

PRINCETON ZONING BOARD OF ADJUSTMENT

Minutes of the Special Meeting

December 6, 2017 7:30 P.M.

Municipal Complex – Main Meeting Room, Princeton, New Jersey

1. OPENING STATEMENT

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

2. ROLL CALL

PRESENT: Eve Coulson, Michael Floyd, Barrie Royce, Jeffrey Oakman and Stephen Schreiber, Bairy Suri and Harlan Tenenbaum

ABSENT: Steven Cohen

ALSO PRESENT: Karen Cayci, Attorney; Derek Bridger, Zoning Officer; Claudia Ceballos, Board Secretary and there were nine members of the public present.

3. RESOLUTIONS

a) **229 South Harrison Street**; Block 11001, Lot 34; R5

Wendy and David Ludlum, Owner/Applicant

C2 variance from parking requirement to permit a home occupation

Z1717-509

Approved with conditions

Motion was made by Mr. Schreiber to adopt the resolution as written and amended, seconded by Ms. Coulson and carried with a voice vote of five ayes among those members eligible to vote. No one opposed. No one abstained.

b) **175 Cedar Lane**; Block 8702, Lot 18; R5

Daniel and Denny Boyle, Owners/Applicants

C1 / C2 variances are requested to permit construction of a parking space within the required setback

Z1717-530

Approved with conditions

Motion was made by Mr. Schreiber to adopt the resolution as written and amended, seconded by Mr. Oakman and carried with a voice vote of five ayes among those members eligible to vote. No one opposed. No one abstained.

c) **26 Moore Street**; Block 28.03, Lot 76&77; R4

Peter Szego & Kathryn Weidener, Owners/Applicants

C2 variance request to permit construction of a covered rear porch, and the approval of two sheds in exception to the required setback

Z1717-530

Approved with conditions

Motion was made by Ms. Coulson to adopt the resolution as written and amended, seconded by Mr. Oakman and carried with a voice vote of five ayes among those members eligible to vote. No one opposed. No one abstained.

d) **9-11 Aiken Avenue**; Block 51.01, Lots 25&55; R3

Catherine Hegedus, Jennifer Geoghan, Robert Finnegan/Owners

Jennifer Geoghan/Applicant

C1 / C2 variance request to permit the installation of two natural gas generators in exception to the required building coverage

Z1717-544

Approved with conditions

Motion was made by Mr. Floyd to adopt the resolution as written and amended, seconded by Mr. Oakman and carried with a voice vote of five ayes among those members eligible to vote. No one opposed. No one abstained.

4. APPLICATIONS

- a) **Bunn Drive**; Block 4401, Lot 2, Zone OR-1
Princeton Community Village Associates LP /Applicant and Owner
Minor Site Plan with D2 Use Variance
Parking Lot Expansion
Z1717-528

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

Mr. Bridger was sworn in by Attorney Cayci.

Present for the application were Thomas Letizia, Esq., Pepper Hamilton; Edward Truscelli, Executive Director; Louis J. Zuegner, P.E. All were sworn in by Attorney Cayci.

Derek Bridger, Zoning Officer, reviewed the application using a memorandum prepared by Mr. Bridger and John M. West, P.E., Land Use Engineer dated 8/15/2017, revised 10/10/2017.

Mr. Bridger said the lot is non-compliant with respect to lot width of 45.5 feet, lot frontage of 45.5 feet and lot area of 7007 sq. ft. with a requirement of 45.5 feet, 45.5 feet and 21,780 square feet.

Mr. Bridger said that the property is located on Bunn Drive adjacent to Hill Top Park and is known as the Princeton Community Village (PCV). He said that the site has 35.71 acres and in the OR-1 zone. He said that there are 239 one and two-bedroom low and moderate affordable housing units.

He said that the existing use for low and moderate-income housing is not permitted in the OR-1 and is considered a pre-existing nonconforming use. He noted that the required parking is 443 spaces but there are only 381 spaces. He said that PCV wants to add 25 parking spaces off Karl Light Blvd. The expansion of the parking lot is considered an expansion of a non-conforming use and will require a d (2) use variance. Mr. Bridger said that the following bulk variances are requested as well:

- For each existing tree removed, one replacement tree is required; none are proposed
- Parking stall size- 9'x19' is required; 9'x18' is proposed
- Parking lots with more than ten spaces shall be screened. The applicant proposes no screening
- 1 shade tree is required for each 3.4 parking spaces- 8 trees are required, none are proposed
- Light fixtures should not exceed a maximum of 14 feet. The applicant proposes light poles of 16'

Mr. Bridger also reviewed with the Board the comments provided by the Site Plan Review Advisory Board (SPRAB) memorandum dated 10/26/17, the Princeton Environmental Commission (PEC) memorandum dated 10/31/17, and the Traffic Safety Committee memo dated 10/9/17 (attached).

