

PRINCETON PLANNING BOARD

In the Matter of the Application of)	FINDINGS OF FACT
)	and
The Trustees of Princeton University)	CONCLUSIONS OF LAW
)	
for Preliminary and Final Major Site)	
)	File No. P2020-835P
Plan Approval with Variances for a)	
)	Approval Granted:
New Art Museum)	March 4, 2021
)	

Be it resolved by the Planning Board of the Municipality of Princeton (“the Board”) that the action of this Board on March 4, 2021 in this matter is hereby memorialized by the adoption of this written decision setting forth the Board's findings and conclusions.

BACKGROUND INFORMATION

1. Subject site. The subject site is identified as Lot 101 of Block 45.01 in the E-2 Education Zone. The new art museum will be located on the same site as the existing art museum on the Princeton University Campus, between Elm Drive and Chapel Drive along McCosh Walk. Lot 101 consists of 173.26 acres; this project will impact approximately 4.5 acres. The site is bordered to the west by Elm Drive, to the north by McCosh Walk, to the east by Chapel Drive, and to the south by other Princeton University buildings. Prospect House and Gardens are located to the southeast. The surrounding land uses are owned by the University.

PROPOSED PLAN

2. The University proposes to construct a new art museum to largely replace the current facility. The design of the project involves the demolition of McCormick Hall except for the northerly Marquand Library wing of the existing building. The new museum will be substantially larger than the current facility. The area of disturbance, 4.5 acres, is in the northerly

area of the lot and is largely limited to the immediate area of the new 142,000 square foot building. The site, as noted, is the historic and current location of the Princeton University Art Museum. In general, the footprint of the new art museum encompasses and expands upon the existing building footprint. Site improvements include improved pedestrian and bicycle access, the inclusion of four ADA accessible parking spaces, storm water management facilities, and landscaping. Vehicular access to the museum will be from a service driveway on the southerly side of the new museum and connected to Elm Drive. The proposed service driveway provides access to a small loading and parking area.

RELIEF SOUGHT

3. The University seeks preliminary and final major site plan and variances to permit six identification signs and two banners while one sign is permitted, with five of the signs and both of the banners being greater than the permitted maximum sign area of 16 square feet.

NOTICE AND HEARING

4. Proof of notice and publication was filed and found to be satisfactory. The Board had jurisdiction over the application.

5. The notice stated that the hearing would be held at the meeting of the Board scheduled for March 4, 2021. The hearing was heard on such date. At the hearing, the Applicant and all other interested parties were given the opportunity to present evidence and to be heard.

PLANS PRESENTED

6. At the hearing, the Board considered the following plans:

- Exterior Building Identification Plan, dated July 13, 2020, received July 24, 2020. Preliminary and Final Major Site Plans Volume 1 (Civil Engineering Plans), Cover Sheet CE-1, Sheets C-000, C-

100 through C-102, C200, C300, C-400, C-500, C-501, C-600 through C-604, C-700 through C-705, C-800, prepared by Nitsch Engineering, latest revision dated October 1, 2020, received October 2, 2020.

- Preliminary and Final Major Site Plans Volume 2 (Landscape Plans), Cover Sheet CE-2, Sheets L-001, L-100, L-110, L-130, L-131, L-140, L-150, L-160, L-170, L-180 through L-182, L-190, L-200 through L-204, L-400 through L-406, L-500, L-501, L-600, L-700 through L-702, L-900 through L-902, prepared by James Corner Field Operations, latest revision dated October 1, 2020, received October 2, 2020.
- Preliminary and Final Major Site Plans Volume 3 (Architectural Plans), Cover Sheet CE-3, Sheets A0.01, A-1.00 through A-1.06, A-2.00, A-3.00, A-3.01, and A-4.00, prepared by Cooper Robertson, latest revision dated October 1, 2020, received October 2, 2020.

