

**PRINCETON ZONING BOARD OF ADJUSTMENT**  
**Minutes of Regular Meeting**  
**Wednesday, March 27, 2013– 7:30pm**  
**Main Meeting Room**  
**400 Witherspoon Street, Princeton, NJ 08540**

**PRESENT:** Barrie Royce, Michael Floyd, Penelope Baskerville, Louisa Clayton, Sara Segal, Steve Cohen and Doreen Blanc-Rockstrom

**ALSO PRESENT:** Derek Bridger, Zoning Officer; Karen Cayci, Attorney; and Debra Rogers, Secretary

**ABSENT:** Richard Kahn and Ravi Manchi

There were eleven (11) members of the public present.

The meeting commenced at 7:35 p.m. with Chairman Royce reading the Open Public Meetings Act statement.

Chairman Royce deferred the adoption of the minutes and the Resolution of Memorialization to the end of the meeting.

**1. APPLICATIONS:**

**a) HOPKINS, Thomas and Dartha**

288 Jefferson Road

Block 7001, Lot 22, R-6

**“C” 1 or 2- Sideyard setbacks for enclosed porch and shed**

File No. Z13 13-013V

Present for the hearing was Dartha Hopkins, applicant and Kyle Van Dyke, Architect.

Attorney Cayci swore in Derek Bridger, Princeton Zoning Officer.

Mr. Bridger discussed his memo saying the applicants are seeking variances from the setbacks to permit the construction of a screened porch addition and storage shed on their property. He said the property is located in the R-6 zoning district and is non-compliant with regards to the lot area requirement. He noted that the existing structure is non-compliant with regards to the right and left side yard setback requirements. He said they are proposing to construct the porch 5.25 feet from the property line and proposing the shed to be 6.11 feet from the property line. He said the applicants have amended their application to allow for a C1 and/or C2 variance for the proposals.

Attorney Cayci swore in Dartha Hopkins.

Mrs. Hopkins said they bought this house because it is close to town and it is close to their daughter. She said her husband has developed a medical condition and is highly allergic to bug bites so they are proposing to screen in their proposed porch with a very small type screening to keep the bugs out. She said they would like to be able to enjoy their backyard and would like the porch to be big enough to accommodate all 10 members of the family. She also noted that the house does not have any storage space nor does it have a basement. Therefore all of their gardening tools are left outside on the side of the house. She said they would like to install a storage shed to house all of the tools. She said although they are asking to put the shed within the required setback requirement, she feels this is much more aesthetically pleasing to the neighbors than to have the tools sitting on the side of the house. She also noted that if the shed were to be placed where it adheres to the required setback requirement, it would be located in the middle of their yard and they would not be able to enjoy their backyard, by placing the shed in the proposed location, it will be screened by the shrubbery that is already there. She said she has spoken to her neighbors and they did not have any objections to their proposal, in fact, she stated that one of her neighbors was present.

Chairman Royce asked if the screened porch will have any light spillage onto the neighboring properties. And he also inquired about the water drainage onto the neighboring properties given the slope of the lot.

Attorney Cayci swore in Kyle Van Dyke, Architect.

Mr. Van Dyke noted this is a small lot with and the existing structure is a small ranch style home. He said it is his opinion that there will not be any light spillage onto the neighboring properties. He said with regards to the drainage, the increase will be very minimal. He said the water will run from the downspout to the surface. He introduced Exhibits A-1 Site Plan and A-2 Floor Plans and Elevations. He said the only logical place to put the screened porch is off of the family room as it will be screened on all 3 sides. He said the porch is proposed to be 12 X 8 and is designed so that Mr. Hopkins can also enjoy his property without the threat of bug bites. He said the shed will be less than 100 square feet and will not have a foundation and can be moved if need be and will be screened by bushes. He said the applicants do not have a basement, a garage or an attic and are in need of some storage. Also entered in the record were Exhibits A-3 Photo's of the Property showing its need for storage, and Exhibit A-4 Pictures of Mr. Hopkins face and its reaction to bug bites.

Member Blanc-Rockstrom inquired about the proposed bedroom addition.

Mr. Van Dyke said the addition is 22 square feet and it will blend well into the house.

There was then a discussion about the addition and whether or not it should be turned.

Chairman Royce asked if there were any members of the public who wanted to comment on the application.

Mrs. Carolyn Leeuwenburgh, said she lives next door and has lived in Princeton for the past 43 years. She said the addition, shed and porch will not offend them in any way and they feel it will be a positive change to the property.

Chairman Royce asked if there were any other members of the public who wanted to comment on the application. Hearing none, he closed the public portion and the Board went into deliberative session.

