

**PENNINGTON BOROUGH
PLANNING BOARD MEETING MINUTES
FEBRUARY 9, 2011**

Chairman Thompson called the meeting to order at 7:30 p.m. and compliance with the provisions of the Open Public Meetings Act was announced.

Board Members Present: Mark Blackwell (arrived 7:35 p.m.), Eileen Heinzl, William B. Meytrott, Thomas Ogren, Mayor's Designee, Katherine O'Neill, James Reilly, Winn Thompson. Absent: Jeanne Donlon, Joshua M. Levy, Anthony Persichilli, Mayor. Alternates 1 & 2 vacant.

Also Present: Cindy Coppola, Coppola & Coppola Associates, Borough Planner, Edwin W. Schmierer, Board Attorney, Mason, Griffin & Pierson; John Flemming, Zoning Officer, Mary W. Mistretta, Planning Board Secretary.

OPEN TIME FOR PUBLIC ADDRESS – Mr. Thompson asked if there was anything that the public would like to address that was not on the agenda. There being no comments, the public portion of the meeting was closed.

APPLICATIONS

Julia Crislip, Block 505, Lot 10, 104 & 106 S. Main Street, R-80 Zone, Application P11-001

Mr. Schmierer announced that Proof of Publication and Proof of Notice were in order and the Board could take jurisdiction. Ms. Julia Crislip, applicant and Mr. Eric Holtermann, Holt Morgan Russell Architects, PA. were sworn in. The applicant is requesting the following bulk variances to construct a three-bay garage: front yard setback, square footage of garage area that will exceed maximum 750 sq. ft., exceed permitted two-bay garage and to exceed allowable lot coverage. The property is located on the corner of S. Main Street and Academy Street and, therefore, the side of the property is considered a front yard. She stated that it was a two-family house with four adults and they would like to build a three-bay garage to have sufficient garage space.

Mr. Holtermann described the proposed garage and stated that it was designed to look like a garage/barn and has two regular size bays and a third oversize bay to accommodate a recreational vehicle. Mr. Holtermann reviewed the requested variances and stated that a variance would also be necessary for lot width, 64 ft. wide where 80 ft. is required. He stated that even if the garage were to be moved back there would not be enough room to meet the 40 ft. front yard setback. Mr. Holtermann pointed out that there was a history of other barn structures in the area and one was located on the corner of W. Welling Avenue. The Crislip's property is on the edge of the R-80 Zone and there are large non-residential buildings on the other side of the street. Mr. Holtermann next reviewed comments in Ms. Coppola's review memorandum of January 21, 2011. He stated that he agreed with Ms. Coppola that the maximum amount of lot coverage permitted should be 5,464.6 sq. ft. and not 5,516.3 sq. ft. and this has been corrected. He stated that the width of the driveway and the curb cut have been reduced by 278 sq. ft. Entered into evidence was Exhibit A-1 Revised Site Plan, S-1, dated 2/8/2011 which has the correct permitted lot coverage, driveway coverage and proposed coverage. Mr. Holtermann stated that the applicant would like to keep the circular driveway as it made exiting and entering much safer and by keeping the existing driveway the hedges and trees would be saved. This would also enable Ms. Crislip's, mother who is a senior, to keep parking her car closer to the residence. Mr.

Holtermann stated that there are two trees that would be removed that are indicated on the revised plan. They would like to keep the driveway gravel except at the end where they are proposing Belgium block to prevent runoff of the gravel across the sidewalk.

Mr. Holtermann stated that they preferred to stain the garage a natural brown as it would be more subtle than the yellow color of the house and would blend in with the trees. It is also located a good distance from the house. Ms. Coppola stated that if the garage was not compatible to the house it would require a variance. Ms. Heinzel asked if it would be compatible with the architectural style. Entered into evidence was Exhibit A-2 - 1887 Map of Pennington. Mr. Holtermann referred to the Crislip property which was highlighted on the map and pointed out that the property had a large barn in the back yard and explained that the old barns did not match the houses and were a more rustic design than the houses. The light fixtures on the structure would be completely shielded and they would resemble old barn fixtures. The structure would have vertical wood siding with asphalt shingles on the roof. Ms. Heinzel asked if there were sidewalks and the applicant stated there were not any on the Academy Street side as the trees are right up by the curb. Mr. Thompson asked if they were proposing any landscaping to minimize the impact from the street. Mrs. Crislip stated that there were existing hedges and other shrubs were planted there, but growing slowly under the shade trees.

