



**PRINCETON**  
**MAYOR AND COUNCIL OF PRINCETON**  
**MINUTES • NOVEMBER 9, 2015**

**Regular Meeting**

**Main Council Room**

**6:00 PM**

400 Witherspoon Street, Princeton, NJ 08540

**I. STATEMENT CONCERNING NOTICE OF MEETING**

The following is an accurate statement concerning the providing of notice of this meeting and said statement shall be entered in the minutes of this meeting. Notice of this meeting as required by Sections 4a, 3d, 13 and 14 of the Open Public Meetings Act has been provided to the public in the form of a written notice. On November 5, 2015 at 11:15 a.m., said schedule was posted on the official bulletin board in the Municipal Building, transmitted to the Princeton Packet, the Trenton Times, the Town Topics and filed with the Municipal Clerk.

**II. ROLL CALL**

The Municipal Clerk then called the roll.

**Present:** Councilwoman Butler, Councilwoman Crumiller, Councilwoman Howard, Councilman Liverman, Council President Miller, Councilman Simon and Mayor Lempert.

**Absent:** None.

**Also Present:** Mr. Dashield, Administrator, Ms. Cecil, Esq., Attorney, Mr. Kiser, Engineer and Chief Sutter.

**III. 6:00 P.M. CLOSED SESSION: PERSONNEL/NEGOTIATIONS/LITIGATION**

1. 15-322 Resolution, Closed Session

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bernard Miller, Council President
<b>SECONDER:</b>	Jo Butler, Councilwoman
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon

2. Litigation Update: Villaruz & Henderson V. Princeton; Papp Et Al. V. Princeton; Avalon Princeton, LLC V. Princeton.

3. PCTV Contract

4. Personnel Update

5. COAH Litigation

Lee Solow, Planning Director and Victoria Britton, Esq., Assistant Attorney, were present for this portion of the meeting.

6. Open Space and Other Potential Acquisitions

**IV. 7:00 P.M. OPEN SESSION**

**V. POSTING OF THE COLORS BY THE HONOR GUARD**

The Police Department Honor Guard proceeded into the Main Meeting Room.

**VI. PLEDGE OF ALLEGIANCE**

The audience participated in the pledge of allegiance.

**VII. INTRODUCTION OF POLICE CANDIDATES**

Chief Sutter introduced the six candidates to be sworn in as probationary patrol officers and described the selection process. The probationary officers are Jonathan Myzie, Alex Kaufmann, Andre Lee, Eric Dawson, Daniel Ehnstrom, and Toni Mahottire

1. 15-323 Resolution for Appointment of Probationary Officers

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Heather Howard, Councilwoman
<b>SECONDER:</b>	Bernard Miller, Council President
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon

**VIII. POLICE SWEARING IN CEREMONY**

Mayor Lempert swore in the six probationary patrol officers.

**IX. ANNOUNCEMENTS**

Ms. Howard stated that Human Services has begun the Holiday Gift Drive and noted that there was a \$75 gift limit. She also announced that there will be a Bicycle Master Plan meeting on Thursday, November 12, 2015.

Mr. Miller said that there will be a Veterans Day Ceremony on November 11, 2015.

Ms. Butler said that Princeton University will also hold a Veterans Day ceremony. She also announced that the Historic Preservation Commission will hold a meeting on November 30, 2015 to discuss the Witherspoon-Jackson historic designation.

Mr. Simon stated that there will be brush pick up for the entire town the week of November 16, 2015. If there is brush mixed with leaves it will not be picked up. There will also be another municipal wide collection the week of December 14, 2015.

**X. APPROVAL OF MINUTES**

1. Corrected Minutes September 8, 2014

<b>RESULT:</b>	<b>TABLED</b>	<b>Next: 11/23/2015 6:30 PM</b>
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2. Special Meeting September 10, 2015

**RESULT:      TABLED****Next: 11/23/2015 6:30 PM****XI.    PROCLAMATIONS**

1. World Pancreatic Cancer Day on November 13, 2015

Mayor Lempert read a proclamation declaring November 13, 2015 as World Pancreatic Cancer Day in Princeton.

2. Small Business Saturday, November 28, 2015

Mayor Lempert read a proclamation declaring November 28, 2015 as Small Business Saturday in Princeton.

