

PRINCETON PLANNING BOARD

MINUTES OF THE REGULAR MEETING

Thursday, March 19, 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; Brian Stankus, Traffic Consultant

Chairperson Gunning opened the meeting at 7:40 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 announced that a ZARC meeting is scheduled for Wednesday, March 25 at 9:30 am in meeting room B. Mrs. Ullman advised that the committee will be reviewing the harmonization of the Land Use ordinances.

FINDING OF FACTS/RESOLUTIONS:

- a) 402 NASSAU STREET, LLC – 1/15/15
Minor Subdivision
Nassau Street; Block 32.02, Lot 6
File #P1414-109MS

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

- b) Resolution requesting Professional Service Agreement –
Karen Cayci, Esq.; Herbert, VanNess Cayci & Goodell, PC
litigation, in the matter of:
PRINCETON BATTLEFIELD AREA PRESERVATION SOCIETY v
INSTITUTE FOR ADVANCED STUDY & REGIONAL PLANNING
BOARD OF PRINCETON

Motion was made by Ms. Crumiller to adopt the resolution, seconded by Mr. Reed and carried with a voice vote of nine ayes. No one opposed. No one abstained.

MINUTES

a) Regular Meeting – February 4, 2015. Prior to the vote minor edits were made to correct date, voting and attendees. Motion was made by Ms. Capozzoli to accept the minutes as corrected, seconded by Mayor Lempert and carried with a voice vote of eight ayes among those members eligible to vote. No one opposed. No one abstained.

HEARINGS:

a) 7-ELEVEN, INC
Major Site Plan w/variances
Nassau Street; Block 48.01, Lots 9, 16, 17, 20
File #P1414-068P

Prior to the start of the hearing Mrs. Ullman (neighbor within 200 feet), Mayor Lempert, Mrs. Gunning and Ms. Spruill (spouses are employees of the University) recused themselves. Mrs. Trotman chaired the meeting.

Mr. Solow was sworn in and provided the Board with an overview of the application. Using sheet 4 of 7 (PB 1), Mr. Solow advised that the proposal is to renovate the existing building and provide onsite improvements. 7-Eleven will be occupying the front portion of the building (4,945 sf approximate) and the new post office will occupy the rear (3,505 sf approximate). The entire site is being reviewed as part of the 7-Eleven application, but because the post office is exempt from review, specifics were not provided. Mr. Solow reviewed his report with the Board, which included variances identified by staff, reports from SPRAB and Princeton Environmental Commission and numerous comments regarding the operation, circulation, landscaping, and deliveries for the site.

Mr. West, Mr. Bridger and Mr. Stankus were sworn in by Mr. Porter at this time.

Jason Tuvel, Esq., was sworn in and appeared on behalf of the applicant. Mr. Tuvel reviewed the application with the Board and advised that the applicant has modified its plan based upon comments received at the SPRAB meeting (providing bike racks, landscape detail). Mr. Tuvel also advised the Board that the applicant will comply with the landscape and lighting requirements. Testimony was presented that the onsite parking arrangement has been in place with the University. Mr. Tuvel advised that 7-Eleven will comply with the hours of operation ordinance and close between two and five am, but there will be an employee on site. It was also noted that the maximum number of employees per shift will be two. Deliveries will occur once to twice per week and the delivery times will not be before 6:00 am and also not during peak hours (7 to 9 am and 4 to 6 pm), and not after 8 pm (with the exception of the fresh food deliveries). Mr. Tuvel stated that there will be two box trucks arriving each day. Trash and recycling removal will occur two to three times weekly on a shared with the post office.

Mr. Tuvel advised that the post office will operate Monday through Friday, 9 am to 4:30 pm and Saturday 9 am to 1 pm. The maximum number of employees will be four per shift and the post office will be a retail station, with no storage. The post office generally has three to four deliveries per day during its hours of operation.

Julia Algeo, PE; was sworn in and reviewed the application with the Board using the following exhibits:

- A1 – aerial photograph taken 3/17/15 with the site boundaries superimposed;
- A2 – colored rendering of the layout & dimension plan superimposed on the aerial exhibit (landscaping, lighting, fencing);
- A3 – plan showing changes to the site as per SPRAB requests (sidewalk, bollard installation, bike racks, dumpster relocation);
- A4 – front elevations showing signage

Testimony was presented that the property has been vacant for a while and the proposal is to refit the existing building for the users and bring the site up to current standards. It was noted that the location of the dumpster will require a variance. The applicant indicated that it would comply with the recommendations from Shade Tree Commission. Staff recommended that the plan be reviewed by the Landscape Subcommittee for both the fencing and plantings. The applicant reviewed the signage proposed for 7-Eleven advising that it is in compliance with the ordinance and advised that the site lighting will comply with the ordinance.