Chairman Royce noted that should the application be approved, he would like to see conditions placed on the approval that there is no light spillage or drainage that runs onto the neighboring properties.

Member Cohen asked if the porch really constitutes a hardship and also inquired about the impervious coverage.

Mr. Bridger said they are under the threshold for storm water review.

Attorney Cayci noted that the applicants amended their application to include a C2 variance and with a C2 variance the applicants do not have to show a hardship.

Member Clayton said she thinks the location of the porch makes sense given the location of the existing house on the lot.

Member Floyd said he feels better granting a C2 variance and thinks this proposal will have a positive effect on the visual environment.

**Upon motion made** by Louisa Clayton and seconded by Steven Cohen, a motion was made to approve the variance requests of Thomas and Dartha Hopkins with the condition that there is no light spillage onto the neighboring lots and there is no additional storm water drainage on the neighboring lots.

**ROLL CALL:**

<b>Aye</b>	<b>Penelope Baskerville</b>
<b>Aye</b>	<b>Louisa Clayton</b>
<b>Aye</b>	<b>Michael Floyd</b>
<b>Aye</b>	<b>Sara Segal</b>
<b>Aye</b>	<b>Steven Cohen</b>
<b>Aye</b>	<b>Barrie Royce</b>

- b) BHATIA, Deepinder**  
100 Bayard Lane  
Block 7.02, Lot 10.01, R-1  
**“C” – Front yard Parking Setback**  
File No. Z13 13-018V

Present for the hearing were Mr. & Mrs. Bhatia, applicants and Harry Williams, Builder.

Attorney Cayci reminded Mr. Bridger that he was still under oath.

Mr. Bridger discussed his report saying that applicant would like to expand the existing front yard parking area. He also noted that the existing stairs on the existing porch will be relocated from the side to the front of the porch and that will increase the non-compliance of the front yard setback requirement. He said the property is located in the R-1 zoning district and is non-conforming with respect to the lot area and lot width requirements. The lot width requirement is 125 feet and the property has 75 feet; and the lot area requirement is 20,000 square feet and the property has 14,984 square feet. He said the applicants previously received variance relief for the front yard parking, however, they expire within one year if no extension is applied for and the variance approval in this case has expired. He said the front yard parking will require relief from Section 17A-387(a) which prohibits parking within the front yard setback and the expansion of the porch will require relief for front yard setback. He said the applicants have applied for a C2 variance. He explained the criteria to the Board.

Attorney Cayci swore in Deepinder Bhatia.

Mr. Bhatia said the parking is very tight and other cars keep dinging their cars and his wife can't back out safely because she is short and it is very hard to see. He said she has on more than one occasion backed into the landscaping and small wall. He said their front yard is not visible from the neighbor's property nor is it visible from Route 206.

Attorney Cayci swore in Mrs. Bhatia.

Mrs. Bhatia said it is very hard to make a K-turn to be able to get out of the driveway and they would like more room to be able to maneuver their cars and any cars that come to their property.

Mr. Bhatia said the extension will make the parking area deeper which will make it easier and it will allow enough room to play with, in order to make a K-turn safely to get out of the driveway onto Route 206.

Member Blanc-Rockstrom asked why they are moving the stairs around to the front if the driveway will be moving forward.

Mr. Bhatia noted that the stairs will be to the curb line and will not be pushed out any further than where the shrubs are now.

Member Clayton inquired about the paved area that runs along the side of the house to the garage located at the rear of the property.

Mrs. Bhatia explained that the area is very narrow and it would be hard to park there as there is not enough room to open the doors of the cars.

Chairman Royce asked about the lot coverage and adding more asphalt to the grassy area.

Mr. Bridger noted that any coverage above 400 square feet will be reviewed by the Engineer.

Chairman Royce asked if there were any members of the public who wanted to comment on the application.

Mr. Harry Williams, builder, said the applicants needed more room in order to maneuver the cars safely in and out of the driveway. He also noted that the realignment of the front steps is more architecturally sensitive to the style of the house.

Member Cohen said he agrees that safety is an issue. He said the proposed parking will help to obtain a safer situation on a busy road.

**Upon motion made** by Steven Cohen and seconded by Michael Floyd, a motion was made to approve the application of Deepinder Bhatia as presented with the condition that the proposal is reviewed by the Engineer for storm water drainage.