**XII.    COMMENTS FROM THE PUBLIC**

Kate Warren, Jefferson Road, stated that she did not think giving out summonses for leaf pickup was helpful. She also said that on the Revelstone citizen dashboard, that no data was better than poor data.

Kip Cherry, Dempsey Avenue, said that there will be a ceremony at the Princeton Battlefield in observance of Veterans Day.

Ray Wadsworth, Spruce Street thanked the Public Works Department for their work during the recent snow storm. He said that he felt that there should not be ticketing and towing of cars during the storms.

**XIII.    REPORTS**

Fiscal Impact On Municipal Employees - Earned Sick Day Ordinance Proposal, Marc Dashield

Mr. Dashield, Administrator, said that the provisions of the proposed earn sick leave will extend paid sick benefits to all employees, including part-time employees working less than twenty (20) hours per week, seasonal and temporary workers. The earned sick leave ordinance provides full-time, part-time and temporary workers not covered under equal or better leave policies with one (1) hour of paid sick leave for every thirty (30) hours worked.

Mr. Dashield said that any regular part-time employee who works less than twenty (20) hours a week will be eligible for earned sick leave benefits at a rate of one (1) hour of sick leave for every thirty (30) hours worked. Any temporary employee will be eligible for earned sick leave benefits at a rate of one (1) hour of sick leave for every thirty (30) hours work.

The proposed policy change would provide both part-time and temporary employees the ability to earn sick leave benefits beginning their first day of employment. Under provisions of this policy, an employee will earn one (1) hour of sick leave for every thirty (30) hours actually worked. However, the employee will not be entitled to use the benefit until he/she has completed 90 days of employment. The paid sick leave will accumulate

up to forty (40) hours in any calendar year. An employee may carry over up to forty hours (40) of paid sick time to the next year but cannot exceed the accumulation of forty (40) hours in any one year.

As outlined in the above analysis, a change in policy will incur additional staffing cost, but our estimates do not find the cost to be significant. One cost that could not be sufficiently evaluated is the administrative cost of the new policy. Most departments can absorb the extra administrative work, while the Recreation Department may have to use additional resources.

Mr. Dashield said that any change would be made as part of the municipal personnel manual.

Ms. Howard thanked Mr. Dashield for the helpful analysis.

Ms. Crumiller said that the issue is one of fairness and humanity and she thought that the policy should be adopted right away.

Mr. Miller and Mr. Liverman said that they agreed with their colleagues.

Mr. Simon said that the intent of the exercise was to apply to ourselves what we would apply to the employers in town.

Mayor Lempert said that it was the consensus of Council to support the incorporation of the policy in the personnel manual.

Craig Garcia, 222 Birch Avenue, said that there is an issue whereby employers are requiring their employees to find a replacement should they call out sick for work.

Mary Clurman, 121 Harris Road, asked if unused sick days would accumulate after one year. Mr. Dashield said that they would not.

John Heilner, Library Place stated that he strongly supported the presentation and said that Princeton should set an example for other towns.

Mayor Lempert said that Mr. Dashield would work on the new policy with the Personnel Committee and bring the proposal back to the Mayor and Council for further discussion.

#### **XIV. PUBLIC HEARINGS**

##### **1. Confirmation of Sanitary Sewer Projects**

Mayor Lempert expressed her apologies for the lateness of the confirmation letters.

Mayor Lempert opened the public hearing. There being no public comment, Mayor Lempert closed the public hearing

##### **2. 15-324 Resolution Confirming Ordinance 2005-25 Littlebrook Road and Tyson Lane Sanitary Sewer Project**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Jenny Crumiller, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

2. 15-325 Resolution Confirming Ordinance 2006-34 Overbrook Drive, Abernathy Drive and Clover Lane Sanitary Sewer Project

Mayor Lempert opened the public hearing. There being no public comment, Mayor Lempert closed the public hearing

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Bernard Miller, Council President  
**SECONDER:** Jenny Crumiller, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

3. 15-326 Resolution Confirming Ordinance 2007-14 Deer Path and Clover Lane Sanitary Sewer Project

Mayor Lempert opened the public hearing.

