

## SITE PLAN REVIEW ADVISORY BOARD

### NOTES OF THE REGULAR MEETING

Wednesday, April 13, 2016

PRINCETON MUNICIPAL BUILDING

Meeting Room A –7:30 P.M.

Princeton, New Jersey

PRESENT: Alyce Bush, Robert Cerutti, Harry Cooke, Lisa Marcus-Levine, Pamela Rew, Lydia Robinson, William Wolfe

ABSENT: Robert Freudenberg, Holly Nelson

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 23<sup>rd</sup> of November, 2015.

### MINUTES

- a) December 2, 2015 – Postponed
- b) January 13, 2016 – Motion was made by H. Cooke and R. Cerutti seconded the motion to approve the minutes as amended. The vote was 5-0 in favor of those eligible to vote. Motion carried.
- c) March 9, 2016 - Motion was made by P. Rew and R. Cerutti seconded the motion to approve the minutes as amended. The vote was 6-0 in favor of those eligible to vote. Motion carried.

### APPLICATION

- a) RB Homes  
Amended Major Site Plan w/C variances  
203-205 Nassau Street  
Block 47.02, Lot 19  
File #P1515-235P  
MLUL: 4/30/16

Representatives for the applicant: Christopher Tarr, Esq., Stevens and Lee LLP; Daniel Barsky, Applicant/Owner; Roman Barsky, Applicant/Owner; Daniel Ward, Architect; James Chmielak, Kensho Resources.

The applicant is proposing to reconstruct the existing building in the same footprint as existing. The proposed building will contain retail and office uses on the first floor and residential uses on the second and third floors. The existing building contains retail and office uses on the first floor and residential

on the upper floors consisting of apartments and single room rentals. The existing building exceeds the permitted FAR for the zone.

Christopher Tarr, Esq., legal counsel for the applicant, stated that this is an existing building that is being replaced with a smaller FAR and a lower height. The scale of the building is intended to be the same.

Daniel Barsky, Applicant and Owner, provided a power point presentation. He stated that the building located on the corner of Nassau and Charlton has been poorly maintained for a number of years. The prior use was a mixed use building with offices and residential. The building has a long history of health violations and structurally is in poor condition. He advised that the current entrance to the building encroaches four feet into the public right-of-way and they are proposing to remove this and make it more conforming with code. Interior photographs of the building were presented, he stated that one stairwell to the third floor is impacted by the roof line.

Chair Wolfe stated that Sheet SV-1 entitled "existing floor plans" must be revised to reflect the correct square footage.

Daniel Ward, Architect for the Applicant, stated that the correct number is 5036. Mr. Tarr stated that he had provided a letter to the board with the correct information but this did not make it in to the report. The third floor attic space was inhabited and considered a finished space so it is included in the calculation even though most of the ceiling is below 7 feet high.

Chair Wolfe stated that the joint Engineering/Zoning report indicates a maximum building height of 30 feet and this should be corrected to read 35 feet.

Mr. Barsky stated that the new building will retain the same footprint of the building with the same dimensions. They are proposing offices and retail on the first floor, two 2-bedroom apartments with a bathroom on the second floor and one 2-bedroom apartment on the third floor. He advised that clapboard Hardi Plank is proposed for the façade and the fascia will be wrapped with Azek. Fish scale siding is proposed for the dormers with fascia panels for the windows on the first floor.

Derek Bridger, Zoning Officer, stated that the zoning resolutions were provided to show the history of the use variances that were approved. Mr. Tarr stated that the use variances had been for lower intensity uses. Mr. Bridger stated that a variance will be needed for a food establishment. He confirmed that the permitted height of the building was incorrect in his memorandum and that there is no encroachment on the outline of the existing building.

R. Cerutti questioned the historical significance of the building. Mr. Bridger advised that the Historic Preservation Commission is reviewing this next week since it was recommended for historic designation in the Princeton Master Plan.

Chair Wolfe stated that he is in support of this building being reconstructed because it is in poor shape. P. Rew questioned if the main structure should remain brick to maintain its historic character. Exposed brick is preferred over Hardi Plank.

