

PRINCETON PLANNING BOARD

MINUTES OF THE REGULAR MEETING

Thursday, April 23, 2015

**PRINCETON TOWNSHIP – Main Meeting Room
Princeton, NJ**

PRESENT: Cecilia Birge, Julie Capozzoli, Jenny Crumiller, Wanda Gunning, Liz Lempert, Marvin Reed, Mildred Trotman, Fern Spruill, Gail Ullman

ALTERNATES: David Cohen, Timothy Quinn

ABSENT: No one

ALSO PRESENT: Allen Porter, Esq., Board Attorney; Lee Solow, Planning Director; 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 December 6, 2014 and published on December 10, 2014.

ANNOUNCEMENTS: Mrs. Gunning reminded the Board that a joint meeting with Princeton Council is scheduled for Wednesday, May 20 at 7 pm. The meeting is a workshop to bring everyone up to date on the Affordable Housing court decision and review what is needed to file for declaratory judgement in July. Mrs. Ullman had a recent injury and the Board wished her a speedy recovery.

FINDINGS OF FACT:

- a) **MICHAEL & BARBARA BLUMENTHAL**
Minor Subdivision w/variances
Ridgeview Road; Block 501, Lot 14
File #P1515-159MS

Motion was made by Ms. Spruill to adopt the resolution, seconded by Mayor Lempert and carried with a voice vote of eight ayes of those members eligible to vote. No one opposed. No one abstained.

DISCUSSION:

- a) **ORDINANCE REFERRAL – Residential & Nonresidential Affordable Housing Fees.** Mr. Solow advised that the proposed ordinance is standardizing the affordable housing fees, no other changes are proposed. Mr. Solow recommended that the Board find the ordinance consistent with the Master Plan. Motion was made by Mrs. Trotman to find the ordinance consistent with the Princeton Community Master Plan and endorse the ordinance. The motion

was seconded by Mr. Cohen and carried with a voice vote of nine ayes. No one opposed. No one abstained.

HEARINGS:

- a) PRINCETON (EDENS) LLC
Site Plan with variances
N Harrison Street; Block 7401, Lot 1
File #P1414-146P

Mr. Solow was sworn in and provided the Board an overview of the application. Using sheet 6 of 23 (exhibit PB1), Mr. Solow advised that the applicant filed a two part application: (1) reconfiguration and improvements to the parking lot and (2) conversion of the existing gas station into a restaurant for pizza. The gas station's structure will remain but will be converted into the restaurant with indoor and outdoor seating; construction of a new patio; façade improvements; exterior modifications for the restaurant. The entire parking lot will be resurfaced and improved; installation of additional landscape islands; new lighting and reconfiguration for the existing storage and solid waste areas. It was noted that the parking lot improvements will result in a net of 19 additional parking spaces. Mr. Solow reviewed the variances being requested by the applicant which included variances for the structure and parking setbacks as well as the parking stall size. The new variances were for light spillage and landscape islands.

Mr. Bridger and Mr. West were sworn in at this time. Mr. Solow added that the applicant has requested an early start on the parking lot. Staff is requesting the posting of the performance bond and has no objections to the request. Harry Cooke, representing SPRAB, was sworn in and stated that Nomad Pizza should be placed in a different location as the area could be better utilized for circulation and parking for the entire Shopping Center.

Thomas Letizia, Esq., was sworn in and appeared on behalf of the applicant. Mr. Letizia advised that notice for the hearing was provided and reviewed and requested that the Board accept jurisdiction to proceed. Mr. Porter acknowledged acceptance of jurisdiction. Mr. Letizia summarized the application for the Board stating that the submission: increases the number of parking spaces; increases pervious coverage; increases landscaping; eliminates dead end parking; will provide a full resurfacing and striping of the parking area; provide better lighting; provide better vehicular drop-off at the ball fields; provide better pedestrian connections; improved trash enclosures and the adaptive reuse of the gas station. Mr. Letizia also noted that many of the variances being requested are existing conditions and asked that the Board grant an early start to the project subject to bonding and other requirements of the Municipal staff.

David Germakian, Director of Development for Edens, was sworn in and advised that the submission provides a comprehensive upgrade to the circulation of the site and reutilizes a vacant building.

