

**CITY OF NEW BRUNSWICK
PLANNING BOARD
AUGUST 11TH, 2015
MINUTES
7:30 p.m.**

I. ROLL CALL

X	Suzanne Ludwig
X	Andy Kaplan
	David Fitzhenry
X	Salma Chand
	Jeff Crum
	Carly Neubauer
X	Clary Barber (Class I)
X	Chris Stellatella (Class II)
	Betsy Garlatti (Class III)
X	David Fresse (Alternate #1)
	Peter Checo (Alternate #2)

Staff Attending:

X	Board Attorney Ben Bucca
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 Tom Guldin
	Conflict Engineer Chas. Carley

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARDS MARCH 10TH, 2015 MEETING

Motion to approve the minutes: Fresse

Second: Stellatella

Approved by unanimous voice vote

V. COMMUNICATIONS AND REPORTS
Resolutions of Memorialization

- A. 760 NEW BRUNSWICK URBAN RENEWAL, LLC PB-2015-02**, Minor subdivision and variance application of the property located at 760 Jersey Avenue, Block 598 Lot 3.03 Zoning District: I-2
 Motion to Approve: Kaplan
 Second: Fresse

	YES	NO
Suzanne Ludwig	X	
Andy Kaplan	X	
David Fitzhenry		
Salma Chand	X	
Jeff Crum		
Carly Neubauer		
Clary Barber (Class I)		
Chris Stellatella (Class II)	X	
Betsy Garlatti (Class III)		
David Fresse (Alternate #1)	x	
Peter Checo (Alternate #2)		

VI. OLD BUSINESS
 None.

VII. NEW BUSINESS

- A. NEW BRUNSWICK ASSOCIATES, LLC, PB-2015-06**, Site plan and variance application for the construction of a dental office located at 316 Livingston Avenue, Block 288, Lot 25.01 Zoning District: C-3A

James Clarkin, Esq – the applicant is seeking site plan approval and variances to construct a dental office at Livingston Ave. and Lawrence Street in the C-3A zone. The lot conforms to the bulk standards. The building will comply with the bulk standards except for the rear yard setback. However, because this is a corner lot, there are no side yards and it has two rear yards. The rear yard setback is 40 feet whereas it is

setback only 5 feet, which would meet the side yard standard. This is a technical variance due to the corner nature of the lot.

Also, a loading zone is required but there will be testimony that there will be only limited deliveries and there will be a short term parking space. Additional relief is needed related to landscaping and buffering.

The applicant will comply with all the comments in the Bignell and City Engineer reports.

Maya Prabhu, Principal in dental practice and the land. The practice is currently at 76 Livingston Ave. They specialize in root canals. The practice also has offices in Old Bridge, Somerville and Flemington. The 316 Livingston office will have two dentists and six staff persons. The office will be open weekdays to 5:30 and on Saturday mornings. They see approximately 2 patients per hour.

The basement will be partially finished and used for storage, kitchenette and a bathroom.

She expects about two deliveries per week with UPS-type trucks. She believes the short term parking space will work for the deliveries.

James Philip O'Brien, Architect

A-1 Building Elevations

There are 16 sf signs on the north and west facades. They are halo lit signs. The siding materials are vinyl shake siding. Mr. Patterson asked about the necessity for the halo lighting. He stated this would reduce light spillage from the sign and provide proper identification.

The south façade faces the adjacent dental office and house. There is no door out on this side.

The building height is 15 feet.

A-2 Main Level Floor Plan

Mr. O'Brien discussed the layout

A-3 Basement Floor Plan

Mr. O'Brien discussed the floor plan. There is a small kitchenette, IT infrastructure, mechanicals and elevator. Equipment and supplies will also be located there. There is also a bathroom.

The balance of the basement is unfinished and no use is planned for it. It will be sprinkled, as will the rest of the building. They offer that the unfinished space would only be used for dead storage as a condition of approval.

Sean Delaney, Engineer and Planner

The neighborhood is a mix of residential buildings, professional buildings and churches. The neighboring property houses a dental office also. There is a house and garage existing on-site and they will be demolished.

The existing building is not conforming to the bulk standards for front yard and rear yard setbacks. The new structure will conform to the front yard setback.

A-4 Rendered Site Plan

The building is one-story as proposed. It is setback 15 feet on both frontages. The 45 ft setback requirement goes about $\frac{3}{4}$ of the way through the property and would only allow for something the size of a shed to be built in conformance.

A paved parking lot is proposed on-site. The ingress/egress will be on Lawrence St with 10 parking spaces provided including handicapped parking.

The furthest most parking space will be designated for short term parking and deliveries.

A sidewalk will be provided around the building.

Trash will be stored in an area that will have two containers. Condenser units will be located next to them.

The site will be regraded to lower the elevation of the lot to allow for better handicapped access slopes. A retaining wall is proposed at the rear yard with a height of about 3 feet. A 6 foot fence will be placed on top of the retaining wall to screen the view from the adjacent residential property.

Utilities will connect to the existing services if they are capable of receiving the new connections.

Storm water will be retained in pipes to meet the City's storm runoff regulations.

The parking lot will have one 12 ft high fixture to light the area. There will also be under canopy lighting on the building to illuminate the area near the building.

The rear setback variance is created as the building sets on the corner. The location acts more like a side yard rather than a rear yard. It would meet the side yard standard and is similar to the setback on the adjacent building. The variance is a C1 hardship situation due to the configuration of the lot. A building meeting the setback criteria would not be functional. The variance can also be justified on a C2 basis as the benefit is an older building will be replaced by a modern building, the height will be lower to add air and light the and the existing non-conforming building will be eliminated. A desirable visual environment is being enhanced. There are no detriments to granting the variance. The benefits substantially outweigh the detriments and there are no infringements on the zone plan or ordinance.

They will comply with the planning and engineering reports.

Waivers are needed for the parking lot setback, the parking lot setback to a residential property, there is a narrow sidewalk and the setback of the mechanical equipment. There is a fence variance due to the combination of retaining wall and fence and the height of the fence in the front yard area. There is also relief needed for landscaping.

Ms. Chand – will the parking lot lighting be turned off also? Yes that can be timed.

Mr. Fresse, where will medical waste be stored and removed? It is stored inside and it is picked up by a service.

Mr. Kaplan: will the public sidewalks have ADA compliant ramps? Yes.

Public Comment:

Patricio Quazdae, owner of 322 Livingston

He has tenants who are dentists in his building and feels this should not be a dentist next door to him.

Mr. Stellatella said this was not a general dentist but a specialty dentist.

Motion to Approve with the conditions cited by Mr. Patterson:
Kaplan
Second: Fresse

	YES	NO
Suzanne Ludwig	X	
Andy Kaplan	X	
David Fitzhenry		
Salma Chand	X	
Jeff Crum		
Carly Neubauer		
Clary Barber (Class I)	X	
Chris Stellatella (Class II)	X	
Betsy Garlatti (Class III)		
David Fresse (Alternate #1)	X	
Peter Checo (Alternate #2)		

VIII. OTHER MATTERS OF INTEREST TO THE PUBLIC

Charles Kratovil – He asked if the owner of the 90 New St was still the same. Mr. Patterson stated that if an applicant sells the approval the same conditions of approval apply.

Kratovil asked if the Board Attorney obtained credit towards his pension for attending the meeting. The Chair said the Board did not have information about this. Mr. Kratovil commented that the State passed a law in 2007 limiting professionals collecting pensions and the board should be aware of this.

IX. ADJOURNMENT

Motion To Adjourn: Kaplan
Second: Fresse
Approved Unanimously