

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

APPROVED ON JUNE 15, 2005

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Planning Board was held at the Cranbury Elementary School Cafeteria on April 21, 2005 at 8:00 p.m.

CALL TO ORDER

Thomas Harvey, Chairperson, of the Cranbury Township Planning Board, called the meeting to order and acted as the Chairman thereof, and, Josette C. Kratz acted as Secretary of the meeting.

STATEMENT OF ADEQUATE NOTICE

Pursuant with the Sunshine Law adequate notice according to the open public meeting 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 PRESENT

Mr. Robert Dreyling, Mr. James Golubieski, Mr. Allen Kehrt, Mr. Richard Stannard, Mr. David Stout, Ms. Joan Weidner, Mr. Thomas Harvey, Chairman

PROFESSIONALS PRESENT

Jackie Wahler, in place of Carolyn Cummings as Court Reporter; Josette C. Kratz, Secretary; Andrew A. Feranda, Traffic Consultant; Cathleen Marcelli, Township Engineer; Joseph Stonaker, Planning Board Attorney.

RESOLUTIONS

PB 063-03/PB 064-03 Kerzner Associates

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**Block 2, Lot 2
Corporate Drive
Preliminary & Final Site Plan
Preliminary & Final Subdivision**

Mr. Golubieski motioned for the approval of the Resolution for memorization amending the approval to eliminate not on white. Ms. Weidner seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Golubieski, Mr. Stannard, Ms. Weidner, Mr. Harvey
NAYS: None
ABSTAIN: Mr. Kehrt, Mr. Stout
ABSENT: Mr. Speer

MOTION CARRIED

**PB 081-04 California Closet
Block 6, Lot 8
2666 Route 130
Minor Site Plan**

Mr. Golubieski motioned for the approval of the Resolution for memorization. Mr. Dreyling seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Golubieski, Mr. Stannard, Ms. Weidner, Mr. Harvey
NAYS: None
ABSTAIN: Mr. Kehrt, Mr. Stout
ABSENT: Mr. Speer

MOTION CARRIED

MINUTES

Minutes for September 30 and December 16 of 2004, motioned and seconded and approved

unanimously.

APPLICATIONS

**PB 415-00 Chinmaya Mission Tri State Center
Block 22, Lots 16 & 18
Cranbury Neck Road
Extension of Time (1st Extension granted on April 18, 2004 for one year)**

The Board postponed extension consideration until June 9, 2005. Mr. Stonaker had discussed this matter with Ms. Marcelli and both felt they needed more information on the status of the application and whether there are any other issues. He felt that the applicant should put on the record the reasons for the extension.

**PB 043-02 Rock-Cranbury L.L.C. - Station Road
Block 8, Lot 5.01
73 Station Road
Amended Preliminary Major Site Plan**

**REPRESENTATIVES: Steven Barcan, Esquire
Richard Burrows, Engineer
Robert Banish**

REPORTS:

Memorandum from Richard Preiss, P.P., Phillips Preiss Shapiro Associates, Inc., dated April 20, 2005

Memorandum from William Mikula, Environmental Commission, dated April 19, 2005

Report from Andrew Feranda, Shropshire Associates LLC, dated April 20, 2005

EXHIBITS:

Exhibit A-1 Site Plan Color, prepared by Lagan Eng., Sheet 20.01 as submitted in packet only colorized

Mr. Barcan said that the proposed a 3,000 SF that used to be office space and propose retail space. They would take an addition 1,000 SF of office space and convert it into warehouse space so that the parking requirement would work.

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Mr. Stonaker announced that he reviewed the proof of publication and confers jurisdiction for the Planning Board to review this matter. All Township Professionals were sworn and this time.

Mr. Barcan said that hours for the retail use would be 10:00 a.m. to 8:00 p.m. Monday through Friday, 9:00 a.m. to 6:00 p.m. Saturday, 11:00 a.m. to 5:00 p.m. Sunday.

Mr. Feranda had suggested swapping the five parking spaces. Mr. Barcan said that they had already built the spaces and continue to bank the ones closer.

