

PRINCETON PLANNING BOARD

**MINUTES OF THE REGULAR MEETING
Thursday, November 7, 2013**

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

PRESENT: Julie Capozzoli, Jenny Crumiller, Wanda Gunning, Bernie Miller, Julie Nachamkin, Timothy Quinn, Marvin Reed, Mildred Trotman, Gail Ullman, Cecilia Birge

ABSENT: No one

ALSO PRESENT: Allen Porter, Board Attorney; Lee Solow, Director of Planning; Ilene Cutroneo, Board Secretary; Jack West, Land Use Engineer; Derek Bridger, Zoning 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 informed the Board that the Planning office has solicited requests for proposals (RFPs) for Board Attorney in 2014 for both the Planning and the Zoning Boards. Mrs. Gunning advised that the governing body indicated that as part of the best practice policy, RFPs are being solicited for major professional service agreements. A committee comprised of Mrs. Gunning, Mrs. Nachamkin and Mrs. Ullman will review the RFPs and present its findings to the full Board in December.

Mrs. Nachamkin provided the Board with a brief summary on the November 6th ZARC meeting. ZARC has started its discussion on preparing a new Historic Preservation Ordinance and the meeting reviewed a proposed policy memo with key points to bring to the Planning Board and then the governing body. It is anticipated that the memo will be presented to the Board in December.

FINDINGS OF FACT/RESOLUTIONS:

- a) Resolution requesting expanded Professional Services Agreement for:
Miller, Porter & Muller
in the matter of: Association for Planning at Hospital Site, LLC

Motion was made by Ms. Crumiller to forward the request to the governing body, seconded by Mrs. Nachamkin and carried with a voice vote of seven ayes. No one opposed. No one abstained.

- b) TRUSTEES OF PRINCETON UNIVERSITY – 10/17/13
Site Plan with variances
Faculty Road; Block 10801, Lot 1
File # PT129953PD

Motion was made by Mr. Miller to accept the findings, seconded by Mrs. Ullman and carried with a voice vote of eight ayes among those members eligible to vote. No one opposed. No one abstained.

MINUTES:

- a) Regular Minutes – September 19, 2013. Prior to the adoption of the minutes, Ms. Crumiller asked that additional language be added to reflect that the applicant indicated that no construction would occur on the Springdale Golf Course. Mr. Porter recommended the following language, University witnesses testified that it had no present plans to build on the Springdale Golf Course site. This was acceptable to Ms. Crumiller. Motion was made by Mrs. Ullman to accept the minutes as amended, seconded by Mrs. Trotman and carried with a voice vote of six ayes by those members eligible to vote. No one opposed. No one abstained.

DISCUSSION:

- a) Sustainable Land Use Pledge. Andrea Malcolm, Sustainable Princeton, was sworn in and provided the Board with a background on the Sustainable Jersey program and the Bronze certification that Sustainable Princeton currently holds. Ms. Malcolm advised that in 2014 Sustainable Princeton is seeking recertification at the silver level and asked that the Board adopt and forward the Sustainable Land Use Pledge onto the governing body. Mr. Reed stated he felt the Board should go further and adopt the pledge

It was recommended by several members that the Board endorse the pledge and forward it onto the governing body for adoption. Mr. Reed asked that the Board go further and adopt the pledge and then encourage the governing body to do the same.

Motion was made by Mr. Reed, seconded by Mrs. Trotman to adopt the resolution and forward it onto the governing body. Motion was carried with a voice vote of eight ayes. Mrs. Nachamkin opposed. No one abstained.

HEARINGS:

- a) PRINCETON COMMUNITY MASTER PLAN – Circulation Element. Mr. Reed discussed the three year process in preparing the new Circulation Element. Mr. Solow added that the element went through a major rewrite and provides a multi-modal approach to Princeton's circulation. Mr. Solow reviewed the differences in the existing element and the new document. The Board members had no comments at this time. Chairperson Gunning opened the meeting to public comments at this time.

Anita Garoniak, member of Save The Dinky, was sworn in and requested that the prior language ‘vigorously support rail service’ to be reinstated and that ‘adequate station facilities’ be removed. Ms. Garoniak also objected to any references to a Bus Rapid Transit system.

Ruth Sayre, was sworn in and stated that she agreed with Ms. Garoniak’s comments.

