

PRINCETON ZONING BOARD OF ADJUSTMENT

Minutes of the Regular Meeting

May 25, 2016 7:30 P.M.

Municipal Complex – Main Meeting Room, Princeton, New Jersey

1. OPENING STATEMENT

The meeting commenced at 7:31 p.m. with Chairman Royce reading the Open Public Meetings Act statement.

2. ROLL CALL

PRESENT: Louisa Clayton, Steven Cohen, Eve Coulson, Michael Floyd
Doreen Blanc-Rockstrom, Barrie Royce, Bairy Suri

ABSENT: Harlan Tenenbaum

ALSO PRESENT: Karen Cayci, Attorney; Derek Bridger, Zoning Officer; Elizabeth Kim, HPC Officer; Claudia Ceballos, Board Secretary.

There were twenty eight (28) members of the public present.

3. MINUTES

a) February 17, 2016 – table to next meeting.

4. RESOLUTIONS

a) Beatrice and Michael Bloom/Owner & Applicant
80 Rollingmead Road, Block: 7507, Lots: 1 & 246, R5 Zone (Twp)
C2 – front yard setback and setback to height ratio
to permit the expansion of an existing non-complying garage
Z1616-331 V
Approved with conditions

A motion was made by Mr. Cohen to adopt the resolution, seconded by Ms. Rockstrom and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.

b) 304 Ewing, LLC/Owner
RB Homes/Applicant
304 Ewing Street, Block: 7303, Lot: 5, R8 Zone (Twp)
C1 – Lot area for a new single family house
Z1616-346 V
Approved with conditions

A motion was made by Ms. Clayton to adopt the resolution, seconded by Ms. Coulson and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.

c) Steven R. Atkinson, Owner & Applicant
119 Spruce Street, Block: 33.02, Lot: 100, R4 Zone (Boro)
C1 – Side yard, combined side yard and rear yard setbacks
to rebuild existing house in the same footprint
Z1616- 335V
Approved with conditions

A motion was made by Mr. Cohen to adopt the resolution, seconded by Ms. Sury and carried with a voice vote of five ayes among those members eligible to vote. No one opposed. No one abstained.

5. **Applications**

a) Olsen, Christopher and Howie, Kim
16 Alexander Street, Block: 41.01, Lot 8
C2- Lot coverage for carport
Z1616-348 V

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application were the property owners Christopher Olsen and Kim Howie, sworn in by Attorney Cayci.

Mr. Bridger was sworn in by Attorney Cayci.

Mr. Bridger provided an overview of the application using his memorandum dated April 7, 2016. He said that the homeowners are seeking C (2) variance and Historic Preservation Plan approval to permit the development of a one-car carport in exception to the required building coverage ratio.

Mr. Bridger said that the property is located in the R3 Zone of the former Princeton Borough and that the existing single-family use is permitted as of right. He also noted that the lot is non-complying with the required lot area of 7,200 sf., the existing is 6,771 sf. and the required lot width is 60 ft., the existing is 25 ft. Mr. Bridger said that the property is non-complying with the following bulk requirements: required smaller side yard setback required is 8 ft. and the existing is 10’; the required combined side yard setback is 20ft. and the existing is +- 3’10’; the required height to setback is 3:1 and the existing is non-complying; the required accessory structure setback barn is 5 ft. and the existing is 0.0 ft.; the required prevailing front yard setback is 11 ft. +- 2 ft. and the existing is 8 ft.

Mr. Bridger said the applicant is proposing to construct an 11’X20’ one car carport at the rear of the property, which complies with the applicable floor area ratio and setback but exceeds the maximum allowable building coverage. The allowed coverage is 25% the proposed is 27.35%.

Mr. Bridger noted that the property is located in the Mercer Hill Historic District and the carport will be visible from Edwards Place and for that reason it is subject to review by the Historic Preservation Commission (HPC). Mr. Bridger reviewed with the Board the standards for granting the variance.