Mr. Burrow was sworn.

Mr. Feranda agreed that the retail use would not be intense parking or traffic wise. He was looking to get parking as close as possible to the retail facility. If that they have already constructed parking, that was information that he did not have as part of his review.

Mr. Stonaker said that they would designate it as Exhibit A-1.

Ms. Marcelli asked if there was any intent to use the warehouse space annually for a blowout warehouse sale.

Mr. Banish was sworn. He said that they had hoped that they could have the opportunity to do that. Ms. Marcelli said that she would like to look at that a little closer, as far as the parking and what they have. There have been problems with the warehouse sales.

Mr. Harvey said that the Board could make that aspect of the approval subject to the Township Engineer's approval. Mr. Barcan agreed.

Ms. Marcelli said that in the past, Mr. Moskowitz had mentioned as part of a continuing review of how the operations worked, so that if there became a problem with it, but it is a yearly basis where it is review of these larger warehouse sales and perhaps that it is not a given. If there was no problem over time than they could continue the operation. Mr. Barcan agreed. The Zoning Officer and the Township Engineer would police it.

Mr. Stout asked if it would change how people would enter and exit the building for sidewalks and how they access the retail. Mr. Barcan said it did not.

There was no public comment.

Mr. Golubieski motioned for the approval of the Amended Preliminary Major Site Plan where the

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applicant was seeking to modify the site plan to allow 3,000 SF of approved office space to be used as retail space and 1,000 SF of office space to be added to the warehouse space as follows:

1. The hours to be from 10:00 a.m. to 8:00 p.m. Monday through Friday, 9:00 a.m. to 6:00 p.m. Saturday, 11:00 a.m. to 5:00 p.m. on Sunday; and
2. Subject to Township Engineer approval annually for any warehouse sales; and
3. Conditions from the prior approval continue.

Mr. Dreyling seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Golubieski, Mr. Stannard, Mr. Stout, Ms. Weidner, Mr. Harvey
NAYS: None
ABSTAIN: Mr. Kehrt (Recused)
ABSENT: Mr. Speer

MOTION CARRIED

**PB 060-03 Rock-Cranbury L.L.C. - Middle Campus
 Block 8, Lot 1.01
 324 Half Acre Road
 Final Major Site Plan**

REPRESENTATIVES: Steven Barcan, Esquire
 Richard Burrows, Engineer, Lagan

REPORTS:

Memorandum from Richard Preiss, PP, Phillips Shapiro Associates, Inc., dated April 11, 2005
Report from Andrew A. Feranda, P.E., C.M.E., Shropshire Associates LLC, dated April 15, 2005
Report from Mark Schneider, Esquire of the New Jersey Turnpike Authority, dated April 18, 2005
Memorandum from Jessica Smit, Health Specialist, dated April 19, 2005
Report from Cathleen Marcelli, P.E., Hatch Mott McDonald, dated April 21, 2005

EXHIBITS:

Exhibit A-1 Overall Site Plan, Sheet 29.52, prepared by Lagan Engineering, highlighted in yellow

Mr. Stonaker announced that he reviewed the affidavit of service and proof of publication and conferred jurisdiction for the Planning Board to hear the matter. He announced that the Township Professionals continue to remain under oath for this hearing as well.

Mr. Barcan said that they were asking for final site plan approval for the warehouse that was currently 650,000 SF on proposed Lot 1.01. They have provided a setback of 40 ft as requested by the construction office. Seeking a waiver on a condition of the previous approval to submit a comprehensive sign package at this time and they did not have a tenant yet.

Mr. Preiss said that the issue was that the sign package was not just for the building but for the entire development. He felt it would be better if it came back to the Board rather than deferring it to the Township Planner, himself. Individual buildings would be one thing, but approving for the whole development should come back to the Board.

Mr. Feranda mentioned that they had reviewed traffic signal plans at each of the two intersections and have returned their review comments to the applicant's engineer to address specific detailed requests of the design before their submission to the State for approval. Authorization to install at one intersection and authorization to revise at the existing signalized intersection.