Anne Neumann, was sworn in, requested the prior language regarding the Dinky be reinstated and that the element should have support for light rail. Ms. Neumann also requested language to be included to save the Dinky ROW.

Kristin Appelgate, Director of Community & Regional Affairs for Princeton University, was sworn in and asked for clarification regarding the road improvements on page 60, indicating that those listed are either underway or have already been completed.

Kip Cherry was sworn in and advised that her prior input has been changed in this document. Ms. Cherry also objected to language that makes the BRT a centerpiece of transportation system and asked that all references to a BRT be removed from the element.

Chip Cryder was sworn in and asked that the language be more general.

Samuel Bunting was sworn in and told the Board that it should set monetary targets for the implementation of the proposals.

William Flemer was sworn in and stated that there should be language that reflects the popularity of the Dinky.

Hearing no further comments, the public portion was closed. Board members discussed minor changes to the document and provided language which addressed some of the public’s comments. The Board agreed to provide language which included ‘vigorously support’ the rail system. In addition, references to the BRT were to be removed along with the statement regarding University road improvements on Faculty Road and University Place. Motion was made by Mr. Reed to adopt the new Circulation Element as discussed in the foregoing, seconded by Mrs. Trotman and carried with the following roll call vote:

FOR: Capozzoli, Crumiller, Miller, Nachamkin, Quinn, Reed, Trotman, Gail Ullman, Gunning

AGAINST: No one

ABSTAIN: No one

Mr. Porter recused himself from the next application and Karen Cayci appeared as special counsel to the Planning Board.

- b) NASSAU REALTY OF PRINCETON, LLC
Minor Site Plan w/conditional use
Nassau Street; Block 28.01, Lot 25

File # P1313-065CO/P

Mr. Solow was sworn in and provided the Board with an overview of application using sheet 1 of 3 (PB1) and sheet 2 of 3 (PB2). In December 2011, the applicant was issued a Notice of Zoning Violation regarding its conversion of a 263 SF second floor efficiency apartment to an office use without zoning or building department approval. Subsequently, the applicant filed a minor site plan and conditional use authorization for this conversion. No external site improvements are proposed. The subject property is located within the CB zone. The change of use from a residential apartment to a non-residential office use is considered a Conditional Use pursuant to Section 17A-307 and requires approval from the Planning Board.

Board members expressed concern that the conversion took place without the necessary approvals and indicated that this sets a bad precedent. Robert Casey, Esq., representing the applicant was sworn in and advised that the applicant has met with staff to address the issues raised by the Fire Official. Mr. Casey acknowledged that the applicant was wrong to proceed in the conversion without obtaining the necessary approvals.

Board members continued to comment on the removal of the apartment from the lower end of the rental scale in the community and felt that it goes against Board policy in providing affordable units in the center of town.

Rashed Bemoussa, applicant, was sworn in and advised that the conversion took place to provide a larger office space. Only the shower was removed and acknowledged that no plumbing permit was obtained. Mr. Bemoussa advised that prior to the conversion it was rented to the Princeton University Soccer Coach for 11 years.

Chairperson Gunning opened the meeting to the public at this time.

Jan Weinberg, was sworn in and advised the Board that the building has numerous violations and have not be caught as inspections are no longer done locally but instead take place every five years by the state. Mr. Weinberg acknowledged that he was the former management agent and advised the applicant of recurring violations. Mr. Casey objected to Mr. Weinberg's statements and asked if he was fired from this position. Mr. Weinberg responded that he was not fired, the contract was not renewed.

Hearing no further comments, the public portion was closed. Staff recommended that the applicant meet with the Construction Official to determine if any permits are needed because of this conversion. A motion was made by Mr. Reed to approve the application with the conditions in the staff report and those discussed in the foregoing. This was seconded by Mrs. Ullman and carried with the following roll call vote:

FOR: Capozzoli, Crumiller, Gunning, Nachamkin, Reed, Trotman, Ullman

AGAINST: Miller, Quinn

ABSTAIN: No one

Motion was made by Mrs. Trotman to adjourn, seconded by Ms. Capozzoli and carried with a voice vote of nine ayes. No one opposed. No one abstained. Meeting adjourned at 10:00 pm.

Respectfully submitted,

Dated: 12/9/13

Ilene Cutroneo, Secretary
PLANNING BOARD OF PRINCETON

Adopted: 3/6/14

Wanda S. Gunning, Chair
PLANNING BOARD OF PRINCETON

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