

PRINCETON ZONING BOARD OF ADJUSTMENT

Minutes of the Regular Meeting

February 24, 2016 7:30 P.M.

Municipal Complex – Main Meeting Room

Princeton, New Jersey

1. OPENING STATEMENT

The meeting commenced at 7:31 p.m. with Chairman Royce reading the Open Public Meetings Act statement.

2. ROLL CALL

PRESENT: Louisa Clayton (7:34), Steven Cohen, Eve Coulson, Michael Floyd
Doreen Blanc-Rockstrom, Barrie Royce, Bairy Suri, Harlan Tenenbaum
ABSENT: Wendy Farrington
ALSO PRESENT: Karen Cayci, Attorney; Derek Bridger, Zoning Officer; John M.
West, P.E., Land Use Engineer; Lee O. Solow, Director of Planning;
Claudia Ceballos, Board Secretary.

There were eleven (53) members of the public present.

3. MINUTES

a) November 10, 2015

Motion was made by Mr. Floyd to accept the minutes as written and amended, seconded by Ms. Rockstrom and carried with a voice vote of four ayes among those members eligible to vote. No one opposed. No one abstained.

4. ZBA ANNUAL REPORT

a) 2015 Annual Report and Resolution

Motion was made by Mr. Tenenbaum to adopt the resolution, seconded by Mr. Floyd and carried with a voice of eight ayes. No one opposed. No one abstained.

5. RESOLUTIONS

a) Jacob and Catherine Shapiro

1 Orchard Circle

Block 10.02, Lot 46; R1 (Boro)

C2 – side yard setback and height to setback ratio for garage expansion

Z1515-292 V

Approved with conditions

A motion was made by Ms. Clayton to adopt the resolution, seconded by Mr. Cohen and carried with a voice vote of seven ayes among those members eligible to vote. No one opposed. No one abstained.

b) J. Rogers Woolston

299 Walnut Lane

Block 07206, Lot 0003 Zone R6 (Twp)

C1/C2 – side yard setback for second floor addition

Z1515-304 V

Approved with conditions

A motion was made by Ms. Rockstrom to adopt the resolution, seconded by Ms. Clayton and carried with a voice vote of seven ayes among those members eligible to vote. No one opposed. No one abstained.

6. APPLICATIONS

- a) Application of West Windsor Real Estate
Major Subdivision and Site Plan, and Use Variance
176-188 Bayard Lane
Block 6802, Lots 44, 45, & 46, Zone R-5
Z1414-107MS
MLUL Deadline: 3/31/16

Attorney Cayci advised that all the noticing documents were in order and the Board was in a position to entertain jurisdiction of the application.

Present for the application Attorney Christopher DeGrazia; Geoffrey Brown from Princeton Junction Engineering; Robert Fania, Architect, David Kara Karleback, Planner.

Mr. Lee O. Solow, Director of Planning, was sworn in by Attorney Cayci.

Mr. Solow provided an overview of the application using his memorandum dated December 23, 2015. Mr. Solow said that this application is for a preliminary/ final major subdivision and site plan with use variances, this property is designated as 176 Bayard Lane, consisting of 3 lots or 1.7 acres in total. He noted that lot 46 has an existing building and lots 44 & 45 are vacant. Currently lot 46 contains 1 acre, lot 45 is 0.45 acres and lot 44 contains 0.23 acres. The lots are wooded with a gentle slope up to the southeast corner. A small wetland area has been identified on lot 46.

Mr. Solow said that surrounding uses include single family residences, townhomes, bank, service station and single family residential.

Mr. Solow said the applicant is proposing to consolidate the three lots and then subdivide the lot into three lots of roughly equal size, conforming to the R-5 zone standards to construct a duplex unit on each of the three lots, which is not permitted.

Mr. Solow said that the revised plan calls for one driveway out to Bayard Lane, as recommended by SPRAB and the Princeton Land Use Engineer. The proposed access drive is 20 feet wide, constructed with pervious pavement and each of the six units will have direct access to this drive, a four foot wide sidewalk is proposed along the site's frontage along Bayard Lane. A proposed detention basin will encroach on two of the lots.

Mr. Solow said that these lots are located in the R-5 zone which do not permit duplexes or two-family homes and a use variance has been requested.

Mr. Solow reviewed with the Board the standards for granting "D" variances.

Mr. Solow noted that 40 trees are proposed to be removed and replaced with other species. Mr. Solow said that the proposed storm water management system for the site consists of a shared detention basin discharging to the existing swale in the north-west corner of the property. The Board's storm water consultant has requested some additional information and some technical changes to the storm water management system, which should be a condition of approval.

Mr. Solow said that the plan currently calls for one new curb cut out to Bayard and the closing of the existing stone driveway. The new frontage driveway serving each home will be 20 feet wide. This frontage drive should be reduced to 16 feet in width given the low volume of traffic it serves.

Mr. Solow said that a subdivision was previously approved on this site, if this subdivision is approved, the prior subdivision needs to be formally removed.

Mr. Solow said that Site Plan Review Advisory Board has provided a number of comments (dated 12/18/15 attached).

Mr. Jack and Mr. Bridger were sworn in by Attorney Cayci.

Mr. DeGrazia described the application to the Board, he noted the prior subdivision approval and that it is still valid for a while longer under the permit act extension.

Mr. DeGrazia said that this property is located in a R5 Zone, which only allows single family home residencies. He said that the property is very unique, located on Route 206, across the street there is a bank, a gas station, a restaurant a community park, this site would be better having multifamily development or duplexes, duplexes can be created in a way as single homes, so that there won't be any negative impacts.

Mr. DeGrazia said that three homes could be built as of right, those homes would be 5,000 sq. ft., but instead of building three 5,000 sq. ft. applicant is proposing three duplexes.

Mr. DeGrazia informed that they appeared two times in front of SPRAB, trying to meet the their details.

The following provided testimony:

Geoffrey Brown, P.E., he was sworn in, presented his credentials and was accepted by the Board.

Mr. Brown reviewed the application using the following exhibits

Exhibit A1 – Tax/zoning map

Exhibit A2 – Site layout

Exhibit A3 – Revised site plan (minor changes to architectural plans)

Exhibit A4 – Revised site plan showing wetlands

Exhibit A5 – Revised landscaping plan

Robert Fania, Architect, he was sworn in, presented his credentials and was accepted by the Board.

Mr. Fania used the following exhibits:

Exhibit A6 through Exhibit A12 which consisted of original proposed plan, street elevation, resubmittal plans after SPRAB meetings, updated elevations, and updated floor plans.

Mr. David Karlebach, Planner he was sworn in, presented his credentials and was accepted by the Board.

He presented the following Exhibits:

Exhibit A13 – 3 sets of pictures taken by John McDonough, LA, PP, AICP.

Public comment was provided by 14 members of the public (list is attached).

Mr. DeGrazia said that after listening to public comment and seeing how upset everyone is, the owner of the property decided to withdraw the application.

The public applauded.

Public thanked the applicant for withdrawing the application.

7. ADJOURNMENT

There being no further business, the meeting was adjourned at 10:11 PM.

Respectfully Submitted,

Claudia Ceballos
Secretary

Approved: 7/27/16