Ms. Cindy Coppola, Borough Planner, was sworn in and reviewed her memorandum of January 21, 2011. She stated that the Board was dealing with a number of variances and would have to decide if the positive and negative criteria have been met. There is a concern regarding the impact to the zone plan and what makes this property unique compared to any other property in the Borough that could justify such a great increase of coverage and allowing a structure so much larger than what is allowed by the Ordinance. Ms. Coppola suggested that there are off-site places where space could be rented for RV's or it could be parked on a concrete pad which could be removed at a later date. Ms. Coppola stated that the lot could accommodate a typical 2-car garage without a variance for lot coverage, but the section for the RV makes the footprint of the barn the size of a large house. Ms. Coppola stated that there was an attempt to minimize the coverage by reducing the driveway, but feels that it could be further reduced and perhaps some of the existing brick areas could be eliminated. There was discussion regarding the problem that the structure would lend itself to home occupations or other uses in the future. Ms. Coppola asked the applicant to confirm that there would not be any plumbing or water and Mr. Holtermann agreed that stated that there would be lights and a few convenient electrical outlets.

Ms. Crislip stated that she felt that the property was unique because they were right at the edge of the residential zone and everything around them was commercial. Mr. Holtermann stated that everything on the other side of Academy Street had much more coverage than what they were requesting. Ms. Crislip stated that she planned on living in the house for many years and would be investing a lot of money to build the garage. She stated that she feels that all the work that they have done to the house is in good taste and fits in with the historic nature of the town and they feel deeply about preserving the historic nature of the property.

Ms. Coppola had further questions regarding the size of the garage and questioned the area to the rear of the two-bay section of the garage. Mr. Holtermann explained that it was a small 147 sq. ft. shed that he could remove, but it would enable the applicant to keep two cars in the garage if the lawn mower and tools could be kept in the shed. Mr. Holtermann stated that he could also reduce the width of the building by reducing the two-bay, nine foot

garage doors by one foot each. Mr. Thompson asked what the height of the garage was in comparison to the house and Mr. Holtermann responded that the height of the garage was just under 20 ft. and the house is approximately 26 ft. Mr. Reilly asked if a loft or second story is proposed in the garage and Mr. Holtermann stated that in one area could be used for storage, but it will not have a stairway and it is not intended to be a room. Mr. Thompson stated that he felt the structure would look massive from the street. He felt that if the RV section was one level and the two-bay garages lower it might look like two buildings joined together and reduce the impact from the street. Mr. Blackwell and Mr. Meytrott agreed suggesting they would look like add-ons. Ms. Heinzl asked the applicant to expand a little about the RV and why it had to stay on the property. Ms. Crislip stated that she wanted to park it at her home so that it would be convenient to use and it would be an expense to house it elsewhere. She also explained that it would be hard to provide enough landscaping to screen the RV from the street.

Mr. Holtermann asked the Board if they had more concerns about the building size or the lot coverage. Mr. Meytrott stated that he would be more concerned about the size of the structure and impact from the street and stated that he likes the idea of keeping the color more subdued. Mr. Ogren stated that there is a concern about visual impact, it is a huge structure that is almost double the permitted size and will be very visible. He is also concerned any precedent that the Board would establish by allowing such a large accessory structure. Ms. Heinzl stated that she agrees and wonders how the Board could say that this would be a beneficial plan that would outweigh the negatives, as it would be a large building in the front yard with a large amount of lot coverage. Mr. Meytrott stated that because of the size of the RV he would prefer that the applicant keep the circular driveway for safety. Ms. O'Neill asked who would have a view of the structure on a daily basis. Mr. Holtermann stated that directly across the street there was a parking area and Academy Court and next to them the church building. Ms. O'Neill stated that she did not feel that the impact on the residential neighborhood would be huge except for Academy Court. Mr. Blackwell pointed out that only the residents at the Academy Court building would be looking over at the garage and they are already looking at the cars in their parking lot and he added that in the summer time it the garage will be buffered by the trees.

Mr. Thompson asked if there was anyone in the public who had comments or questions, there being none the open comment period was closed. Mr. Thompson asked the Board for their comments regarding the garage. The majority of Board members had concerns about the size of the garage and the amount of coverage that was being requested. The Board reiterated that the RV could be kept locally off site. Mr. Flemming stated that recreational vehicles are allowed at this time, but must be screened and the problem with this property is that the whole back yard is considered a front yard. Ms. Mistretta pointed out that a waiver was also being requested for the application. Mr. Holtermann requested that the application be continued at the March 9, 2011 Planning Board meeting. Ms. O'Neill made a motion to continue the application at the March 9th meeting, seconded by Ms. Heinzl and the Board agreed by voice vote. Mr. Holtermann stated that he would submit revised plans ten days before the March meeting. The hearing ended at 8:35 p.m.

