

**PRINCETON
HISTORIC PRESERVATION COMMISSION**

Minutes – Regular Meeting

March 9, 2015

The regular meeting of the Historic Preservation Commission was called to order 4:00 p.m. on Monday, March 9, 2015 by Chairman Capozzoli in Meeting Room A of the Municipal Building.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, location and agenda was mailed to the news media, posted on the Municipal bulletin board and filed with the Municipal Clerk as required by law.

ROLL CALL AND DECLARATION OF QUORUM

Present: Julie Capozzoli
Catherine Kurtz Gowen
Shirley Satterfield
David Schure
Roger Shatzkin
Cecelia Tazelaar
Robert von Zumbusch

Also present: Elizabeth Kim, Historic Preservation Officer; Jo Butler, Council Liaison; Ed Schmierer, Esq.; Counsel to the Commission; Dr. Bruce Eisenstein, Telecommunications Consultant; Kerry A. Philip, Recording Secretary.

ANNOUNCEMENTS

No announcements were made.

MINUTES

- a) December 8, 2014 – Motion was made by C. Tazelaar and R. Shatzkin seconded the motion to approve the minutes as amended. The vote was 5-0 in favor. Motion carried.
- b) January 12, 2015 – Motion was made by R. von Zumbusch and C. Kurtz Gowen seconded the motion to approve the minutes as amended. The vote was 7-0 in favor. Motion carried.

APPLICATIONS

- a) Crown Castle (continued from 2/9/15)
New Mobile Cellular Booster Equipment (all within the public ROW)

Project No. #50HP-2014 548 Stockton Street
King's Highway (Upper Road, Lincoln Highway) Historic District and Battlefield Stony
Brook Village Historic District

Project No. #51HP-2014 102 Cherry Hill Road
Tusculum Historic District

Project No. #52HP-2014 120 John Street
John Street Historic District

Project No. #53HP-2014 516 Princeton-Kingston Road
King's Highway (Upper Road, Lincoln Highway) Historic District

Project No. #54HP-2014 1108 Princeton-Kingston Road
King's Highway (Upper Road, Lincoln Highway) Historic District

Project No. #55HP-2014 852 Princeton-Kingston Road
King's Highway (Upper Road, Lincoln Highway) Historic District

Project No. #56HP-2014 147 Mountain Avenue
Mountain Avenue Historic District

Project No. 2HP-2015 384 Stockton Street & Edgerstoune Road
King's Highway (Upper Road, Lincoln Highway) Historic District

Project No. 3HP-2015 89 Olden Lane
Old Manor Historic District

E. Kim stated that this is a continuation of the discussion from February pertaining to the ground units. Dr. Eisenstein's report had recommended the installations for 1108 Princeton-Kingston Road and 147 Mountain Avenue.

Mr. Broy stated that the applicant does not practice installing larger cabinets that what is needed by their customers, they are hopeful for a decision on each of the 9 installations proposed today. The ground box for 384 Stockton is for a stealth pole, the equipment is proposed at the base. The cabinet will be surrounded by shrubbery. Since the February meeting they met with the NJDOT and they were advised that ground boxes on any sites along a State highway are not permitted, therefore the box proposed at 1108 Princeton-Kingston Road will be located on River Road which is a Mercer County roadway.

Robert Kiser, Municipal Engineer, stated that he reviewed the sites and there is not enough room between curb and the sidewalk on John Street but the box could be installed on the other side of the sidewalk behind the fence - 52HP-2014. Mr. Broy stated that they looked at the site but they felt that there would be too much activity on the sidewalk so this is not the safest location and they are not recommending it at this site.

Dr. Eisenstein asked about collocation and a contingency plan for supplying a second cabinet because some spaces do not provide space for another carrier. Mr. Broy stated that they have no solution at this time for the John Street installation and further study is needed.

Mr. Broy stated that a ground box is not proposed for 548 Stockton because Route 206 is a State highway. Chairman Capozzoli asked if there is a demand from another carrier and a plan for additional equipment. Mr. Broy advised that an additional carrier cannot be put on the pole on

Stockton. For Cherry Hill Road, a ground unit cannot be accommodated because it is immediately adjacent to a stream with steep slopes. Mr. Kiser stated that next to that pole is another pole being used by Verizon, perhaps there could be collocation on the Verizon pole and perhaps the applicant's box could be collocated on the pole. Mr. Broy stated that they looked at this and for technical reasons he asked Ms. Grant to explain why they could not do this. Tammy Grant, applicant, stated that in the communications base a 6 foot tall antennae is needed and this is too large for installing on a primary pole. PSE&G will not allow anything on top of a primary pole and their antennae must be 12 inches lower than the highest installation.

516 Princeton-Kingston Road, a ground box is not proposed because it is on a State highway. E. Kim advised that the installation would be behind an existing fence but can be viewed from the house across the street. She recommends that this be moved to a different pole (south of this pole) which can be camouflaged with landscaping. Mr. Broy stated that they will have to review this. Dr. Eisenstein stated that an antennae installed on a site that low would be compromised if moved 15 feet.