A review of the Environmental Commission report by the applicant indicated that many of the requests could not be accommodated. The applicant did advise that it would look into the viability of installing solar panels.

Jeff Fiore, PE was sworn in as the applicant's traffic consultant. Mr. Fiore advised that the applicant has received its NJDOT permits for access points along Nassau Street and reviewed his findings that the site as designed will work. Mr. Stankus agreed with the conclusions of the applicant's traffic engineer.

David Roberts, PP, was sworn in and reviewed with the Board his 12 page report (exhibit A5) providing support for the variances being requested by the applicant.

Board members questioned the location of the bike rack, with a request that covered bike racks be provided. Mr. West indicated that there was sufficient room by the front door for the placement. A concern was raised regarding loitering. Mr. Tuvel advised that 7-Eleven trains its employees so loitering is not a problem. Board members questioned whether the parallel parking spaces were creating a hazard on site, with a suggestion that fewer spaces be provided and the Board instead grant a variance. It was suggested that signage be provided that all parallel parked cars must face Nassau Street. Mr. West indicated that he would work with the applicant to ensure that parking is safe as possible.

Mrs. Trotman opened the meeting to public comments at this time.

Kip Cherry, Dempsey Avenue, was sworn in and stated that she was concerned regarding circulation and movements in and out of the site. She requested that the applicant turn its lighting off over night, wants solar panels installed on the roof and to eliminate the multiple signage on the canopy. Staff advised that the onsite circulation will be reviewed by the Municipal Land Use Engineer and Traffic Consultant.

Elizabeth Chang, Murray Place, was sworn in expressed concern regarding the trash, lighting and noise from the site and provided various photographs from various backyards along Murray Place that are adjacent to the applicant's lot (marked as exhibit O1).

Andrea Stine, address not provided, was sworn in and expressed concern regarding the lights from the project spilling onto her rear lot.

Jacqueline Tillmann, Murray Place was sworn in and presented issues to the applicant. Concerns were raised regarding the height of the lights and if the lights will be turned off when the store is closed. Mr. Tuvel advised that security lighting will be needed, but site lighting will be turned off when the store is closed. Ms. Tillman also questioned the process for deliveries to the site, number of trucks and idling of trucks. Mr. Tuvel advised that traffic and idling regulations will be enforced by the Police. Ms. Tillman also questioned the proposed garbage removal and placement of the dumpster and concerns about rodents.

Stuart Kimmel, representative from 7-Eleven, was sworn in and responded to Ms. Tillman's comments. Mr. Kimmel advised that all food products being thrown out are placed in plastic bags that are sealed and then placed in the dumpster for pick-up which occurs a few times a week. Ms. Tillman stated that the garbage needs to be removed more frequently and added that the Health Department needs to oversee this issue. Ms. Tillmann also commented that the existing fencing should not be repaired but replaced. Mrs. Trotman recommended that the applicant work with Mr. West on the fencing and provide evergreen not deciduous screening.

Edwina Hawes, address not provided, was sworn in and expressed concern regarding the vehicular traffic on the sidewalk. Mr. West advised that stop signs will be installed and crosswalks are being provided to ensure a safe area.

Hearing no further comments, the public portion was closed. Mr. Porter summarized the conditions, should the Board approve the application, that included staff reports, review by the Landscape Subcommittee, parking review by Mr. West and the applicant with the final plan to be brought back to the Traffic Safety Subcommittee, placement of covered bike racks and the comments as discussed in the foregoing. Motion was made by Ms. Crumiller to approve the application with the conditions as presented by Mr. Porter, seconded by Mr. Reed and carried with the following roll call vote:

FOR: Birge, Capozzoli, Crumiller, Reed, Trotman, Cohen, Quinn

AGAINST: No one

ABSTAIN: No one

Motion was made by Mr. Quinn, seconded by Mr. Cohen to adjourn. Meeting adjourned at 11:00 pm.

Respectfully submitted,

Dated: 6/16/15

Ilene Cutroneo, Board Secretary
REGIONAL PLANNING BOARD OF PRINCETON

Approved: 9/17/15

Wanda Gunning, Chairperson
REGIONAL PLANNING BOARD OF PRINCETON

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