

Applicant

Princeton Geological Summary

Appl. No.


ZB-3/20

REFERRALS

	Date Referred	Comments Dated	Date Referred	Comments Dated	Additional Reports
a. Municipal Engineer	2/19/20	2/19/20			
b. Professional Planner	2/19/20	3/10/20			
c. Traffic Consultant					
d. Construction Official	2/19/20				
e. Shade Tree Advisory Comm.					
f. Health Officer	2/19/20	2/26/20			
g. Tax Collector	2/19/20	2/26/20			
h. Public Safety	2/19/20	3/9/20			
i. Environ. Res. Committee	2/19/20				
j. Mercer County Planning Bd.	/				
k. Ewing-Law. Sewer Auth.	/				
l. _____ Water Co.	/				
m. D & R Canal Commission	/				
n. U.S. Post Office	/				
o. NJDOT	/				
p. PSE&G Co.	/				
q. Board of Education	/				
r. Historic Preserv. Comm.	/				
s. NJDEPE/Wetlands	/				
t. NJDEPE/Stream Encroach.	/				
u. _____					
v. _____					
w. _____					
x. _____					
y. _____					
z. _____					

Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM:  Brenda Kraemer, Assistant Municipal Engineer

SUBJECT: Use Variance Application No. ZB-3/20
Princeton Theological Seminary, 4200 Princeton Pike
(4130 Princeton Pike, 4150 Princeton Pike)
Tax Map Page 71.01, Block 7101, Lot 3.08 and Lots 7 and 8

DATE: February 19, 2020

Princeton Seminary currently operates the 20-acre farm on Block 7101, Lot 3.08 and is under contract to purchase two (2) adjacent single-family homes to expand the facilities. We will defer to the Planning Consultant for review of the requested variances.

The applicant's Master Plan envisions construction of an educational and support building and student housing to further develop the property. Provided the environmental constraints and sanitary sewer issues can be addressed, the proposed concept is a novel approach to foster agriculture.

Our comments are as follows:

1. The property is located in the EP-2 Zone with farming as a permitted use. Many of the expanded functions planned for the site are permitted supplemental uses such as community supported agriculture, community programming, and housing for a farm manager. However, the construction of the educational building to serve as classrooms for seminary students (both on-site and from the main campus in Princeton) and student housing are beyond the scope of the permitted uses in the Lawrence Township Land Use Ordinance; therefore, a use variance from the Zoning Board of Adjustment will be required. Site plan approval is also required for these elements.
2. The Seminary has requested comments regarding connection to the public sewer system in Princeton which would require amendment to the 208 plan. The status of any discussions with Princeton shall be provided as well as the proposed connection location. Typically, if connection is requested, an analysis of open area compared to future build-out is needed to assess impact on buildability. There are no Lawrence Township sewer systems in the vicinity.
3. The streams on-site are tributary to the Stony Brook which is regulated by New Jersey Department of Environmental Protection as a C-1 stream. Typically, a 300' buffer is required. Several improvements, including the educational building and parking, are within the buffer area. Note that Township ordinances require a 100' buffer of no disturbance adjacent to the 100-year floodplain.
4. A 100' farmland buffer is required adjacent to existing single-family residences on Lots 5 and 6.01.
5. Stormwater management is required.
6. The shed and compost extensions are within the floodplain area and may require state approvals.
7. A proposed connector trail is shown on the Master Plan. The applicant shall clarify how the trail can potentially connect to the Delaware & Raritan Canal and if the trail can connect through the Farminary to the Princeton Pike bikes lanes.