Tony Diggan, PE, was sworn in and accepted as a witness. Using a PowerPoint presentation (marked as exhibit A1), Mr. Diggan reviewed the proposed changes to the site,

discussed landscaping, parking areas, entrance changes, drive improvements. A color rendering of the entire site was shown to the Board with an enlargement of the area for Nomad Pizza. Mayor Lempert asked if consideration was given to SPRAB's request that Nomad be moved to a different location in the shopping center. Mr. Letizia stated that the request was not part of the recommendations made by SPRAB, but instead as individual comments at the end of the report. Mrs. Gunning requested that the drainage areas throughout the site be surveyed prior to any resurfacing. Mr. Diggan also presented reasons to the Board to grant the requested variances.

Josh Zinder, RA was sworn in and accepted as a witness. Mr. Zinder continued with the PowerPoint presentation to review the improvements for Nomad Pizza, stating that building will preserve many elements of original design. Concerns were raised regarding the placement of the bike racks and possible conflicts that may occur between bicycles and vehicles; especially with children on their way to the park.

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

Mike Pisauo, Policy Director of the Stony Brook-Millstone Watershed Association, was sworn in and expressed concern about site runoff and need to protect Harry's Brook. Mr. Diggan advised that the application is in compliance with state standards. Mr. Pisauo requested that the applicant to tie the roof drainage system into the cisterns.

Hearing no further comments, public portion was closed. Mr. Porter summarized the conditions that the applicant would revise the plans based upon the recommendations in staff reports and issues raised at the hearing, permit an early start approval to be phased, conformation from the applicant that the underground drainage system is clean and functioning, applicant is to workout items with staff as recommended. It was noted that the applicant did not agree to the SPRAB recommendation to relocate Nomad Pizza and to certain items in the PEC report.

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

FOR: Birge, Capozzoli, Crumiller, Lempert, Reed, Spruill, Trotman, Cohen, Gunning

AGAINST: No one

ABSTAIN: No one

- b) CHARLES & EMILIA DISANTO
Minor Subdivision w/variances
Mt. Lucas Road; Block 4301, Lot 12
File #P1414-033MS

Mr. Solow was sworn in and provided the Board with an overview of the application. Using the survey plan from the submission (marked as exhibit PB1), Mr. Solow advised that the applicant is proposing to subdivide a 2.49± parcel into two residential lots. The lot with the existing home is complying in total acreage (1.5 acres) the second lot will be undersized. Mr. West and Mr. Bridger were sworn in at this time.

Frank Brennan, Esq., was sworn in and appeared on behalf of the applicant. Mr. DiSanto was sworn and presented testimony to the Board advising that the only variance being requested is for lot size. Mr. Brennan added that the lots on the applicant's side of Mt. Lucas Road are of similar size. Exhibit A1 provided photographs of the immediate area (8 photos) and exhibit A2 was the tax map of the area used by the applicant to discuss how the subdivision would fit into the neighborhood.

Thomas Harris, PLS, was sworn in and used the subdivision plan (exhibit A3) to speak in support of the requested variances, noting that the applicant was unable to purchase additional land from adjacent lots. Mr. DiSanto added that he was a licensed architect and present an analysis of the lots in the area, and in his opinion the subdivision request was keeping within the neighborhood design. Mr. Brennan stated that based upon Mr. DiSanto's testimony the application met the criteria to grant the variances.

Board members expressed concerns that the lots were divided evenly and many Board felt that the testimony did not present sufficient justification to grant the variances.

Chairperson Gunning opened the meeting to the public for comments at this time. Hearing no comments, the public portion was closed. Mrs. Gunning asked the Board if there were any additional comments. Board members raised concern regarding the subdivision.

Motion was made by Mrs. Trotman to approve the subdivision and variance, seconded by Ms. Spruill. Chairperson Gunning requested a roll call vote:
FOR: Lempert, Spruill, Trotman, Gunning
AGAINST: Birge, Capozzoli, Crumiller, Reed, Cohen
ABSTAIN: No one

Motion to approve on the application failed which is a denial. Motion was made by Mrs. Trotman to adjourn, seconded by Mr. Cohen. Meeting adjourned at 9:30 pm.

Respectfully submitted,

Dated: 9/29/15

Ilene Cutroneo, Board Secretary
PRINCETON PLANNING BOARD

Approved: 11/5/15

Wanda Gunning, Chairperson
PRINCETON PLANNING BOARD