E. Kim recommended that the installation for 1108 Princeton-Kingston be relocated to a different pole because the proposed location is close to a historic site on the corner. It was recommended that the pole one pole away from the intersection be considered for this installation. 147 Mountain Avenue, a ground box is proposed. Other carriers can be on this pole since it is owned by the applicant. 1108 Princeton-Kingston Road, a ground box is proposed. 384 Stockton, the equipment is inside the base and a small box will be placed on the ground immediately north with shrubbery around it.

89 Olden Lane, Mr. Broy stated that the das facility is proposed on a wood pole at the corner of Einstein Drive and Olden Lane. PSE&G installed the original pole and they were going to put in a replacement pole but due to concerns of the adjacent homeowner they do not recommend a box for this location because this would be more noticeable. Ms. Grant stated that they can put a box on the ground but they feel that this may not be aesthetically pleasing.

Chairman Capozzoli summarized, boxes are proposed for 1108 Princeton-Kingston Road, 147 Mountain Avenue, 384 Stockton Street and 89 Olden Lane. The applicant will take another look at the box for 102 Cherry Hill Road which is close to Tusculum. Mr. Broy stated that the poles chosen are the best locations and they do not wish to relocate these das nodes to another pole.

Dr. Eisenstein stated that the applicant should be able to move less than 100 feet without losing coverage and recommends that they reconsider. This should be acceptable unless there is an egregious reason that would prohibit this and reduce their coverage. Mr. Broy advised that they are not willing to move one pole over, they desire the locations proposed. Chairman Capozzoli asked about the municipality's obligation under the law. Dr. Eisenstein stated that Section 6409a refers to collocation of cell phone equipment; if an existing site has been approved and a collocator has requested to collocate they cannot be denied. Boards are not permitted to ask for any additional information as to their business reasons to locating there. The regulations from the FCC are that installations are permitted as long as the applicant does not raise the pole 10% or 20 feet or disturb the ground area beyond what has been approved. He is unsure how this law impacts a das node system although the applicant's attorney stated that das nodes are included.

The owner of the property adjacent to 89 Olden Lane was present. She stated that she feels the location should be reconsidered because it would impact the views of many historic residences and the Institute for Advanced Study property including the Director's home. D. Schure stated that if other providers need service then more poles would have to be installed. Ed Schmierer, Esq., legal counsel for the Commission, stated that the FCC requires approval of these installations and removes the municipality from regulating the facilities. However there are nine sites within historic districts so the locations of the structures are being reviewed. He stated that he agrees if the size of the poles are too small for collocation then a larger facility or pole is needed and we cannot prohibit this. The Commission was asked to analyze each site, evaluate which is the least disruptive and then make a recommendation.

Chairman Capozzoli stated that the radio frequency engineer should review several locations for possible adjustments to the proposal. Ms. Grant stated that the boxes may be the right size for all providers equipment and that pole installation is their preference. C. Tazelaar stated that the ground boxes should be screened with landscaping. She also recommended public meetings for transparency. Dr. Eisenstein stated that he recommends das nodes over macro sites, there is less visual interruption and are relatively unobtrusive.

Mr. Kiser stated that he will coordinate a neighborhood meeting for the Olden Lane residents. He opined that both pole installation and boxes are objectionable but monopole installation is not desired. C. Tazelaar made a motion to deny the preservation plan and forward recommendations to the State Historic Preservation Office (SHPO), D. Schure seconded the motion. Motion carried by a voice vote of 7-0 in favor.

For: Capozzoli, Kurtz Gowen, Satterfield, Schure, Shatzkin, Tazelaar, von Zumbusch

Against: None

Abstain: None

D. Schure left the meeting (5:50 pm).

C. Tazelaar and C. Kurtz Gowen recused themselves from the next discussion.

- b) Nina Golder
619 Lawrenceville Road
Princeton Battlefield & Stony Brook Settlement Historic District
(Removal of Existing Use Variance Condition)
The ZBA has requested this application return to the HPC; Revised Two Condominium Limits to Incorporate Greater Area of Common Grounds under Homeowner's Association

E. Kim referenced her report dated March 8, 2015. Karen Cayci, Esq., Zoning Board Attorney, stated that she was present to explain why the Zoning Board referred it back to HPC if the board wished for this information. R. von Zumbusch stated that the gate to the Stony Brook should be indicated on the plan.

Mark Solomon, Esq., legal counsel for the applicant, stated that Ms. Kim's report covers what had been discussed previously. The middle section of the drive should go back to the common element and this will be done. Unit #1 is 9200 sf and Unit #2 is 3700 sf. Can make Unit #1 smaller to be in line with the front of the parcel. The dimensions will get fixed when the survey is prepared. The deer fence for each unit requires an easement and this will be done. Regarding the limited common elements, everything that is in the common area is maintained collectively. The driveway is limited for the exclusive use of Unit #2. The driveway will be maintained by the homeowners association. The ruins will be included in the common area and there is a restricted common element in the front. There is no increase to the parking and no changes proposed to the site. If the ruins begin to deteriorate the Commission can recommend that they be stabilized. Ms. Golder, applicant, stated that there has been no need for stabilization for the past 18 years. Mr. Solomon stated that further endorsement is needed from the Commission.

