

PRINCETON PLANNING BOARD

MINUTES OF THE REGULAR MEETING

Thursday, October 15, 2015

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

PRESENT: Cecilia Birge, Julie Capozzoli, Jenny Crumiller, Wanda Gunning, Liz Lempert, Marvin Reed, Fern Spruill, Mildred Trotman, 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 announced that effective November 1, Marvin Reed will be resigning from the Planning Board and this will be his last meeting. Mrs. Trotman stated that she has worked with Mr. Reed over 30 years, noting that he was always gracious, knowledgeable, respectful and eager to learn more. Mrs. Trotman added that Mr. Reed will be missed. Mrs. Ullman commented that she met Mr. Reed 45 years ago at the Unitarian Church and their families have been good friends for a very long time. Mrs. Ullman stated that Mr. Reed always does his homework, is committed to good planning, is constantly bringing things to the table and always does his homework. Ms. Crumiller and Mr. Porter echoed the previous statements. Mayor Lempert stated that he will be missed; Mr. Reed is an example of public service and an inspiration to all. Mr. Reed thanked everyone for their kind words.

The following meetings were announced: Subdivision Meeting – 10/19/15, 9:30 am in meeting room B. Packets for the Committee members have been distributed at tonight's meeting. Bicycle Plan Committee – 10/27/15, 9:30 am in the Community Room.

HEARINGS:

Prior to the start of the first hearing, Chairperson Gunning advised that the subdivision application for Snowden Properties will be a concept discussion instead of a hearing. The discussion will immediately follow the AvalonBay subdivision application.

- a) AVALON PRINCETON, LLC & AVB PRINCETON HOMES, LLC
Prelim/Final Major Subdivision w/variances
Henry Ave, Franklin Ave, Harris Rd;
Block 21.01, Lots 1, 12-14, 22, 25, 2-6, 8-11; Block 7101, Lots 8-14
File #P1515-178SPF

Mr. Porter advised that at its last meeting the Planning Board voted to deny the application without prejudice. However the applicant's attorney filed a letter and requested reinstatement. The applicant re-noticed for this hearing and the Board is able to accept jurisdiction.

Mr. Solow was sworn in (Mr. West and Mr. Bridger were also sworn in) and provided the Board with an overview of the application using a colored rendering of the applicant's sheet 2 of 2 (exhibit PB1). Mr. Solow advised that no new development is proposed at this time and the applicant is seeking to consolidate lots and/or land area that makes up most of the existing parking garage. Due to existing zoning, the entire garage cannot be its own lot. The subdivision proposal is as follows:

(parcels located in the former Township)

Existing lots 12, 13, and 14 and the rear portion of existing lots 9, 10 and 11 will be consolidated to contain most of the parking garage. The new lot will be designated as lot 12.. Variances have been identified for side yard setback and for combined side yard setback.

The remainder of existing lot 11 will be added to lot 10 and form new lot 10.01 which will contain a single family house and 10,000 square feet in area. No new variances are associated with this lot. Mr. Solow advised that former lot 11 is located in the G-1 zone must remain as open space.

Existing lot 9 will be reduced in lot width and reduced in length to accommodate the garage. The new lot will be designated lot 9.01. Variances are being created for side yard setback and for combined side yard setback.

Existing lot 8 will be widened and the lot depth shortened along its northern border to accommodate the garage and a potential turn around area for Avalon Princeton. The new lot will be designated as lot 8.01. No variances new variances are proposed.

Existing lot 6 will be lengthened and increased in lot area. The new lot will be designated as lot 6.01. This lot contains an existing single family home and a variance for lot area is required.

Existing lot 5 will be lengthened increased in lot area. This new lot will be designated as lot 5.01 and contains an existing duplex. A variance for lot area is required and it was noted that the existing driveway/parking area does not meet the side yard or rear yard parking setback requirements.

Existing lots 4 & 3 comprise a duplex and will be lengthened. Lot 4 and 3 will increase in area. A variance is required for lot area and it was noted that the duplex unit is a pre-existing legal nonconforming use.
(parcels in the former Borough)

Existing lot 2 will be lengthened and increased in lot. The new lot will be designated as lot 2.01 and contains an existing single family home. A variance for lot area is required.

Existing lot 22 (currently vacant) will be lengthened and increased in lot area. No new variances are being created.

Existing lot 25 will be lengthened and increased in lot area. This new lot will be designated as new lot 25.01 and will contain a duplex. No new variances are being created.

Existing lot 1 will increase in lot area. The new lot will be designated as lot 1.01.

Ms. Crumiller questioned why turnaround is being placed on lot 8. Mr. Solow advised that the turnaround was requested at the time of the original approval (recommended by SPRAB and made a condition of approval by the Board). Concerns were also raised regarding the changing in lot sizes and possible development of new lot 10.01. Mr. Solow advised that proposed lot 10.01 cannot be used for development as it is located in a residential and nonresidential zones and staff has recommended that a conservation easement be placed on the parcel. Regarding the remaining residential parcels, Mr. Solow advised that staff did not support the granting of the existing FAR and should a parcel owner(s) want to redevelop the site they would be required to go to the Zoning Board of Adjustment for review.

Robert Kasuba, Esq., was sworn in and appeared on behalf of the applicant. Mr. Kasuba advised that a condition of the 2013 approval required the applicant to clean up the lot lines and streetscape for the Harris Road properties. Mr. Kasuba advised that structures may be either rehabbed or demolished and asked the Board to grant the existing variances to allow the buildings to be rebuilt with the current footprint that is removed.