MUNICIPAL REPORTS

7. At the hearing, the Board considered the following reports prepared by municipal officials and bodies and consultants to the Board:

- Memorandum from Michael La Place, P.P., Planning Director, to the Board, dated February 22, 2021
- Memorandum from James J. Purcell, P.E., P.M.P., Land Use Engineer, and Derek Bridger, Zoning Officer, to Site Plan Review Advisory Board dated January 4, 2021
- Memorandum from Dan Dobromilsky, L.L.A., P.E., L.T.E. to the Board, dated January 30, 2021
- Letter from Joseph J. Skupien, P.E., P.P. (SWM Consulting) to James J. Purcell, dated March 4, 2021
- Memorandum from Tammy L. Sands, Chair, Princeton Environmental Commission to the Board and to Michael La Place, dated January 25, 2021
- Memorandum from Princeton Shade Tree Commission to the Board dated December 3, 2020

- Memorandum from Site Plan Review Advisory Board to the Board, dated February 19, 2021

APPLICANT'S SUBMISSIONS

8. At the hearing, the Board considered the following submissions prepared by the University's consultants and advisors and the following exhibits that were introduced as evidence during the course of the hearing:

- Exhibit A-1 – Slide presentation entitled (9 slides)
- Application for Site Plan Review – Major Site Development, Preliminary & Final, dated July 23, 2020, received July 24, 2020.
- Major Site Plan Checklist, dated July 23, 2020, received July 24, 2020.
- Notice of Appeal & Application for Development, dated July 23, 2020, received July 24, 2020.
- Rider to Application for Preliminary and Final Site Plan, Variance Application Rider, and Project Description (as an attachment to the Major Site Plan Checklist), received July 24, 2020.
- Environmental Information Statement, prepared by Cooper Robertson, dated July 21, 2020, received July 24, 2020.
- Green Building Narrative, prepared by Cooper Robertson, dated July 21, 2020, received July 24, 2020.
- Response to Completeness Review (incomplete), prepared by Faegre Drinker Bidder & Reath, Adjaye Associates /Cooper Robertson, dated October 1, 2020, received October 2, 2020.
- Traffic and Parking impacts Letter Report, prepared by BFJ Planning, dated July 22, 2020, received July 24, 2020.
- Stormwater Report, prepared by Nitsch Engineering, dated July 21, 2020, received July 24, 2020.
- Fire Protection Plan, prepared by Robert J. Allen, AIA, dated July 20, 2020, received July 24, 2020.

TESTIMONY AND PUBLIC INPUT

9. The testimony presented by and on behalf of the University and advice by Board consultants were given by the following persons:

Richard S. Goldman, Esq. represented the applicant. Ron McCoy, the University Architect; James Steward, the director of the Art Museum; James Corner, R.A., the University's landscape architect; Marc Gabriel, P.E., its civil engineer specializing in storm water management; and Charlie Tennyson, the Interim Director of Transportation and Parking Services, testified on the University's behalf.

The following municipal staff and professionals gave advice to the Board at the hearing:

Michael La Place, P.P., Planning Director and Gerald J. Muller, Esq.

10. The statements of the members of the public made during the course of the hearing may be summarized as follows:

A number of members of the public testified. All but one represented not-for-profit institutions or retail establishments in the community or had an affiliation with the Art Museum and supported the application. They focused on the greater range of services to and opportunities for the public, the positive impact on the community and businesses, including an increase in visitors, and more space for exhibits. One member of the public opposed the application, describing the architectural style as brutalist and out of character with the other buildings in the area in which the Art Museum is located and suggested a different location.

FINDINGS AND CONCLUSIONS RE: PRELIMINARY AND FINAL MAJOR SITE PLAN APPROVAL

11. Questions were raised by Mr. La Place about the size of the expanded Art Museum and the impact that it would have on the pedestrian circulation system in the area in which it is located. He also asked whether the façade of part of the Ralph Adams Cram section of the Art Museum could be preserved and incorporated into the new structure. While the questions raised are pertinent ones, the Board is satisfied that the pedestrian flow under and

around the proposed Art Museum adequately addresses pedestrian circulation and that the inclusion of the Ralph Adams Cram façade is not desired by the University.