MEMORANDUM

Clarke Caton Hintz
Architecture
Planning
Landscape Architecture

100 Barrack Street
Trenton NJ 08608
clarkecatonhintz.com
Tel: 609 883 8383
Fax: 609 883 4044

To: Lawrence Township Zoning Board of Adjustment

From: Brian Slaugh, PP, AICP

Re: Princeton Theological Seminary (Owner & Applicant)
Use Variances
Block 7101, Lots 7, 8 & 3.08
4130, 4150 & 4200 Princeton Pike
Environmental Protection 2 (EP-2) District

Date: March 10, 2020

In accordance with the transmittal from the Planning and Redevelopment office dated February 19, 2020, we have reviewed the application materials indicated below:

1. **Materials Reviewed**

- Application Nos. ZB-3/20, with supporting documentation and certifications dated February 3, 2020.
- *Farminary Master Plan Proposed Site Plan*, prepared by Rayford W. Law, of Ewing Cole, dated January 31, 2020, consisting of one sheet.
- *Farminary Master Plan Existing Site Condition*, prepared by Rayford W. Law, of Ewing Cole, dated January 31, 2020, consisting of one sheet.
- *Aerial Exhibit*, prepared by ACT Engineers, Inc., dated November 13, 2019, consisting of one sheet.
- Lawrence Township Engineering Department Informal Review Comments, dated January 8, 2020.

The site was also investigated for existing conditions.

2. **Project Description**

- 2.1 Applicant's Proposal. The applicant, Princeton Theological Seminary, is a private theological seminary which provides a residential community of worship and learning primarily at its main campus in Princeton, NJ. The applicant seeks to expand its teaching opportunities at an existing farm property it owns at 4200 Princeton Pike, and two adjoining properties it seeks to purchase. These properties would be developed with residences for up to 12 students and a farm

Philip Caton, FAICP
John Hatch, FAIA
George Hibbs, AIA
Brian Slaugh, AICP
Michael Sullivan, AICP

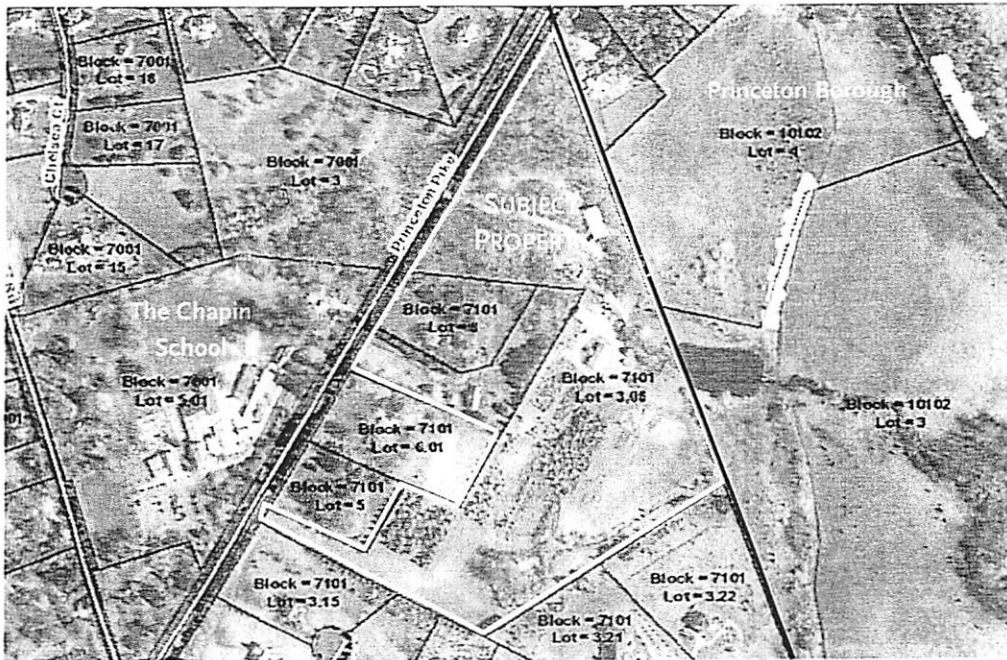
Emeriti
John Clarke, FAIA
Carl Hintz, AICP, ASLA



PRINCETON THEOLOGICAL SEMINARY | USE VARIANCES

Clarke Caton Hintz

manager, along with educational facilities including classrooms and assembly space as well as additional farm buildings, parking and utility facilities. According to the application, the primary purpose of the property will be sustainable farming, along with teaching seminarians farm practices as a means of building pastoral skills and leadership qualities. The Seminary proposes to expand the types of farm products it currently produces and to include processing of farm products, on the site for use by the seminary. Events are anticipated to be hosted on the property for community groups.



