

PRINCETON PLANNING BOARD
MINUTES OF THE SPECIAL MEETING

Thursday, June 29, 2017
PRINCETON – Main Meeting Room
Princeton, NJ

PRESENT: Julie Capozzoli, David Cohen, Jenny Crumiller, Wanda Gunning, Timothy Quinn, Zenon Tech-Czarny, Mildred Trotman, Gail Ullman

ABSENT: Fern Spruill, Dwaine Williamson, Louise Wilson

ALSO PRESENT: Karen Cayci, Esq., special counsel to the Planning Board; Lee Solow, Planning Director; Ilene Cutroneo, Board Secretary; Jack West, Municipal Land Use Engineer; Derek Bridger, Zoning Officer

Chairperson Gunning called the meeting to order at 7:30 pm, acknowledging the opening statement as required by the Open Public Meetings Act, stating that notice of this meeting was provided on June 19, 2017.

ANNOUNCEMENTS: Chairperson Gunning announced that the Landscape Subcommittee would be meeting on Wednesday, July 12 at 9:30 am. The meeting will start on the application site – 900 Herrontown Road and will resume at 400 Witherspoon Street.

EXECUTIVE SESSION

a) Litigation – Affordable Housing Declaratory Judgement Action Update

Chairperson Gunning read the resolution to allow the Board to enter into closed session. Board entered closed session at 7:35 pm.

Board meeting resumed at 7:50 pm.

DISCUSSION

a) Ordinance Referral – Cluster Amendment. Mr. Solow reviewed the proposed amendment advising that the Board has been reviewing this amendment for the past year. Mr. Solow advised that the Planning Board and ZARC has held several public meetings, providing extensive public comment reviewing the amendment. The ordinance will add a provision in the cluster ordinance to provide a bonus if the applicant provides 70% as open space and dedicate a parcel that is suitable to build affordable housing. It was noted that there are two additional tracts of land that have been identified to take advantage of this provision.

Board members questioned if bulk standards were established for the affordable housing site as part of the ordinance. Mr. Solow advised that once the land dedication is in place, a determination will be made regarding the best use and/or density and what is needed to provide

the affordable housing project. Mr. Solow reviewed his 6/27/17 memorandum providing areas in the Master Plan which support this zoning amendment.

Mr. Solow responded to Board questions and advised that Lanwin had filed a Major Subdivision/Site Plan application for 20, four acre lots in 2011. Staff and elected officials approached the applicant seeking a better way to develop the site, clustering was discussed and the applicant agreed not to proceed with the filed application and requested the cluster amendment. [note: The application remains incomplete, not withdrawn.] Mr. Solow explained that the current cluster bonus provisions would permit for 27 lots and the amendment will provide three additional lots on the Lanwin tract. The applicant agreed to file a new application to take advantage of this amendment should it be adopted.

Chairperson Gunning opened the meeting to the public for comments on the ordinance amendment at this time.

Bruce Afran, Esq., stated that he was appearing on behalf of the Herrontown Lane Association. Mr. Afran stated that this ordinance was creating spot zoning and is addressing a developer's need. He stated he feels this will have a negative impact on the environment and is not consistent with the Master Plan.

Valerie Haynes Mt. Lucas Road, was sworn in and stated that the residential units being proposed are not affordable and asked if a major portion of the site can be preserved with the remaining lands to provide middle income housing.

Thomas Letizia, Esq., representing the Lanwin Development, was sworn in and advised that his client is willing to proceed under the existing ordinance. He also noted that the amended ordinance provides more preservation of the environmental constrained lands as well as providing a future affordable housing site. Mr. Letizia stated that he would like to see the process move forward as there are many public benefits in the proposal.

name not audible, from Montgomery Woods, stated that she is severely impacted by the project and has a major concern about runoff from the development of this parcel and asked that the property be preserved.

Robert von Zumbusch, representing Friends of Princeton Open Space, was sworn in and supported the cluster amendment.

Laurie Nemes, was sworn in and stated that the ordinance is not a change for the developer as the applicant will develop the property. The additional density proposed is to provide an affordable housing site for the municipality.

Kip Cherry, was sworn in and questioned whether the applicant would be able to comply with the ordinance due to site constraints. Ms. Cherry also stated that the neighbors had an expectation of the zoning when they moved to the area and now the rules are being changed.

Hearing no further comments, the public portion was closed. Chairperson Gunning opened the discussion to Board members. Mr. Cohen, spoke in support of the amendment, noting that clustering helps the ridge and the amendment is a minimal increase based upon what is already permitted.

Ms. Crumiller questioned the size of lots in other clusters. Mr. Solow advised that lot sizes vary from development as with the amount of open space; noting that by providing an affordable housing component the applicant is required to provide 70% of its land as open space to obtain the bonus.

