

# PRINCETON PLANNING BOARD

## MINUTES OF THE REGULAR MEETING

Thursday, May 1, 2014

PRINCETON MUNICIPAL BUILDING – Main Meeting Room  
Princeton, NJ

**PRESENT:** Cecilia Birge, Julie Capozzoli, Jenny Crumiller, Wanda Gunning, Timothy Quinn  
Marvin Reed, Gail Ullman, David Cohen

**ABSENT:** Bernie Miller, Mildred Trotman

**ALSO PRESENT:** Gerald Muller, Esq., Board Attorney; Lee Solow, Planning Director; Ilene  
Cutroneo, Board Secretary; Jack West, Land Use Engineer; Derek Bridger, Zoning  
Officer

Chairperson Gunning opened the meeting at 7:30 pm, acknowledging the opening  
statement as required by the Open Public Meetings Act, stating that notice of this meeting was  
adopted on December 6, 2013 and published on December 10, 2013.

**ANNOUNCEMENTS:** Mrs. Ullman advised that ZARC would be meeting on Monday, May  
12 at 9:30 am in meeting room B to begin its discussion on the merged Historic Preservation  
Ordinance. Chairperson Gunning reminded the Board members that prior to speaking, they must  
wait to be called upon and to be sure to identify themselves for the record.

### **FINDINGS OF FACT**

- a) **RAFAEL AND SARA SEGAL – 3/20/14**  
Minor Subdivision w/variances (denial)  
Lawrenceville Road, Block 9401, Lot 15  
File # P1313-073MS

Motion was made by Mrs. Ullman to accept the findings as amended, seconded by Ms.  
Birge and carried with a voice vote of five ayes among those members eligible to vote. No one  
opposed. No one abstained.

### **MINUTES**

- a) Special Meeting – December 10, 2012. Motion was made by Ms. Crumiller to accept the  
minutes, seconded by Mr. Reed and carried with a voice vote of four ayes among those members  
eligible to vote. No one opposed. No one abstained.
- b) Regular Meeting – December 13, 2012. Motion was made by Mrs. Ullman to accept the  
minutes, seconded by Ms. Crumiller and carried with a voice vote of four ayes. No one opposed.  
No one abstained.

**HEARING**

- a) **GARY & KIM GENDEL**  
Relief of Condition/Variance Request  
54 Ettl Circle; Block 6102, Lot 11  
File #P1414-027RC

Mr. Solow was sworn in and provided the Board with an overview of the request. Using tax map sheet 61 (marked as exhibit PB1), Mr. Solow advised that the original approval required the creation of a 40 foot buffer. Due to several errors prior to the Gengels taking ownership of the property the pool and patio were constructed within the buffer area. The Gengels are in the process of selling the home and the surveying error was found by the prospective purchaser. Mr. Solow advised that the homeowners association submitted a letter of no objection to the relief and variance requested being submitted by the Gengels.

Christopher Tarr, Esq. was sworn in and advised that he was representing applicant. Gary Gengel, the owner was sworn in and advised that the prior owners of the property had applied for a pool permit in 1999 and the survey filed at the time did not show any disturbance in the buffer area. Mr. Gengel advised that he and his wife purchased the property in 2002 and at that time his title search did not show the encroachment. It was not discovered until 2014 when during the course of the sale of the property, the buyer's survey showed the discrepancy.

Ms. Birge questioned if the pool or patio were removed or changed does the variance remain. Mr. Solow advised that the Board can place a condition on the approval that should there be any change to the pool/patio area the variance would be eliminated. Mr. Solow also advised that the Board could also impose that buffer averaging be required which would maintain this area of disturbance. Mr. Gengel asked the Board not to impose buffer averaging.

Chairperson Gunning opened the meeting to the public at this time. Hearing no comments, the public portion was closed. Several Board members spoke in support of granting the variance without requiring the buffer averaging as long as the pool and patio remained and were unchanged.

Motion made by Mr. Reed to grant the variance and relief of condition as described in the staff reports and foregoing, seconded by Ms. Crumiller and carried with the following roll call vote:

FOR: Birge, Capozzoli, Crumiller, Quinn, Reed, Ullman, Gunning, Cohen

AGAINST: No one

ABSTAIN: No one

- b) **ALL SAINTS' CHURCH**  
Minor Site Plan w/conditional use  
All Saints Road; Block 4401, Lot 3.01  
File #P1313-066P

Mr. Solow was sworn in and provided the Board with an overview of the application. Using sheet 3 of the landscape plan (marked as exhibit PB1), Mr. Solow advised that the applicant is proposing to construct a 1,447 square foot one-story addition, with a basement, to the sanctuary of the Church and install a single compressor/condenser located just south of the building.

Daniel Haggert, Esq., was sworn in, representing the applicant. Michael Fairwell, RA, was sworn in and described the layout and materials for the proposed addition using the following exhibits: A-1 – Sheet A-1.0 of the filed plan; A-2 – Sheet A-3.0 of the filed plan; A-3 – Series of four photographs. Testimony was presented that there are plans to replace the roof on the church and it will match the new addition.

Paul Murphy, member of the Church and Chairperson of committee for the implementation of project, was sworn in and discussed the purpose of the design in relation to the existing building.

Responding to the staff report, testimony was presented that the light fixtures will not spill onto the residential areas. Mr. Solow suggested that the Landscape Subcommittee could review the lighting and perhaps decide upon additional plantings once construction is completed.

Joseph Mester, PE, was sworn in and addressed the staff comments regarding the stormwater and grading. Mr. West requested that the roof drains be connected to the stormwater system. Mr. Meister provided the Board with an exemption letter from the DRCC, dated 2/24/14 (exhibit A4) and approval letter from the Mercer County Planning board, dated 12/13/13 (exhibit A5). The applicant agreed to comply with the staff reports.

Chairperson Gunning opened the meeting to the public at this time. Hearing no comments, the public portion was closed. Motion made by Ms. Crumiller to approve the minor site plan with conditional use as described in the staff reports and discussed foregoing, seconded by Mr. Cohen and carried with the following roll call vote:  
FOR: Birge, Capozzoli, Crumiller, Quinn, Reed, Ullman, Gunning, Cohen  
AGAINST: No one  
ABSTAIN: No one

Motion was made by Mrs. Ullman to adjourn, seconded by Ms. Capozzoli and carried with a voice vote of eight ayes. Meeting adjourned at 8:45 pm.

Respectfully submitted,

Dated: 7/31/14

Ilene Cutroneo, Board Secretary  
PRINCETON PLANNING BOARD

Approved: 9/18/14

Wanda Gunning, Chairperson  
PRINCETON PLANNING BOARD

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