

SITE PLAN REVIEW ADVISORY BOARD

NOTES OF THE REGULAR MEETING

Wednesday, January 13, 2016

PRINCETON MUNICIPAL BUILDING

Meeting Room A –7:30 P.M.

Princeton, New Jersey

PRESENT: Robert Cerutti, Harry Cooke, Dana Molina, Holly Nelson, Pamela Rew, Lydia Robinson, William Wolfe

ABSENT: Alyce Bush, Robert Freudenberg

ALSO PRESENT: Jack West, Municipal Engineer; Derek Bridger, Zoning Officer; Kerry A. Philip, Secretary

Secretary Philip called the meeting to order at 7:30 p.m. reading the Opening Statement as required by the Open Public Meetings Act, acknowledging that notice of this meeting was issued on the 23rd of November, 2015.

REORGANIZATION

L. Robinson reported that she and A. Bush polled the members, it was unanimous that W. Wolfe should remain as Chair for 2016 and R. Cerutti should remain as Vice Chair for 2016.

- a) Nomination and Election of Chairman – Motion was made by D. Molina and H. Cooke seconded the motion to elect William Wolfe as Chairman for 2016. The vote was 7-0 in favor. Motion carried.
- b) Nomination and Election of Vice-Chairman - Motion was made by D. Molina and H. Cooke and Ms. Bush seconded the motion to elect Robert Cerutti as Vice-Chairman for 2016. The vote was 7-0 in favor. Motion carried.

MINUTES

- a) October 29, 2015 – Motion was made by D. Molina and R. Cerutti seconded the motion to approve the minutes. The vote was 7-0 in favor of those eligible to vote. Motion carried.
- b) November 4, 2015 - Motion was made by R. Cerutti and L. Robinson seconded the motion to approve the minutes as amended. The vote was 4-0 in favor of those eligible to vote. Motion carried.

APPLICATION

- a) 254-258 Nassau Street, LLC (continued from 10/29/15)
Minor Site Plan w/"D" variance and bulk variances
Nassau Street
Block 30.02, Lot 78
File #Z1515-181VUP
MLUL Deadline: 2/29/16

Representatives for the applicant: Robert Casey, Jr., Esq.; Stark and Stark; Steven DeRochi, SDR Architecture; Russell Smith, Hopewell Valley Engineering; Jack Morrison, Applicant.

The applicant is proposing the construction of a one-story addition that would extend along Nassau Street to include: Blue Point Grill, Nassau Seafood, and Small World Coffee. The addition would be located in the 15' front yard setback area, currently a sidewalk with outdoor seasonal dining. A roof deck with additional seating is proposed on the upper level of the new structure, with access from stairs located along Pine Street. The design features retractable glass panels to allow for closed dining during the winter months and open-air dining during the seasonal months.

A revised parking calculation provided at the meeting by the applicant identifies that the outside dining space will have 30 seats (24 for the Blue Point Grill and 6 for Small World Coffee), and the roof deck will have 28 seats, bringing the total to 58 proposed seats. 58 new seats would require 12 (11.6) parking spaces. The applicant proposes to designate 13 of the existing 18 spaces in their parking area (Parking Lot 92 located to the rear of the Ivy Inn).

The proposal requires three zoning variances: a D4 variance for FAR, and Bulk variances for front yard setback and site coverage.

The proposal was reviewed by SPRAB on October 29, 2015 and the Applicant requested that they return to SPRAB with revised details.

Robert Casey, Esq., legal counsel for the applicant, stated that the architect revised the plans to address the concerns expressed by this Board in October.

Steven DeRochi, Architect for the Applicant, presented a PowerPoint presentation. The first slide was a graphic of the setbacks of adjacent businesses on Nassau Street for comparison. He stated that there are raised stone patios for the EPS corner and the Wilson Center which goes to or is one foot away from the property line. Tiger Noodles on the adjacent corner has a raised patio to the property line. Derek Bridger, Zoning Officer, stated that raised patios are considered a structure. The edge of the sidewalk is a strong statement in this section of Nassau Street. The setback requirement for this zone is 15 feet. Chair Wolfe stated that there is no business providing a 15 foot setback in this area, everything is closer to the property line, but not up to the property line.

Mr. DeRochi showed perspectives of the views when walking north and across Nassau Street. He stated that the corner of building near Pine Street has been pulled back and the stair to the upper level is reconfigured to respect the corner. Aerial views were then presented, all perspectives were shown with doors up and doors down. He stated that the metal will be a dark hunter green, not black as depicted in the PowerPoint presentation.