Mr. Quinn stated that it was not an option for the municipality to purchase the tract as open space and he supported the ordinance amendment as it provides 70% of open space and the ability to provide affordable housing, finding it consistent with the Master Plan.

Mr. Cohen stated that it is up to the experts to determine whether an application can comply with as of right zoning, adding that clustering is better for the area. He also noted that PEC changed its position and supported the clustering. Mr. Tech-Czarny stated that he is against it the ordinance amendment.

Mrs. Ullman reminded the Board that the review is of the ordinance and whether it's consistent with the Master Plan. Mrs. Ullman noted that the preservation of land is consistent. Ms. Crumiller asked if Montgomery officials have been notified about the ordinance. Mr. Solow advised that staff discussed the ordinance with Montgomery's Engineering staff when the ordinance discussions began in 2016.

Motion was made by Mrs. Ullman to endorse the ordinance amendment, finding it consistent with the Master Plan, seconded by Mrs. Trotman and carried with the following roll call vote:

FOR: Capozzoli, Cohen, Crumiller, Quinn, Tech-Czarny, Trotman, Ullman, Gunning

AGAINST: No one

ABSTAIN: No one

b) Princeton Neighborhood Character & Zoning Initiative (PNCZI) – Mr. Quinn, [was the chair of ZARC (Zoning Amendment Review Committee) in 2016 when the ad hoc committee was convened] provided an overview, noting that the ad hoc committee was responding to numerous comments/concerns and requests for changes received from residents regarding the changing character of Princeton residential neighborhoods. PNCZI held numerous meetings and breakout sessions all with full public input led by its consultant NV5 (formerly RBA Group) to hear the topics of interest and provide guidance to Princeton as it proceeds with its zoning harmonization.

In response to the conversations, Mr. Quinn advised that ordinances have been adopted to address:

Attics & Basements: clarified zoning to include attics & basements when they impact the mass of a dwelling

Setback (prevailing front yard): modified zoning to permit homes in any neighborhood to have compatible front yard setback

Cathedral ceilings: captured the additional mass that cathedral ceilings generate when totaling a building size

Porches: Revised zoning to encourage porches where porches exist on existing homes

Shade Tree revisions: strengthened existing tree clearing ordinance to restrict removal and require replacements

Stormwater: developed more rigorous regulations strengthened review of stormwater control.

It was also noted that the following items were recognized as important points to address as soon as possible: building height; floor area and/or building size cap; prevailing FAR; lot grading & fill; garage & driveway.

Neil Desai, PP, NV5, reviewed key points from the Princeton Neighborhood Character & Zoning Initiative Report in a PowerPoint presentation. Mr. Desai noted that the complete report can be found on the Princeton website (and made part of the minutes herein).

Chairperson Gunning opened the discussion to the public for comments.

William Sutphin, 501 Jefferson Road, was sworn in and recommended that an ordinance be created for demolitions, similar to what is done in Westport, CT.

Tobi Israel, address not provided, was sworn in and feels the report did not address affordability issues and affordable housing opportunities.

Marina Rubina, Quarry Street, was sworn in and spoke on behalf of the Princeton Progressive Action Group requesting short term action to focus on affordability: allow flats in former Borough Zones, expand where flats are permitted and eliminate the parking requirements to allow people to age in place.

Kate Warren, address not provided, was sworn in and stated that before any changes the ordinances should be consolidated.

George Stein, was sworn spoke in support of providing duplexes in single family residential areas, allowing to age in place and also addresses the missing middle.

Mayor Lempert, was sworn in and advised that she is a member of the ad hoc group and wants to gather comments from this meeting to determine what should be the immediate projects to address and felt that there was strong support to address duplexes, building height and mounding/fill on home construction.

Mary Clurman, Harris Road was sworn in and requested that open feeling of neighborhoods need to prevail and fences should be limited.

Kip Cherry, Dempsey Avenue, was sworn in and stated that duplexes cannot be provided everywhere. Mr. Quinn advised that a review of neighborhoods would determine where duplex would or would not work.

Kirsten Thoft was sworn in and spoke in support of duplexes, flats, and separate units to provide more housing opportunities. It was her opinion that density has been decreasing due to the construction of larger buildings and loss of dwelling units in town.

Catherine Calva, was sworn in and stated that there are different ways to build a house to avoid taller structures.

Hearing no further comments, the public portion was closed. Ms. Crumiller recommended that we should look at use and density controls; building height and the issue of duplexes.

Motion was made by Mrs. Trotman to adjourn and was seconded by Mr. Cohen. Meeting adjourned at 10:30 pm.

Respectfully submitted,

Dated: 7/10/17

Ilene Cutroneo, Board Secretary
PRINCETON PLANNING BOARD

Approved: 9/28/17

Wanda Gunning, Chairperson
PRINCETON PLANNING BOARD