

BOROUGH OF RARITAN
TECHNICAL REVIEW COMMITTEE MEETING
MINUTES
March 3, 2017 - 8:30 a.m.

CALL TO ORDER

Chairman Brown called the meeting to order at 8:30 a.m. in the Raritan Municipal Building. He read the Open Public Meetings statement as follows: This meeting is called pursuant to the provisions of the Open Public Meetings Act. Notice of this meeting was sent to the Courier News and Star Ledger on March 1, 2017. In addition, copies of the notices were posted on the bulletin board in the Municipal Building, on the Raritan Borough website and filed in the Office of the Borough Clerk.

Present: Tom Brown
John Gausz
Debbie Thomas
Rick Miller

Also Present: Susan Rubright (Board Attorney)
Stan Schrek (Board Engineer)
Joe Forgione (Applicant)
Andy Norin, Esq. - Drinker, Biddle & Reath, LLP (Attorney for Applicant)
Brett Skapinetz (Dynamic Engineering)
Kevin Codey (JMF Properties)
Angela Koselicki - Devereaux & Associates (Architect for Applicant)

Calling it the guideline that the Applicant is to use in order to prepare its application and presentation, Mr. Brown offered that it would be appropriate to start the discussion with the Redevelopment Plan.

Mr. Forgione stated that the Plan was tailored to the original concept that a portion of the garage involved collaboration with LabCorp. Ms. Rubright confirmed that the current plan does not involve LabCorp. The application is supposed to be consistent with all aspects of the Plan from the perspective of purpose as well as from a technical standpoint. Mr. Forgione stated that unless something came up in the report that requires a deviation at this point, the plan was relevant. Mr. Schrek offered that the application meets bulk standards and that the issues are mainly of a technical nature which can be worked out between engineers.

The Committee focused on issues relative to Section 5 of the Redevelopment Plan; *i.e.*, architecture. Mr. Skapinetz indicated that there were no objections to any of the items in Mr. Schrek's review letter from an engineering perspective and that testimony with respect to those issues would be provided at the hearing. He explained that outside of the parking deck that was mentioned, there was nothing substantial requiring present discussion.

Mr. Forgione spoke to the importance of meeting intent as well as bulk standards given the proposed connectivity to the train station. He asked whether everyone agreed that the intent was being met. (Lou Gara arrived at 8:40 a.m.) Ms. Rubright concurred that this was an important point. She also related that the Board had heard comments from at least four people with respect to intensity and appearance of the building. She offered that it was up to the Board and its professional staff as well as the applicant and his team to discuss what the concept is as it relates to the Redevelopment Plan. She suggested that although Mr. Skapinetz said he could address all of Mr. Schrek's comments he should come back prior to a Board appearance with a formal reply on them. Mr. Skapinetz indicated that he had already "marked it up."

Ms. Rubright suggested that in order to keep things moving, something "workable," without a lot of comments for the Board to have to spend time on, would need to be presented. She offered that they should speak to the purpose section of the Plan in order to address some of the comments.

There was a jurisdictional question about Block 61, Lot 2, referred to as "the railroad property" and whether it was part of the Redevelopment Plan. Ms. Rubright related that Mr. Lehrer didn't see it as a problem as long as the property owners within 200' of that lot were noticed. Mr. Norin confirmed that they had been. Mr. Schrek explained that although there was notice, there is work on the Railroad property involving installation of structures that do not appear in the owner's consent form. Ms. Rubright related that consent was necessary. Mr. Forgione explained that the Railroad issues a license; not an owner's consent or an easement. Speaking to the recent [unrelated] Labcorp application, Ms. Rubright confirmed that this was understood. Mr. Forgione offered that raising the issue of whether the Railroad property was in the Redevelopment Zone would "throw things into a tailspin" and create doubt in people's minds. Calling it a "simple thing," Mr. Norin offered that the approval should just be conditioned upon obtaining the license in question. Ms. Rubright spoke to relevant case law on the topic and said she was not disputing that. She offered that for jurisdiction purposes, it was acceptable to proceed with the application, but they would need the permit prior to final sign off if that property is to be used. Mr. Norin indicated that they understood and stated that they would not be building prior to sign off. Ms. Rubright advised that from a jurisdictional standpoint, they did provide the legal notice from that property and that the Board could proceed provided that the applicant ultimately got the permit.

