

**CITY OF NEW BRUNSWICK
PLANNING BOARD
NOVEMBER 13TH, 2012
MINUTES
7:30 p.m.**

I. ROLL CALL

x	Robert Colonna, Chair
x	Linda Hunter
	David Fitzhenry
x	Suzanne Ludwig
	Maria Torrisi
	Tom Valenti
x	Michael Drulis (Class I)
x	Kevin Jones (Class II)
	Betsy Garlatti (Class III)
x	Luis Berrios (Alternate #1)
	Tony Barber (Alternate #2)

II. PUBLIC ANNOUNCEMENT (OPEN PUBLIC MEETING ACT)

III. SALUTE TO THE FLAG

IV. MINUTES OF THE BOARD'S OCTOBER 9TH, 2012 MEETING

Motion by: Ludwig

Second by: Jones

Approved unanimously

V. COMMUNICATIONS AND REPORTS

Resolutions of Memorialization

- A. MATRIX UPPER LOT URBAN RENEWAL, LLC, PB-2012-23**, Site plan application for the construction of a multi-family dwelling with associated parking garage located at the intersection of New Street and Neilson Street, Block 117.01 Lot 3, Zoning District: C-4

Motion by: Jones

Second by: Ludwig

	Yes	No	Abstain
Robert Colonna, Chair	x		
Linda Hunter			
David Fitzhenry			
Suzanne Ludwig	x		
Maria Torrisi			
Tom Valenti			
Michael Drulis (Class I)			
Kevin Jones (Class II)	x		
Betsy Garlatti (Class III)			
Luis Berrios (Alternate #1)	x		
Tony Barber (Alternate #2)			

B. RUTGERS UNIVERSITY (VIA GEORGE STREET PARKING, LLC), S31-2012-01, Section 31 Master Plan Consistency review for the plans to construct a parking deck for Rutgers University located at Block 53, Lot 1.01, Zoning District: IN-

Motion by: Jones
Second by: Ludwig

	Yes	No	Abstain
Robert Colonna, Chair	x		
Linda Hunter			
David Fitzhenry			
Suzanne Ludwig	x		
Maria Torrisi			
Tom Valenti			
Michael Drulis (Class I)			
Kevin Jones (Class II)	x		
Betsy Garlatti (Class III)			
Luis Berrios (Alternate #1)	x		
Tony Barber (Alternate #2)			

VI. NEW BUSINESS

A. 173 LIVINGSTON AVENUE, LLC, PB-2012-24, Site plan and variance application for the construction of an addition located at 173 Livingston Avenue, Block 187, Lot 2, Zoning District: C-3A

Luke Lynch, Esq – the project is to expand the existing building with an addition on the second and third floor. Parking and a driveway will be added. The applicant will comply with all of the comments in the Engineer's memo except for #15, installation of a fence along the common driveway. The applicant has an agreement with the adjacent property owner for cross access easement and no parking in the driveway, therefore the fence should not be required.

El Donaldo Vid, Architect – The first and second floors are to be used as office space. The third floor is to be used as two apartments.

A-1 Survey of the Property

A-2 Rendered Elevation

The building has a Victorian-style and fenestration that is compatible to the architectural character of the neighborhood,

Side yard variances are requested on one side and the combined side yard. The variance is created as the building is extended over the driveway to 1.4 ft from the side yard. Vid stated the building is being expanded to allow the project to be economically feasible.

Two parking spaces are eliminated by the addition. The mixed-use character of the building allows for shared parking as the residential and office have different peaks.

The driveway curbcut is only 10 feet wide due to the size of the building.

Board members questioned why the extension of the building to just 1.4 ft from the sideyard is justified on other than economic grounds. The board asked the applicant to provide justification as to why the building needed to be this large. Mr. Vid stated it was this wide due to the width of the driveway. Staff and board members expressed that they did not follow the argument as to how the driveway width would make the building wider and create the setback encroachment. The Board Attorney expressed that the applicant should make an argument supporting the justification of the variance on land use terms, not economic terms.

A loading space is not provided but most deliveries would be UPS type and not need a loading space on-site.

A parking agreement has been negotiated with the neighbor to the rear.

Lynch: Based on board's concerns, he requested an adjournment of the hearing until the December 11 meeting to allow the applicant to reconsider aspects of the design. The Board granted this request and it was announced to the public that the application was scheduled to continue the hearing on December 11.

Motion by:
Second by:

	Yes	No	Abstain
Robert Colonna, Chair			
Linda Hunter			
David Fitzhenry			
Suzanne Ludwig			
Maria Torrisi			
Tom Valenti			
Michael Drulis (Class I)			
Kevin Jones (Class II)			
Betsy Garlatti (Class III)			
Luis Berrios (Alternate #1)			
Tony Barber (Alternate #2)			

VII. ADJOURNMENT
8:30 PM