H. Cooke stated that during the previous discussion, the view from Pine Street was a concern because of the staircase. This has been addressed, but he still has concerns about having a structure there 100% of the time. He recommended a cantilevered balcony without columns and within the ceiling plastic could drop during inclement weather which is similar to what is done at Mediterra. P. Rew stated that Mediterra is a different situation, the restaurant is shielded by 20 year old trees and she strongly disagreed with the use of plastic during inclement weather. She stated that plastic is an inferior material and using glass that goes up and comes down is a good idea and she is also opposed to having the addition closed 100% of the time. Mr. DeRochi stated that the doors will be open during the summer, the owner wants the doors open when the weather permits. P. Rew

stated that the doors should remain up even when the business is closed. Mr. Morrison stated that the doors would be left in the open position at the conclusion of dinner every day except when snow or ice is forecasted. This approach is acceptable because there has not been any recent problems with vandalism, all valuables will be brought in at night.

Mr. DeRochi stated that the doors will have out-swinging egress as required by fire safety code. H. Cooke stated that when the enclosure is down and the exit doors open, they will open into the public right of way. Mr. Bridger stated that many businesses have doors that swing outward in to the right of way. Mr. DeRochi stated that the exit doors can be on the sides of the porch so the doors would not swing outward in to the right of way.

D. Molina stated that the proposal helps the Pine Street entrance, moving the tables to the front and away from Pine Street looks much nicer. She feels that this will bring business in to the area and makes it an active street. It would provide a little nexus in the town with new housing and the post office across the street.

H. Nelson asked about the landscaping along Nassau Street. Jack West, Land Use Engineer, advised that the NJDOT is working on replacing all trees along the roadway. H. Nelson recommended that the two tree wells proposed on Nassau Street be longer and narrower to encroach less on the available walking area of the sidewalk.

Chair Wolfe noted that the parking calculations include public spaces and parking along Pine Street. The applicant is adding more seating and he has concerns about the parking in this area. In the past, SPRAB has asked owners to come back with certified or rented parking spaces to make up for the parking requirement and this applicant should be held to the same standard. Mr. Casey stated that the applicant is able to comply with parking because of the available parking spaces in Lot 92.

Russell Smith, Engineer for the Applicant, handed out a hand written document identifying the hours of businesses and parking requirements. He stated that he did a canvas of the existing businesses to determine the number of seats. A shared scenario is envisioned for the businesses so the hours were also reviewed. Some businesses operate during the day and others at night. He advised that there are surrounding streets that offer parking but these were not included in the revised calculation.

Mr. Bridger stated that records show that 71 seats for this business had been grandfathered, the owner of this property also owns lot 92 so after the deed restriction for 13 parking spaces in lot 92, the parking requirements for the outside seating are provided. Mr. Bridger advised that none of the indoor seats are approved for Small World Coffee. Eleven (11) seats were counted therefore four (4) parking spaces are required. Mr. Casey stated that 13 spaces are being dedicated in Lot 92 for this use, 10 spaces had been recommended to be deed restricted for this use but they are proposing 13 to include the inside seating requirements for Small World Coffee.

Mr. Morrison advised that there will be parking attendants on site for Lot 92 during the evening hours. It is always tough to find parking in the area at night. Chair Wolfe stated that the parking works now but seats are being added.

D. Molina asked if an electric charger for electric cars can be considered in the parking lot. Mr. Morrison stated that he has electricity in the rear and he had considered this for another business so he would not be opposed to providing this.

L. Robinson stated that she has concerns about the any impacts to the neighborhood of the noise and lighting from the rooftop seating area. After a brief discussion it was confirmed by the applicant that the lighting for the deck seating will be under the railing and the location of the tables below the existing building parapet. The planters for the upper deck will help to provide screening of noise and light.

H. Cooke stated that a glass enclosure could be considered for the second level during the summer months instead of the outside seating on the street level. This would preserve the streetscape. He has great concerns because with the glass down this addition is a building.

H. Nelson asked what can be legally done to enforce this. Mr. Morrison stated that if he does not follow through with what is required, the owner is cited and another application for approval would have to be submitted. Mr. Bridger stated that recommendations about the position of the glass doors should be calendar based, temperature based recommendations are almost impossible to oversee. Mr. Morrison stated that he has no intention to close the doors more than necessary. He will do whatever is asked of him.

D. Molina requested a bike rack for multiple bikes on the property.

Based upon the foregoing, a motion was made by P. Rew, seconded by H. Nelson and carried by a vote of four ayes and three nays to classify this application as a Minor Site Plan, and endorsing all the recommendations contained in the joint Engineering and Zoning Report dated September 16, 2015, revised September 30, 2015. The following recommendations are provided for the Board's consideration.

RECOMMENDATIONS

1. A condition of SPRAB's approval is that all glass panels are to be in an open, retracted, position for eight months during the calendar year (April 1st through November 30th) and overnight year-round. During the winter months the glass panels are to be closed only during business hours. The glass panels may be closed during an active weather event, such as a thunderstorm, driving rain, or blizzard.

2. The revised parking calculation distributed to the Site Plan Review Advisory Board members by the Applicant's Engineer on 1/13/16 should be incorporated in the Engineering Report. The Applicant should summarize the totals of existing and proposed parking spaces. It should be noted that there were inconsistencies between the parking calculation distributed at the meeting and the previously submitted Parking and Traffic Impact Report.