Edward Truscelli said that there is a need for additional parking spaces at PCV and that the proposed spaces will be located near the 2, 3 and bedroom units where the need is greatest. Mr. Truscelli stated that the cost of tree replacement would be an unbudgeted expense for PCV and

that the organization would prefer to use the funds toward the creation of additional affordable housing units on site.

Louis J. Zuegner, P.E. presented his credentials and the Board agreed to accept them. He went over the proposed application using the following exhibits:

Exhibit A-1: “PCV Addition Overall Plan” dated 10/11/17 showing site location with aerial photos and identifying parking area; and Exhibit A-2: “Site Rendering” dated 10/11/17

Mr. Zuegner said the site has large trees and boulders. Mr. Zuegner said that he believes the application meets the criteria for approval of D(2) use variance. He mentioned that NJ courts have recognized affordable housing as an inherently beneficial use, and he said that this area cannot be seen from Bunn Dr. and he noted that the area has many trees and does not need additional screening. He said that the reduced parking stall size of 9’ by 18’ will minimize impervious coverage and tree removal but will be sufficiently large to accommodate automobiles. He noted that the required tree plantings will create a hardship for the applicant due to the number of boulders.

Regarding lighting, PCV will comply with the staff recommendation of LED lighting but clarify that the height of light poles in the existing parking areas is 16 feet and that the applicant wishes the height of the new light poles to be consistent for aesthetic reasons.

Mr. Zuegner said there is adequate drainage onsite and PCV will not be installing a bio swale and permeable pavers.

The application was opened to public comment, but no comment was provided.

Board Members discussed the application and motion was made by Mr. Schreiber and second by Ms. Suri to grant a D (2) variance to permit the expansion of parking to allow an additional 25 parking spaces and C (2) variances to permit 9’ x 18’ parking stall, to allow light stanchions of 16 feet in height and to eliminate the requirement of installation of additional landscaping, as set forth in the application with conditions.

ROLL CALL (“C” and “D” VARIANCES AND GRANT MINOR SITE PLAN)

Moved by: Schreiber

Seconded by: Suri

Those in Favor: Coulson, Floyd, Oakman, Royce, Schreiber, Suri, Tenenbaum

Those Opposed: None

Those Absent: Cohen

b) **6 Edgehill Street**; Block 36.01, Lot 3; R1, Mercer Hill Historic Zone

Robert and Jane MacLennan, Owners/Applicants

C2 - to permit installation of a natural gas generator in exception to the required accessory structure setback and building coverage ratio

Z1717-548

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 Robert MacLennan, owner; Colin McCullum of Princeton Air Conditioning, both sworn in by Attorney Cayci.

Derek Bridger, Princeton Zoning Officer reviewed the application using his memorandum dated 11/2/2017. He said that an application was received to install of a natural gas generator within the required accessory structure setback and building coverage ratio. Mr. Bridger said that the lot is non-compliant with respect to lot width, lot depth and lot area. The existing residence is noncompliant with respect to front yard setback, smaller side yard setback, rear yard setback and building coverage.

Mr. Bridger noted that in 2010 a variance was granted to permit installation of two air conditioning condensers in exception to the required building coverage and required accessory structure setback.

Mr. Bridger said that this property is located in the Mercer Hill Historic District, and Historic Preservation Officer determined that the HPC did not need to review the application because the generator was not visible from Mercer Street.

Mr. Bridger reviewed with the Board the standards for granting C (2) variances.

Robert MacLennan said that because of the undersized lot area and lot depth, it is not feasible to locate the generator within the setback Mr. MacLennan said the generator will be located at the rear of the home and will be screened by an existing fence.

Colin McCullum of Princeton Air Conditioning, said that he will be installing the generator and it can be timed to test itself at a convenient time.

Chairman Royce opened the meeting for public comment and the following was provided:

Elizabeth Brown of 8 Edgehill Street, sworn in by Attorney Cayci, said that she does not hear the existing air conditioning condensers and is not concerned with the generator's noise.

Board Members discussed the application and motion was made by Mr. Tenenbaum and seconded by Mr. Schreiber to grant a C (2) to allow a building coverage of 45% and an accessory structure setback of 1.33 feet to permit installation of a natural gas generator, as set forth on the application with conditions.

ROLL CALL (C2)

Moved by: Tenenbaum

Seconded by: Schreiber

Those in Favor: Davidge, Floyd, Oakman, Royce, Schreiber, Suri, Tenenbaum

Those Absent: Cohen

Those Recused: Coulson

6. **ADJOURNMENT**

There being no further business, the meeting was adjourned at 8:45 pm.

Respectfully Submitted,

Claudia Ceballos

Secretary

Approved: 1/24/18