Elizabeth Kim, Historic Preservation Officer, was sworn in by Attorney Cayci. Ms. Kim read the HPC memorandum signed by July Capozzoli, HPC Chair, dated May 3, 2016 (attached).

Michael Crackel was sworn in by Attorney Cayci. Mr. Crackel presented his credentials as a licensed architect in the State of New Jersey, the Board accepted his credentials.

Mr. Crackel said that the applicants are preserving the landscape. But they want to protect their second car from fruits and branches. Mr. Crackel noted that the 20' by 11' car port just exceeds the lot coverage by 3.5%.

Mr. Crackel noted that in 2013, the owners had extensive maintenance and preservation work done to the existing residence and the existing barn. The barn could accommodate two cars but due to the need to preserve the historic façade of the barn this is not feasible.

Mr. Crackel explained that due to the “T” shape of the property and because it is undersized with respect to lot area and lot width, there are very few locations where the carport can be installed.

Mr. Crackel said that car port has no walls only a roof.

Chairman Royce opened the application for public comment but no members of the public provided comment.

Board Members discussed the application and a motion was made by Mr. Floyd and seconded by Mr. Cohen to grant a C (2) variance for building coverage of 27.35% to permit the construction of a one-car carport as set forth in the application along with historic preservation plan approval, with conditions.

ROLL CALL

Moved by:	Floyd
Seconded by:	Cohen
Those in Favor:	Cohen, Coulson, Floyd, Rockstrom, Royce,
Those Opposed:	Clayton, Suri
Those Absent:	Tenenbaum

b) Peter Andolfatto and Ladan Mehrenver /Owner & Applicant
253 Moore Street; Block 7111, Lot 21; R8 Zone
C1/C2 smaller and combined side yard setback for a second floor addition
Z1616-357 V

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application were the property owners Peter Andolfatto and Ladan Mehranvar; and Chris Tarr, Esquire, Stevens and Lee. All were sworn in by Attorney Cayci.

Mr. Bridger provided an overview of the application using his memorandum dated April 29, 2016. Mr. Bridger said that the application was filed for C (1) variance and in the alternative C (2) to permit a 10.5' x 28.67' second floor addition that will require variances for left and right side yard setbacks and combined side yard setback

Mr. Bridger said that the property is located in the R8 Zone of the former Princeton Township and the existing single-family use is permitted as of right.

Mr. Bridger noted that the lot is non-complying with respect to the following bulk requirement: the required lot area is 8,500 sf. and the existing lot area is 8,000 sf. And that the property is non-complying with respect to the following bulk requirements: the required side yard setback left is 8ft. and the existing is 4.4 ft.; the required side yard setback right is 8ft. and the existing is 6.9 ft.; the required combined side yard is 20 but the existing is 11.3 ft.; and that the addition will increase the existing degree of non-compliance.

Mr. Bridger reviewed with the Board the standards for granting the requested variances.

Ms. Landan Mehranvar presented the following:

Exhibit A-1: Series of 26 Power Point slides consisting of photos of the existing residence and surrounding properties, blow-up of survey and proposed and existing elevations.

Ms. Mehranvar said that they would like to add a second floor addition of approximately 300 sf. above an existing first floor structure on the left side to be used as a master bedroom and bath. Ms. Mehranvar said that they have 2 bedrooms and one bathroom for their family of four. She noted that the existing first floor structure, previously a garage, is nonconforming with respect to the required left side yard setback which is 8 ft. and the existing is 4.4 ft. The right side yard setback is also nonconforming with an existing setback of 6.9 ft. and a required setback of 8 ft.

Ms. Mehranvar confirmed that the proposed addition will not increase the footprint of the residence nor the floor area ratio.

Ms. Mehranvar spoke about the Princeton High School athletic fields and bleachers, constructed after they purchased the property. The bleachers are as high as her 2nd floor section of the house. Due to these bleachers, bright lights and noise, the addition can't be placed in the rear yard.