**ROLL CALL:**

<b>Aye</b>	<b>Penelope Baskerville</b>
<b>Aye</b>	<b>Louisa Clayton</b>
<b>Aye</b>	<b>Michael Floyd</b>
<b>Aye</b>	<b>Sara Segal</b>
<b>Aye</b>	<b>Steven Cohen</b>
<b>Aye</b>	<b>Barrie Royce</b>

- c) **GARONIAK, Anita**  
1 Harris Road  
Block 21.03, Lot 23.01, R-4  
**“C” – Sideyard Setbacks for AC and Generator**  
File No. Z13 13-022V

Present for the hearing was Anita Garoniak, applicant.

Attorney Cayci reminded Mr. Bridger he was still under oath.

Mr. Bridger reviewed his memo saying that the property is located in an R-4 zoning district and the lot is non-compliant with respect to the lot area and lot width requirements, and the structure is non-compliant with respect to left side yard setback and the combined side yard setback requirements. He said the applicant is proposing to install an AC condenser and a generator along the southern boundary of the property along the Franklin Street elevation. He said the

generator is proposed to be right on the property line and the condenser is proposed to be 3 feet from the property line. He said the applicant is applying for a C2 variance.

Attorney Cayci swore in Anita Garoniak.

Ms. Garoniak said she would like to install central air conditioning in her house because it is becoming harder and harder to find someone to help her put the window ac units in and then take them out again at the end of the season. She said with respect to the AC condenser, it would actually be noisier for her neighbor to place it as required by the setback rather than to put it on the side she is proposing. She said with respect to the generator, if she would be required to adhere to the setback it would have to be located in the rear of her property and that would require trenching and it would be very costly to do so.

Chairman Royce inquired about screening for the units.

Ms. Garoniak said the AC condenser will be located directly behind the wood pile and she may put up some lattice and ivy as well.

Member Floyd asked if the generator had to be 5 feet from the house and that is why it is being placed right on the property line.

Ms. Garoniak said yes, that was correct. She said she may put a small fence there to screen it.

Member Clayton noted that she would not be able to screen there as it is a public right-of-way and she would need permission from the town to do that.

Member Blanc-Rockstrom asked if it would be possible for the applicant to move the generator away from the street.

Mr. Bridger said the issue is that it has to be 5 feet from the house and to keep it located next to the AC condenser it would have to be placed where it is.

Chairman Royce asked if there were any members of the public who wanted to comment on the application. Hearing none, he closed the public portion and the Board went into deliberative session.

**Upon motion made** by Louisa Clayton and seconded by Penelope Baskerville, a motion was made to approve the application of Anita Garoniak as presented.

**ROLL CALL:**

<b>Aye</b>	<b>Penelope Baskerville</b>
<b>Aye</b>	<b>Louisa Clayton</b>
<b>Nay</b>	<b>Michael Floyd</b>
<b>Aye</b>	<b>Sara Segal</b>
<b>Aye</b>	<b>Steven Cohen</b>
<b>Aye</b>	<b>Barrie Royce</b>

**2. MINUTES:**

**Upon motion made** by Michael Floyd and seconded by Penelope Baskerville, a motion was made to approve the minutes of February 27, 2013 as written and amended.

**ROLL CALL:**       Aye   **Penelope Baskerville**  
                          Aye   **Louisa Clayton**  
                          Aye   **Michael Floyd**  
                          Aye   **Sara Segal**  
                          Aye   **Doreen Blanc-Rockstrom**  
                          Aye   **Barrie Royce**

**3. RESOLUTION OF MEMORIALIZATION:**

- a) **MAHER/KELLY**  
51-53 Park Place  
Block 28.01, Lot 8. R-4  
**“C” & “D” for 2-story addition**  
File No. Z13 13-004UV

**Upon motion made** by Louisa Clayton and seconded by Penelope Baskerville a motion was made to adopt the MAHER/KELLY resolution as written.

**ROLL CALL:**       Aye   **Penelope Baskerville**  
                          Aye   **Louisa Clayton**  
                          Aye   **Sara Segal**  
                          Aye   **Doreen Blanc-Rockstrom**  
                          Aye   **Barrie Royce**

**4. ADJOURNMENT:**

**Upon motion made** by Steven Cohen and seconded by Sara Segal, a motion was made to adjourn the meeting at 9:05 p.m.

**ROLL CALL:**      **Aye**    **Penelope Baskerville**  
                         **Aye**    **Louisa Clayton**  
                         **Aye**    **Michael Floyd**  
                         **Aye**    **Sara Segal**  
                         **Aye**    **Steven Cohen**  
                         **Aye**    **Barrie Royce**

**Respectfully Submitted,**

A handwritten signature in blue ink, appearing to read "Debra Rogers".

**Debra Rogers, Secretary**

**Date Approved:** April 24, 2013