ZONING OFFICER

Mr. Flemming stated that he has an application for a home office where there will not be any clients coming to the house, no sign and no home deliveries. He stated that it is a very benign use, but requires Planning Board approval. Mr. Flemming stated that he has in the

past recommended that the Board review the home occupation ordinance. Mr. Thompson suggested that the review committee review the home occupation ordinance.

Hopewell Township Youth Advisory Board, Hopewell Valley Youth Activity Center, memo from Kim Bruno regarding change of location, dated January 5, 2011.

Mr. Flemming explained that a number of months ago the Board had approved a tentative use at the Capital Health site for the Teen Center. He stated that the location did not work out and they would now like to occupy a building on S. Main Street owned by the Methodist Church. This building has approval for day care centers and educational assembly use. He stated that there will not be any expansion internally or externally for the use. Mr. Flemming stated that from a zoning perspective he feels that it is a lateral move. Mr. Thompson noted that there is also a building to the rear that holds classes and meetings for teens. Ms. O'Neill stated that she felt that there was an age difference in the previous uses of this building and the ages of the teens that would be now occupying it.

Ms. Kim Bruno stated that they felt this location would address the concerns that the Board had regarding the Capital Health site and the teens were unsuccessful in raising funds for the air conditioning and heating units and the costs of renovating that would be needed in the Capital Health building. One of the concerns was the safety issue of the teens crossing Route 31 at Franklin Avenue and the location at S. Main eliminates this issue. This location will also eliminate the tax issue that the teen center would create on the Capital Health site. Ms. Bruno stated that they would be using the first floor and the occupancy rate is 30-35. The YMCA will continue maintaining their offices on the second floor along with a learning center that will be used for programs. The teen center will be open Wednesdays and Thursdays from 3:00 p.m. – 7:00 p.m. and Fridays and Saturdays from 3:00 p.m. – 9:00 p.m. It will be staffed at all times by two adults. There will be three rooms for art, performing arts and a room that will be used as a gathering space. Ms. Bruno stated that they feel that the age group will be seventh through 10th graders. Ms. Coppola asked about the zone and Mr. Flemming stated that it was in the R-80 zone, but had previously received a use variance for the Cambridge School and has been used as an educational use. There was discussion regarding the previous conditions of approval and Mr. Flemming stated that he did not see any significant differences except the pick-up time. Mr. Schmierer stated that he felt the intensity of this use will be significantly less than what was previously approved. Ms. Heinzel asked who the supervisory entity would be and Ms. Bruno responded that it would be the Y. The Board agreed that Mr. Flemming could sign off on the use and there was not a need for a formal application. Ms. O'Neill stated that Ms. Bruno's presentation was very helpful as she had missed the previous presentation. Ms. Bruno stated that the center would be open to Hopewell Valley residents and there will be a sign-in sheet and a requirement to fill out a contact form. Mr. Thompson made a motion seconded by Ms. Heinzel to allow the Hopewell Valley Youth Activity Center to occupy 62 S. Main Street and the motion carried by voice vote.

WORK SESSION, CORRESPONDENCE AND OTHER BUSINESS

Zoning Ordinance Amendments – Mr. Reilly stated that the Application Review Committee would meet next week, Wednesday, February 16th at 9:00 a.m. to review amendments for the March Planning Board meeting.

Historic Preservation Ordinance – Mr. Thompson announced that the latest revision of the Ordinance was on the Borough web site (penningtonboro.org). Revisions have been made

to the proposed Ordinance and the Historic District has been revised to have a more core area of the crossroads. Ms. Heinzl stated that the intention was to introduce the Ordinance at the March Council meeting. After it is introduced, it would be referred back to the Planning Board for formal comment and review and the Board would then send it back to Council within 45 days with its recommendations and endorsement. Ms. Coppola asked what the procedure would be for Planning Board applications that are located within the Historic District. Mr. Ogren stated that they would be submitted simultaneously and the Board should have the comments from the Historic Commission before the Planning Board meeting. If there is a timing problem the Board may have to hear the application the following month. The Board should have the information before the hearing and in some cases may have to hold the application for the following meeting. There was discussion regarding the revised ordinance and Mr. Thompson suggested that if there were any comments they should be directed to Ms. Heinzl.

MINUTES – January 12, 2011 – Mr. Ogren made a motion, seconded by Ms. O’Neill to approve the minutes.

There being no further business, the meeting was adjourned at 9:35 p.m.

Respectfully submitted,

Mary W. Mistretta
Planning Board Secretary