

**CITY OF NEW BRUNSWICK  
BOARD OF ADJUSTMENT  
JUNE 26, 2017  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Nancy Coppola, Chair
X	John Cox, Vice Chair
	Margaret Chester
X	Sue McElligott
X	John Zimmerman
	Tracey Piparo
X	Ivan Adorno
X	Doug Sheehan (Alt #1)
	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 Richard Moody
	Conflict Engineer Chas. Carly

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS MAY 22, 2017 MEETING**

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

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

**A. D AND J AUTO SERVICES, Z-2017-03**, Variance application for the use of the existing building for the operation of an automobile accessory store located at 20 Georges Road, Block 354, Lot 5, Zoning District: C-1

Motion: Adorno

Second: Sheehan

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

**VI. OLD BUSINESS**

None

**VII. NEW BUSINESS**

**A. COLLEGIATE DEVELOPMENT GROUP, Z-2017-04**, Preliminary and final site plan and variance application for the construction of a mixed-use building located at 78 Easton Avenue, Block 56, Lots 1.01, 1.03 and 14, Zoning District: C-3B

Chairman Coppola asked if there were any conflicts to announce by Board members. There were none.

Thomas Kelso, Esq stated that a 181-unit, 9-story mixed use building with approximately 9,000 sf of retail space and underground parking is proposed for the site. It is targeted at student tenants. It is a block away from the Rutgers campus. It is a privately owned and managed building. D variances are requested for height and FAR. It is a permitted use. There are also a series of bulk variances for setbacks, coverages and parking. The plan has been reviewed through several iterations of the TAC committee. They believe it is a good transitional building from the campus to the rest of the town. They will present several professionals to discuss the project and variances.

They are asking for design waivers for parking stall size, landscaping and buffering. They are minor in nature.

Brant Stiles, Principal of Collegiate Developers

Collegiate has developed over 2,800 beds with another 1,800 beds in development. The site is well suited for a student-oriented mixed-use project. The project creates enough density to support the retail. It also will pull students out of the neighborhood housing and put them in a more controlled environment that is safe and comfortable. Their research found a supply gap for student housing that is purpose built and provides a high level of amenities. Many other college markets have seen this type of development.

Christian Roche, Engineer

The site is .89 acres at Hamilton Street and Easton Avenue. There is a 3-story medical office building and 2 residential units on the site currently. The properties have access of both Easton and Guilden Street.

Brian O'Connor, Architect

The building is in a transitional location between the university and residential neighborhoods.

A-1 Aerial photo

A-2 Aerial photo display

There are several tall buildings such as The Aspire, The Vue and The Yard. This building is a lower building than the others at 9-stories.

Parking occurs on two below-grade levels. One level is access off of Easton. The other 102 spaces are accessed off of Guilden. The retail space dominates the Easton frontage. The prime residential entry is off Hamilton Street. There is a lot of transparent frontage. Bike storage of 160 spaces is provided on both level 1 and 2.

Level 2 is dominated by the amenity space for residents including fitness areas, yoga rooms, study rooms and lounges. There is also an outdoor area. This also allows the building to be pulled back from Hamilton Street.

The remaining floors are dominated by residential units.

A-3 Perspective from Hamilton looking West. The perspective highlights the glass areas and how it comes up into the upper floors. The glass transitions to materials that are more characteristic of residential uses as the building gets closer to the residential areas.

The materials used include a wood-like finish at the lower levels, with panels used on the upper floors.

A-4 Perspective looking down Hamilton towards Easton

The building creates a residential look at the lower floors. Different colors are used on the façade to break up the building mass. Windows are shifted slightly to reduce the verticality of the building.

Christian Roche continued his testimony.

A-5 colored site plan rendering

The building takes up the majority of the site, approximately 80%. This creates coverage variances for building and impervious coverages. The height limit is 40 feet and 150 feet is provided. FAR variance is also required. Front and rear yard setback variances are also required.

Parking for 134 cars are proposed with 32 accessed from Easton and 102 from Guilden. The Easton access will have curb islands to limit left turns in and out. The parking entry points will have garage doors that will go up and down at entry and exit. The entrances will have enhanced striping to alert pedestrians of the conflict.

The parking standard is based on RSIS, which is based on a suburban standard, whereas this is an urban area.

Bollard light will be used along the rear lot line to reduce spillage.

Stormwater management is provided through a detention pipe to reduce runoff.

Water service will be off Easton. Sewers will be off Hamilton Street. Electric and telecom will be off Guilden Street.

The parking deck requires several waivers for aisle and stall widths. The widths are typical for a private parking deck and he feels they are appropriate.

i

There is a waiver sought for the landscape buffer along the rear where the buffer reduces to 5 feet at one point. A waiver is also sought for foundation plantings along the west side of the property where grass is proposed.

160 bicycle rack spaces are proposed as a parking mitigation. A car share space has also been provided in anticipation of having car share. They would also provide a space for bike share should Rutgers proceed with their proposed bike share program.