Mr. Barcan said that there were some signs that were part of the original submission. They are directional signs. There was another waiver mentioned in Ms. Marcelli's report that referred to the top of the bank.

Mr. Stonaker said that they would have to meet the conditions of Ms. Marcell's report.

Mr. Barcan said that he wanted to comment on the NJ Turnpike Authority report. Overall they had no issues with them but to the extent that the requested for an approval but he felt that they had no powers. They would not build the fence. Paragraph Three regarding drainage. There are existing billboards, nothing new.

Mr. Golubieski asked if the Board had any responsibility to the Turnpike. Mr. Stonaker said that the Board did not.

Mr. Golubieski made a motion to approval of Final Major Site Plan approval with the following conditions:

1. Design waiver for the top of the bank basin should be no closer than 125 ft from the existing; and
2. The comments of the Township Engineer's report and Traffic Engineer's report; and
3. The final sign package prepared by the applicant needs to come back to the Board for review and approval; and
4. Any other regulatory agencies that have jurisdiction.

Mr. Dreyling seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Golubieski, Mr. Stannard, Mr. Stout, Mr. Weidner, Mr. Harvey
NAYS: None
ABSTAIN: Mr. Kehrt (Recused)
ABSENT: Mr. Speer

MOTION CARRIED

**PB 082-04 Virginia Neill/Ken Miller
Block 18.07, Lot 47
106-108 South Main Street
Minor Subdivision**

REPRESENTATIVES: Donald Driggers, Esquire
Ken Miller, Son of Virginia Miller Applicant

REPORTS:

Report from Robert J. Allen, Cranbury Volunteer Fire Company No. 1, dated March 6, 2005
Memorandum from Richard Preiss, P.P. from Phillips Preiss Shapiro Associates, Inc., dated April 11, 2005

Mr. Stonaker announced that he reviewed the proof of publication and the affidavit of service and concurred that the Board had jurisdiction to hear the matter.

Mr. Driggers introduced himself and introduced Mr. Miller as son of Virginia Miller. Ms. Miller owns two homes as you leave Cranbury on the left hand side. The homes are on one lot. This application is to create two lots. Princeton Junction Eng. Has prepared the minor subdivision plan. Mr. Miller has a power of attorney from his mother who is elderly.

Mr. Miller was sworn. There are two single family dwelling without buildings. This application was to permit a subdivision of this property to create two separate lots with each of the existing single family residents, one on each lot. Separate septic and well would service each lot. They actually trace back the ownership. His family has owned the property since 1887. The homes were built approximately in the 1940's.

Ms. Marcelli said that proposed Lot 47.02 there was a little garage, she asked how it is accessed and was it used to park vehicles. Mr. Miller said that it was just for storage that they did not park vehicles back there.

Mr. Stonaker said that they needed to submit the deeds to Ms. Marcelli and himself for review and have the Planning Board Secretary and Chairman sign the deeds.

Mr. Preiss asked if there were any proposals for landscaping, facing, etc., as result of the subdivision.

There were no public comments made.

Mr. Harvey said that he did not understand the letter from the fire company. Mr. Driggers said that he did not quite understand it either.

Mr. Golubieski asked if since there were already the front yard setbacks currently none conforming. Mr. Stonaker said that they would still need the variances for the record.

Mr. Golubieski motioned to approve the minor subdivision to subdivide the single existing lot with two existing family homes located on each of the proposed lots. With a variance of the front yard setback Subject to filing the deeds and Middlesex County approval if necessary. Mr. Kehrt seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Golubieski, Mr. Kehrt, Mr. Stannard, Mr. Stout, Ms. Weidner, Mr. Harvey
NAYS: None

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ABSTAIN: None
ABSENT: Mr. Speer

MOTION CARRIED

**PB 066-03 Ozbotkins, Inc. Hannah & Mason's on Main
Block 23, Lot 54
39 North Main Street
Amended Site Plan to allow for evening outdoor seating**

