

**CITY OF NEW BRUNSWICK  
BOARD OF ADJUSTMENT  
APRIL 27, 2015  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Nancy Coppola, Chair
X	John Cox, Vice Chair
X	Margaret Chester
X	Sue McElligott
X	John Zimmerman
X	Maria Torrisi
	Mike Manzella
	Doug Sheehan (Alt #1)
	(Alt #2)
X	Daniel Chedid (Alt #3)
	(Alt #4)

x	Board Attorney AravindAithal
x	Board Secretary/Director of Planning Glenn Patterson
x	Principal Planner Mark Siegle
	Board Planner Henry Bignell
X	Board Planner Todd Bletcher
	Board Engineer Tom Guldin
	Conflict Engineer Chas. Carly

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS MARCH 23RD, 2015 MEETING**

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

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

- A. CLYDE AND MICHAEL ROCKOFF, Z-2014-13** Variance application for the construction of a warehouse with ancillary office space located on How Lane and Terminal Road Block 597.01 Lots: 2.01, 3, and 4.01: Zoning Districts: I-2 and C-6  
 Motion to Approve: Cox  
 Second: McEligott

	Yes	No
Nancy Coppola, Chair	X	
John Cox, Vice Chair	X	
Margaret Chester		
Sue McEligott	X	
John Zimmerman		
Maria Torrisi	X	
Mike Manzella		
Doug Sheehan (Alt #1)		
(Alt #2)		
Daniel Chedid (Alt #3)		
(Alt #4)		

**VI. OLD BUSINESS**  
 a. None.

**VII. NEW BUSINESS**

- A. RIAZ KARIM, Z-2014-07,** Variance application for the placement of additional concrete in the front yard to remediate a mold situation in the basement located at 71 Juliet Street, Block 320, Lot 16, Zoning District: R-5A

The applicant advised staff today that he intends to withdraw the application and to remove the concrete from the front yard that created the variance situation. This application will not be heard.

- B. RECON SERVICES, LLC, Z-2014-16,** Site plan and variance application for the construction of a multi-family building located between Morrell Street and Ray Street in Block 80 on Lots 10, 11.01, and 21.01, Zoning District: R-5A

Thomas Kelso, Esq., the applicant is seeking site plan and variance approval for a 28-unit apartment building. All units are 2BR. There are 28 parking spaces to be provided. The application requires a use, FAR and height variance under section 70.d. The project is the 2<sup>nd</sup> phase of a two-phase project. Phase one is complete and operating. The first phase had 35 units. Both phases will share the parking facility.

This type of project provides modern student housing units with modern fire safety and security features. The project is located near the campus and transportation facilities.

William Parkhill, Engineer –

A-1 colored rendering of the site and neighborhood aerial. The project fronts on both Morrell and Ray Street. It is located about a block from the Rutgers College Ave. Campus. Morrell is the main entrance.

There will be one at-grade handicapped parking space on the Morrell frontage. There is secure pedestrian access of both Morrell, Ray and through the garage. Both phases of the project will share a common driveway into the garage. The garage has 27 parking spaces, plus the one handicapped space for a total of 28.

There are design waivers for the drive aisle width for 22 feet. The handicapped space is considered parking in the front yard. This is a variance.

There are variances for lot width, with 50 ft on Ray and 75 on Morrell. There is a front setback variance. The setback will be similar to the existing houses on Morrell and Ray. There are also side yard variances. The side yards are similar to the variances approved on Phase 1. There are variances for building and impervious coverage.

There are D variances for height, FAR and the d.1 use variance.

A parking variance is also required. RSIS and the zoning ordinance require 56 spaces. RSIS allows for alternative standards when there are other factors that support an alternative, such as access to transportation, the characteristics of the intended households and urban character. The households are intended to be students and all bedrooms will be single occupancy. There are amenities in the neighborhood to serve the residents.

Robert Roth, Architect

The building will have entrances off of both streets. The building design is intended to fit in with the existing architectural style in the neighborhood. The lobbies are situated to maximize natural light into the hallways.

Bicycle racks will be located in the covered garage area. It should accommodate about 12 bikes. There will be camera security in the garage.

All of the 1<sup>st</sup> floor units can be used as handicapped units. They have all the required widths.

Charles Olivo – Traffic Engineer

He prepared a traffic and parking assessment for the site. They have data from phase 1 to provide insight into how the facility works. Access to the garage is along Ray St. through the existing driveway. There is no new driveway apron and no new spaces are lost on-street.

The garage circulation aisle and stall widths are in compliance with industry standards. The projected trips are well below the ITE standard of 100 trips that would change the level of service on the adjoining roads. At peak hour, 3 trips were counted out of the existing facility. The site is close to the campus area so residents can walk to classes or the Rutgers bus system. Census data shows that over 40% of local residents do not use single-occupancy vehicles to commute. This project is well suited for such persons. The 1:1 parking ratio is as recommended in the master plan re-exam report.

The existing project has parking at about .91:1 and there is no waiting list for parking permits. The applicant is also voluntarily giving up rights to residential parking permits.

Keenan Hughes, Planner

The project has a use variance. On the positive criteria, there is a recognized need for off-campus housing near the campus area. The older 1-2 family homes are not well suited for student housing. The university can not provide all of the needed housing on its campus. The site is well suited as the master plan re-exam report set forth criteria for student housing, such as being within a 5 minute walk of the

student center; this project is one block from the back of the student center. The reexam report recommended density at densities similar to this project. The grant of the variance would support MLUL purposes a, e and g.

The negative criteria are addressed as the building will improve on existing conditions and have no detriments. The project will not undermine the master plan or zone plan. The FAR and height variances are subsumed in the use variance but also meet the standards in the Randolph Town Center case for justification. The reexamination report recognizes that higher density is appropriate in this neighborhood near the university. The height variance is related to the peaked roof design, which was used to blend the building design into the existing character of the neighborhood. There is no detriment to the public good from the granting of these variances..

The C variances can be granted on a flexible c standard for many of them. Other C variances are related to the use variance. The granting of the variances support purposes a, e and g of the MLUL and create no substantial detriment. The parking variance is justified as RSIS allows alternative standards and there has been previous testimony about the characteristics of the area that justify an alternate standard. The project requires less auto dependence in a location that is next to the campus.

Public:

Charles Kratovil: He asked how many spaces were in phase 1: it was 32. He asked if the handicapped parking was covered: It is.

He asked if CMA was involved in the project: They are not.

He asked if the security cameras were monitored 24 hours: They are not.

Board Discussion:

Chester – the building is similar to the existing and fits well with it.

Zimmerman – have there been any incidents in the parking area? Mr. Kelso said there had not been.

Coppala – how is the garage lit? It is 24 hour lighting.

Motion to Approve with the conditions cited by Mr. Patterson: Cox

Second: Torrisi

	Yes	No
Nancy Coppola, Chair	X	
John Cox, Vice Chair	X	
Margaret Chester	x	
Sue McElligott	X	
John Zimmerman	x	
Maria Torrisi	X	
Mike Manzella		
Doug Sheehan (Alt #1)		
(Alt #2)		
Daniel Chedid (Alt #3)	x	
(Alt #4)		

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

None

**IX. ADJOURNMENT**

Motion to adjourn: Cox

Second: McEligott

Approved by unanimous voice vote