Ms. Coppola asked about the parking deck entrances and who uses them. Mr. Roche said both entrances are for residents. However, you can not go between the two parking levels. No on-site retail parking is proposed.

Ms. McElligott asked about the reason for no trees on the Guilden Street side as it is residential. Roche said trash loading was done here and it was tight to put in trees. She said she is concerned about light spillage to the residential. Roche said bollard lights were being used. Several board members said additional low landscaping would be good to add.

Mr. Kelso read a letter from NBPA stating that NBPA has 50 parking passes available for the development, if needed.

Dan Desario, Traffic Engineer

They conducted a detailed traffic study for the project. The key elements are that the project is geared towards the college population. The large amount of bike parking caters to the way college students live. It is near the train station and the Rutgers bus transportation hub. This

reduces the need for students to own cars. In terms of traffic impact, this will reduce the demand for cars by residents.

No parking is proposed for the retail. The intention is to have half be for restaurant use and half non-restaurant. The other retail along Easton does not have parking or have very limited parking. Most patrons will walk to the site.

The traffic study has assumed that the retail will have typical traffic generation and that the residential will have typical car usage. They have been very conservative in doing this. This analysis would generate 1-2 trips per minute in peak hours if these conservative standards are used. They expect car usage will be lower than typical.

The parking stall width of 8.5 feet is typical of a parking garage such as this.

The Easton driveway only serves 32 parking spaces. Left turns in and out are prohibited and a physical curb will be provided to discourage illegal turns. Middlesex County also has to approve this. The other curb cut is along Guilden Street. The two parking areas do not interconnect. His analysis does not show any problems with turn movements anticipated. Currently, there are two curb cuts along Easton Avenue. There is also a curb cut currently on Hamilton Street. This will be closed off if the project is constructed.

The biggest impact of traffic will be at the Guilden/Hamilton intersection.

Ms. Coppola asked if both parking areas will have elevator access. He said they would.

The parking ratio here is about .75 spaces per unit. They are doing similar projects in Hoboken and other north Jersey cities at similar ratios.

Greg Woodruff, Planner

The use is permitted in the zone.

The FAR variance is for 7.6 provided with 1.2 permitted. The site is transitional between the university and the residential area. This FAR is similar to other recent high-rise buildings in the area. Mitigations on the density include providing bike storage and bike sharing. There is also a car share station. The site is near both NJT and Rutgers bus routes. Regionally, the site is proximate to the train station. The site has been designed for a student population.

The height variance is justified as the height fits into the area as there are several taller buildings. The building design also works to reduce the vertical appearance of the building. They are seeking 115 feet whereas the Aspire is about 250 feet.

The retail will activate the Easton Avenue frontage.

There will be no detriment to the public good as students will be attracted to a modern, safer, appropriately dense environment. There is no impairment to the purpose to the zone ordinance and zone plan as the use is permitted and steps have been taken to mitigate the FAR and height.

The bulk variances are justified on a C1 and C2 basis. The yard setbacks are justified on a C1 basis as the site has 3 frontages, leaving the 4<sup>th</sup> side to be the rear yard by default. The building will also have a relatively wide sidewalk of about 20 feet that will be perceived as a setback. There is no detriment to the public good from this and the zone plan and ordinance are not impaired.

The overall coverage of the lot is close to the standard, but as the parking is underground, the building area is larger. There will be less storm water leaving the site with the proposed building. There is no detriment to the public good from this and the zone plan and ordinance are not impaired.

The parking provided is adequate as the RSIS standards are a state-wide standard that are not intended for urban areas. RSIS states that local jurisdictions can apply local standards based on local conditions. The type of building and user will not generate the number of cars assumed by RSIS. There are mitigations provided through bike storage, bike share, car share and mass transit proximity. There is no detriment to the public good from this and the zone plan and ordinance are not impaired.

There are also services such as Uber and Lyft that further reduce car demand.

The use is permitted, the site has unique features that cause hardships in meeting the standards.

The project meets the purposes of zoning "I".

Public Comment:

Steve Shilling. He owns 160 Hamilton Street.

He is concerned with the parking provided as there are about 578 bedrooms with 132 spaces proposed.

Charlie Kratovil

Local conditions and settings should be taken into account. He feels the 9-story building is taller than the surrounding buildings. It was noted that buildings across the street were 4 or 5 stories.

He also commented on transit access including the distance to various bus routes. Discussion with the board led to discussion of adding a bus shelter on Easton, which they agreed to pursue.

Mr. Kratovil asked if the Gateway deck, where spaces are said to be available, were ever full. No data was available on this.

Kratovil felt the Guilden Hamilton intersection was dangerous and the new volume would exacerbate this problem.

Cord Brody. Owner of 1 Guilden

He feels the Hamilton Guilden intersection is dangerous. He also expressed concern about new traffic volume.