L. Robinson asked what colors are being considered. Mr. Barsky stated that a neutral pallet is being considered with lighter shades and white trim. The materials will make the property maintenance free for many years. He advised that High Efficiency A/C units are proposed on the ground floor and they will be screened with fencing or landscaping. Low level soffit lighting is proposed to shine down for the front and side doors, and he stated that there are some outstanding lighting details that are still being discussed with their architect.

Chair Wolfe recommended a wider recessed door for the front door of the business to allow compliant access and because we discourage doors from swinging into the right-of-way. Mr. West stated that the Building Code Official will make that determination because the door must meet code. Chair Wolfe asked if the spirit of the code for open space can be met by providing a balcony/deck on the second floor. Roman Barsky, Owner/Applicant, stated that they would like to do this.

H. Cooke asked about parking and noted the difficulty when pulling out of the site. Jack West, Land Use Engineer, stated that the revised plans show the previously proposed parking is being eliminated. Mr. Tarr stated that no parking is required because no parking exists.

P. Rew questioned removal of the large tree on the property. Mr. Barsky stated the trees identified to be removed were recommended for removal, he asked that the municipal arborist review the plan and they will plant whatever is recommended.

L. Marcus-Levine asked if bike racks are being provided for the residents. James Chmielak, Engineer for the Applicant, stated that a rack can be installed behind the fencing along Charlton. L. Marcus-Levine also asked for additional space for the trash area, several buckets will be needed for the businesses and the tenants.

P. Rew and Chair Wolfe stated that providing Hardi Plank instead of brick is a concern. The applicant was asked to consider brick for the front of the building and also for the gable on Charlton. Roman Barsky stated that they are willing to paint the trim the same color as the siding. He advised that painting brick is not recommended. Chair Wolfe recommended an unpainted brick color.

R. Cerutti stated that the west elevation has shutters proposed for the double windows. This does not make historical sense because the shutters are not wide enough to close entirely over the window. He recommended removing the shutters or just provide a picture frame for the window.

Based upon the foregoing, a motion was made by R. Cerutti, seconded by P. Rew and carried by a vote of seven ayes to classify this application as a Major Site Plan, endorsing the joint Engineering and Zoning Report revised March 31, 2016 with one exception (see Recommendation #1), the Shade Tree Commission report dated 1/19/16, the Princeton Environmental Commission memorandum dated 1/25/16, and the Traffic Safety Committee report dated 2/3/16, with the following recommendations.

### RECOMMENDATIONS

1. The joint Engineering and Zoning Report dated 3/22/16 should be revised to reflect the revised application, including the correct building and parking information in the zoning table.
2. The plans must be revised to reflect the correct square footage of the existing building.
3. The proposed retail space should not be a food establishment.
4. The applicant should present a material board to the Planning Board indicating all façade materials and colors. These have not been presented to SPRAB.
5. Considering the historic place this structure has in the fabric of Nassau Street SPRAB strongly recommends that the applicant use a natural or painted brick façade for the proposed building for the areas where the existing building has brick.
6. The Municipal Arborist should look on site at the trees that are scheduled for removal on the plan, and comment on whether any should be saved. SPRAB is especially concerned about the large tree in the rear. If no trees can be saved, board members encouraged the Arborist to recommend replacement trees.
7. The town's Landscape Architect should review the recommendations of the Arborist, review the landscape plan and address whether the AC units are adequately screened with landscaping or fencing.
8. Balconies could be considered as replacements for the proposed shed roofs in the rear to provide outdoor spaces for two of the apartments.
9. A bike rack for six bicycles should be provided.
10. The trash enclosure area should be increased to provide room to include one organic waste receptacle as well as sufficient trash and recycling receptacles needed for the residents and the businesses.
11. The noise generated from the AC units must be in compliance with code.
12. Signage for the businesses must be in conformance with code.

### COMMENT

R. Cerutti asked the applicant to consider alternatives to the use of single (half) shutters for the double windows proposed on the west side elevation. This combination lacks the historic authenticity which the applicant is otherwise attempting.

Vote on motion:

For: Bush, Cerutti, Cooke, Levine, Rew, Robinson, Wolfe

Against: None

Abstain: None

- b) HP Witherspoon Properties, LLC/JPH Witherspoon, LLC  
Minor Site Plan  
277 & 281 Witherspoon Street  
Block 7101, Lot 15  
File #P1515-228PM  
MLUL Deadline: 5/1/16

Representatives for the applicant: Richard Goldman, Esq., Drinker Biddle & Reath; Jamie Herring, Applicant; William Westhafer, Environetics; Michael K. Ford, Van Cleef Engineering.

