

**CITY OF NEW BRUNSWICK
ZONING BOARD OF ADJUSTMENT
AUGUST 28TH, 2017
MINUTES
7:30 p.m.
Meeting Location:
CITY COUNCIL CHAMBERS
CITY HALL, TOP FLOOR
78 BAYARD STREET**

I. ROLL CALL

X	Nancy Coppola, Chair
X	John Cox, Vice Chair
	Margaret Chester
X	Sue McElligott
X	John Zimmerman
X	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
X	Board Planner Henry Bignell
	Board Planner Todd Bletcher
X	Board Engineer Richard Moody
x	Conflict Engineer Charles Carley

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS JULY 24TH, 2017 MEETING

Motion: Cox

Second: Sheehan

Approved by unanimous voice vote

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

- A. CROWN PLAZA, LLC, Z-2015-10**, Extension of time to file the deed of subdivision associated with the approved site plan, subdivision, and variance application for the construction of a mixed-use building located at 364 Somerset Street, Block 425, Lot 14, Zoning District: C-2A

Motion to Approve: Cox
Second: Piparo

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

- B. BALAKACHETTY RADHAKRISHNAN, Z-2016-12**, Variance application for the conversion of a previously approved single-family dwelling into a two-family dwelling located at 233 George Street, Block 126, Lot 2, Zoning District C-2B

Motion to Approve: Cox
Second: Piparo

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

Tracey Piparo	X	
Ivan Adorno		
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)		
Evelyn Azcona (Alt #3)		
John Bogar (Alt #4)		

VI. NEW BUSINESS

- A. T-MOBILE NORTHEAST, LLC, Z-2017-09**, Site plan and variance application for the installation of telecommunications equipment on the roof of the existing building located at 77 Throop Avenue, Block 171, Lot 1, Zoning District: R-5A

Jennifer Kanrich, Esq

T-Mobile has coverage issues in parts of New Brunswick and this antenna proposed is to address this. 12 antenna are proposed on an existing building at 77 Throop. There will also be support equipment located on the roof. Approval of a site plan, several bulk variances and a use variance is requested.

Ms. Coppola asked if any members had conflicts. None indicated that they did.

Joshua Cottrell, Site Engineer

The site has an existing brick building that has both 3 and 1-story sections. On the 3-story portion, 4 antenna sectors will be installed, one at each corner of the building. The tallest is 6 feet high. There will also be radio units and a microwave antenna. The equipment will be screened by panels that will attempt to match the façade colors. On the 1-story portion there will be utility cabinets. A ladder will be added to access this area. The only utilities that are required are electric and phone.

T-Mobile will upgrade the existing electrical service to the building. Conduit will extend up the exterior façade and will be painted to match the façade colors.

A technician will go to the site every 4-6 weeks.

The building is structurally capable of supporting the proposed equipment. If approved, they will do further analysis.

Adam Freehan, RF Engineer

A-1 Detailed Site Map

The map shows the proposed location and other existing T-Mobile sites. The antenna are being proposed as there is a capacity problem in the area for T-Mobile service. Users in the area are using a lot of data. .

A-2 LTE Capacity Charts (4)

The capacity charts show the usage is significantly above the 70% capacity target that T-Mobile seeks to provide to ensure access to LTE service.

The proposed site is the best optimized site of sites available in the area of need.

Joseph Minio, Safety Expert

The proposed antenna meets the FCC standards for safety. The site is only about 7% of the allowable FCC RF standards.

David Karlebach, Planner

The neighborhood is predominantly 2 and 2.5 story buildings. This 3-story, flat roofed building is one of the few buildings of this height in the neighborhood. There are no other buildings this size with a flat roof in the needed service area. There are no changes proposed to the bulk standards.

He reviewed the 4-step balancing test for the appropriateness of the location. They have the FCC license for the antenna. There is a need for them at this site. It allows an existing structure to be utilized instead of building an antenna tower.

There is no detrimental effect. The negative criteria is addressed as the antenna will be screened and will have no impact on aesthetics.

He reviewed the photo simulations of the antenna on the existing building.

It is an unmanned facility and requires minimal city services. There is no traffic impact from the use. There is no noise or vibrations.

The third test is mitigations for the use, which includes the screening.

The fourth test is the positive criteria, which is met by providing adequate wireless communication to provide communications and safety. The positive criteria substantially outweigh the detriments. There is no impairment to the City's zone ordinance or plan.

Public:

Charlie Kratovil,

What impact is there from the microwave antenna? Mr. Cottrell said the microwave antenna points to another similar antenna and there is no impact on human health. Mr. Minio explained it is a narrow beam and is low power. It is exempted by FCC rule. It is replaced by fiber optics after about 6 months.

Kratovil asked about fire risk. Mr. Cottrell said he had never seen one catch fire.

Motion to approve with the conditions cited: McElligott

Second: Zimmerman

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

B. RARITAN HEIGHTS PHASE II, LLC, Z-2017-07, Amended site plan and sign variance application for the property located at 21 US Highway 1, Block 703, Lots 7.02, Zoning District: C-5

Tom Kelso, Esq.

The application amends the existing site plan. The application provides for basement space under the proposed building. It will be for storage only. They also seek approval for signs for the Starbucks including variances associated with the number of signs and size.

Ms. Coppola asked if any members had any conflicts and none indicated they did.

Ron Aulenbach, Director of Engineering for Edgewood

The proposed residential building is proposed to have a 15,000+ sf basement area below the existing building. The area is for storage only. There is no change to the appearance of the building

The Starbucks building sits at the front of the site. They are proposing a number of signs to provide the typical branding for a highway located Starbucks. One façade sign is sought for each façade. There are signs also directing people to the drive-thru window. They are also seeking approval of various signs for the drive-thru such as menu boards and directional signs.

Justin Auciello, Planner

There are both C1 and C2 arguments for granting the sign variances. As the site is on Rt. 1, the signage needs to adequately give safe notice to motorists on Rt. 1. The signs act as a beacon. The location of the site limits where this can be done.

The signs can also be justified on a C2 basis as they provide notice to both motorists and pedestrians on the site. The miscellaneous signs on the sign help make the site safer and more efficient.

The benefits of the variances outweigh the detriments. The signs address the MLUL purposes of improving safety and improving traffic flow. The signs are industry standard for Starbucks and they improve safety for motorists and pedestrians. There is no detriment and substantial positives. The variances are benign.

Mr. Kelso clarified that the Bignell report cited a height and impervious coverage variances, but these had been previously approved. Mr. Bignell agreed with this assessment.

Public:

Charlie Kratovil,

What is the timetable for construction and when will they open.

Mr. Aulenbach said site work had started on the Starbucks. The residential building will start once this approval will take. Construction will take about 2 years to build out.

Kratovil asked about the Famous Dave's building. Aulenbach said a new tenant will be sought.

Motion to approve with the conditions cited: Cox

Second: Zimmerman

	Yes	No
Nancy Coppola, Chair	X	

John Cox, Vice Chair	X	
Margaret Chester	X	
Sue McElligott	X	
John Zimmerman	X	
Tracey Piparo	X	
Ivan Adorno	X	
Doug Sheehan (Alt #1)	X	
Charlotte McNair (Alt #2)		
Evelyn Azcona (Alt #3)		
John Bogar (Alt #4)		

C. JAMES PAGANO, Z-2017-05, Variance application for the construction of a two-family dwelling located at 50 Bartlett Street, Block 74, Lot 29.01, Zoning District: R-5A

Tom Kelso, Esq.

The application is for construction of a two-family house. It is exempt from site plan approval but various bulk variances and an FAR variance are required. The variances are due to the lot size being 50x100 rather than 80x100. There is also a variance for parking with 4 spaces required and 3 spaces are provided.

Ms. Coppolla asked if any members had any conflicts and none indicated they did.

Brent Papi, Engineer

A-1 Rendered site plan

The site is in the R-5A zone. It is bordered by the Lincoln School and a residential building. It is currently vacant but was previously developed with a 3-story building. The proposed building is a two-story building with two units. Three parking spaces are proposed for the rear of the site. Landscaping is proposed in the front. Refuse will be stored in the rear.

The school's retaining wall encroaches onto the applicant's property. Rather than having them move it, they will give the Board of Education an easement for the existing encroachment.

Variances are requested for lot size, width, building and impervious coverage, side yard setbacks, FAR and parking.

George Simcox, Architect

The proposed house is similar in style and scale to houses existing in the neighborhood. There will be two 3-bedroom units. The bedrooms are 150-180 sf each. The units have separate AC units and W/D.

Allison Coffin, Planner

A-3 Existing Use Map

There are 34 lots within 200' of the site. They include the school, a mixed use building and a restaurant. The rest are residential with a mix of one and two-family buildings. None of the two-family buildings in the area are on conforming lots. MLUL purposes are advanced as it an appropriate density for the area. The lot can accommodate the proposed use. The bulk variance can also be granted without detriment. The adjoining lots are developed and the proposed lot cannot be expanded. The bulk and coverage variances are appropriate as the adjoining school lot has a large open space and the proposed building is shifted towards this open area. There will be no detriment from the granting of these variances.

Public,

Bruce Ai,

He asked about the occupancy of each unit. The applicant said 6 per unit.

Motion to approve with the conditions cited: Adorno

Second: Cox

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

VII. OTHER MATTERS OF INTEREST TO THE PUBLIC

None

VIII. ADJOURNMENT