Chairman Royce opened the meeting to public comment and the following comment was provided:

Leo Arons of 249 Moore Street, was sworn in and said that he does not oppose the application but wished to clarify whether any new building would be located in the right side yard as he lives on that side. Ms. Mehranvar responded that the addition would be located only on the left side.

Cara Hughes of 42 Dorann was sworn and she supported the application.

Board Members discussed the application and a motion was made by Ms. Suri and seconded by Ms. Rockstrom to grant a C (1) variances to allow a left side yard setback of 4.4 ft., a right side yard setback of 6.9 ft. and combined side yard setback of 11.3 ft. to allow a second floor addition of 10.5' x 28.67' on the left side elevation of the existing residence, as set forth in the application, with conditions.

ROLL CALL

Moved by: Suri
Seconded by: Rockstrom
Those in Favor: Clayton, Cohen, Coulson, Floyd, Rockstrom, Royce, Suri
Those Absent: Tenenbaum

c) Property Sellers, LLC/Owner & Applicant
30 Dorann Avenue, Block: 7308, Lot: 19, R7 Zone
C1/C2 – Lot area for a new single family house
Z1616-358 V

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application: Georgina Ricci, Managing Member of Property Sellers, LLC; Kevin Page, P.E., P.P., and Christopher S. Tarr, Esq., Stevens & Lee. All were sworn in by Attorney Cayci.

Mr. Bridger provided an overview of the application using his memorandum dated May 2, 2016. He said that the applicant is seeking a hardship variance C (1) and in the alternative a C (2) to permit the development of a single-family house on a non-conforming lot in exception to the required lot area. Mr. Bridger said that the lot is in the R7 of the former Princeton Township and the existing single-family use is permitted as of right. The required lot area is 10,890 sf. and the existing is 10,185 sf.

Mr. Bridger said that the existing structure will be demolished and a new structure will be constructed. Mr. Bridger noted that the applicant states the proposed new single-family dwelling will comply with all of the bulk requirements except for lot area.

Mr. Bridger reviewed with the Board the standards for granting the requested variances.

Kevin Page, P.E., P.P. presented his credentials as a licensed engineer and planner in the State of New Jersey, the Board accepted his credentials.

Mr. Page presented the application using the following:
Exhibits A-1 –Power Point slides showing zoning map, tax map with subject lot, and the immediate adjacent properties. Mr. Page noted that the majority of lots in the area do not comply with the required lot area.

Georgina Ricci said that the applicant intends to complete the proposed project in a timely manner and has the resources to do so.

The application was opened to public comment and the following comments were provided:

Louis Deane Rollmann of 36 Dorann Avenue, was sworn in by Attorney Cayci. He read a written statement into the record which was marked as Exhibit O-1. Mr. Rollmann said that he opposes the application because the applicant has not provided any proposed plans.

Cara Hughes of 42 Dorann Avenue, was sworn in. She opposeded the application and said that she is concerned how the new construction will affect safety for children and asked that the applicant provide building plans.

Danielle Rollmann of 3 Dorann Avenue, was sworn in and said that she is in in opposition to the application. Ms. Rollmann is concerned about all the tear downs of smaller homes and replacement with much larger homes. She also said that the new home will be consistent with the neighborhood.

Paulette Sears of 18 Dorann Avenue, sworn in, also spoke in opposition to the application. She concurred with comments made by other speakers and noted her concern is regarding the potential destruction of trees.

Megan Mitchell of 49 Clearview Avenue, was sworn in by Attorney Cayci. She also spoke in opposition to the application. Ms. Mitchell agreed with the comments made by the other speakers and mentioned her concern that the character of the neighborhood will be impacted.