Aerial of Subject Properties and Surrounding Area



- 2.2 Site Context. The subject property consists of an existing 32-acre lot, which is currently used for farming. The property contains an existing dwelling as well as various farm buildings. The applicant is under contract to purchase adjoining Lots 7 and 8, which are currently developed with single-family dwellings. The dwellings would be demolished. The total lot area would increase to 38.5± acres with these additional properties. A tributary of the Stony Brook runs through the existing farm property and to the east. Freshwater wetlands, riparian buffers and flood hazard areas affect the property. The easterly boundary of the property coincides with the municipal border with Princeton Borough. Other properties in the vicinity generally include single-family detached dwellings on large lots. All



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of the properties that are the subject of the application and in the immediate vicinity are located in the EP-2 zoning district, which permits farming and agricultural uses, as well as single family detached housing at low densities. The Chapin School is located across Princeton Pike and to the south of the site, and is in the EGI Education, Government and Institution District.

3. Variances and Exceptions

- 3.1 Use Variance – Non-permitted Use. The EP-2 district permits a variety of low-intensity uses, including, agriculture, farmstead, single-family detached dwellings, parks and recreation and conservation uses. Day schools, golf courses and farm markets are permitted as conditional uses. The proposed residential-educational use, in combination with the agricultural use does not conform to any of the principal or conditional uses permitted in the district. Additionally, part of the processing of agricultural products involves the slaughter of livestock. Slaughterhouses are not permitted uses in any district. A “-d(1)” use variance is required pursuant to *N.J.S.A. 40:55D-70d(1)*.
- 3.2 Use Variance - More Than One Principal Building. The applicant proposes to continue the residential use of an existing single-family dwelling on the property for its resident farm manager in addition to constructing additional educational and residential buildings on the property. §110.B.1 prohibits more than one principal building on a lot containing a single family detached dwelling. A “-d(1)” use variance is required pursuant to *N.J.S.A. 40:55D-70d(1)*.
- 3.3 Possible Additional Bulk Variances. As the applicant has not provided a detailed site plan, it cannot be determined whether the proposed layout of structures conforms to coverage and other limitations of the ordinance.

4. Variance Comments

- 4.1 Nature of Proposed Use. The applicant has provided general information regarding the proposed use of the properties. In testimony, additional information should be disclosed regarding the proposed educational use, such as the average and maximum number of staff, students and guests expected to attend meetings, educational classes/events compared to daily operations and the interrelatedness of the educational and agricultural uses. At a pre-application meeting, the applicant indicated a desire to host farm to fork events at the property. Additionally, the applicant should provide testimony describing the types of residences to be provided for the students; whether they will be housed in communal facilities such as dormitories or individual houses or apartments.



PRINCETON THEOLOGICAL SEMINARY | USE VARIANCES

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Finally, the hierarchy and interrelatedness of the proposed uses will be relevant in determining whether the residential, agricultural and educational uses of the property constitute a single use.

4.2 Inherently Beneficial Use. The Zoning Board should determine if the use is inherently beneficial. The proposed use of the property has characteristics common to schools, in this instance schools of higher education, but has other aspects that may not be. The Board will need to weigh the uses proposed and listen carefully to the description of uses by the applicant's witnesses to determine if the use is primarily educational or if there is some other purpose, such as an agricultural use that is being modified with ancillary, non-farm uses, that is the primary one. Educational uses when they do not involve trade or business schools with a commercial motive have been determined by court decision to be inherently beneficial uses. Inherently beneficial uses are assumed to serve the zoning purpose of promoting the general welfare and therefore presumptively satisfy the positive criteria for grant of a use variance. In the *Sica v. Twp. of Wall Bd. of Adjustment* decision, a four-step process was articulated for Zoning Boards hearing inherently beneficial uses. These are listed below:

- a. Identify the public interest which is at stake;
- b. Identify the detrimental effect that will ensue from the grant of the variance;
- c. Reduce the detrimental effect by imposing reasonable conditions on the use; and
- d. Weigh the positive and negative criteria and determine whether, on balance, the grant of the variance would cause a substantial detriment to the public good.

The Board Attorney should be consulted for the evidence and testimony necessary to undertake this four-step analysis in order for the Board to determine whether the proposed use should be considered an inherently beneficial use.

4.3 Master Plan and Zoning Purpose. The intent of the district is to protect the environmental resources and qualities of this area, maintain the rural character of roads and scenic views, and retain farmland. The residential uses permitted in the EP-2 District are intended primarily for single family detached residential uses on 2 to 3 acre lots (depending on public water and sewer availability), or in cluster developments on smaller lots. In this case, we note that the total acreage of the combined properties appears to meet the acreage that would otherwise be needed



PRINCETON THEOLOGICAL SEMINARY | USE VARIANCES

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to support 13 residential dwellings under the cluster provisions permitted in the district (which assume a public sewer or community system). Also, it is not uncommon for agricultural uses to provide farm worker housing on site.

- 4.4 Site Suitability. Should the application not be deemed an inherently beneficial use, the applicant should provide testimony regarding the suitability of the site for the proposed uses and the other means and tests for meeting the positive criteria. We note that the environmental constraints related to the freshwater wetlands and stream corridor buffer and lack of public water and sewer facilities will significantly affect the developability of the property. We note that the potential exists for the site to be served from Princeton's sewerage system.
- 4.5 Negative Criteria. The applicant will need to demonstrate that the adverse effects of the lack of compliance of the proposed project with the Township's land use regulations will not have a substantially negative impact either on the neighborhood or the master plan and zoning ordinance. The primary impacts from the proposed use variances, in our viewpoint, are potential impacts on the environmentally sensitive areas of the property, specifically, freshwater wetlands, riparian buffer and flood hazard area.
- 4.6 Site Plan. Should this application prevail, it should be conditioned on the submittal of a preliminary and final site plan since impacts cannot be fully addressed in a use variance application.

We would be pleased to answer any questions concerning this review.

Cc: Brenda Kraemer, PE, PP, for distribution

LAWRENCE TOWNSHIP HEALTH DEPARTMENT

2207 Lawrenceville Road - Box 6006 - Lawrenceville, New Jersey 08648

Telephone: (609) 844-7089

Date: February 26, 2020

To: Brenda Kraemer, Assistant Municipal Engineer

From: Carol Chamberlain, Health Officer

REVIEW FOR:

- | | | | |
|-------------------------------------|--------------------------|-------------------------------------|-------------------------|
| <input type="checkbox"/> | Building Permit | <input type="checkbox"/> | Food Establishment |
| <input type="checkbox"/> | Certificate of Occupancy | <input type="checkbox"/> | Sewage Disposal System |
| <input checked="" type="checkbox"/> | Planning Board | <input type="checkbox"/> | Individual Water Supply |
| <input type="checkbox"/> | Zoning Board | <input type="checkbox"/> | Commercial Property |
| <input type="checkbox"/> | Other: _____ | <input checked="" type="checkbox"/> | Other: Use Variance |

PROJECT NAME: Princeton Theological Seminary

LOCATION: 4130 and 4150 Princeton Pike

BLOCK: 7101 LOT # 3.08, 7 and 8 PR# ZB. 3/20

OWNER: Princeton Theological Seminary Phone: _____

ENGINEER/ARCHITECT: ACT Engineers

ADDRESS: 1 Washington Blvd., Suite 3, Robbinsville, NJ 08691

PHONE: (609) 918-1411

APPROVAL DISAPPROVAL APPROVAL WITH CONDITIONS

COMMENTS:

Health department approval cannot be granted until sewage disposal services are determined for all buildings on the property. The following information shall be provided:

Approval to connect to public sewer service or if onsite sewage disposal service to the property is proposed, the following shall be submitted prior to approval.

- The total daily volume of sewage for the combined usage of buildings on the site.
- Satisfactory soil testing completed under the supervision of a professional engineer and witnessed by a representative of the Lawrence Township Health Department.

RECEIVED

FEB 27 2020

ENGINEER AND ARCHITECT

Health Officer *Carol Chamberlain*

Township of Lawrence
ENGINEERING DEPARTMENT

~~TO:~~ ~~Susan Macloskey~~ Tax Collector

~~FROM:~~ Susan Snook, Administrative Secretary *SS*

SUBJECT: Verification of Current Tax and Sewer Payment Status

DATE: February 19, 2020

Please update the status of taxes and sewer payments with regard to the following application:

Application No(s): ZB-3/20
Application Name: Princeton Theological Seminary
Street Address: 4130 & 4150 Princeton Pike
Tax Map Page: 71.01
Block: 7101
Lot(s): 3.08, 7, 8 : 3 or 4 from

Thank you for your anticipated assistance and response.

SJS
g:\engineering\tax request.doc

*all lots are current
as of 2/20/2020.
There is no SEWER
on any of these
accounts*

FEB 19 2020

LAWRENCE TOWNSHIP TAX COLLECTOR
PO BOX 6006
2207 LAWRENCE ROAD
LAWRENCE TWP NJ 08648
609-844-7041

TOWNSHIP OF LAWRENCE

Department of Public Safety
Division of Code Enforcement
Edward Tencza, Fire Marshal

TO: Planning and Redevelopment
FROM: Edward Tencza
SUBJECT: Princeton Theological Seminary
DATE: March 9, 2020

After review of proposed plans for redevelopment of existing farm areas. Following questions and concerns.

1. Proper access for emergency fire apparatus through proposed gates on Princeton pike and interior of property where gates are noted.
2. Proper emergency fire apparatus access on roads or driveways into property to all buildings used for Educational/ Residential uses.
3. Residential dorm type buildings used for student sleeping areas, per 2018 International Building Code 903.2.8 Group R occupancies require fire sprinkler protection and monitored fire alarm system.
4. New proposed building used for Assembly/ Kitchen, depending on size may require fire sprinkler protection.
5. The new proposed building with Kitchen be a Commercial type cooking operation?



Edward C. Tencza
Fire Marshal

thereof, where cellulose nitrate film or pyroxylin plastics are manufactured, stored or handled in quantities exceeding 100 pounds (45 kg).

[F] TABLE 903.2.5.2
GROUP H-5 SPRINKLER DESIGN CRITERIA

LOCATION	OCCUPANCY HAZARD CLASSIFICATION
Fabrication areas	Ordinary Hazard Group 2
Service corridors	Ordinary Hazard Group 2
Storage rooms without dispensing	Ordinary Hazard Group 2
Storage rooms with dispensing	Extra Hazard Group 2
Corridors	Ordinary Hazard Group 2

[F] 903.2.6 Group I. An *automatic sprinkler system* shall be provided throughout buildings with a Group I *fire area*.

Exceptions:

1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group I-1, Condition 1 facilities.
2. For other than buildings of construction Type IIIB or VB, an *automatic sprinkler system* is not required where Group I-4 day care facilities are at the *level of exit discharge* that accommodate 100 or fewer persons, and where every room where care is provided has not fewer than one exterior exit door.
3. In buildings where Group I-4 day care is provided on levels other than the *level of exit discharge*, an *automatic sprinkler system* in accordance with Section 903.3.1.1 shall be installed on the entire floor where care is provided, all floors between the level of care and the *level of exit discharge*, and all floors below the *level of exit discharge* other than areas classified as an open parking garage.

[F] 903.2.7 Group M. An *automatic sprinkler system* shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group M *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group M *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group M occupancy used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet (464 m²).

[F] 903.2.7.1 High-piled storage. An *automatic sprinkler system* shall be provided in accordance with the *International Fire Code* in all buildings of Group M where storage of merchandise is in high-piled or rack storage arrays.

[F] 903.2.8 Group R. An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area*.

[F] 903.2.8.1 Group R-3. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies.

[F] 903.2.8.2 Group R-4, Condition 1. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in Group R-4, Condition 1 occupancies.

[F] 903.2.8.3 Group R-4, Condition 2. An *automatic sprinkler system* installed in accordance with Section 903.3.1.2 shall be permitted in Group R-4, Condition 2 occupancies.

[F] 903.2.8.4 Care facilities. An *automatic sprinkler system* installed in accordance with Section 903.3.1.3 shall be permitted in care facilities with five or fewer individuals in a single-family dwelling.

[F] 903.2.9 Group S-1. An *automatic sprinkler system* shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

1. A Group S-1 *fire area* exceeds 12,000 square feet (1115 m²).
2. A Group S-1 *fire area* is located more than three stories above *grade plane*.
3. The combined area of all Group S-1 *fire areas* on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
4. A Group S-1 *fire area* used for the storage of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).
5. A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet (232 m²).

[F] 903.2.9.1 Repair garages. An *automatic sprinkler system* shall be provided throughout all buildings used as repair garages in accordance with Section 406, as shown:

1. Buildings having two or more *stories above grade plane*, including basements, with a *fire area* containing a repair garage exceeding 10,000 square feet (929 m²).
2. Buildings not more than one *story above grade plane*, with a *fire area* containing a repair garage exceeding 12,000 square feet (1115 m²).
3. Buildings with repair garages servicing vehicles parked in basements.
4. A Group S-1 *fire area* used for the repair of commercial motor vehicles where the *fire area* exceeds 5,000 square feet (464 m²).

[F] 903.2.9.2 Bulk storage of tires. Buildings and structures where the area for the storage of tires exceeds 20,000 cubic feet (566 m³) shall be equipped

TOWNSHIP OF LAWRENCE
Division of Planning and Redevelopment

TO: Brenda Kraemer, Assistant Municipal Engineer
Brian Slaugh, Planning Consultant
Anthony J. Cermele, Construction Official
~~Public Safety Coordinating Committee~~ - attn. Edward Tencza
Environmental Resources Committee
Carol Chamberlain, Health Officer

FROM: Susan Snook, Administrative Secretary *SS*

SUBJECT: Use Variance Application No. ZB-3/20
Princeton Theological Seminary, 4130 and 4150 Princeton Pike
Tax Map Page 71.01, Block 7101, Lots 3.08, 7 and 8

DATE: February 19, 2020

Attached are the following documents with regard to the above-referenced use variance application for the Farminary project:

- Application No. ZB-3/20
- Letter from The Rev. Dr. Nathan Stucky, dated November 25, 2019
- Aerial Exhibit, Sheet 1 of 1, dated November 13, 2019
- Existing Site Condition, dated November 22, 2019
- Proposed Site Plan, dated January 31, 2020
- Photographs, dated November 22, 2019

This application is scheduled for review by the Zoning Board of Adjustment at the meeting to be held Wednesday, March 18, 2020. Please review these documents and submit your report to this office as soon as possible, but **no later than Monday, March 9, 2020** so that reports may be provided to the applicant and Board members prior to the meeting.

SJS

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Attachments

cc: Edwin W. Schmierer, Esq., Zoning Board Attorney (w/atts.)

