Approve: Carried
 Second:

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott	X	
John Zimmerman		
Tracey Piparo	X	
Ivan Adorno		
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)		
Evelyn Ascona (Alt #3)		
John Bogar (Alt #4)		

- B. 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

Motion to Approve: Sheehan
 Second: McElligott

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester		
Sue McElligott	X	
John Zimmerman		
Tracey Poparo	X	
Ivan Adorno		
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)		
Evelyn Ascona (Alt #3)		
John Bogar (Alt #4)		

- C. 91 MANAGEMENT, INC, Z-2016-013, Variance application for the addition of four (4) bedrooms to the existing five-bedroom single family dwelling located at 93 Richardson Street, Block 88, Lot 9.01, Zoning District: R-4
 Motion to Approve: McElligott
 Second: Sheehan

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
Margaret Chester		
Sue McElligott	X	
John Zimmerman		
Tracey Poparo	X	
Ivan Adorno		
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)		
Evelyn Ascona (Alt #3)		
John Bogar (Alt #4)		

D. ANNUAL REPORT OF THE ZONING BOARD OF ADJUSTMENT

Motion to Approve: Sheehan
 Second: McElligott

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	x	
Margaret Chester		
Sue McElligott	X	
John Zimmerman		
Tracey Poparo	X	
Ivan Adorno	X	
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)		
Evelyn Ascona (Alt #3)		
John Bogar (Alt #4)		

VI. OLD BUSINESS

None

VII. NEW BUSINESS

Hoffman Housing Associates, LLC, Z-2017-01, Amended site plan and variance applications for the construction of age-restricted multiunit housing located at 75 Neilson Street, Block 106.02 Lot 1.03, Zoning District R-6

Ms. McNair announced that she was a member of the Mt. Zion AME Church, which is here as an objector to the application and therefore was recusing herself. She left the chamber.

Mr. Kelso, Esq – summarized that the project is to construct affordable age-restricted multifamily housing. He reviewed that the Board approved a 72-unit project with multiple variances on this site in 2010. The current project is 66-units. Approval of the project is needed in order to obtain low-income housing tax credits to fund the financing. The project is on the site of the former Hoffman Pavilion public housing project for senior residents. It had 60 units. The site was cleared a number of years ago with the intention to rebuild senior units back on the site. The Housing Authority selected Pennrose as their designated developer. The Housing Authority will continue to own the property and will provide a long-term ground lease to Pennrose. Pennrose will finance, construct and manage the project.

He said the project has been modified to make the building better. He also said they are on a tight timeline to get approvals to qualify for the HMFA financing.

The use is the same as was approved, but there are less units and less FAR. There are multiple bulk and coverage variances. They also seek a variance for the size of the signage for the building.

Mr. Aithal asked if the applicant is the same as in 2010. It is. Mr. Aithal asked why the approvals were not still valid under the NJ Permit Extension Act. Mr. Kelso said they probably were, which is why he has referenced reaffirming the variances. Mr. Patterson noted that the footprint was modified. Mr. Aithal said the D use variances was still valid, but if any of the bulk variances change, the Board should consider this. Mr. Kelso noted the use was the same and the FAR variance was reduced from 2010.

Noah Freiberg, Pennrose Properties.

Mr. Freiberg reviewed the history of the application. Pennrose has developed both market rate and affordable units in New Brunswick. They acquired rights to the site in 2009 and demolished the Hoffman tower in 2010. It was approved as a 72-unit project at that time. They are seeking low income housing tax credits through the NJHMFA. The funding criteria of the NJ tax credit scoring have been unfavorable to urban senior projects. Without the tax credits, the project is not financially feasible.

The project is at the corner of Neilson and Hildebrand. It will be a 6-story building, with 61 one-bedroom units and 5 two-bedroom unit. One unit will be on the ground floor for a superintendent. The units will be of modern design, with resident controlled utilities, laundries on each floor and other amenities. All residents will be income-restricted to 60% of area median income (AMI). However, about 70% of the units will have

financing assistance from the Housing Authority so they will be affordable to persons at even lower levels of AMI. There will be full-time property managers on the site.