12. The Applicant has satisfied all of the applicable site plan criteria set forth in Section 10B-226 of the Municipal Code as follows:

(a) *Ecological Considerations. Pursuant to Section 10B-226(a) of the Ordinance, the development shall result in minimum impairment of the regenerative capacity of aquifers and other groundwater supplies, result in minimum degradation of unique land types and have minimal adverse impact upon the critical areas.*

The proposed Art Museum will be constructed on a site that is currently occupied by an existing building and appurtenant site improvements. The project is not within an area of critical or endangered species and does not contain any mapped wetlands. Given this, the development would not result in any impairment of the regenerative capacity of aquifers and other ground water supplies, result in degradation of unique land types, or have an adverse impact upon critical environmental areas.

Accordingly, this criterion has been satisfied.

(b) *Landscape. Pursuant to Section 10B-226(b) of the Ordinance, the historic and natural character of the landscape shall be preserved, insofar as practical and environmentally desirable, by minimizing tree and soil removal. If the development of the site necessitates the removal of established trees, special attention shall be given to the planting of replacements or to other landscape treatment.*

While 31 mature trees will be removed to construct the proposed expansion, 25 trees will be planted within the limit of disturbance, with an additional 35 trees to be planted elsewhere on campus. Four of the large specimen trees will be transplanted along with special efforts proposed to preserve some large specimen trees in their current location. The proposed

landscape architectural development is well conceived, providing shade, screening, seasonal interest, and spatial definition for the proposed outdoor spaces and walkways.

For the foregoing reasons, this criterion has been satisfied.

(c) *Relation of Proposed Structures to the Environment. Pursuant to Section 10B-226(c) of the Ordinance, proposed structures are to be related harmoniously to themselves, the terrain, existing buildings, roads and historically significant features, if any.*

While the size and design of the expansion raise issues as to its harmonious relationship to existing buildings, the Board is satisfied that the well-conceived pedestrian walkway system and the proposed landscaping warrant the Board conclusion that the expansion relates harmoniously to existing buildings and the terrain. There are no adjacent roadways, and the Ralph Adams Cram façade discussed above cannot as a practical matter be saved.

For the foregoing reasons, this criterion has been satisfied

(d) *Scenic, Historical, Archeological, and Landmark Sites. Pursuant to Section 10B-226(d) of the Ordinance, scenic, historical, archaeological, and landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practicable.*

The proposed site is not located within a historic district and does not contain any State- or Federally- designated sites. While the Ralph Adams Cram façade does have historical significance, preservation is not desired by the University. The woodland associated with Prospect House is also of significance, and the project maintains the woodland character.

Accordingly, this criterion has been satisfied.

(e) Surface Water Drainage. Pursuant to Section 10B-227(e) of the Ordinance, a proposed development shall be designed to provide for proper surface water management through a system of controlled drainage.

The University's consultants have been in dialogue with the municipal's storm water management consultant to work out a satisfactory storm water management program, which is addressed in the conditions.

Given this, this criterion has been satisfied.

(f) Driveway Connections to Public Streets. Pursuant to Section 10B-226(f) of the Ordinance, all entrances and exit driveways to public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the street on the public streets.

Increased traffic associated with the new museum is *de minimus*, and traffic from the driveway, Elm Drive, to the public street does not impact safety on the street.

For the foregoing reasons, this criterion has been satisfied.

(g) Traffic Effects. Pursuant to Section 10B-226 (g) of the Ordinance, the site development proposal shall minimize adverse traffic effects on the road networks serving the area in question either existing or included in the Master Plan.

As noted above, traffic generated by the expansion will be *de minimus*. Accordingly, the development will have no adverse traffic effects on the road network serving the area in question, neither existing or included in the Master Plan.

For the foregoing reasons, this criterion has been satisfied.

(h) Pedestrian and Bicycle Safety. Pursuant to Section 10B-226 (h) of the Ordinance, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation shall be provided on the site and its approaches. The pedestrian plan shall be designed to minimize adverse effects of vehicular traffic upon sidewalks and bicycle paths.

The project has been designed to provide for pedestrian and bicycle safety by including shared use pathways, appropriate crosswalks, and regulatory and directional signs to connect the area to the campus. Bicycle parking areas are situated throughout the area and will accommodate 108 bicycles, up from the present condition, where 67 bicycles are accommodated.

Accordingly, this criterion has been satisfied.

(i) On-Site Parking and Circulation. Pursuant to Section 10B-226 (i) of the Ordinance, the location, width, and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles.