Jill Lewis-Spector,

She expressed concern about the pedestrian crossing at Hamilton and Easton as it is difficult to do now. Mr. Roche said this would be discussed with the County.

Motion to Approve with the conditions cited: Cox

Second: Adorno

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

**B. SAINT PETERS HEALTHCARE SYSTEM, INC., Z-2017-06**, Sign variance application for the property located at 215 Easton Avenue, Block 82, Lot 12.01, Zoning District: HI

Ms. Coppola asked if any members had conflicts with the application, None indicated any.

Sandy Galacioio, Esq. The hospital wants to put a new sign on the Easton Avenue frontage of the 215 Easton building. Variances are requested for an internally illuminated sign and sign size.

Dennis O'Hara, NW Sign Industries

The proposed signs are similar to the ones used on the CARES building across the street. The sign is 5 x 25'. There will be LED illumination through the sign. Most of the sign area is opaque.

The sign will comply with the Section 11 lighting standards of the City.

Eileen Benyra, Planner

A-1 Photo Exhibit

The variances are justified on a C2 basis.

The site is not signed now and is difficult to find due to the activity on the street and the landscaping. The trees block visibility to the building from the street. A sign is needed to

provide adequate identity to visitors to the building. The size is justified as a small sign is not likely to be noticed.

The signage is similar to the other signage used by St. Peters, as they have a signage theme for all their buildings.

There is no detriment to the public good from this and the zone plan and ordinance are not impaired. The hospital use is inherently beneficial. It promotes the purposes of zoning by promoting the general welfare and improving traffic flow due to better direction traffic.

Public Comment:

Jill Lewis-Spector

She owns the property across the street at 216 Easton. The sign is a problem for her property as her house has bedrooms facing Easton Avenue.

The size is 5 times the allowable and it should be reduced.

Bruce Newling

He asked if a monument sign could be used. Mr. Galacio said the sight triangle restrictions did not allow this. He asked if a free-standing pole sign could be used instead. Mr. O'Hara said this was not in keeping with the hospital sign theme. Mr. Newling said this should be denied and the hospital apply for a free-standing sign.

Mr. Cox asked what hours the Cancer Center operated. Bob Mulcahy of St Peters—was sworn in—said the facility usually closed at 9 or 10 pm. He also said the sign was not lined up directly across the house. He also said the sign could be turned off after 10 pm via a timer.

Motion to Approve with the conditions cited: McElligott

Second: Cox

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

**C. BROTHERHOOD OF HOPE, INC, Z-2017-08**, Variance application for the construction of an addition located at 18 Lafayette Street, Block 91, Lot 19, Zoning District R-4.

Ms. Coppola asked if anyone had conflicts and no board member indicated they did.

Peter Vignuolo, Esq stated the applicant is looking to expand the existing house on the side and rear. This will increase the number of bedrooms from 5 to 6. Additionally, a meditation room, recreation room and den will be added. Variances are needed for building and impervious coverage, plus parking and FAR.

Brother Jude Lasota,

He is the superior of the house. Brothers of Hope works with graduate students at Rutgers. They were organized through the Diocese of Boston but assigned to Metuchen. 8 people reside at the house now. 9 may reside there in the future. The residents are part of the religious mission. They do not pay rent. The changes will not likely change the number of vehicles.

Jim Masterson, architect

He reviewed the existing and proposed floor plans. The addition on the side and roof allow the building to retain more of its existing character.

They will comply with the requirement for separation distance for the water and sewer lines.

Angelo Valettuto, Planner

The neighborhood has 6 properties on the block. They are residential or owned by Rutgers. Buccleuch Park is across the street. Variances are needed for building and impervious coverage, FAR and parking.

The detached garage and driveway causes the property to exceed the impervious coverage standard. The proposed rear addition causes the building coverage to be exceeded but it will not be visible from the street.

The parking variance is for less than one space. They also have residential parking permits that allow them to park on street.

The FAR exceeds the standard but the property can accommodate the density proposed. The addition will not cause a storm water management problem and they will comply with all the engineering memo comments.

The FAR use is due to the type of use the applicant is carrying out.

There is no detriment to the public good from this and the zone plan and ordinance are not impaired. The positive impacts outweigh any detriments.

Public Comment:

Bruce Newling

He expressed concerns about future users if the Brothers of Hope leave the property and another use comes in. He asked for assurance that they would stay in the house.

Discussion was held about restriction on the use or variance if the Brothers of Hope ceased to own the property. Mr. Aithal said a deed restriction could not be tied to the Brothers ownership. Further discussion was held about limiting the occupancy. The applicant volunteered a 10-person limit.

Michael Brain, next door neighbor supports the project.

Motion to Approve with the conditions cited: Cox

Second: Zimmerman

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

**VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC**

None

**IX. ADJOURNMENT**

Motion to adjourn:

Second:

Approved by unanimous voice vote