

PRINCETON PLANNING BOARD

MINUTES OF THE REGULAR MEETING

Thursday, October 2, 2014

PRINCETON MUNICIPAL BUILDING – Main Meeting Room
Princeton, NJ

PRESENT: Cecilia Birge, Julie Capozzoli, Jenny Crumiller, Wanda Gunning, Bernie Miller, Timothy Quinn, Marvin Reed, Mildred Trotman, Gail Ullman, David Cohen

ABSENT: No one

ALSO PRESENT: Gerald Muller, Esq.; Board Attorney; Lee Solow, Planning Director; Ilene Cutroneo, Board Secretary; Jack West, Land Use Engineer; Christine Lewandoski, Historic Preservation Officer

Chairperson Gunning opened the meeting at 7:35 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. Gunning advised that the Master Plan Committee would be meeting on October 20 at 9:30 am. Mrs. Ullman informed the Board of upcoming events in the community: the library has an exhibit of photographs by Alan Chimacoff supporting the change in utility wiring in the community, Sustainable Princeton is sponsoring Great Ideas Breakfasts at the library and to check Sustainable Princeton's website for the dates and topics.

Chairperson Gunning announced that the Board would begin the review of the draft Historic Preservation Ordinance as the applicant's consultants have not all arrived to the meeting at this time. Upon their arrival, the discussion will be paused to allow the applicant to proceed and upon completion the Board will complete its review of the ordinance and handle the executive session matter.

DISCUSSION:

a) Historic Preservation Ordinance. Mr. Muller reviewed his June 5, 2014 memorandum (made part of the minutes herein) and discussed the process used for the merger of the ordinances.

Board members discussed items under HPC review: exterior color, definitions as proposed, procedural section. In addition, grammatical corrections were made in the document. There was a discussion regarding the inclusion of escrow fees for Historic District Determination, Buffer District Determination and Concepts and questions were raised whether a charge should be considered to offset the cost of professionals and staff. Ms. Capozzoli advised that there was support for an escrow charge with major applications. The Board agreed to let Princeton Council make the final determination regarding the requirement of escrow fees.

Mrs. Gunning stopped the ordinance discussion at this time as the applicant was ready to proceed with its application.

HEARINGS

- a) **PRESENT DAY CLUB**
Minor Site Plan w/variance & Historic Preservation Plan Review
Stockton Street; Block 36.02, Lot 4
File # P1414-035P

Mr. Solow was sworn in and provided the Board with an overview of the application. Using sheet A200 (marked as PB1), advised that the applicant proposes to construct a 410 sf addition to provide ADA compliant toilet rooms, install a new heat pump, replace the existing handicapped ramp and landscaping improvements. Mr. Solow reviewed the variances that the applicant was requesting for the setback from the rear and side property lines for the addition and handicapped ramp. The staff memorandum did not recommend any parking requirement for the addition. Ms. Capozzoli added that HPC was concerned with the roof color and requested a muted color so it would not detract from the addition.

Christopher Tarr, Esq., was sworn in to represent the applicant. Susan Rhoda, Past President and Head of the Building Committee, was sworn in and advised that the building never had a bathroom on the first floor only the second or basement levels. Ms. Rhoda also noted that there is no onsite parking, only street parking.

Jerry Ford, RA, was sworn in and discussed the difficulties in internally modifying the building. Therefore an addition is needed to make the site ADA compliant. A board of material colors was shown to the Board (marked as exhibit A1).

Chairperson Gunning opened the hearing to the public at this time. Hearing no comments, public portion was closed. Motion was made by Ms. Capozzoli to approve the application with the conditions noted in staff reports and the items discussed in the foregoing, seconded by Mrs. Ullman and carried with the following roll vote:

FOR: Birge, Capozzoli, Crumiller, Miller, Quinn, Reed, Trotman, Ullman, Gunning
AGAINST: No one
ABSTAIN: No one

Mr. Reed and Mr. West left the meeting at this time.

DISCUSSION (continued)

- a) Historic Preservation Ordinance

There was discussion regarding the archeological protocol and it was recommended that the ordinance be left as is and that HPC enter into further study and come up with a more detailed, refined and best way to treat major applications. This would allow for a future amendment.

Chairperson Gunning opened the meeting to allow for public comments.

Anne Neumann, Alexander Street, requested modifications to clarify the language in the ordinance.

Cecelia Tazelaar, discussed the procedures for designating Historic Site for local designation. Ms. Capozzoli noted that section 40:55D-65.1 of the Municipal Land Use Law provides for this. Ms. Crumiller requested that it be included as part of the ordinance.

John Heilner, Library Place; objected to the charging of fees and claims historic designation is not the same as zoning and stated that staff does not work on the designations or review the requests therefore no fee is needed. Mr. Heilner stated that the definition of historic site should be only the language that is found in the MLUL. Ms. Crumiller recommended that the MLUL language be added to the ordinance.

Kip Cherry, representing the Princeton Battlefield Society (full comments made part of the minutes herein) spoke against charging escrow fees, wanted changes to the definition for historic sites, requested that the National Registry list be given more consideration and questioned why it was not 'just accepted', and the archeological protocol is not strong enough. Ms. Cherry stated that the ordinance is not ready to go to Council.

Mrs. Gunning responded to the escrow comment and stated that the staff and the attorney would work with Ms. Capozzoli regarding language for fees.

Ms. Lewandoski responded to the National Registry comments and advised that early National Registry designations from the 1960s, 1970s and 1980s provided very little information and sites were just placed on the registry, no criteria or qualification was given. HPC should carefully examine any National Registry designation to insure there is adequate support for such designation on a local level.

Jim Floyd, Harris Road, stated that the Witherspoon Corridor should be designated as a historic district. Mr. Floyd also spoke against charging fees in the ordinance.

Hearing no further comments, the public portion was closed. The Board members also discussed the language changes proposed by Kip Cherry on behalf of the Princeton Battlefield Society. Ms. Capozzoli commented that she felt the language too cumbersome and supports the existing language is sufficient and needs no enhancement. The Board members had differing opinions on the changing the language and it was recommended that Mr. Muller meet with the Council's Code Review Committee.

Ms. Birge left the meeting at this time.

EXECUTIVE SESSION

a) Segal Litigation. Motion was made by Mrs. Trotman to enter into executive session, seconded by Ms. Capozzoli and carried with the following roll call vote:

FOR: Capozzoli, Crumiller, Miller, Quinn, Trotman, Ullman, Gunning, Cohen

AGAINST: No one

ABSTAIN: No one

The Board returned and voted to support the decision discussed during the Executive Session, not to enter into a settlement agreement. Motion was made by Mrs. Ullman, seconded by Mr. Quinn and carried with a voice vote of eight ayes. No one opposed. No one abstained.

Motion was made by Mrs. Trotman to adjourn, seconded by Ms. Crumiller and carried with a voice vote of eight ayes. No one opposed. No one abstained. Meeting adjourned at 11:00 pm.

Respectfully submitted,

Dated: 4/22/15

Ilene Cutroneo, Board Secretary
PRINCETON PLANNING BOARD

Approved: 5/7/15

Wanda Gunning, Chairperson
PRINCETON PLANNING BOARD

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