R. Shatzkin made a motion to approve the new plan with the recommended design guidelines as modified, the motion was seconded by S. Satterfield. The vote was 4-0 in favor. Motion carried.

For: Capozzoli, Satterfield, Shatzkin, von Zumbusch

Against: None

Abstain: None

C. Kurtz Gowen and C. Tazelaar returned to the meeting.

DISCUSSIONS

a) 31 & 33 Lytle Street – Mary Moss Park conceptual design

E. Kim stated that there is a plan for acquisition of this property and combine it with the Mary Moss Park. Mr. Kiser referenced an aerial of the street. A grant has been received for development of Mary Moss Park. The Barsky development company purchased the property at 31 & 33 Lytle Street. Staff reviewed the developers plan for two homes on that parcel, which will require zoning board approval, and believes that this provides an opportunity to expand Mary Moss Park. Ms. Kim stated that the Barsky's are willing to sell the property to the municipality. R. von Zumbusch stated that he is against demolishing the home; it is one of the best historic homes in this area and wishes that it be preserved. C. Tazelaar stated that the house should be purchased for affordable housing. Jo Butler, Council Liaison, stated that the plan is to rehabilitate Mary Moss Park. Marc Dashfield, Town Administrator, stated that a number of affordable housing projects are being reviewed, he is unsure if money will be available for rehabilitation of the units.

R. von Zumbusch stated the he hopes Princeton finds a way to preserve the house, it is the best house on the street and one of the best in the district. He does not think it makes sense to tear the house down in order to extend the park.

John Heilner, resident, stated that the house was built in the 1870s and it has many historic characteristics. He does not think there is any reason why this house cannot be preserved and restored and made into a market rate two-family home.

Hendricks Davis, resident, stated that the house appears to be in good shape. He asked for a constraint on the current owner to not be permitted to demolish the house. R. von Zumbusch stated that he recommends that the land be purchased by the municipality along with the house. Kip Cherry, resident, stated that recent valuations and county appraisals are anticipated to determine how much the property would cost the municipality. She will look into this information and will report back. She stated that she will also check into what funds the State has for historic structure preservation as part of the open space tax.

James Floyd, resident, asked the Commission to exercise their historic district powers, this is a historic structure and he asked that the house not be demolished.

R. von Zumbusch stated that he recommends that we involve the neighborhood in the discussion before Council. C. Tazelaar stated that she strongly urges Council to take every possible means to acquire and preserve the house in light of the fact that it is historic, and part of the proposed Witherspoon-Jackson district. Motion was made by C. Tazelaar and R. von Zumbusch seconded to recommend to Council preservation of the house on Lytle Street. The vote was 6-0 in favor. Motion carried.

For: Capozzoli, Kurtz Gowen, Satterfield, Shatzkin, Tazelaar, von Zumbusch

Against: None

Abstain: None

RESOLUTION

- a) Roy Carmen
611 Lawrenceville Road
Princeton Battlefield & Stony Brook Settlement Historic District
New Pool, Fence and Landscaping
Block 9301 Lot 13 Zone: R-1
Project No. 57HP-2014

Motion made by R. von Zumbusch and C. Tazelaar seconded the motion to approve the resolution for 57HP-2014 as amended. The vote was 6-0 in favor. Motion carried.

For: Capozzoli, Kurtz Gowen, Satterfield, Shatzkin, Tazelaar, von Zumbusch

Against: None

Abstain: None

- b) RFP Request to Mayor and Council – Revised Draft
Creation of Witherspoon-Jackson Neighborhood Historic District

Chairman Capozzoli stated that there was recommended language to be put included about how the researcher will gather the information. E. Kim stated that there were also some changes recommended pertaining to costs from researchers. A total of \$35,000 was recommended for

local designation. Motion was made by C. Tazelaar and S. Satterfield seconded the motion to approve the Request for Proposals as amended. The vote was 6-0 in favor. Motion carried.

For: Capozzoli, Kurtz Gowen, Satterfield, Shatzkin, Tazelaar, von Zumbusch

Against: None

Abstain: None

STAFF REPORTS

- a) Priority projects – tabled to next meeting
- b) Subcommittee Chart – R. von Zumbusch stated that the sustainable historic preservation subcommittee is permitted to have three members plus an alternate, he volunteered to be on the subcommittee.

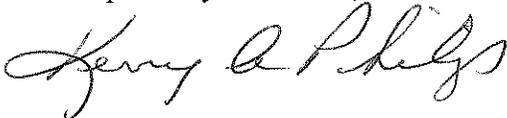
C. Tazelaar left the meeting at 7:25 pm.

PUBLIC COMMENT

Kip Cherry, resident, stated that there is a meeting this Saturday with the Witherspoon-Jackson neighborhood and she handed out copies of the agenda. She stated that type 2 designation may be preferred.

Being that there was no other business before the board, motion was made by R. von Zumbusch and S. Satterfield seconded the motion to adjourn the meeting at 7:30 pm. Motion carried.

Respectfully submitted,



Kerry A. Philip
Secretary