REPRESENTATIVES: Frank Brennan, Esquire
John Davison, Owner/Applicant

REPORTS:

Memorandum from William Mikula, Environmental Commission, dated April 19, 2005
Memorandum from Jessica Smit, Health Specialist, dated April 19, 2005
Memorandum From Richard Preiss, P.P., Phillips Preiss Shapiro Associates, Inc., dated April 20, 2005

EXHIBITS:

Exhibit A-1 Colorized Site Plan
Exhibit A-2 Lighting Plan, Prepared by George Conley
Exhibit A-3 Matrix Showing Mix of Uses within 200 ft of Village Restaurants

AUDIENCE OPPOSITION EXHIBITS:

Five 8.5" x 11" photos depicting existing conditions.

Mr. Brennan explained that the application consisted of amended site plan application simply to change the outdoor seating times to include dinner patrons. The Board had granted approval for the restaurant to end the outdoor dining at 2:00 p.m. They are requesting to amend the application to include dinner from 2:00 p.m. to 10:00 p.m. The outdoor seats would be exactly the same number of seats used during the lunch hour, pursuant to the approval from last year.

The seat swapping arrangements that was part of the previous approval, whereby seats used outdoors resulted in seats inside not being used.

Mr. Harvey asked if the only change that the applicant was requesting was to extend the outdoor eating from 2 p.m. to 10 p.m. and was that for all seven days. Mr. Brennan said that was correct for all seven days. The only other change was to change the arrangement that was currently permitted for the outdoor dining. Currently they were allowed seven tables of two chairs each. They request to change keep the fourteen chairs but where necessary to create four toppers and not be limited to two toppers. There was lighting, the lighting plan was simple and subtle, holiday lights arranged on the windows on the glass porch. They give a very low light.

Mr. Harvey asked if he were to arrive at 9:30 p.m. he could get dinner or does it mean everyone has to leave by 10:00 p.m. Mr. Brennan said that the last seating would be at 9:00 p.m. If there were dining patrons still there at 10:00 p.m., they would be brought inside at 10:00 p.m. and they would use the upstairs dining.

Mr. Davison, which was sworn, explained the situation and the position of the holiday lights. He used Exhibit A-3 and explained that matrix to the Board and concluded that all other food establishments have residential properties in close proximity.

Ms. Marcelli asked if during the nights that would be chilly or inclement did they propose any other improvements such as heaters. Mr. Davison said no.

Ms. Marcelli said that it seemed as he was trying to make a comparison to two of the outlining restaurants, that being the pizza place and another. She asked if he know what the percentage of the immediate adjacent neighbors where because 200 ft was a very broad number. She also asked beside the two apartments upstairs where there any single family residents immediately adjacent to them.

Mr. Davison said that there were the Gilberts.

Milton Fischer, 35 North Main Street, explained that he had lived in Cranbury all of his life and with his wife since 1948. They raised their children there. Both of them recalled that this application had been denied outdoor seating last year for after 2:00 p.m.

He asked why there had not been any outdoor seating ordinance yet? He recalled speaking with the former Mayer on July 17, 2004 with regard about outdoor dining and he promised to talk with the Board on producing an ordinance and he had not heard anything to date.

The operation evolves alcohol BYOB. Teddy's does not and he was sure that the Pizzeria did not. This operation made their lives miserable. There was noise late at night. When patron leave the restaurant the talk and make noise on their way to their cars. He said that he was adamantly opposed to outdoor seating from 2:00 p.m. to 10:00 p.m.

Dennis White, 41 North Main Street, explained that has been to Hannah & Masons and did not feel there was a need for outdoor seating.

Danny Goldberg, 42 North Main Street, opposed to application.

Stacey Neid, who lived in Dennis White's apartment, was opposed to application. Concerned with their quality of life has and would change. The noise factor created by people lingering outside below the window about 30% of the night they were open. Employees made noise while waiting for their evening rides.

