

PRINCETON PLANNING BOARD

**MINUTES OF THE REGULAR MEETING
Thursday, May 16, 2013**

**PRINCETON - MAIN MEETING ROOM
Princeton, NJ**

PRESENT: Jenny Crumiller, Wanda Gunning, Bernie Miller, Timothy Quinn, Marvin Reed, Gail Ullman, Mildred Trotman, Anne Burns

ABSENT: Julie Capozzoli, Julie Nachamkin

ALSO PRESENT: Allen Porter, Board Attorney; Lee Solow, Director of Planning; Ilene Cutroneo, Board Secretary; Derek Bridger, Zoning Officer; Christine Lewandoski, Historic Preservation Officer

Chairperson Gunning opened the meeting at 7:35 pm, acknowledging the opening statement as required by the Open Public Meetings Act, stating that notice of this meeting was adopted on January 17, 2013 and published on February 1, 2013.

ANNOUNCEMENTS: Mrs. Gunning announced that ZARC has scheduled a meeting for Thursday, June 12 at 8:30 am. Mr. Porter advised that Mr. Muller had distributed an email to the Planning Board and SPRAB regarding the public meeting to be held on May 22 by AvalonBay. The email advised that it was prudent for the board members not to participate in the process as the application will have already been filed in the Planning office and that any discussion on the application must take place at the public hearings. Mrs. Ullman acknowledged that she received the email from Mr. Muller but also received an email from the attorney for the Environmental Commission (PEC), of which she is a member, who advised that the PEC members were permitted to attend and therefore she will be attending. Mr. Quinn announced that he would be attending or participating in the discussion as the Board of Education meeting was the same night.

Chairperson Gunning advised of the passing of former Board member Jerry Rose, acknowledging his service to the Board and to the Princeton community.

MINUTES:

a) Regular Meeting – June 21, 2012. Motion to approve was made by Ms. Crumiller, seconded by Mrs. Ullman and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.

b) Regular Meeting – March 21, 2013. Motion to approve was made by Mr. Miller, seconded by Mr. Reed and carried with a voice vote of six ayes among those members eligible to vote. No one opposed. No one abstained.

c) Regular Meeting – April 4, 2013. Prior to the vote, Mr. Porter advised that additional language would be added to paragraph one on page 2 to clarify the consent agreement. Motion was made by Ms. Crumiller to accept the minutes as amended, seconded by Mr. Reed and carried with a voice vote with seven ayes among those members eligible to vote. No one opposed. No one abstained.

HEARINGS:

- a) MAMOUNS PRINCETON LLC
Minor Site Plan w/variances (HPC plan approval)
Witherspoon Street; Block 20.01, Lot 33
File #P1313-031P

Mr. Solow was sworn in and provided the Board with an overview of the application. Using the tax map (marked as exhibit A1) Mr. Solow advised that the applicant is seeking minor site plan and historic preservation plan approval to convert an existing retail space into an eating establishment. The proposal includes the removal of the existing divided light storefront window and frame and replacing it with solid storefront glass and aluminum frame without any divided lights. A new storefront aluminum door is also proposed to match the aluminum window and door frame. The applicant is also proposing new awning along the front and replacement of the air conditioning condenser at the rear of the property. Two 30" diameter kitchen hood exhaust vents and a rooftop air make up unit are proposed on the roof. It was noted that the awning encroaches into the public right of way and will require approval by Mayor and Council. Also proposed are complying wall mounted façade, window, door and valance signs as proposed. The recommendation from the Historic Preservation Commission included that the adjacent store front (Subway) be modified to have the same improvements. A variance is being requested for insufficient parking (application needs a portion of a parking space). Mr. Solow advised that Mr. Bridger is requesting an interpretation from the Zoning Board regarding the parking ordinance on applications with such variances. Ms. Lewandoski, was sworn in and advised that she did not have any additional comments.

Mrs. Ullman questioned whether a definition exists regarding fast food establishments stating that she sees an increase in this use. Mr. Bridger was sworn in and advised that the ordinance has no definition. Mr. Reed stated that he thought restaurants need to provide a trash can on the street to keep the area clean. Ms. Crumiller stated that she is on a committee that is working with the Council to create a uniform streetscape along Witherspoon Street and asked that before any trash can is placed the applicant should consult with the committee.

Lionel Frank, Esq., was sworn in and appeared on behalf of the applicant. Mr. Frank introduced the witnesses for the application and asked that they be sworn in: Frank Banisch, PP; Husaam Chater, applicant; Patricia Totaro, project architect. Mr. Chater provided the Board with background on the restaurant and its expansion from NYC to New Jersey. Testimony was presented that this is not considered fast food as everything is made from scratch. Mr. Chater also spoke to the type of clientele frequenting the restaurant, noting that it primarily is pedestrian traffic. He also advised that the staff at the locations do not drive, finding alternate methods to arrive at the restaurant. Mr. Chater agreed to provide a trash can on the street and has arranged for trash pick-up three times weekly from the trash bins which will be stored in the alley.

Mr. Frank advised that the applicant agrees to the conditions found in the HPC report and Ms. Totaro reviewed the changes with the Board. The Board questioned the process for the changes to the other storefront. Mr. Solow advised that if the Board approves the changes, it will be included in the resolution and no further applications need to be filed.

Mr. Banisch was accepted by the Board as an expert witness and using a colored map of the walkable area to the store discussed the request for the C2 variance and noted that the area is pedestrian oriented.

Chairperson Gunning opened the meeting for public comment. Hearing no comments, the public portion was closed. Mr. Miller and Mr. Reed suggested that applicant consider adding bike racks.

Mrs. Gunning questioned why the HPC report did not provide any discussion on the age or the history of the building. Ms. Lewandoski advised, while it was not included in the report, it was discussed at the meeting.

Motion was made by Ms. Crumiller to approve the application with the conditions as discussed in staff reports and in the foregoing, seconded by Mr. Miller and carried with the following roll call vote:

FOR: Crumiller, Miller, Quinn, Reed, Trotman, Ullman, Gunning, Burns

AGAINST: No one

ABSTAIN: No one

Motion was made by Mrs. Ullman and seconded by Mrs. Trotman to adjourn. Meeting adjourned at 8:30 pm.

Respectfully submitted,

Dated: 5/29/13

Ilene Cutroneo, Secretary
PLANNING BOARD OF PRINCETON

Adopted: 6/20/13

Wanda S. Gunning, Chair
PLANNING BOARD OF PRINCETON