



Municipality of Princeton
Department of Community Development
Office of Planning

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MEMORANDUM

TO: Robert Bruschi, Administrator
FROM: Lee Solow, Director of Planning *lee*
DATE: June 4, 2014
SUBJECT: Retail Businesses Hours of Operation

This office has received a number of concerns/complaints regarding the hours of operation for business uses and their impact on surrounding residential neighborhoods. The issue is often framed as a quality of life issue for residents living adjacent to retail business establishments, particularly during the late night and early morning hours. Complaints regarding noise, litter, car doors slamming, and crowds congregating in close proximity to residential areas have been voiced and all have a negative impact on the quality of life for our residents. Princeton Council should provide guidance on whether staff should proceed as outlined below and develop an ordinance limiting the hours of operation for retail businesses.

I have discussed this issue with the municipal attorney and it may be possible under the municipality's police powers, to regulate the hours of operation of various retail businesses. This would necessitate a change to the general code of the municipality as it would not regulate the types of uses and therefore it would not be in the zoning code.

Staff has researched some of the posted hours of operation for various businesses in town and for the most part retail establishments open after 8 am and close by 9 pm with a few exceptions. CVS on Nassau Street is open till 10 pm and the CVS on State Road is open 24 hours. Most restaurants and food establishments open after 9 am and close by 12 am (midnight) with the exception of those with liquor licenses which may be open to 2 am, Hoagie Haven on Nassau Street is also open to 2 am and Dominos on State Road is open till 1 am. The WaWa on University Place is open 24 hours.

It is recommended that an ordinance should be developed to address the concerns raised. The ordinance will regulate the hours of retail businesses, restaurants and other food establishments that are adjacent to a residential zone and are adjacent to a residential use in a residential zone. Council may want to consider limiting hours of operation and limit opening to 5 or 6 am and closing at 12 or 2 am. Exemptions should be carved out for holders of plenary retail liquor consumption and distribution licenses as they are regulated under other municipal codes (sections 4-14 Borough and 3-18 Township) and for 24 hour pharmacies that have the pharmacy open 24 hours a day.

Cc: K. Monzo, Asst. Admin.
R. Kiser, PE, Municipal Engineer
L. McDermott, Municipal Clerk
T. Cecil, Municipal Attorney