Frank Marlow, 11 & 13 North Main Street, he refused to be sworn. However, said that as President of the Business Association he wanted to say that the Business Association favored the application. He felt that businesses should be support and services by the residents. The businesses were used by the residents. Businesses were here in Cranbury for conveyance. That there were other business that had night outdoor seating.

Brent Barlow, 31 North Main Street, commented that he did not wish the man ill will, but wanted to know why they were back here before the Board.

Beverly Gilbert, 69-71 North Main Street, said that she had always been for businesses. The pizza parlor was open until 10:00 a.m. and the children run around, but that she would have it no other way.

Francis Rak, 46 North Main Street asked if the dining until 10:00 p.m. continue with the property.

Mr. Harvey said, referring to the pictures supplied by Mr. White, indicating that he had walked past the restaurant on his way to have dinner at Teddy's and there was a sign in the window. He felt that was an illegal sign. The applicant is coming in before the Planning Board tonight and there is a sign out front.

Mr. Brennan said that the sign would be removed. Mr. Davison said his indication from Mr. Graydon, the Zoning Officer, was that sign inside the porch were okay.

Mr. Milton said that he had called Mr. Graydon when the restaurant had 11 tables and 17 chairs out front. So no one can say that there had not been complaints.

Mr. Goldberg said that they were at a stress level already anymore would be an intensification of the stress.

Mr. Golubieski said his biggest problem was that we allowed another restaurant outside seating and others have that. We are not letting this applicant to be included, but are asking that he be excluded.

Mr. Preiss wanted the applicant to indicate any hardship or particular negative impact that would occur is the extension was not granted. A second issue was that we heard from the business community was that it was a good thing to support businesses and encouragement to other business, but asked if there were any other benefits of the community if the outdoor dining was permitted to be extended. This is an opportunity for the neighbors to step up and indicate to what extent they would agree to allow to re-miriate those concerns as for the hours of operation. Was there anything that the applicant could suggest elevating the neighbors' concerns. Would they be prepared to make any concessions in terms of the number of night that would be open, restricting hours as a way of compromising.

Mr. Davison indicated that being in the restaurant business was a hardship. There was never a guarantee. Lunch time was a business draw, it has increased. Up until now the upstairs was empty, now that they have the outdoor seating is used. He would talk to people about the manner in which they leave. The driveway that the neighbor walks on is on the restaurant property. We don't mind that she uses the property.

As far a people walking through people's yards late at night. This was the first he had heard of it. They don't have stumbling drunks.

Mr. Brennan indicated that the Board should recall that this application was the only commercial use to grant the Township a pedestrian access easement to provide a adequate, safe access from the school/Township parking lot to Main Street. There would not be situation if the easement was acted upon. The school has expanded their parking lot significantly and the school has plenty of parking.

Mr. Brennan announced the applicant is prepared to amend the application that the last seating would be at 8:00 p.m. and there would not be any outdoor dining on Monday or Tuesdays.

Mr. Goldberg asked if this application affected the real estate values of their homes would it have any bearing on the decision the Board was about to make.

Mr. Barlow asked how could anyone compare Teddy's and the pizza place to the type of upscale restaurant that John has. The pizza is a family restaurant where the patrons are there for approximately 45 minutes and then go home. He asked how many people are out in front of Teddy's at 7:00 p.m. at night, there are no employees leaving these places at midnight. There are no bottles of wine out there.

Mr. Stout felt it was problematic to place everyone in the position to have constant citizen policing.

Mr. Stannard recalled that there were compromising during the original application. There was willingness for the applicant to compromise on so many issues. One was that there would be no outside seating after dark. This was granted less than a year ago and the applicant is coming back with a request to change some of the bargaining. That part of the bargain may have been the part that pushed it over the top to allow the restaurant to open in the first place. The other part there was much talk on what would happen to garbage. That part of the arrangement had not been followed and would appreciate the willingness to change that immediately. There is music spilling over when the windows are opened. The sandwich board on the sidewalk.

Mr Brennan said that the items in the pictures would be correct. He agreed that it is only a year. But within that year the Chinese restaurant sought outdoor dining and they were approved in a single night. The applicant feels he is being treated differently.