Mr. Norin suggested that it would make sense to go through the architectural issues if they are significant. He asked whether the Committee wanted to go through the Michaels & Waldron letter or architectural comments in Mr. Schrek's letter. Mr. Schrek offered that they should start on page 16 of his report. Someone on the Applicant's team offered that a lot of the comments would likely be satisfied in the Applicant's resubmission. Mr. Miller referenced the planning and conceptual comments section on page 5 of Mr. Schrek's report with respect to the purposes of the Plan. It was established that there were no issues with item #1 or #2. With respect to item #3, Mr. Miller asked whether pedestrian friendly design meant to take advantage of the train station, and, if so, why there is no path to the train stations. The applicant advised that they were working with New Jersey Transit on the area at the end of Second Avenue in order to extend the sidewalks so as to create a walkway for foot traffic to the train station. He related that they are still awaiting comments from NJ Transit. Speaking to feasibility with respect to timeframes, Ms. Rubright acknowledged that this would be ongoing. Mr. Forgione spoke to safety and lighting and offered that having the building near the train was an added amenity. Mr. Norin offered that it is the intent to work with Transit, but questioned the idea of making the application subject to that approval.

Mr. Forgione asked whether the CO would be held up if the access approval wasn't in place at the time through no fault of their own. Mr. Miller asked whether there was anything the Borough could do in order to expedite the process. Mr. Forgione explained that in most instances where the Borough becomes the applicant, things move more quickly. He indicated that while a letter "might help," they were "in good shape" presently. Mr. Schrek advised that the Borough approved the project as a TOD so there would be no issue with support. Mr. Forgione asked whether the train station had been designated as a Transit Village. Ms. Rubright offered that she did not think it was. Mr. Forgione offered that this information was necessary and asked what would happen if the license for access from the Railroad could not be secured. Ms. Rubright indicated that the Construction Official was shaking his head in disapproval with respect to the granting of a CO. Discussion ensued that COs would not be held up pending such access.

Ms. Thomas asked about the option of purchasing the property between the station and the project to provide access. The Applicant's team explained that the property was owned by 4 or 5 family members and that while they had approached the homeowners in an effort to create a walkway on the side of their property, they were "not interested." Mr. Forgione offered that while purchasing it would probably be cost prohibitive, they would make an effort. Lamenting that "money talks," Ms. Thomas pointed out that he was able to purchase all of the properties on 3rd Street. Mr. Forgione concurred but

stated that if they were to buy it, there would be a question as to whether they would maintain/rent it or demo it and create some kind of amenity. Mr. Forgione offered that he and Kevin [Codey] would talk to the Owner, and there was further discussion about the identity of the property owner.

Mr. Forgione stated that the issue of whether the Railroad agreement was a condition of approval or a condition of the CO remained. Mr. Norin asserted that the only condition of approval could be that the Applicant would make efforts to work with Transit to obtain access. Mr. Miller offered that the Town could work with them. There was a brief discussion about the fact that a request for access had been made previously but denied. Speaking to an impending increase in ridership from the project, Mr. Forgione offered that the reason for the previous denial was likely because it was just for access and not part of this proposal. He related that he would make "best effort" but wanted assurance that if the access license could not be obtained that it would not hold up approvals or CO. Mr. Schrek asked whether testimony could be provided as to other TOD's that did not have direct access to Railroad. Speaking to a project in Denville where Transit denied a request to build a sidewalk on their property, Mr. Forgione related that he could.

An RSIS discount for parking tied to the TOD designation was discussed at length. Mr. Schrek explained that because of the designation, the project would have to meet the definition of a TOD without having pedestrian access in place. He asked whether it would meet the definition that would allow for the discounted parking. Speaking to a project he completed in Plainfield, Mr. Forgione explained that could speak to that in testimony.

Ms. Thomas asked about the availability of a shuttle. Mr. Forgione clarified that any discussion about a shuttle was tied into previous talks with LabCorp. Ms. Rubright asked how commuters would get to the train without the direct access. This led to discussion about the propensity for people to potentially take shortcuts.

Mr. Forgione again asked for confirmation that the CO would not be held up provided the intent of the TOD was met. Mr. Schrek explained that could proceed if the Board was comfortable with it in the beginning and as long as it meets the TOD requirement since that is how the parking standards would be met. The number of spaces per unit were discussed. Mr. Schrek confirmed that the 1.4 space per unit TOD standard would be met. Mr. Forgione affirmed that the Redevelopment Plan has a set standard of spaces per unit so the bulk standards required in the Plan are met. He asked whether walking around the block to reach the train is the intent of the TOD. Mr. Norin offered that the property is close enough to the train station to comply with the TOD. Mr. Brown asked for clarification on whether or not this access "counts." Mr. Schrek advised that the Borough consulted with their Redevelopment Planner, Paul Grygiel, who felt it still qualifies with a 5 minute walk. Ms. Rubright offered that there was an "underlying assumption" as the Plan and the 1.4 parking standard were based on it being a TOD with direct access to the train.