Jill Jahn of 29 Teer Ar Place, sworn in by Attorney Cayci, asked for clarification regarding the issues before the Board. Chairman Royce responded that the variance before the Board was for lot area. Mr. Royce said that in the former Township ordinances do not constrain the location of residences through a mean set back as does the former Borough ordinance.

Attorney Cayci advised that the applicant's application is to request to build on a lot that is undersized and that the applicant will comply with all setbacks required.

Chairman Royce advised that the concerns expressed by residents need to be addressed with Council.

Keith Moulton of 370 Franklin Avenue, sworn in by Attorney Cayci, also agreed with comments made by other speakers.

Mr. Tarr said that the applicant is willing to locate the proposed residence at a front yard setback of 35 feet, which is 10 more feet than the zone requirement and that the house will comply with all bulk regulations with respect to the proposed residence other than lot area.

Board Members discussed the application and a motion was made by Ms. Clayton and seconded by Mr. Floyd to grant a C (1) variance to allow a lot area of 10, 185 sf to permit demolition of the existing house and construction of a new single-family house as set forth in the application, with conditions.

ROLL CALL

Moved by:	Clayton
Seconded by:	Floyd
Those in Favor:	Cohen, Clayton, Coulson, Floyd, Rockstrom, Royce, Suri
Those Opposed:	None
Those Absent:	Tenenbaum

d) Grant Homes Cleveland, LLC

75 Cleveland Lane
Block 4.01, Lot 5, Zone R1
Minor Subdivision with Floor Area Variances
Z1616-351 MS
MLUL Deadline: 9/2/16

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application: Thomas Letizia, Esq., of Pepper Hamilton, LLP; Jay Grant, Managing Agent for the entity; Peter Dorne, Architect; Frank Falcone, P.L.S, P.P. All were sworn in by Attorney Cayci.

Mr. Bridger provided an overview of the application using a joint memorandum prepared by Mr. Bridger and John M. West, P.E., P.P. dated May 3, 2016, revised May 11, 2016.

Mr. Bridger said that the property is located in the R1 Zone of the former Borough. He explained that the applicant originally submitted a conforming two lot subdivision plan to the Subdivision Committee of the Planning Board and Historic Preservation Commission and in order for the two lots to be conforming it would be necessary to remove the existing historic structures. Mr. Bridger said that the conforming subdivision plan was approved by the Subdivision Committee of the Planning Board on March 22, 2016 and as a condition of that approval and in accordance with the recommendation of the Historic Preservation Commission, the applicant agreed to submit an application for a subdivision plan that saved the structures. Upon preparing the new subdivision plan it was determined that (FAR) variances and bulk variances would be required. Mr. Bridger said the applicant originally submitted a conforming two lot subdivision plan to the Planning Board and Historic Preservation Commission. In order for the two lots to be conforming, it would be necessary to remove the existing historic dwelling. At the request of both the Planning Board and Historic Preservation Commission, the applicant was asked to resubmit a subdivision plan that saved the existing house, secondary residence/garage and foundry. Upon preparing the amended subdivision, it was determined that the existing building exceeded the required floor area ratio (FAR). The new plan requires several variances.

Mr. Bridger provided a recap of the variances requested for each lot.

Lot 5.01

Required lot area for secondary residences is 25,000 sf. and the proposed is 23,424 sf.

Required lot depth is 125 ft. and the proposed is 78.01 ft.

Maximum accessory bldg. coverage is 20% and the reconfiguration of the lots results in an increase in the existing degree of non-compliance regarding accessory structures

Maximum FAR is 25% and the proposed is 45.53%

Lot 5.02

Required prevailing front yard is 55 ft. and the proposed is 35 ft.

Maximum accessory bldg. coverage is 20% and the reconfiguration of the lots results in an increase in the existing degree of non-compliance regarding accessory structures.

Maximum FAR is 25% and proposed is 27.96 sf. Mr. Bridger noted that the applicant is requesting an additional 645 sf. of FAR, which is the area of the foundry which will remain on site.