Mr. Harvey said there were no citizens that spoke against the application or any concerns with the Chinese restaurant, even John spoke in favor of the application. Here is a situation where the neighbors have come in and said that they think this is a bad idea. It is a different situation for the Board.

Mr. Preiss said that three wrongs do not make it right. The other restaurants are open and not sited with any violations.

Mr. Golubieski motioned for the approval of the application. Mr. Dreyling seconded the motion.

VOTE ROLL CALL

AYES: Mr. Golubieski

NAYS: Mr. Dreyling, Mr. Kehrt, Mr. Stannard, Mr. Stout, Mr. Harvey

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ABSTAIN: Ms. Weidner (Recused)
ABSENT: Mr. Speer

MOTION FAILED

Mr. Dreyling motioned for the denial of the application. Mr. Stannard seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Kehrt, Mr. Stannard, Mr. Stout, Mr. Harvey
NAYS: Mr. Golubieski
ABSTAIN: Ms. Weidner (Recused)
ABSENT: Mr. Speer

MOTION CARRIED

**PB 084-05 Gentle Healing Wellness Spa - Training Spa
Block 5, lot 16.01
South River Road
Preliminary & Final Site Plan**

REPRESENTATIVES: Donald Driggers, Esquire
Robert Corkage, Act Engineer
Donda Steinberg, Owner/Applicant

REPORTS:

Report from Cathleen Marcelli, P.E., Hatch Mott McDonald, dated April 21, 2005
Memorandum from Jessica Smit, Health Specialist, dated April 19, 2005
Report from Scott A. Levy, C.L.A., Scott Alan Design, dated April 18, 2005
Memorandum from Richard Preiss, P.P., Phillips Preiss Shapiro Associates, Inc., dated April 13, 2005

EXHIBITS:

Exhibit A-1 Marked up copy of the submitted site plan
Exhibit A-2 Letter from James Stahl regarding and easement
Exhibit A-3 Architectural Elevations, Sheet A-2

Mr. Stonaker announced that the Board had jurisdiction. The professionals that have been sworn remain under oath.

Mr. Driggers was filling in for Michael Balint this evening. He explained that the Gentle Healing Wellness Spa located on the east side of Cranbury South River Road. This was an application for preliminary and final site plan approval in order to build a building to the south corner of the property, which was a two-story building. It would be used, two phased. There were a total of 40 additional parking spaces involved, 21 proposed for the first phase and 19 proposed for the second phase. To the east was a substantial warehouse building and motel type structure.

Ms. Sternberg, sworn, explained the proposal. The new building would be located in the far rear corner. There is a detention basin behind and then a warehouse. Most activity in the main building (day spa) are during the day time. They are open until 9:00 p.m. They would like larger rooms in the training facility and eventually would like to increase their students to classes of 15. The first floor must have the specific things in order to receive accreditation; library, student lounge, etc. Accreditation would allow them to be on the level so that the students can receive college credits.

The second floor would eventually, upon growth, they would have two more training rooms. The building would be built now, but they would be leaving the second floor a shell at this time and upon the second phase they would be asking for the additional parking spaces.

They are strictly a school for massage therapy. The primary service was the spa and they trained their employees. The hours of the school would be primarily at night, two evening a week from 6 p.m. to 10 p.m. and two Sundays per month. Eventually they would like to run daytime programs that would be Monday, Wednesday, and Friday.

Mr. Driggers said that there may not be a need for all of the parking and at Phase two they would take a look to see whether they would need all nineteen.

Mr. Driggers said that the preference was to have the parking gravel. This was to keep the look of the Victorian charming setting. The berm in the rear would have to be removed.

Mr. Sternberg explained that there would be a sign that indicates the training facility and where to park. She explained that the training facility was going to look a lot like the Victorian house with a wrap around porch.

Mr. Driggers indicated that they would be working with the landscaped architect to resolve some of the issues. One concern was that they had landscaping on the southerly side as well as back

toward the warehouse and there are some suggestions that they would like to talk with the landscape architect about that may be a little too strong for the overall area.

