

**CITY OF NEW BRUNSWICK  
BOARD OF ADJUSTMENT  
SEPTEMBER 22ND, 2014  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Nancy Coppola,
X	John Cox,
X	Margaret Chester
X	Sue McElligott
X	Doug Sheehan (alt)
	Peter Ventrice (alt)
	Jose Madera (alt)
	Tierream Houser (alt)
	Mike Manzella
x	John Zimmerman
X	Maria Torrisi

Staff Attending:

x	Board Attorney Aravind Aithal
x	Conflict Attorney Lawrence Vastola
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 Tom Guldin
	Conflict Engineer Chas. Carlie

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS JULY 28TH, 2014 MEETING**

Motion to Approve: Torrisi

Second: Cox

Approved unanimously by voice vote.

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

- A. ST MARY OF MOUNT VIRGIN CHURCH, Z-2014-04**, Site plan and variance application for the construction of a rectory located at 198 Sandford Street, Block 238, Lot 1.01 and 22, Zoning District: R-5A
- B. Motion to Approve to Approve: Cox
- C. Second: Chester

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair	X	
Margaret Chester	X	
Sue McElligott		
Doug Sheehan	X	
John Zimmerman		
Maria Torrisi	X	
Peter Ventrice (alt)		
Jose Madera (alt)		
Tierream Houser (alt)		
Mike Manzella (alt)		

**VI. OLD BUSINESS**

None.

**VII. NEW BUSINESS**

- A. SUSAN HUSLAGE, Z-2014-05**, Variance application for the construction of an addition located at 23 Delavan Street, Block 214, Lot 14, Zoning District: R-5A

Jennifer Burgess, Esq. – Ms. Huslage has been an owner-occupant for 27 years and she wishes to make an addition to the rear to expand the kitchen. Building and impervious coverage variances are requested.

Susan Sheffmaker, Archt. – The house is a single-family two-story home. A one-story addition is proposed. There will be steps and a landing out the rear of the addition. The addition is compatible to the other buildings in the neighborhood. It is a modest addition that will increase natural light and ventilation into the kitchen. The addition will also address a current roof drainage problem by piping the existing drainage into the rear garden area.

Public: None

Mr. Patterson recited conditions suggested to be attached to any motion to approve.

Motion to Approve to Approve with the conditions recited: Torrissi  
 Second: Chester

	Yes	No
Nancy Coppola, Chair	X	
John Cox, Vice Chair	X	
Margaret Chester	X	
Sue McElligott	X	
Doug Sheehan	X	
John Zimmerman	X	
Maria Torrissi	X	
Peter Ventrice (alt)		
Jose Madera (alt)		
Tierream Houser (alt)		
Mike Manzella (alt)		

**B. RARITAN HEIGHTS PHASE II, LLC, Z-2014-03** Site plan and variance application for the development of the site located 19 US Highway Route 1, Block 703, Lot 7.02, Zoning District: C-5

Mr. Aithal advised the Board that he has a conflict with the applicant as his law firm has represented the applicant in other towns. The conflict attorney for this application will be Lawrence Vastola, Esq.

Thomas Kelso, Esq. – The application is an amendment to an application approved in 2011. At that time both residential and retail was approved along with conditions. The amendment is to eliminate 12,000+ of retail space and increasing the residential unit count from 236 to 254. A use variance is required as the residential use is not permitted and is being intensified. There is also a small increase in the impervious coverage variance that was approved in 2011. It is less impervious coverage than what exists today. The other variances granted in 2011 would remain in place.

Ron Aulenbach, Director of Engineering, Edgewood Properties – He is not testifying in a professional capacity.

The retail pads will remain but the first floor retail in the multi-story building is proposed to be eliminated. There will be 18 additional residential units. The clubhouse for the apartments will be expanded. The parking lot to the rear of the building will be shifted about 5 feet, which increases the impervious surface on the site.

The applicant will comply with all of the comments on the City Engineer’s report.

The comments on the planning report are carried forward from the previous approval.

Lester Nebenzhal, Planner

The changes proposed are de minimus and the Board previously reviewed and approved the use variance for the residential use. The additional units will have little impact on the density of the site. Further, the impervious coverage will be less than what exists today and is de minimus. The Board can rely on the findings it made in 2011 regarding the granting of the variance. The project still meets the negative and positive criteria for the use variance. There is no change in intensity on the site as the retail is being reduced.

Public:

Charlie Kratovil – How is access to the river provided?

Aulenbach – there is a large retaining wall and no access is provided there.

Kratovil – does it affect the grave site?

Aulenbach – No

Kratovil – why did the board attorney recuse?

Coppola – he previously represented the applicant.

Kratovil – who are the restaurants?

Aulenbach – It is not known yet.

Kratovil – when will the construction start?

Aulenbach – construction will take about 18 months.

Motion to Approve to Approve with the conditions recited: Cox

Second: Torrisi

	Yes	No
Nancy Coppola, Chair	X	
John Cox, Vice Chair	X	
Margaret Chester	X	
Sue McElligott	X	
Doug Sheehan	X	
John Zimmerman	X	
Maria Torrisi	X	
Peter Ventrice (alt)		
Jose Madera (alt)		
Tierream Houser (alt)		
Mike Manzella (alt)		

## VIII. ADJOURNMENT 8:05 PM