Elizabeth Kim, HPC Officer, explained to the Board the historic significance of Ernest Flagg's architecture and described the structures which were built in the late 1920's. She advised that the HPC supported approval of the application which would preserve the existing structures.

Julie Capozzoli, HPC Chair, sworn in by Attorney Cayci confirmed that the HPC supports the requested subdivision subject to the four recommendations set forth in the May 18, 2016 HPC memorandum.

Jay Grant sworn in by Attorney Cayci, said that he is the managing member of the applicant entity. Mr. Grant said that he has built homes since 1985.

Mr. Grant said that the as-of-right subdivision was approved but the Subdivision Committee of the Planning Board and the HPC recommended not to demolish any of the structures on the parcel and find a way to subdivide the property while preserving the buildings.

Peter Dorne, Architect, sworn in by Attorney Cayci, presented his credentials as a licensed Architect in the State of New Jersey, the Board accepted his credentials. He presented the application using the following exhibits:

- Exhibit A1 Summary of required variances
- Exhibit A2 Two photos of the existing residence
- Exhibit A3 First Floor Plan for existing residence-Existing and Proposed
- Exhibit A4 Second Floor Plan, Existing and Proposed
- Exhibit A5: Third Floor Plan, Existing and Proposed
- Exhibit A6: Front Elevation and Elevation, Right
- Exhibit A7: Rear Elevations and Left Elevation, prepared

Frank Falcone, P.L.S, P.P., sworn in by Attorney Cayci, presented his credentials as a licensed engineer and planner in the State of New Jersey, the Board accepted his credentials.

- Mr. Falcone presented the application using the following:
- Exhibit A8 Map showing the as-of-right two-lot subdivision w/ demolition of the structures
 - Exhibit A9 Map of proposed subdivision w/ retention of existing structures
 - Exhibit A10 Detail for both lots

Mr. Falcone noted the lots were reconfigured to retain the existing structures and satisfy both the lot width as well as the rear setback requirements.

Mr. Falcone said Lot 5.01 will face Cleveland Lane and will require variances for lot area, lot depth, FAR and for the maximum coverage percentage of an accessory building. And that Lot 5.02 will face Lafayette Road and will also require a variance for the maximum percentage coverage of an accessory building, front yard setback due to failure to comply with the mean prevailing setback on Lafayette Road and FAR. In addition, until such time as the new

residence is built, an additional variance will be required for Lot 5.02 to permit an accessory structure (the existing foundry) without a principal structure.

The application was opened to public comment and the following comments were made:

Archibald Reid, Esq., appeared on behalf of Rachel Grossman, 80 Lafayette Road. Mr. Reid advised that his client was not against the application as long as the existing wall remained.

Robert Thomas of 79 Lafayette Road, was sworn in by Attorney Cayci and he said that he supports preservation of the existing structures.

Board Members discussed the application and a motion was made by Mr. Cohen and seconded by Ms. Suri to grant the following variances, with conditions, to permit a minor subdivision:

Lot 5.01

Lot Area to permit 23, 4242 sf.

Lot Depth to permit 78.01 ft.

Accessory Structure Coverage of Side Yard to permit of 100% coverage

FAR to permit 45.53%.

Lot 5.02:

Front Yard setback to permit 35 ft.

Accessory Structure Coverage of Rear Yard to permit 39% coverage

Accessory Structure without Principal Structure to permit such structure until the new home is constructed on the lot

FAR to permit 27.96%

ROLL CALL

Moved by: Cohen

Seconded by: Suri

Those in Favor: Clayton, Cohen, Floyd, Rockstrom, Royce, Suri

Those Opposed: None

Those Absent: Tenenbaum

6. ADJOURNMENT

There being no further business, the meeting was adjourned at 11:03 pm.

Respectfully Submitted,

Claudia Ceballos
Secretary

Approved: November 9, 2016.