Mr. Harvey asked if this application would be subject to the landscape architects approval. Mr. Driggers said yes. He added that his only issue was with the reserved right to come back to the Board if they could not agree.

Mr. Driggers explained that the detention facility to the rear would be used from the group that had constructed the new facility from the north. They would pay a \$10,000 fee for use of their detention facility. The fee would be for the easement. There was strong suggestion that the easement be recorded.

Mr. Corkage, sworn and accepted.

Mr. Stonaker asked if Staybridge was going to come in for an amended site plan for the detention facility construction. Mr. Driggers assumed that they would have to.

Mr. Corkage explained that this would be an off-site improvement just like the sanitary sewer would be.

Mr. Harvey asked if that would make this approval subject to them coming in for approval of an amended site plan. The answer was assumed yes, unless the calculations showed no change needed.

Mr. Driggers said that there were two variances requested for rear yard and side yard parking.

Ms. Marcelli had a question regarding the need for the setback variance. She asked if Staybridge Suites had a 25 ft buffer between the property line. Mr. Corkage said that his observation was that they did not. Mr. Preiss agreed, there was a single line of pine trees but that it was closer than 25 ft.

Ms. Marcelli was concerned with the gravel parking area. She was concern with precedent being set, especially for 64 parking spaces. Mr. Preiss felt the employee parking could stay gravel. There may be ways in which the applicant can use creative ways to designate parking spaces. Ms. Marcelli said that if the applicant has gravel where the women are hanging out they can be dust kicked up and reduces tranquility.

Mr. Ferranda questioned the two handicapped parking spaces shown on concrete pads. He asked if there was enough room for side access to the vehicles. If we are talking about eliminating the parking spaces from the north the trash enclosure needs to be moved.

Ms. Marcelli said that if at least a curb along that edge of the walkway that runs parallel the north side of the building would provide for better pedestrian protection. Mr. Stonaker asked that it be subject to the Township Engineer and Traffic Engineer.

Mr. Stannard mentioned the removal of soil and was that from the berm. Mr. Corkage said yes. About 2,000 CY.

Mr. Ferranda said that the applicant agreed that the north parking lot be fore employees only. He asked that it be signed as such. If students are coming from the north to the south they may end up into the employee section. Ms. Sternberg said that there was signage and would remain.

There were no public comments.

Ms. Marcelli felt that reducing the parking lot 24 spaces does make a difference as far as gravel vs. asphalt.

Mr. Golubieski motioned for the approval subject to:

1. Variances: minimum setback, for more tan one free standing sign and one located near the street, rear.
2. Design waiver for non-residential use will not be paved.
3. Design waiver for all parking areas shall have permanent curbing.
4. No submission required for environmental impact statement, also traffic statement.
5. Soil removal up to 2,000 CY of access material.
6. Subject to the engineer, traffic, landscape and planner.
7. Subject to a drainage easement with adjacent landowners.
8. Subject to agreement with the adjoining neighbors for detention basin and site plan approval.
9. Reconfiguration of parking for a maximum of 20 parking spaces, 9 and 9 parking spaces and 2 handicapped spaces being kept.
10. The configuration was subject to the approval of the Township Engineer and Planner.
11. Subject to landscaping adjacent to the building by the engineer and landscaped engineer.
12. Subject to any outside agencies approval.
13. Subject to the review of the engineer for the relocation of the dumpster.
14. No building permit until sewer.

Mr. Dreyling seconded the motion.

VOTE ROLL CALL

AYES: Mr. Dreyling, Mr. Golubieski, Mr. Kehrt, Mr. Stannard, Mr. Stout, Ms. Weidner, Mr. Harvey
NAYS: None
ABSTAIN: None
ABSENT: Mr. Speer

MOTION CARRIED

ADJOURNMENT OF MEETING

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

CERTIFICATE OF SECRETARY

I, 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 April 21, 2005, consisting of 18 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 June 9, 2005.

Josette C. Kratz, Secretary

/jck