The applicant is seeking site plan approval for the demolition of the existing building at 277 Witherspoon Street and the construction of a new two story building (14,972 sf), utilizing the existing foundation. The new building will be the same square footage as the original building and will be connected to 281 Witherspoon. Access to the site is through two shared access drives with the Avalon Bay project.

Chair Wolfe stated that his major concerns involve the tightness of the driveway, no loading dock or a place for a truck to pull over. Richard Goldman, Esq., attorney for the applicant, stated that this proposal is a good idea for the neighborhood.

Jamie Herring, Applicant, stated that one building is a brick building (281 Witherspoon) and the other is a brick, wood and metal structure (277 Witherspoon). The proposal is to renovate the brick building (281) and rebuild the second structure (277) as a combination of retail and office space. That building has low ceiling heights so a new approach offering a modern space with high ceilings is being considered. Outdoor seating for the restaurant is also being considered. The entrance to the retail space would be on the garage side, the office space entrance will be accessed from the corner building's elevator.

William Westhafer, Architect for the Applicant, stated that the foundation walls of the existing building will be used for the new structure.

Michael Ford, Engineer for the Applicant, stated that the building is proposed to be removed and replaced. There is an agreement in place for these two buildings to utilize 186 parking spaces within the existing parking garage. There are over 700 parking spaces in the parking garage, 400 of which are allocated for AvalonBay. 100 parking spaces would remain available for the public. The driveway proposed for the AvalonBay project off Witherspoon is being constructed and will tie in with the existing driveway between this building and the parking garage which is accessed from Henry.

Jack West, Land Use Engineer, stated that this application is for the reconstruction of the building, there is very little site work involved. The developer of the adjacent property, AvalonBay, is doing the south entrance drive and the street trees. He stated that an administrative approval is pending approval for the crosswalks and reconfiguration involving the entrance to the parking garage. Trash dumpsters are currently shown as being in between the two buildings but the pending administrative waiver relocates the dumpster inside the parking garage.

Chair Wolfe and H. Cooke expressed concern about how handicapped restaurant patrons will access the building from the parking garage. The ramp for handicapped access is near Witherspoon Street so an individual would have to travel from the garage to the front of the building (near Witherspoon) to gain access.

P. Rew asked about the hours of operation for the restaurant and how this may impact the residents of AvalonBay. The entrance to the restaurant as depicted on the plan is on the corner of the building but garage door openings or additional side entrances may be considered on the side of the building facing AvalonBay. Mr. Goldman stated that once the restaurant is chosen, specifics

on the location and style of the doors will be known. A side door or doors may be included afterwards but this is an unknown at this time.

Mr. Westhafer described the lighting, he advised that three styles of LED lights are proposed including bollards and lighting on the building. Low level lighting is proposed for the patio area with a slight spillover to the driveway.

Mr. Herring stated that two locations are being considered for truck deliveries. The first being the space adjacent to the parking garage and if that is not acceptable to the owners of AvalonBay the location would be on the west side of the access drive from Henry. Chair Wolfe asked if the dumpsters will be also be used by the tenants of the three story office building. Mr. Herring stated that this is not proposed but this is a possibility. Mr. Goldman stated that the dumpsters will be in the space between the buildings in a design that is approved by the Land Use Engineer if the owners of AvalonBay do not agree to the garbage dumpster to be in the parking garage. Two other locations to be considered for the dumpsters are within the alley or in the new building.

L. Marcus-Levine asked about bike storage. Mr. Herring stated that they will review the site to determine if there is a dead corner where a bike rack can be located. A staircase proposed in between the two buildings can be extended and covered to provide covered bike storage.

Chair Wolfe stated that the first floor elevations should be revised to identify the location of the emergency stair, it is adequately shown on the second floor plan but it is missing from the first floor plan. Other outstanding issues involve circulation and the entrance doorways. He suggested that the applicant consider the southern exposure for a sidewalk connection to the patio to relieve the situation for pedestrians accessing the restaurant from the garage.