The location of refuse/recycling was discussed. Mr. Forgione indicated that corridor trash rooms/chutes together with a separate entrance on the property for the trash hauler were used for efficiency of garbage removal and optimal traffic movement. The relevance of a separate entrance for new and departing tenants was discussed. Mr. Schrek asked how they could "soften" the effect with screening and buffer noise. Mr. Forgione offered that timing of pickups could be controlled. Mr. Miller asked whether there was any way of reconfiguring the main entrance. Ms. Thomas asked why the main entrance had to be on Second Avenue. Mr. Forgione stated it was for security reasons. Ms. Thomas opined that the elevations have the look and feel of a fortress. She stated that it looked much different than the original rendering that she saw at the Council meeting and that she did not like the look of it. Mr. Forgione offered that the original rendering always had the entrance off Second Avenue. Ms. Thomas opined that the original plan had a more "inviting" look and added that she did not like the location of the parking lot. She opined that the aesthetics need to be on the First Avenue side and added that the garage did not look good "at all." The Applicant's team offered that the garage would not be visible. There was an extensive discussion about the visibility of the parking deck. Moving the garage in the interest of buffering it from the residential homes was discussed.

Speaking to the Third Street façade specifically, Mr. Brown offered that the perception was unbalanced. He opined that despite any conformity with setbacks, that there was not enough buffering and an unbalanced appearance given the drastic architectural change in the neighborhood as a result of this building. Mr. Forgione offered that they separated the massing with the courtyards and elements such as brick color. Mr. Gausz spoke to the unbalanced appearance from the perspective looking down Third Street. Mr. Schrek reiterated that the application meets the bulk requirements of the Plan. Mr. Forgione opined that the architectural plan does an "incredible job" of separating the massing and offered that the problem is that it does not show the actual setbacks. He stated that they may have to be more detailed. Speaking to the above grade balconies specifically, Mr. Schrek offered that this articulation doesn't match what the Redevelopment Plan calls for. Mr. Forgione offered that the problem is that the plan can't get into every detail and referred to the sheet with the "indents" shown. Ms. Koselicki asked the Committee to look at the third page of the second architectural submission and spoke to the "indents." Mr. Forgione explained that changing brick color/material type breaks up the building even though it looks "flat" on the plan. Ms. Rubright suggested that it was an issue of optics.

Mr. Brown asked whether there could be something along the sidewalk like a small park. Ms. Thomas suggested a gateway. Mr. Forgione offered that he could bring the current sidewalk closer to the curb and create a 2' aisle between sidewalk and the curb which would allow for another 4' between the sidewalk and the building, creating more lawn space and allowing for more landscaping. Mr. Gausz asked what the difference was from the curb to the edge of the building. Mr. Forgione related that it was 16' and explained that since they currently have a 5' sidewalk, they can create more green space while still being able to put shade trees in the 2' aisle along the street if they are able to move it 3' closer. He indicated that they could bring the sidewalk to the curb and gain another 3' in order to have an additional 5' of landscaping along the building. He reiterated that placement of the main entrance off of Second Avenue was for security purposes and to establish a sense of entry while softening it and making it more residential given the lack of vehicular traffic. Ms. Thomas stated that she did not agree. Mr. Forgione offered that it was a matter of opinion.

Calling the Board a "mouthpiece for residents," Ms. Thomas stated that in their capacity as representatives of the Borough, they would be going through the proposal with "a fine tooth comb." She stated that the project was a good idea if "done well." She explained that while "no one wanted Riverpark when that came in," fears have since been allayed there because there is "nothing going on." Mr. Forgione related that he was attempting to answer the question regarding the rationale for the placement of the entrances and about breaking up the building. He offered that there are things that can be done to create more green space and asserted that he did not agree that the massing was not handled well. Ms. Thomas stated that she was looking for "the good of the Town" while he was looking for "financial gain." She added that although he was looking for density, they want to make sure it is aesthetically pleasing and maintains the luxury concept of what they want it to be, referencing amenities specifically. She expressed concern about it not turning into a "slum" in "15 years."

There was a discussion about whether pools were a desirable amenity. Mr. Forgione spoke to his experience with a project in Maplewood that did not include a pool. He explained fitness facilities were what people wanted. Ms. Thomas asked about bicycle and pedestrian friendly amenities. Mr. Forgione spoke about a joint venture he entered into with "Zagster" in downtown Denville which provides a "swipe and bike" service. Calling it a "great opportunity," he related that they would propose to partner with Zagster in Raritan as well and would show the location of the bike rack.