Carmel Shire, 87 Deer Path, said that she received has a sewer insurance policy and asked if this policy would cover the assessment bill that she has received. Robert Hough, Director of Infrastructure and Operations said that he was aware of such insurance policies as issued by New Jersey American Water and said that historically the policies have not covered these types of bills. He said that he would work with Ms. Schrire to make a claim on her policy.

Ms. Butler said that New Jersey American Water is very aggressive in marketing this type of insurance.

There being no further public comment, Mayor Lempert closed the public hearing.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Jenny Crumiller, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

## COUNCIL REPORTS

Ms. Butler stated that the Tree Lighting Ceremony is scheduled for November 27, 2015. Ms. Butler also thanked Deborah Norcross, Co-President Princeton Special Sports, for her efforts with the Arts for All Talent Show.

**XV. ORDINANCE INTRODUCTIONS**

Mayor Lempert read by title the proposed ordinance.

1. Bond Ordinance Authorizing as a Local Improvement Sanitary Sewer Lateral Repairs by the Municipality of Princeton, for Properties on Valley Road, Jefferson Road, Ewing Street and North Harrison Street, Appropriating the Sum of \$336,000.00 Therefore, Providing for the Financing of Said Appropriation by Making of a Down Payment and Issuance of Bonds and Notes of Said Municipality and Further Providing for the Special Assessment of One Hundred (100%) Percent of the Cost Thereof. (Public Hearing December 7, 2015)

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/7/2015 6:00 PM</b>
<b>MOVER:</b>	Bernard Miller, Council President	
<b>SECONDER:</b>	Heather Howard, Councilwoman	
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon	

Mayor Lempert read by title the proposed ordinance.

2. An Ordinance by Princeton Concerning Accessory Signs in Princeton's Business Districts and Amending the "Code of the Borough of Princeton, New Jersey, 1974". (Public Hearing December 7, 2015)  
Ms. Crumiller said that the existing ordinance limits A Frame signs but the proposed ordinance will liberalize the signs.  
Lee Solow, Planning Director said that the proposed ordinance could lead to more signage but it could also lead to a healthy downtown.

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/7/2015 6:00 PM</b>
<b>MOVER:</b>	Bernard Miller, Council President	
<b>SECONDER:</b>	Jo Butler, Councilwoman	
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon	

Mayor Lempert read by title the proposed ordinance.

3. An Ordinance by Princeton Concerning Land Use Application Fees and Amending Chapters 2 and 10B of the "Code of the Township of Princeton, New Jersey, 1968" (Public Hearing December 7, 2015)

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/7/2015 6:00 PM</b>
<b>MOVER:</b>	Heather Howard, Councilwoman	
<b>SECONDER:</b>	Jenny Crumiller, Councilwoman	
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon	

Mayor Lempert read by title the proposed ordinance.

4. An Ordinance by Princeton Creating Exceptions to Lot Size Requirements for Existing Small Lots in the Former Township of Princeton and Amending the "Code of the Township of Princeton, New Jersey, 1968" (Public Hearing December 7, 2015)

Mayor Lempert opened the floor for public discussion.

Peter Meyers, 86 Jefferson Road said that he felt that there were better ways to balance the ordinances. Mr. Meyers said that he wanted to make space in his home for his elderly parents. He said that he had concerns about tear downs of houses and other building size issues, as well as, buildings blending together in ways that may not be productive.

Charles Carney, 702 Prospect Avenue, stated that he had issues with the language in the proposed ordinance and houses being built on oversized lots.

Kip Cherry, Dempsey Avenue, said that the proposed ordinance opens Pandora's Box.

Lee Solow, Planning Director reviewed with Mayor and Council his memorandum dated November 5, 2015 detailing lot frontage and lot width issues, floor area ratio (FAR) issues and small lot variances. The proposed ordinances address the issues outlined in Mr. Solow's memorandum.

(Memorandum appended to this set of minutes)

**Motion** – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/7/2015 6:00 PM</b>
<b>MOVER:</b>	Lance Liverman, Councilman	
<b>SECONDER:</b>	Bernard Miller, Council President	
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon	

Mayor Lempert read by title the proposed ordinance.