Mr. Ford stated that the finished floor of 277 Witherspoon is being raised two feet, a pedestrian access is proposed at the southeast corner near the garage but this is not ADA accessible. A retaining wall is required for the grade change near the building's entrance on Witherspoon Street. Several board members recommended a staircase near the front entrance to the restaurant from Witherspoon Street, the design and location will be subject to the approval of the Land Use Engineer. The specific location of the door will be determined by the user of the restaurant. Regarding the bike rack, the applicant will work with the Land Use Engineer to find the best location either between the buildings or inside the garage. Signage identifying the location of the bike racks is also recommended. Mr. Ford advised that the applicant will do whatever is noted in the staff reports.

L. Marcus-Levine expressed concern about children playing in the stock pile of soil during construction. Mr. Ford stated that the anticipated stockpile will be very small and a silt fence at a minimal height of 3 to 4 feet will be installed to surround it.

Chair Wolfe stated that the dimensions for the first floor as noted on Sheet 101 are less than the dimensions on Sheet 102 for the second floor. This must be corrected.

The landscape plan should be reviewed by the municipal landscape architect. The applicant was instructed to submit the landscape plans to the Planning Office for distribution.

Being that there are several outstanding issues a subcommittee of members was formed to review the revised plan before final sign off. The subcommittee members are: Cerutti and Wolfe.

Based upon the foregoing, a motion was made by A. Bush, seconded by R. Cerutti and carried by a vote of six ayes to classify this application as a Minor Site Plan, recommend approval of the Minor Site Plan to the Planning Board and endorsing the joint Engineering and Zoning Report dated March 22, 2016 with the following recommendations.

### **RECOMMENDATIONS**

1. The proposal involves a restaurant and retail space on the first floor, the owner advised that he is unsure of the businesses that will operate in this location therefore the hours of operation and specific location of the exterior doors of the restaurant are unknown. The applicant must work with the Land Use Engineer to ensure that all code requirements for light and noise will be met.
2. Dumpsters for both buildings (277 and 281 Witherspoon) are proposed to be located in the parking garage to be shared with AvalonBay. In the event that AvalonBay does not permit this, some dumpsters are to be located in an enclosure between the two buildings. Additional space may be required within 277 Witherspoon Street. As the project includes a restaurant, at least one container for compost will be required in addition to trash and recycling. The handling of medical waste may also be required. The applicant was asked to work with the Land Use Engineer on the number, size and location of these containers as well as how pick-up would be accommodated.
3. The applicant was asked to provide a landscape plan for review and approval by the town's landscape architect and a subcommittee of SPRAB. This should include the correct design of outdoor terraces, ramps and stairs with plantings to soften the south and west sides of the building. The SPRAB subcommittee members are: Cerutti and Wolfe
4. The applicant was asked to install exterior stairs leading directly to the front entrance of the building from Witherspoon Street subject to the review and approval of the Land Use Engineer and the SPRAB subcommittee.
5. Bike racks should be provided for at least six bicycles. The applicant was asked to work with the Land Use Engineer to determine the best location for the bike racks. Protection from the weather is desirable. The applicant will consider extending a roof in line with the exit staircase to cover the bike rack.
6. Directory signs should be installed advising of the location of the bike racks.
7. The width of the first floor noted on Sheet A101 is less than the width noted on Sheet A102 for the second floor. The plans should be corrected to align the south façade as shown on the elevations.
8. The first floor plan should be revised to identify the locations of all exits to and from both ends of the emergency staircase.
9. Within the Planning composite it is noted that easements should be in place to permit the use of the internal road network system that is owned by AvalonBay. This must be addressed.
10. A silt fence is recommended at a height of 3 to 4 feet for the soil stockpile during construction.

**COMMENT**

A loading dock is not provided and two locations are being considered for truck deliveries within the development. The preferred location would be a widened driveway area on the east side of the access drive from Henry Avenue adjacent to the parking garage. If this location is not acceptable to AvalonBay, the location will be a widened area on the west side of the access drive from Henry Avenue. Clear access by hand truck to the service entrance in the alley must be provided from both Witherspoon Street and this widened area of the access drive.

With no further business before the Board, motion was made and seconded to adjourn the meeting at 10:55 p.m.

Respectfully submitted,



Kerry A. Philip  
Secretary