

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

**MINUTES OF SEPTEMBER 10, 2009
APPROVED ON OCTOBER 1, 2009**

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Planning Board was held at the Cranbury Township Hall Municipal Building, 23-A North Main Street, Cranbury, New Jersey, Middlesex County on September 10, 2009 at 7:30 p.m.

CALL TO ORDER

James Golubieski, Chairman 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

Mike Dulin, Thomas Harvey, Allan Kehrt, Eugene Speer, Richard Stannard, David Stout, Dietrich Wahlers, Joan Weidner, and James Golubieski

PROFESSIONALS IN ATTENDANCE

Richard Preiss, Township Planner and Josette C. Kratz, Secretary

RESOLUTION

PB 165-09 Keystone South Park
Block 10, Lots 4 & 9, Zone I-LIS
66 Station Road
Preliminary and Final Major Subdivision

This resolution has been tabled until the October 1, 2009 meeting due to attorney family medical emergency.

CONCEPTUAL APPLICATION

PB172-09 Yang's
 Block 21, Lot 1.03, Zone A-100
 Cranbury Neck Road & Ancil Davidson
 Conceptual

REPRESENTATIVES: Yi Tang and wife Amy Yang

Mr. Preiss informed the Board that the property was located on the corner of Cranbury Neck Road and Ancil Davison Road. This is an informal, non-binding proposal of what the applicant proposes to do with the portion of the property that resulted as part of the Willis Applegate subdivision.

Mr. Golubieski added this was brought before the DRC, and it was suggested that they come before the Board informally. He then asked Mr. Preiss to explain the original approval.

Mr. Preiss' understanding was based on the maps and resolution. The applicant came in for a lot averaging subdivision for lot clustering. The resulting subdivision would contain 8 lots, 7 of which were clustered as smaller lots around the Applegate Court cul-de-sac. The remaining lot was dedicated as open space/farmland with one residential building to be built on that lot. This appears to be a place where the building was to be located, although there is nothing in the resolution or record that he has seen that requires the applicant to put a house on that location.

Mr. Harvey pointed out that the Board had discussed this once before. The owner appeared before the Board and wanted to place the house away from the cul-de-sac to somewhere in the middle of the lot. The Board overwhelmingly opposed that.

Mr. Tang explained their intentions were to place a house and a farm related building at the far south east corner of the property using approximately 3 acres, farming the remaining portion of the property. Presently the property was leased for farming purposes, but they hoped in the future to farm it themselves. They plan on accessing the farm and the house from Ancil Davison Road, feeling this was a better access than off of Applegate Court.

The property is in contract negotiations with the owner, which presently are stalled since the owner has requested they take ownership of the detention basin resulting in a higher price.

The consensus of the Board was that the preferable location would be the original location on the cul-de-sac. Anywhere else would undermine the intention, although there was question as to the legal standing.

Mr. Harvey asked what the process would be if the applicants leave the meeting and decided to build a house wherever they decide to build it.

Mr. Preiss said that the Zoning Officer would review it to see if it was compliant with the current zoning, the resolution, and if permissible issue a zoning permit.

Mr. Golubieski asked Mr. Preiss to reach out to Ms. Kimson to find out what the legal perspective was. He felt a determination would have influence on the final answer. He requested Mr. Preiss get back to him, the Board members and the Applicant.

Mr. Preiss said he would also reach out to Mr. Moskowitz and Mr. Stonaker and see if they have a better recollection. At the moment, we are on relying on only our best recollection.

Mr. Speer asked Ms. Kratz to search the minutes for the original approval and the conceptual hearings.

It was left that Mr. Preiss would contact with Ms. Kimson and together review all the documentation regarding the approval. He shall report back to the Board with regard to their findings.

ADJOURNMENT OF MEETING

There being no further business, one 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 September 10, 2009, consisting of 3 pages, constitute a true and correct copy of the Minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of this October 1, 2009.

Josette C. Kratz, Secretary

/jck