

**CITY OF NEW BRUNSWICK  
BOARD OF ADJUSTMENT  
OCTOBER 28TH, 2013  
MINUTES  
7:30 p.m.**

**I. ROLL CALL**

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

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

**III. SALUTE TO THE FLAG**

**IV. MINUTES OF THE BOARDS SEPTEMBER 23RD, 2013 MEETING**

Motion to approve: Manzella

Second: McElligott

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

- A. TRCB HOLDINGS THREE, LLC, NU-2013-03**, Certification of a pre-existing legal non-conforming use or structure for the use of the existing property for mixed-use with ground floor residential units located at 151-153 Livingston Avenue, Block 181, Lot 2, Zoning District: C-3A

Motion to Approve: Manzella

Second: McElligott

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
Margaret Chester	x	
Sue McElligott	x	

Doug Sheehan		
Peter Ventrice (alt)		
Jose Madera (alt)		
Tierream Houser (alt)	x	
Mike Manzella (alt)	x	
John Zimmerman		

**VII. OLD BUSINESS**

**A. DEEPAK BHUMBRI, Z-2013-04**, Variance application for the expanded hours of operation of an existing convenience store located at 82 Senior Street, Block 87, Lot: 23, Zoning District: R-5A.

Pat Bradshaw, Esq – the application is to change the hours of the non-conforming hours from 8 pm to 2 am. The use is a legal, non-conforming use and the hours do not reflect the current conditions in the neighborhood where similar uses are open later hours.

Alison Coffin, Planner – There is no expansion of the physical property Just t he hours, which are sought to be 7 am to 2 am. There are several other non-conforming uses in the R-5A neighborhood, including a bar, pizza restaurant and food trucks. All consumption is for off-site. There are no tables. It is a deli/convenience store.

Most of the users are walk-up so there is little drive up use at the store.

It meets the D2 standards using the Mine Hill criteria, as the use is not going to go away making it fit in with the neighborhood can satisfy the special reason criteria. As other stores are open these later hours, later hours would be complimentary.

Patterson – will owner agree that media of an adult material not be sold.

Public:  
None

Motion to Approve: Manzella  
Second: Zimmerman

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
Margaret Chester	X	
Sue McElligott	X	
Doug Sheehan	X	

Peter Ventrice (alt)	X	
Jose Madera (alt)		
Tierream Houser (alt)	X	
Mike Manzella (alt)	X	
John Zimmerman	X	

**B. DOUGLAS DALTON, NU-2013-02**, Certification of a pre-existing legal non-conforming use or structure for the conversion of a garage into habitable area located at 23 North Pennington Road, Block 746, Lot 15, Zoning District: R-3

Ms. McElligott, Mr. Houser and Mr. Sheehan recused themselves from this application.

James Tarrella, Esq. – the applicant has converted a garage to a family room, as have many other neighbors. The garage is small as a utility easement hems in the dimensions. The doorway is only 7 ft wide and the inside width is only 9 feet, making it not feasible to open car doors in the garage.

In 2008 the City adopted an ordinance prohibiting paved driveways not front on a garage or carport. The family room had already been converted at this point. Other properties in the area have been similarly converted. This garage does not function well as a garage and the space provides more useable space for a small house. Code Inspector Krug has visited the house to confirm the construction was done safely. The door is attractive.

Mr. Dalton lives across the street from this property.

Mr. Manzella – was the garage converted when he bought the house? Yes  
 Manzella – when was the tax listing changed: about 4 years ago

Public:  
 None

Motion to Approve: Manzella  
 Second: Ventrice

	Yes	No
Nancy Coppola, Chair		
John Cox, Vice Chair		
Margaret Chester	X	
Sue McElligott		
Doug Sheehan		
Peter Ventrice (alt)	X	

Jose Madera (alt)		
Tierream Houser (alt)		
Mike Manzella (alt)	X	
John Zimmerman	X	

**VIII. NEW BUSINESS**

**A. ROBERT WOOD JOHNSON UNIVERSITY HOSPITAL, Z-2013-08, Variance application for the use of an existing dwelling as management training offices located at 5 High Street, Block 52, Lot 12, Zoning District: R-5A**

Tom Kelso, Esq – A use variance is requested for the continued use of the property for hospital use. The hospital originally received a temporary use permit for the use. It is used for training purposes. There are 4-6 employees with other employees coming to the site for training. A parking variance is also requested. The employees and trainees are already parked at other hospital facilities.

David Bogle, RWJUH VP of Construction Services – The hospital embarked on performance analysis training program to improve hospital performance. The trainers help train hospital staff to improve operations. Having the facility in proximity to the hospital is important. It is an 8-5 pm operation with no weekend operations. Parking is done off-site at other hospital parking decks.

Kurt Ludwig, Architect – It is an existing 2 story building with identical floor layouts. Rooms are for offices and conference rooms. The building can be easily converted back to a residential use if the hospital no longer uses it for training purposes.

There is no space on the lot to provide on-site parking.

Mr. Manzella – is there any signage proposed?  
 Kelso – there will be a small identification sign for RWJUH.

Alison Coffin, Planner – The site is in the R-5A zone and offices are not permitted. The site will continue to look like a residential use. On-site parking is required but will be provided off-site. Special reasons exist due to the particular suitability of the site as it is in proximity to the hospital, which is an inherently beneficial use. This site allows users to use the hospital facilities for parking and to conveniently access it. It will continue to look like a residential use and can be easily converted back to residential use so there is no negative impact to zone plan or master plan.

Public  
 None

Motion to Approve: McElligott  
 Second: Manzella

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

**B. 18 BETHANY STREET, LLC, Z-2013-10**, Variance application for the use of the attic for an additional bedroom located at 18 Bethany Street, Block 99, Lot 25, Zoning District: C-3A

Applicant requested to carry the application to the January 27, 2014 meeting of the Zoning Board and waived all time requirements related to the application. An announcement of the carrying of the application was made to the public. No further notice is required.

**IX. ADJOURNMENT**

Adjourn 8:08 PM