Mr. Miller directed the conversation back to the idea of the main entrance being on Second Avenue instead of Third Street. With respect to Riverpark, Ms. Thomas offered that you see a "beautiful, welcoming apartment complex" when you drive down Orlando Drive. She opined that it would make more sense to show off "how beautiful the place is" by having the entrance on the more heavily trafficked street. Mr. Skapinetz offered that the location was chosen with sensitivity to the existing homes along Third Street in mind. Mr. Forgione offered that it makes it more residential than commercial and again spoke to security. Ms. Koselicki offered that there were some "traffic officials" who did not want the entrance on Third Street because they did not like the "in and out" on the County Road. It was noted Third Street is not a County road. There was discussion about whether that feedback may have come from officials at the County. Further discussion ensued about placement of the entrance.

Mr. Brown asked whether there was any consideration for school bus traffic given the proximity to the elementary school, which he stated was "literally feet" from the bulk of vehicular traffic on Second Avenue. Impacts of bus traffic were discussed. Mr. Forgione offered that they would look at the issue, particularly with respect to the morning. Mr. Brown offered that putting traffic onto Second Avenue would give rise to the bulk of the traffic going into Town. Mr. Forgione offered that it would more than likely flow down Third Street. Mr. Schrek related that the Traffic Engineer was aware as they had spoken about it. Mr. Brown cautioned that the facility was used all the time; not just during school hours. Road closures for several days due to St. Anne's Festa, an annual festival was discussed at length.

Mr. Schrek spoke to the reduced size of some of the parking stalls on the deck with respect to the requirements in the Redevelopment Plan. He indicated that he would expect testimony on how that would be controlled. Ms. Thomas asked about the availability of electric car charging stations. Mr. Forgione indicated that this is available along with preferred parking for low emission vehicles.

Emergency vehicle access was discussed. Mr. Schrek indicated that he would expect to have reviews from Borough Officials at the meeting. Mr. Norin asserted that fire trucks would not be going into the garage. Fire suppression and sound mitigation given the proximity to the railroad tracks were discussed at length. Ms. Koselicki indicated that there is consultation with an acoustical engineer and that the choice of materials with respect to doors, windows and wall assemblies all factor into sound mitigation. Mr. Forgione offered that the location of the parking deck helps.

Mr. Forgione spoke to the average age of renters (72) in his Maplewood development. The sprinkler system was discussed at length. Ms. Koselicki explained that the proposed 13R system divides the building up into at least three buildings with firewalls in accordance with code. Ms. Rubright offered that they should consider upgrading to a 13 Standard. Ms. Koselicki spoke to the difference in systems with respect to use. Ms. Rubright offered that it was important for the Board and emergency services to know how many units there were per section. Mr. Forgione offered that the project was designed to have three buildings.

Ms. Rubright confirmed that the application/hearing was scheduled for March 22. Mr. Forgione indicated that he wanted to make sure that the look of the development was satisfactory. Timeliness of submission was discussed. The applicant's team offered that they would try to do "some renderings." Mr. Miller suggested that a 3D perspective would be helpful. Mr. Forgione asked for confirmation that they were ok with not having a pool in the proposal. Ms. Thomas offered that if this was the trend, then yes. Mr. Forgione offered that this is also why there are no tennis courts. Availability of a community pool was discussed. Mr. Brown encouraged the Applicant to have visuals and elevation at the hearing as they would play a big part at the meeting. Mr. Gausz offered that a 3D rendering of what Third Street would look like would be helpful.

Mr. Forgione asked Mr. Schrek whether he would be amenable to getting the sidewalk closer to the curb. Mr. Schrek asked whether there were utility poles. A 6' DOT requirement with respect to the sidewalk was discussed. Mr. Scott related that they could make it 6' with the sidewalk on the curb. Mr. Schrek asked whether there would be an easement for trees. Mr. Scott indicated that they will be in the right of way on the back side of the curb along with street lights. Mr. Schrek confirmed that this would be

acceptable. Mr. Forgione confirmed that he would have renderings done. The importance of a rendering with respect to Third Street was discussed. Mr. Brown offered that a comparison of one side of the street to the other would be helpful. Ms. Thomas stressed the importance of diffusing public comment by creating a greater level of comfort with the project. In response to a question from the applicant, Mr. Miller indicated that he would ensure that they would have the capability to present a PowerPoint at the hearing.

End time was 9:50.

Respectfully submitted,

Nancy Probst

Nancy Probst, Planning Board Secretary

APPROVED 3/21/17
AT TRC