With the exception of four ADA-compliant parking areas, there is no on-site parking proposed, and all visitors will be expected to park elsewhere on campus or in the central business district. The driveway provides access for maintenance and deliveries and for tours that may be conducted will transport visitors to the museum via Chapel Drive. Pedestrian and bicycle circulation, as indicated above, is adequately addressed.

Accordingly, this criterion has been satisfied.

(j) Utility Services. Pursuant to Section 10B-226 (j) of the Ordinance, the applicant must achieve assurances that the necessary infrastructure and utilities are available

from on-site, municipal, or private systems, including sanitary sewer, potable water, and irrigation water.

The Art Museum will be served by existing electric, communications, water and sanitary sewer facilities that currently serve the building.

For the foregoing reason, this criterion has been satisfied.

(k) *Disposal of Wastes. Pursuant to Section 10B-226 (k) of the Ordinance, there shall be adequate provision for the disposal of all solid, liquid, and gaseous wastes and for the avoidance of odors and other air pollutants.*

General trash and recycling will be managed by Princeton Building Services and disposed of by the University's contract haulers. The University complies with the requirements of the Mercer County Recycling Program. General trash and recycling are collected from McCosh Walk and Brown Hall daily, and food waste will be collected as part of the Prospect House operations and Scrap Lab program. Given this, odors and other air pollutants will be avoided.

For the foregoing reasons, this criterion has been satisfied.

(l) *Noise. Pursuant to Section 10B-226 (l) of the Ordinance, all applicable federal, state, and local regulations dealing with the control of outside noise which is expected to be generated at the site shall be complied with.*

Noise during construction is indicated to be maintained in compliance with municipal and state requirements. Post-construction noise levels are not expected to exceed those requirements.

Accordingly, this criterion has been satisfied.

(m) Advertising Features. Pursuant to Section 10B-226 (m) of the Ordinance, the size, location, height, design color, texture, lighting and materials of the signs or outdoor advertising structures features shall not detract from the design of proposed buildings and structures of the surrounding properties.

Information and wayfinding signage is proposed, and building identification signs will be included to identify the uses and direct visitors to the entrances. No advertising unrelated to the building is proposed.

This criterion therefore has been satisfied.

(n) Special Features. Pursuant to Section 10B-226(n) of the Ordinance, outside storage areas, service and machinery installations, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall reasonably be required to prevent any adverse effect upon the environment or nearby property.

The only special feature proposed is a truck loading area for delivery and removal of works of art. It is inconspicuously located, and landscaping with respect to it is appropriately located.

This criterion therefore has been satisfied.

(o) Waterway Corridors. Pursuant to Section 10B-226(o) of the Ordinance, site plans shall be designed so as to preserve from disturbance waterway corridors.

No waterway corridors are shown on this site. For this reason, this criterion is not applicable.

(p) Special Technological Impacts. Pursuant to Section 10B-226(p) of the Ordinance, where the proposed site development involves emissions, noise, wastes, materials, equipment, or other hazards which require specialized expertise to evaluate, the administrative officer shall refer the applicant's submissions to the municipal-retained environmental consultant (or to several consultants where more than one field of expertise is involved), requesting an independent review of the environmental impact of the project to be set forth in a report to the board having review jurisdiction. The cost of these studies shall be charged to the applicant's escrow account established pursuant to section 10B-32.

The proposed development does not involve omissions, noise, waste other than normal restaurant waste and office waste, materials, equipment or other hazards requiring specialized expertise to evaluate it. Therefore, this criterion is not applicable.

13. Conclusion re site plan approval. The Board finds that, with the conditions imposed and variances granted, the University has met all municipal site plan standards. Preliminary and final major plan approval, accordingly, is granted.

FINDINGS AND CONCLUSIONS RE: VARIANCES

14. The application necessitates eight sign variances. The variances and the Board's action on them are as follows.

a-h. Variances: As is set forth in the submission made by the University entitled "2 x 4: Princeton University Art Museum; Exterior Signage," dated January 27, 2021 the following exterior signs have been proposed:

(a) Six building identification signs, including two Library Building identification signs, all to be etched and paint-filled with gray or bronze color into CIP concrete façade, as follows:

- (1) 38.2 square feet

- (2) and (3) 29.8 square feet
- (4) 9.34 square feet on each side of two-sided Library Building identification sign
- (5) 13.13 square feet (Library Building identification sign)
- (6) 38.2 square feet

(b) Two programming banner signs, 41.8 square feet and 138 square feet on each side of two-sided banner, made of digitally printed exterior grade vinyl applied to surfaces.