5. An Ordinance by Princeton Eliminating the Ability to Reconstruct a Building to Its Prior Nonconforming Floor Area Ratio, and Amending the “Code of the Borough of Princeton, New Jersey, 1974” (Public Hearing December 7, 2015)

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [5 TO 1]</b>	<b>Next: 12/7/2015 6:00 PM</b>
<b>MOVER:</b>	Jenny Crumiller, Councilwoman	
<b>SECONDER:</b>	Bernard Miller, Council President	
<b>AYES:</b>	Howard, Crumiller, Miller, Butler, Simon	
<b>NAYS:</b>	Liverman	

Mayor Lempert read by title the proposed ordinance.

6. An Ordinance by Princeton Eliminating Proportional Increase in Floor Area Ratio on Undersized Lots, and Amending the “Code of the Borough of Princeton, New Jersey, 1974” and the “Code of the Township of Princeton, New Jersey, 1968” (Public Hearing December 7, 2015)

*Motion* – to introduce

<b>RESULT:</b>	<b>TABLED</b>	<b>Next: 11/23/2015 4:00 PM</b>
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Mayor Lempert read by title the proposed ordinance.

7. An Ordinance by Princeton Revising the Definition of Floor Area Ratio and Other Terms, Eliminating Certain Exceptions and Exclusions from the Calculation of Floor Area Ratio, and Amending the “Code of the Borough of Princeton, New Jersey, 1974” and the “Code of the Township of Princeton, New Jersey, 1968” (Public Hearing December 7, 2015)

*Motion* – to introduce

<b>RESULT:</b>	<b>TABLED</b>	<b>Next: 11/23/2015 4:00 PM</b>
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Mayor Lempert read by title the proposed ordinance.

8. An Ordinance by Princeton Revising the Lot Frontage Requirements in the Former Township of Princeton’s Residential Zoning Districts and Amending Section 10B-247 and the Schedule of Zoning Regulations of the “Code of the Township of Princeton, New Jersey, 1968” (Public Hearing December 7, 2015)

*Motion* – to introduce

<b>RESULT:</b>	<b>INTRODUCED [UNANIMOUS]</b>	<b>Next: 12/7/2015 6:00 PM</b>
<b>MOVER:</b>	Jenny Crumiller, Councilwoman	
<b>SECONDER:</b>	Bernard Miller, Council President	
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon	

## XVI. RESOLUTIONS

1. 15-327 Resolution to Award a Contract to Mall Chevrolet for a 2016 Chevy Tahoe in the Amount Not to Exceed \$38,273.00

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Lance Liverman, Councilman
<b>SECONDER:</b>	Patrick Simon, Councilman
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon

2. 15-328 Chapter 159, Special Budget Item, Body Armor, \$4,878.00

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Heather Howard, Councilwoman
<b>SECONDER:</b>	Jenny Crumiller, Councilwoman
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon

3. 15-329 Chapter 159, Special Budget Item, Safer Grant, \$89,111.00

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Heather Howard, Councilwoman
<b>SECONDER:</b>	Jenny Crumiller, Councilwoman
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon

4. 15-330 Chapter 159, Special Budget Item, "Cops in Shops", \$3,200.00

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Heather Howard, Councilwoman
<b>SECONDER:</b>	Jenny Crumiller, Councilwoman
<b>AYES:</b>	Howard, Crumiller, Miller, Liverman, Butler, Simon

5. 15-331 Princeton Affordable Housing, Home Rehabilitation Grant # 2015 -1G, Not to Exceed \$14,325.00

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Jo Butler, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

6. 15-332 Princeton Affordable Housing Program, Home Rehabilitation Grant # 2015-2G, Not to Exceed \$8,300.00

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Lance Liverman, Councilman  
**SECONDER:** Jo Butler, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

7. 15-333 Resolution Authorizing Sale of a 1982 Mack Pumper

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Jo Butler, Councilwoman  
**SECONDER:** Lance Liverman, Councilman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

8. 15-334 Professional Service Agreement with the RBA Group, Inc. in the Not to Exceed Amount of \$88,983.00 for Design and Other Related Services for the Mary Moss Playground Park Project

**RESULT:** APPROVED [UNANIMOUS]  
**MOVER:** Bernard Miller, Council President  
**SECONDER:** Jo Butler, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

## XVII. CONSENT AGENDA

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Patrick Simon, Councilman  
**SECONDER:** Jo Butler, Councilwoman  
**AYES:** Howard, Crumiller, Miller, Liverman, Butler, Simon

1. Bills & Claims
2. Release of the Performance Bond and Cash Portion in the Amount of \$179,681.15 for the Church and Dwight Parking Lot Expansion at 469 North Harrison Street, Block 5501 Lot 3, Administrative Waiver Contingent upon Receipt of a Two Year Maintenance Bond in the Amount of \$26,952.17, which is 15% of the Original Performance Guarantee

## XVIII. CLOSED SESSION (CONTINUATION OF ABOVE IF NECESSARY)

The Closed Session was continued.

**XIX. ADJOURNMENT**

There being no further business the meeting was adjourned at 12:05 a.m.

Linda S. McDermott  
Municipal Clerk



*Municipality of Princeton*  
Department of Community Development  
Office of Planning

Princeton Municipal Building  
400 Witherspoon Street  
Princeton, NJ 08540

609-924-5366  
609-688-2032 (fax)

**MEMORANDUM**

**TO:** Marc Dashield, Administrator

**FROM:** Lee Solow, Director of Planning <sup>Lee</sup>  
Derek Bridger, Zoning Officer <sup>AB</sup>

**DATE:** November 5, 2015

**SUBJECT:** Lot Frontage and Lot Width Issues  
Floor Area Ratio (FAR) Issues  
Small Lot Variances

Staff has received a number of complaints/concerns from members of the public, various Board members and Council regarding subdivisions, house size (FAR), and variances for existing lot area when additional land is not available. Attached please find five zoning amendments that could be implemented to address some of these concerns. Staff believes these amendments should be considered ahead of the harmonization of the entire zoning ordinance as the identified issues are impacting current neighborhood character. Listed below are the issues we are trying to address and a summary of the proposed ordinances.

**Existing Small Lot Variances**

Currently the former Borough zoning ordinance, Section 17A- 373(a), permits development on small isolated lots without the need for variances for lot area, lot depth or lot width. All other bulk standards: setbacks and FAR still apply or variance relief must be requested. The former Township zoning ordinance does not permit this exception. The Zoning Board currently hears one or two applications a month on former Township properties and routinely grants them as failure to grant said variances could be considered a taking. The Zoning Board recommends that the former Township ordinance be amended to include the Borough exception for small lots. The amendment before you would incorporate similar language from the Borough Code and apply it to property in the Township.

**Reconstruction to same FAR**

Section 17A-403 in the former Borough code permits complete reconstruction of existing buildings even if the building exceeds the permitted FAR and bulk requirements with no additional variance. Staff recommends that this provision be deleted. Existing buildings exceeding the FAR would be allowed to remain, those buildings partially destroyed by fire allowed to rebuild, and buildings that are demolished and are rebuilt to the same FAR exceeding the ordinance would be required to obtain a variance. The proposed ordinance simply deletes Section 17A-403.

### **Proportional Increase in Floor Area Ratio for Undersized Lots**

Both the former Borough and Township zoning codes permit a proportional FAR wherein a lot that is smaller than the zone requirement receives a bonus or proportional increase in the FAR permitting a larger house than the underlying zone would allow (Sections 17A-373(b) and 10B-330). The original rationale for this was to permit house sizes to be uniform throughout a district. This rationale may no longer be justified. Based upon the concerns and comments we have heard from residents, staff believes it would be appropriate to eliminate the Sections 17A-373(b) and 10B-330 as proposed in the draft ordinance.

### **Definitions – Attic, Basement, Floor Area and Story**

The calculation of FAR, which determines the size of a structure, is based upon the ratio of the total area of all the stories on the lot, expressed as a percentage of the lot area. The ordinances provide for some minor exceptions for sheds, covered porches and garages as well as relies on the definition of story, basement and attic to determine spaces that count toward FAR. This draft ordinance removes all exceptions except attics and modifies the following definition.

- Attics are defined as that part of a building immediately below the roof which has a ceiling height of seven feet or greater above the attic floor and is not more than one-third of the area below. Any area greater than one-third of the floor below is counted as floor area.
- Basements are currently not counted toward FAR and would remain so.
- Story would be defined as any area with a clear headroom of seven feet. Seven feet was chosen to match the building code as the height needed for habitable space.

