

**CITY OF NEW BRUNSWICK  
PLANNING BOARD  
AUGUST 13TH, 2013  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

X	Suzanne Ludwig
	Linda Hunter
	David Fitzhenry
	Joseph Catanese
X	Dayra Azcona
X	Andy Kaplan Alternate #2)
X	Michael Drulis (Class I)
	Kevin Jones (Class II)
x	Betsy Garlatti (Class III)
x	Josepha Rojas(Alternate #1)
	Carly Neubauer

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARD'S JUNE 11TH, 2013 MEETING**

**Motion: to approve by Garlatti**  
**Second: Rojas**  
**Approved by voice vote unanimously**

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

**A. KARIM BANDY dba as 243 LIVINGSTON ASSOCIATES, LLC PB-2012-18, Site plan and variance application for the construction of a handicap ramp located at 243 Livingston Avenue, Block 247, Lot 1, Zoning District: C-3A**

Motion to approve: Drulis  
 Second: Garlatti

	Yes	No	Abstain
Suzanne Ludwig	x		

Linda Hunter			
David Fitzhenry			
Joseph Catanese			
Dayra Azcona	X		
Carly Neubauer			
Michael Drulis (Class I)	X		
Kevin Jones (Class II)			
Betsy Garlatti (Class III)	X		
Josepha Rojas(Alternate #1)			
Andy Kaplan (Alternate #2)	X		

**B. SAINT PETERS UNIVERSITY HOSPITAL, PB-2013-11, Site plan and variance application for the installation of a generator located at 254 Easton Avenue, Block 62, Lot 19, Zoning District: HI**

	Yes	No	Abstain
Suzanne Ludwig	X		
Linda Hunter			
David Fitzhenry			
Joseph Catanese			
Dayra Azcona	X		
Carly Neubauer			
Michael Drulis (Class I)	X		
Kevin Jones (Class II)			
Betsy Garlatti (Class III)	X		
Josepha Rojas(Alternate #1)			
Andy Kaplan (Alternate #2)	x		

**VI. OLD BUSINESS**

None

**VII. NEW BUSINESS**

**A. 173 LIVINGSTON AVE, LLC, PB-2013-17,)** Site plan and variance application for the construction of an addition located at 173 Livingston Avenue, Block 187, Lot 2, Zoning District: C-3A

Patrick Bradshaw, Esq – The application is for the creation of an addition for office space, adding additional parking and the granting of variances for an existing side yard variance and loading zone. Waivers are requested for landscape buffer and parking lot setback. This application substantially changes project from what was originally proposed and denied by the Board.

El Donado Vid, Archt. –

A-1 – Rendered front elevation

The existing attic area is being expanded upward. There will be two residential units with 2BR each. Office space will be added to the 2<sup>nd</sup> floor. The architectural design elements may change from what is shown in the rendering. The siding material will be a stone with an earth tone. Vinyl siding will be used for architectural highlights.

The proposed offices are not designed for medical offices, but as general offices. The existing basement is not changing and it is used for storage for the offices. It is not used for offices or residential use.

Bucca – is the existing footprint staying the same?

Vid – It is but it isn't.

Bucca – how far is it expanding?

Vid – the building only expands on the 2<sup>nd</sup> and 3<sup>rd</sup> floors. The first floor footprint remains the same.

A condition of approval will be that the offices are not used for medical use as this will change the parking requirement.

Luis R. Perez – Engineer

Traffic flow is a one-way system with ingress from Livingston Ave. and exit onto Handy Street. The entrance and exit will be marked with signs. There are 12 parking spaces proposed.

The loading zone requirement is not met and a waiver is requested as the intended office use does not need a loading area due to the light expected delivery volume.

He met with the City Engineer to review storm water management on the site and the plans were revised based on his recommendations. The applicant has no problem complying with conditions 1, 2 and 4 in the Engineer's memo. They are asking for a waiver of the driveway width requirement, which is comment #3, as 11 ft is the maximum that can be accommodated unless the side yard buffer is eliminated.

The left side yard condition is an existing condition that is non-conforming. The total setback of both sides is compliant at 21.3 ft.

Bollards will be placed to protect the adjoining property owner's building from cars exiting on to Handy Street.

Drulis – will there be access to lot 40?

Perez – yes

Bucca – what signage will enforce the one-way traffic flow?

Vid – There will be 2 “do not enter” signs that will tell drivers not to exit back onto Livingston Ave.

Perez – an exit only sign will be added to the Handy St. side.

Allison Kaufaman, Planner

The addition creates two variances in the C-3A, where the use is permitted. The variance is for the side yard setback and lack of loading zone, with waivers for buffer relief. The side yard variance is justified on a C-1 basis as it is existing and only effects a small area and removing it would be detrimental to the building's character. The other variances can be granted on a C-2 basis due to the lot size and the required parking need. The off-street parking is an improvement with no substantial detriment as the lack of buffer is mitigated by the provision of a solid fence along the boundary. The master plan and zoning ordinance would not be impaired as the uses are permitted and the proposal supports the purposes of zoning including redeveloping existing property and providing sufficient off-street parking.

Bradshaw – the applicant will provide a written access easement as requested in the planning report. No medical and dental offices will be leased.

The project will improve an old building with a beneficial design to be used for a conforming use. The variances are de minimus in nature.

Public:

None

Motion to approve with conditions: Garlatti

Second: Drulis

	Yes	No	Abstain
Suzanne Ludwig	X		
Linda Hunter			
David Fitzhenry			

Joseph Catanese			
Dayra Azcona	X		
Carly Neubauer			
Michael Drulis (Class I)	X		
Kevin Jones (Class II)			
Betsy Garlatti (Class III)	X		
Josepha Rojas(Alternate #1)	X		
Andy Kaplan (Alternate #2)	x		