Section 200-17A-367(b) permits one sign per building, while eight are proposed, and limits the square footage of the sign to 16 square feet while five of the six building identification signs and both of the banner signs have greater sign area

Variances Granted: Given the multiple entrances to the building, including the Library, and the need for sign space describing programming, Municipal Land Use Law purposes “a” (to promote the development of land that promotes the public safety and general welfare, among other things) and “i” (to promote a desirable visual environment through creative development techniques and good civic design and arrangement) are advanced by granting the variances, as it is necessary to identify multiple entrances to the facility and have space available to notify the public about programming and events. These benefits of granting variances are outweighed by any detriment, which given the design is minimal. The signs do not overwhelm the building or create a cacophony of signs unrelated by substance and design elements. The “flexible c” positive criteria have therefore been satisfied.

The negative criteria have been satisfied as well. For the reason given above, the variance relief can be granted without substantial, or in actuality any, detriment to the public good or substantial impairment of intent and purpose of the zone plan and zoning ordinance. The signage package does exactly what the signage regulation and the Municipal code contemplate, providing appropriate signage that does not overburden the site at which it is located.

For the foregoing reasons, the variance requests are granted.

CONDITIONS REQUIRED

15. The Board finds that, in order to address the concerns expressed during the course of the hearing and to limit the relief to that reasonably necessary to satisfy the University's legitimate requirements, the relief granted is subject to the following conditions:

Site plan

- a. The University shall implement the site plan elements set forth in Exhibit A-1 and related testimony.

Landscape

- b. The current plan requires 63 replacement trees. 39 trees will be planted on site, and 24 trees will be planted off-site. The off-site trees will be native shade trees located around Poe Field. A planting schedule showing the location, species and caliper of the trees shall be provided and shall be subject to the review and approval of the Municipal Arborist.

Storm water management

- c. The Stormwater Report has been updated based on comments received from the Land Use Engineer and municipal storm water consultant. Updated calculations have been provided to the Municipality and shall be incorporated into the Stormwater Management Report, which shall be subject to the review and approval of the Land Use Engineer and municipal storm water consultant.

Vehicular and Pedestrian Circulation

- d. The University shall update the bicycle parking plan to show 108 bicycle parking spaces.

Other

- e. The University shall design for LEED Gold certification.
- f. The plans shall be revised to show title blocks in accordance with state regulations in NJAC 13:27 and NJAC 13:40. The title blocks for each of the licensees are required to be distinct and separate from any other title block. David Adjaye's N.J. license number and the Certificate of Authorization number for Adjaye Associates shall be added to the title block.
- g. The University shall consider selections that avoid Red List materials to the extent possible.
- h. The University may commence an early start of construction provided that fencing for the site is installed; trailers with utility hookups are brought on site; sediment control management is in place; and such other elements as the University may propose are implemented. The work shall be subject to the review and approval of the Land Use Engineer.
- i. Renderings of the proposed identification signs shall be submitted for staff to determine compliance with size and lettering.
- j. Verification of approvals from other jurisdictions, as required, shall be provided to the Land Use Engineer.
- k. Sewer connection fees shall be paid prior to the issuance of building permits.

1. An estimate of the cost of construction of the improvements shall be submit to the Land Use Engineer for determination of any required Performance Guarantee and Inspection Fees.

CONCLUSION

Based on the foregoing, the Board at its May 6, 2021 meeting voted to approve the plans with revisions made therein and as supplemented and modified by the exhibits and as revised in accordance with the conditions set forth herein.

Adopted:

Vote on motion: 3/4/21

FOR: Gunning, Wilson, Capozzoli, Cohen, McGowen, Oakman, Quinn, Sacks, Tech-Czarny

AGAINST: No one

ABSTAIN: No one

Vote on findings:

FOR:

AGAINST:

ABSTAIN: