

**MINUTES
OF THE
CRANBURY TOWNSHIP
PLANNING BOARD
CRANBURY, NEW JERSEY
MIDDLESEX COUNTY**

APPROVED SEPTEMBER 18, 2008

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Planning Board was held at the Cranbury Town Hall Municipal Building, Old School Building, 23-A North Main Street, Cranbury, New Jersey, Middlesex County, on August 21, 2008 at 7:30 p.m.

CALL TO ORDER

James Golubieski, Chairperson, of the Cranbury Township Planning Board, called the meeting to order and acted as the Chairman thereof.

STATEMENT OF ADEQUATE NOTICE

Pursuant with the Sunshine Law adequate notice in accordance with the Open Public Meetings Act was provided of this meeting's date, time, place and agenda was mailed to the news media, posted on the Township bulletin Board, mailed to those requesting personal notice, and filed with the Municipal Clerk.

MEMBERS IN ATTENDANCE

Michael Dulin, Thomas Harvey, Eugene Speer, Pari Stave, Richard Stannard, Dietrich Wahlers, James Golubieski

PROFESSIONALS IN ATTENDANCE

Valerie Kimson, Esquire, Planning Board Attorney; Josette C. Kratz, Secretary

MINUTES

Minutes of May 8, 2008

Mr. Speer moved for approval as distributed.

Mr. Stannard seconded the motion.

The Board unanimously approved the minutes.

Minutes of June 5, 2008

Mr. Speer moved for approval as distributed.
Mr. Stannard seconded the motion.
The Board unanimously approved the minutes.

EXSTENSION OF TIME REQUEST

PB 106-06 JERC Partners (a.k.a. Woodmont)
 Block 8, Lot 1.04
 Half Acre Road
 Extension of Time on Final Site Plan Approval

REPRESENTATIVE: John Hague, Esquire

The additional two-year protection period expired in July of 2008 and Mr. Hague requested a 1-year extension on June 19, 2008. On July 17, 2008, the Governor signed P.L. 2008, Chapter 46 into law (formerly known as “A-500), the “Statewide Non Residential Fee Act”. **[delete Since that date, the legislation has asked the Governor to sign the COAH bill.]** There is now a standard fixed 2.5% fee of equalized assessed value for non residential **[delete planned improvements of]** new development, **[delete, which will be paid to the Treasury of the State of New Jersey.]** to be paid in accordance with the requirements set forth in the Act.

There is also pending the Permit Extension Act, which was passed by legislation but not signed by the Governor.

They requested a one-year extension to extend the protective period against ordinance changes.

Ms. Kimson agreed with Mr. Hague regarding the application of P.L. 2008, Chapter 46 to this project, and asked the applicant to give his reasons for the extension request for the record.

Mr. Hague explained, given the economic state, his client had not yet identified a user to commit to the project.

Mr. Stannard asked; if in a year’s time, the economy did not improve, could the Board expect the applicant to make the same request. Mr. Hague said he would suspect so, unless the Permit Extension Act was signed. The Permit Extension Act would supersede the extension of time.

Mr. Stannard asked if the 2.5% would be more than or less than the original agreed upon sum. Mr. Hague felt there were significant _between the present ordinance and the legislation in affect. The 2.5% exceeds the amount currently permitted under the Township Ordinance.

There were no public comments.

Mr. Speer motioned to approve the extension of time for one year. Mr. Dulin seconded.

VOTE ROLL CALL

AYES: Mr. Dulin, Mr. Harvey, Mr. Speer, Ms. Stave, Mr. Stannard, Mr. Wahlers, Mr. Golubieski
NAYS: None
ABSTAIN: None
ABSENT: Mr. Kehrt, Ms. Weidner
NOT ELIGIBLE TO VOTE:

MOTION CARRIED

APPLICATIONS

PB 101-05 Prologis Park Cranbury (South Park)
Block 10, Lot 4 & 19, Zone I-LI
Station Road
Amended Preliminary & Final Site Plan for Fire Suppression Pump House

REPRESENTATIVES: Richard Goldman, Esquire
Edwin Caballero, CMX Engineering
Patrick Westhoven, PE, CMX Engineering
Scot Murdock, architect

Mr. Goldman explained the applicant needed adequate fire suppression and water pressure. The public water supplied to the site did not have adequate pressure. The alternative was an onsite pump station and tank to deliver water to the fire suppression system.

EXHIBIT A-1 Overall Landscaping Plan, Sheet 21
EXHIBIT A-2 Fire Booster Station Site Plan

Mr. Caballero said the tank was 39 feet in diameter and 30 ft high. They would lose six trailer spaces. The impervious coverage would actually decrease. The pump house would hold the booster pump equipment responsible for increasing the water flow for the fire suppression system.

There were no comments or concerns with the issues mentioned in Ms. Marcelli's report. Ms. Marcelli asked about the paint color and wanted to be sure that they match the building, but not the corporate color green.

Mr. Stannard questioned if the pump house space would increase the Township's COAH obligation. There was no clear answer given, but professionals and applicant believed it would not. Mr. Stannard wanted, if determined eligible for COAH obligations, that the applicant would meet their obligation with the State. Applicant agreed they would assume their legal responsibility.

Ms. Marcelli said that the board does not have the discretion on whether or not the Floor Area Ratio (FAR) was counted. She explained the ordinance was clear on its definition of the FAR, this would be considered a building and would count against the FAR.

Mr. Speer moved that the amendments to the site plan be approved subject to all conditions: in the Township Engineer's report, including the approval by any regulatory agencies, and that the sides of the water tank be painted to match the buildings and the top be painted possibly darker subject to the judgment of our professionals.

The motioned was seconded by Mr. Dulin.

VOTE ROLL CALL

AYES: Mr. Dulin, Mr. Harvey, Mr. Speer, Ms. Stave, Mr. Stannard, Mr. Wahlers, Mr. Golubieski

NAYS: None

ABSTAIN: None

ABSENT: Mr. Kehrt, Ms. Weidner

NOT ELIGIBLE TO VOTE:

MOTION CARRIED

Mr. Golubieski opened the floor for public comments and there were none.

Mr. Kimson said that she received a letter from Mr. Toto with regard to the Stasi resolution requesting a correction to the lot number and correct a name (Shah).

Mr. Speer motioned for the approval of the changes to be made. Mr. Wahlers seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dulin, Mr. Speer, Ms. Stave, Mr. Stannard, Mr. Wahlers, Mr. Golubieski
NAYS: None
ABSTAIN: Mr. Harvey
ABSENT: Mr. Kehrt, Ms. Weidner
NOT ELIGIBLE TO VOTE:

MOTION CARRIED

ADJOURNMENT OF MEETING

There being no further business, on motion duly made, seconded, and carried, the meeting was thereupon adjourned.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify

That I am duly elected and acting secretary of the Cranbury Township Planning Board and, that the foregoing minutes of the Planning Board, held on August 21, 2008, consisting of 5 pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Planning Board this September 18, 2008.

Josette C. Kratz, Secretary

/jck