There will also be support services available to residents for health and wellness.

Tenant selection for the Housing Authority assisted units will be done through the public housing waiting list.

Greg Domolewski, Engineer

A-1 Aerial Photo of the Project Area

The project fronts on Neilson, Hildebrand and John Streets. There is a parking deck a block away on George Street and there is a food store less than a block away. The Mt. Zion AME Church is across the street, and the Abundant Life church is also nearby.

The zoning district is R-6, where low-rise apartments are permitted. A use variance for this project was previously approved in 2010.

A-2 Overall Site Rendering

The building has entrances off John St and Neilson Street. The footprint is located so as to avoid the Lyle Brook culvert.

Vehicular circulation is a one-way system off of John Street and exiting onto Neilson Street. The lease line for the property will be modified slightly.

A-3 Hoffman Pavilion Parking Level Site Rendering

There will be an outside terrace. There is pedestrian access off all 3 streets, with the primary access off of Neilson Street.

There are 14 parking stalls, including 2 ADA spaces. No on-street parking spaces will be removed. The bike lane will not be impacted.

The leased lot area, lot width and depth are variances, but smaller variances than previously approved. The set back variances are slightly increased. The height variance is the same. The building coverage and impervious coverage variances are more than previously approved. The FAR variance is reduced from that previously approved.

The RSIS parking count is 120 spaces, with 14 provided. This is the same number of parking stalls as previously approved, but the unit count is smaller now.

The 130 sf sign on the Neilson St. requires a variance for size.

Trash and recycling will be stored inside the building and picked up privately.

A portion of the building is in the flood zone and requires an NJDEP permit.

There will be extensive landscaping.

Existing street lighting will remain and bollard lights will be added.

The Lyle Brook culvert transverses the block going from Neilson St to John Street. The building has been pulled back to avoid the culvert and the City's maintenance easement. They are providing a permanent easement for the culvert.

Ms. McElligott asked who was picking up the trash. Mr. Freiberg said it would be a private pickup.

Mr. Bogar asked about the parking stall size deviation from the standard. Mr. Domolewski said this was due to column spacing under the building.

Steven Schoch, Architect

A-4 Rendered Building Perspective

It is a 6-story multifamily building. A change from 2010 is how the building presents to the corner of Neilson and Hildebrand. They have been able to shift the building away from the culvert, which creates a more prominent presence at the Neilson corner. There is a covered vestibule off Neilson. There are also entrances off John St and from the parking area. All are controlled entrances.

The current design is the same height, but less intense with 6 less units. The design allows for vehicle circulation through the building. The upper floors will be served by 2 elevators. Trash is deposited into chutes going to a compactor. A backup generator is on site. All units are ADA-adaptable.

The building has energy star "green" utilities and appliances.

The exterior is brick and stone.

A sign of 130 sf is proposed mounted on the building. It will not be illuminated.

Keenan Hughes, Planner

Mr. Kelso and Mr. Hughes reviewed which variances were approved in and still valid from the 2010 approval, and which variances were new for the amended application. Mr. Hughes stated the applicant is seeking minor changes from the previous approval. The use is the same and remains inherently beneficial. The building unit count has been reduced and FAR has been reduced. No new D variances are required. The parking variance is also still valid as 14 spaces are still provided, and now the unit count is less.

The setback variance is justified due to the culvert needing to be avoided. It also provides a better aesthetic presence at the corner.

In A-3, the two pinch points are shown where the maximum variance is on the setback. The setback distance variances throughout the site. The change gives the building more visibility and it is an attractive building. The culvert is also protected.

The coverage variances are created due to changes in the lease line. No negative impacts are created by the change.

The proposed sign variance for the 130 sf sign, where 18 sf is permitted is justified as it is an aesthetic, decorative element of the building and there are no detrimental impacts from it. It supports purpose "I" of the MLUL.

The bulk variances are fairly modest and support purposes a, e, i and l of the MLUL. There are no detriments to the public good. The building supports the Master Plan goal of increasing affordable housing. There is no detriment to the zoning ordinance or zone plan. The positive and negative criteria are satisfied.