### **Lot Frontage and Lot Width**

The existing Land Use Ordinance for the former Township permits a lot frontage which is often half of the lot width requirement. Recently, the Planning Board has had a few applications that take advantage of this provision, resulting in a subdivision that can change the neighborhood character by having unusual lot configurations which zig zag and result in homes being placed in unusual locations. Staff continues to receive inquiries on a regular basis from property owners and developers to file these type of minor subdivisions and anticipates several future subdivisions will be filed shortly with the Planning Office. The proposed ordinance amends the former Township's bulk schedule for lot frontage in 12 residential zones so that the lot frontage is equal to the lot width. The ordinance also provides that on curved alignments with an outside radius of less than 500 feet, the minimum distance between lot lines, measured from the street line shall not be less than 75% of the required minimum.

#### **Attachments**

Cc: R. Kiser  
T. Cecil, Esq.  
J. West  
L. McDermott  
W. Gunning  
G. Ullman  
B. Royce

**AN ORDINANCE BY PRINCETON  
CREATING EXCEPTIONS TO LOT  
SIZE REQUIREMENTS FOR  
EXISTING SMALL LOTS IN THE  
FORMER TOWNSHIP OF  
PRINCETON AND AMENDING THE  
"CODE OF THE TOWNSHIP OF  
PRINCETON, NEW JERSEY, 1968"**

**WHEREAS**, section 17A-373(a) of the former Borough of Princeton's land use regulations permits development on small isolated lots in existence as of November 19, 1968 without the need for variances for lot area, lot depth, or lot width; and

**WHEREAS**, Princeton's director of planning, zoning officer, and land use engineer, as well as the Zoning Amendment Review Committee of the Princeton Planning Board recommend that this exception be extended to similar properties in the former Township of Princeton; and

**WHEREAS**, the Princeton Mayor and Council agree with this recommendation;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Council of Princeton as follows:

1. New section 10B-247.2, "Exception to lot size requirements for existing small lots" added to the "Code of the Township of Princeton, New Jersey, 1968." Article XI, "Zoning" in Chapter 10B, "Land Use" of the "Code of the Township of Princeton, New Jersey 1968" is hereby amended by adding thereto new section 10B-247.2, "Exception to lot size requirements for existing small lots," which shall read as follows:

**Sec. 10B-247.2. Exception to lot size requirements for existing small lots.**

If a lot with a total area, lot width or lot depth less than prescribed in this article appears as a separate lot or parcel, is designated as such on the tax maps of the Township of Princeton in existence on November 19, 1968 and continues as such at all times thereafter, to and including the date of any application for a zoning permit, such lot may be used for a one-family dwelling, provided, however, that such substandard lot shall be developed in conformity with all applicable district requirements other than minimum lot area, width, and depth. In no event shall a secondary residence be permitted on a lot that is less than one hundred twenty-five percent of the minimum lot area that is specified in this article for the zoning district in which the lot is located.

2. Repealer. Any article, section, paragraph, subsection, clause, or other provision of the Code of the Township of Princeton inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

3. Severability. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

4. Effective date. This Ordinance shall take effect upon its passage and publication as provided for by law.

5. Applicability. The provisions of this Ordinance shall apply to the former Township of Princeton only.

\_\_\_\_\_  
Linda S. McDermott, Clerk

\_\_\_\_\_  
Liz Lempert, Mayor

Ordinance Introduced: \_\_\_\_\_, 2015

Ordinance Adopted: \_\_\_\_\_, 2015

STATEMENT OF PURPOSE: The zoning regulations applicable to properties located in the former Borough of Princeton allow undersized properties in existence as of November 19, 1968 to be used for a single-family dwelling, provided such lots are developed in accordance with all applicable district requirements other than the minimum requirements for lot width, lot area, and lot depth. This purpose of this ordinance is to extend this same exception to similar properties located in the former Township of Princeton.



**Mayor and Council**  
400 Witherspoon Street  
Princeton, NJ 08540

Meeting: 03/14/16 07:00 PM  
Department: Clerk

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**AGENDA ITEM**

**January 25, 2016**

**ATTACHMENTS:**

- January 26, 2016 (PDF)