Jeremey Lange, PE/PP, was sworn in and accepted as an expert witness. Using a highlighted sheet CE2 (exhibit A1) Mr. Lange reviewed the variances as described by Mr. Solow and presented testimony regarding the positive and negative criteria as to why the variances should be granted. In addition, Mr. Lange requested that the Planning Board grant additional setback variances for the preexisting conditions to permit existing structures to be rebuilt should it be necessary.

Staff expressed concern regarding the applicant's request to allow preexisting conditions of the dwellings to be approved. Issues were raised that if one of these houses were to be demolished staff wants the new construction to comply with the zoning standards that are in place at the time of the application. Mrs. Trotman supported staffs' recommendations. There is

no public advantage to approving variances at this time without having detailed information as to the type of residence to be constructed.

Mr. West also requested that the applicant repair the sidewalk as a condition of approval (noting that this is a requirement in all other site plan applications should the repair be needed).

Chairperson Gunning opened the meeting to the public for comments at this time. The following members of the public were sworn in and spoke against the application: Paul Driscoll, Harris Road; Mary Clurman, Harris Road; Anita Groniak, Harris Road; specifically about merging lot 10 with lot 11, control over the conservation easement and maintenance of the parcel.

Also from the public, Michael Floyd, John Street, Marco Gottaris, Harris Road; Rosanne Federico (address not provided) were sworn in and spoke against the application and granting any existing or future variances

Hearing no further comments, the public portion was closed. The applicant stated that it will withdraw its request for setback variances but continue to request the lot area variance. Mr. Porter advised that the variances being determined by the Board are based upon those identified in the staff reports. There was discussion by the applicant, staff and the Board as to whether the turnaround (a condition of the AvalonBay's original approval) would be considered a 'D' variance. Staff advised that it would be reviewed when the application is filed.

Motion was made by Mrs. Trotman to approve the subdivision with the lot variances as identified in the staff reports and conditions discussed in the reports as well as during the hearing. The motion was seconded by Mr. Reed and carried with the following roll call vote:

FOR: Birge, Capozzoli, Crumiller, Lempert, Reed, Spruill, Trotman, Ullman, Gunning
AGAINST: No one
ABSTAIN: No one

b) SNOWDEN DEVELOPMENT, LLC
Concept Hearing – Subdivision/Site Plan
Snowden Lane; Block 3001, Lots 1 & 2
File #P1515-191SPF & P1515-191P

Mr. Solow was sworn in and reviewed his memorandum which addressed the original submission. Mr. Solow advised that the applicant is proposing to subdivide the property into six lots varying in size from 1.5 acres up to 2.7 acres, each with a new single family residence and recharge basin. The two existing homes will be demolished. Lot 1.05 will also contain two detention basins in addition to the proposed house. The cul-de-sac is a little over 700 feet in length, 26 feet wide and will have curbs and sidewalks on both sides.

Mr. Solow also informed the Board that staff met with the applicant after the report was prepared and agreed to bring a concept redesign to the Board. This is what the applicant will be presenting at this meeting.

Gary Forshner, Esq., was sworn in and appeared on behalf of the applicant. Mr. Forshner advised that upon reviewing the staff memo that applicant discussed possible cluster subdivision revision which would reduce the number of trees removed, amount of impervious coverage, reduce the length of the cul de sac, increase the amount of open space and provide one additional lot. Mr. Forshner added that a redesign could still provide a complying subdivision application.

Gary Vecchio, PE, was sworn in and accepted as an expert witness. Using a colored version of the subdivision (marked as exhibit A1), Mr. Vecchio reviewed the complying subdivision application. Exhibit A2, provided a cluster design with lot sizes approximately one half acre in size. Mr. Vecchio advised that the cul de sac has been reduced to 350 feet in length, less trees are being removed and this plan will allow a sewer extension along Snowden Lane. A trail system connecting to Herrontown Woods is also being provided.

The additional lot was questioned by Board members. Mr. Vecchio advised that due to the open space and trail configuration the additional lot was able to be included as part of the cluster development. There were follow up questions regarding maintenance of the trail system, if it is accessible from the park or Snowden Lane, where parking would be provided for access. Mrs. Gunning suggested that this applicant should work with the Landmark application (previously approved) in providing the connection to the park and work out the details for parking.

Several of the Board members thanked the applicant in presenting the revisions to the application saying this is a much better plan. Ms. Birge questioned why the application was not part of the COAH obligation. The applicant advised that the COAH regulations would require more units than what the site is zoned for and would be a much denser application than what is currently proposed.

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

Mike Pisauro, Policy Director – Stony Brook Watershed Association; stated that the applicant would need to submit additional filings with the DEP for the transition areas. Mr. Vecchio advised that the development will be staying out of those areas.

Raymond Devoe, Snowden Lane (and two other residents whose names were not audible) spoke in favor of the application and proposed extension of the sewer lines. The comments discussed problems with the existing septic systems and the need to connect to public sewers.

Hearing no further comments, the public portion was closed. Mr. Forshner advised that the applicant would be revising the plans and provided an extension to December 11, 2015 on the Board's time to act. The Board thanked the applicant for its presentation.

Motion was made by Mrs. Trotman to adjourn, seconded by Mrs. Ullman. Meeting adjourned at 10:40 pm.

Respectfully submitted,

Dated: 5/12/16

Ilene Cutroneo, Board Secretary
PRINCETON PLANNING BOARD

Approved: 7/14/16

Wanda Gunning, Chairperson
PRINCETON PLANNING BOARD

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