Mr. Cox asked if Board members are clear what variances are needed. Mr. Hughes and Kelso said both building and impervious coverage, front yard setback, lot size area and sign size are the new variances. The other variances still remain in effect from the 2010 approval.

Public:

Eric Billups, Reverend of the Mt. Zion AME Church

He stated the church is the oldest African American church in Middlesex County. The church was built without adequate parking and relies on on-street parking for their 1,000+ parishioners. Other properties are not available for parking and bike lanes have been added to Neilson Street. His congregation has many senior members who need to park near the site. The parking challenge threatens their future viability. They can't support the variances as the project exasperates the parking problem.

He asked if the 14 spaces are sufficient. Mr. Kelso said the original Hoffman building had no parking and was there when Mt. Zion built their church. The City's parking standard for senior buildings prior to RSIS was 1 space for 10 units, which would be 7 spaces for this size project.

Mr. Freiberg stated the majority of the units will be for very low income persons and the residents are not likely to own cars.

Rev. Billups asked when construction would begin and what are the impacts during construction. Mr. Kelso said that was uncertain at this time as funding needs to be secured. Construction might start next spring. The developer will provide a construction logistics plan.

Beverly Marshall,

She lives at 33 Commercial Ave., She asked if the units were all for seniors. The applicant stated yes, but Mr. Patterson clarified that it was for 55 yrs and older. She said she did not have a car, but that many seniors do drive. Mr. Freiberg discussed the income spectrum for eligibility to live in the units. All units are affordable to low income households. 70% of the units are for public housing waiting list persons 55 yrs and older. Fiver units are set aside for homeless residents.

Linda Bright,

She asked who the church can talk to about parking options for the church.

Monica Townsend,

She asked how the project would be financed if the tax credit application failed. Mr. Kelso and Mr. Freiberg discussed where the financing is coming from.

Leslie Williams,

She asked about the housing authority waiting list priority and wanted to know if the people the church serves can get on the priority list. Mr. Freiberg said there would be. The non-Housing Authority subsidized units do not pick from the waiting list. These units have to be open to everyone, but Pennrose can work with the church to let them know when lease up will start so they have the full opportunity to get on the rental list. They can't have priority though.

Myra Billups,

Can the lot be used for parking before the project starts or if it does not go forward. Mr. Kelso said that was unlikely as it was federally-owned land but he can't speak for the Housing Authority.

Judy Dixon-Williams

Will management direct people without parking spaces to other parking facilities? No they would not. It is not Mt. Laurel housing

She asked about unit square footage. Mr. Schoch said 1 BR was about 650 sf and 870 sf for the 2 BR's.

Charlie Kratovil,

He asked if the site is in a redevelopment area. Yes, but it is not a redevelopment project.

Why were the lease lines changed? Mr. Kelso said it was to deal with the culvert issues.

He asked if this was part of the HOPE VI project and why is it referenced in the lease? It is not but the lease references the HOPE VI project that is adjacent to the Hoffman site.

What part of the HMFA criteria have changed? The priorities have changed in the scoring.

Mr. Kratovil said he was concerned with the Housing Authority and the operations there.

Has Pennrose done a similar project in New Brunswick with the Housing Authority funding? Mr. Freiberg said the Providence Sq. II project was similar.

He asked who demolished the previous tower. Mr. Patterson said he thought it was the Housing Authority. Kratovil asked about a \$1.9 million loan to Pennrose for demolition.

He asked about the deadline for the financing. Mr. Kelso said it was May.

He also asked about the flood plain issue.

Motion to Approve: McElligott

Second: Bogar

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	x	
Margaret Chester		
Sue McElligott	x	
John Zimmerman		
Tracey Poparo	x	
Ivan Adorno		
Doug Sheehan (Alt #1)	x	
Charlotte McNair (Alt #2)		
Evelyn Ascona (Alt #3)	X	
John Bogar (Alt #4)	x	

VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC

None

IX. ADJOURNMENT

Motion to adjourn: Sheehan

Second: McElligott

Approved by unanimous voice vote