The Applicant should clarify the total seating proposed and the total parking provided. Even though this application meets the ordinance, there is a functional deficiency in parking provided relative to the total number of seats on site. The Applicant should clarify the hours of operation of the three businesses and the overlapping of operating hours should be kept to a minimum.

3. The second story deck space was included in the FAR calculation by the Applicant. The Zoning Officer advised that the deck space should not be included in the calculation. The Applicant was asked to present the revised FAR calculation to the Zoning Board and provide a copy of the revised Engineering Report to the Zoning Office for the file.
4. The ADA egress doors proposed would encroach into the public right-of-way when in use. The Applicant agreed to revise the design to eliminate this encroachment. The Board strongly endorsed this change.
5. The two tree wells should be longer and narrower to encroach less on the available walking area of the sidewalk. The size and location of the tree wells should provide adequate area for the plantings. In addition, planters for the upper deck as depicted in the PowerPoint presentation of 1/13/16 should be included in the revised plans.
6. Several members expressed concern regarding the impact of noise and light to the Pine Street neighbors. The lighting for the deck seating should be under the railing and the location of the tables should be below the existing building parapet. The planters for the upper deck as noted above will help to provide screening of noise and light.
7. All landscaping should be in coordination with the municipal arborist.
8. At the previous meeting several SPRAB members recommended the redesign of the corner of the proposed structure at Nassau and Pine Streets for a more open pedestrian experience for the neighborhood. The Architect revised the plans and the board endorsed the revision.
9. The wood finish shown on the previous renderings below the glass and as part of the railing was recommended to be eliminated. The revised plan eliminated the wood finish and all non-glass elements should be a dark color, such as Hunter Green.
10. The Architectural drawings should indicate both property lines, in plan and section/elevation views.

COMMENTS

R. Cerutti strongly felt that if the recommendations noted in Item #1 are not achievable he would not recommend approval of the project.

H. Nelson stated that the primary goal is to see the structure as open, as inviting and welcoming as the current situation for a livelier street life. The structure is to create transitional spaces between public spaces (the sidewalk) and private spaces (the restaurant). Maintaining an active, semi-public space is critical for the new addition in order to contribute to the public good in a positive way.

P. Rew agreed that the new structure should function as a porch which allows for the continuation of a lively and community-oriented nature of the current street life and that the design would be architecturally in keeping with the scale of the neighborhood. However, she enforced her recommendation that any approval should be conditioned on the agreement of the doors primarily being located in the open position.

W. Wolfe believes that the current Blue Point Grill complex is attractive and has enhanced and extended a lively street scene from morning through evening. This section of Nassau Street has

become very congested in terms of traffic and parking, to develop the property even more densely, either by expanding the building footprint to the sidewalk or by increasing the seating capacity, has no public benefit. Such an increased density would negatively impact both the commercial neighbors on Nassau Street and the residences on Pine Street.

H. Cooke agrees with the comments made by W. Wolfe and expressed concern about how the building would appear when fully enclosed by the retractable glass panels and the significant impact to the Nassau Street streetscape. Even when open the structural framework for the doors would not be visually attractive. A need to define timing conditions for enclosing the structure clearly implies a concern as to the visual impact of this proposed building. Approval of the variances would negate the original purpose of the zoning restrictions which include setbacks and property limits, and this proposal would establish a precedent for others in the area to follow.

L. Robinson concurs with the comments expressed by W. Wolfe and H. Cooke and sees no public benefit resulting from the encroachment into the setback other than enabling the restaurateur to add more seating capacity (including the roof terrace). She believes that adding conditions as to when the structure should be "open" or "closed" is an unacceptable compromise and will be difficult to enforce, particularly if ownership of the buildings changes to someone less earnest in complying. The impact of this proposal on pedestrian circulation and local parking, especially on Pine Street, is of concern.

D. Molina expressed that those members in favor of the proposal specifically noted the high quality and function of the design. The design overall offers positive impact to the community in providing an attractive and well-designed porch that will enable a more vibrant street life year round. The community will benefit with the new design which improves the aesthetics by removing all the existing seated tables along Pine Street and providing a planting buffer in front of the upper porch tables for noise reduction.

D. Molina recommended a single parking space in Lot 92 with a charging station for electric cars.

D. Molina requested a bike rack for multiple bikes to be installed at this location.

Vote on motion:

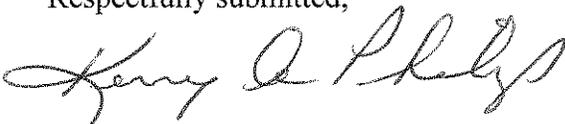
For: Cerutti, Molina, Nelson, Rew

Against: Cooke, Robinson, Wolfe

Abstain: Non

With no further business before the Board, motion was made and seconded to adjourn the meeting at 9:40 p.m.

Respectfully submitted,



Kerry A. Philip
Secretary