

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

MINUTES FEBRUARY 7, 2019
APPROVED ON April 4, 2019

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 February 7, 2019, at 7:00 p.m.

CALL TO ORDER

Peter Mavoides, Chairman of the Cranbury Township Planning Board called the meeting to order.

STATEMENT OF ADEQUATE NOTICE

Under the Sunshine Law, adequate notice by the Open Public Meeting Act was provided of this meeting's date, time, place and agenda were mailed to the news media, posted on the Township bulletin board, mailed to those personal requesting notice, and filed with the Municipal Clerk.

MEMBERS IN ATTENDANCE

- ☒ Callahan, Karen
- ☒ Gallagher, James
- ☒ Hamlin, Judson
- ☒ Johnson, Glenn
- ☒ Kaiser, Michael
- ☒ Mavoides, Peter
- ☒ Mulligan, Dan
- ☒ Stewart, Jason arrived 7:10 PM
- ☒ Witt, Nancy

PROFESSIONALS IN ATTENDANCE

- ☒ Andrew Feranda, Traffic Consultant
- ☒ David Hoder, Board Engineer
- ☒ Trishka Cecil, Esquire, Board Attorney
- ☒ Josette C. Kratz, Secretary
- ☒ Richard Preiss, Township Planner
- ☒ Deanna Wizbicki, Court Reporter

PB 065-03 Alfieri – Half Acre Road
 Block 5, lot 9 and Block 7, Lot 10, Zone LI
 Half Acre Road
 Amended Final Site Plan

REPRESENTATIVES: Ralph J. Orlando, PE (applicant's civil engineer)
 Karl Pehnke, PE (applicant's traffic engineer)
 Frank Petrino, Esquire

EXHIBITS:

Exhibit A-1: Plan Modifications Layout Plan, Sheet 1 of 2, prepared by Partner Engineering & Science, Inc., dated October 24, 2018
Exhibit A-2: Plan Modifications Grading/Utility Plan, Sheet 2 of 2, prepared by Partner Engineering & Science, Inc., dated October 24, 2018
Exhibit A-3: Alternate Hot Box Enclosure Location prepared by Partner Engineering & Science, Inc., dated February 7, 2019

All professionals for the applicant and the board were sworn.

The project is located on Block 7, Lot 10 in the Township of Cranbury and contains 87.35 acres (not including the land in Liberty Way or Half Acre Road). The application is for Final for the one half of the Preliminary application previously submitted in 2013. It is located in the Light Industrial (LI) zone district with frontage on Half Acre Road and Liberty Way. The applicant is proposing to construct one 747,241 Square Feet of Warehouse/Distribution building on the property. They are proposing 226 (was 235) parking spaces, 138 (was 133) dock spaces and 183 (was 157) trailer storage spaces. There would also be a need for a variance for a 'hot box' for the water company.

Addressing the 'hot box', American Water was now dictating the applicants to place these large structures within a limited area. Mr. Kaiser asked why they could not be in a vault within a berm. Mr. Preiss and Mr. Hoder thought there could be logistic issues with water seepage and access. A compromise was carving out a space of the berm and landscaping around the box.

The applicant will move the hot box back to thirty-five feet from Half Acre Road, into a carved-out area in the berm; will reduce the size of the hot box; will paint the hot box a dark matte green color; and will screen the hot box with landscaping.

Per Mr. Preiss, the applicant shall return to the Planning Board for approval of the proposed security fencing shown on the applicant's plans or for any other fencing, walls or structures to be added for security or other purposes.

Per Mr. Preiss, the applicant would screen the compactors.

Per Mr. Feranda, asked about the driveway and was it tenant triggered. Mr. Orlando stated it would be tenant driven.

	MOTION	ROLL CALL
Callahan, Karen		AYE
Gallagher, James		AYE
Hamlin, Judson		AYE
Johnson, Glenn		AYE
Kaiser, Michael		AYE
Mavoides, Peter		AYE
Mulligan, Dan	SECONDED	AYE
Stewart, Jason	MOTIONED	AYE
Witt, Nancy		AYE
	RESULTS	Passed

B315-18 Sudler – Cranbury Corp Park
Block 5, Lots 2.71 & 2.041, Zone LI
286 & 300 Prospect Plains Road
Amended Final Site Plan

REPRESENTATIVES: Michael Marinelli, PE (applicant's civil engineer)
Scott Kennel, PE (applicant's traffic engineer)
Steven Spinweber (applicant's representative)

Applicant's Exhibits:

Exhibit A-1: Hot Box Planting exhibit prepared by Menlo Engineering Associates, dated February 7, 2019

The subject property is situated in the LI Zone- Light Industrial Zone District and contains 101.53 acres as per the Site Plan. The property has 684.50 feet of frontage along the side of Cranbury South River Road and 1654 feet along Prospect Plains Road. The applicant seeks amended final major site plan approval with bulk variances and site plan exceptions to restripe/convert certain trailer storage spaces into automobile parking spaces and to retain a hot box previously installed in the front yard setback

All professionals for the board and applicant were sworn.

Mr. DeGrazia stated that American Water was not as accommodating as they were with, the last applicant, and where insistent of the location.

Motion was made for approval with the following conditions; including but not limited compliance to all professionals' reports;

1. The applicant will paint the hot box a matte forest green.
2. The applicant will submit a revised landscaping plan for the hot box to the Board's professionals for their review and approval and will show the requires sight triangles on said plan.
3. The applicant will stripe a ten-foot-wide island and walking path between the drive aisle on the eastern side of the building and the abutting row of parking spaces.
4. During shift changes, the applicant will restrict the use of one loading dock on either side of the pedestrian crosswalk between the east side of the building and the northern end of the parking area, and a note to this effect shall be added to the plans.
5. The crosswalk shall have laddered pavement markings between the crosswalk lines for added visibility.
6. All pavement markings will be long life thermoplastic.
7. The applicant will add details to the plans regarding the handicapped striping, symbols and signage, the handicap access ramp and depressed curb, the pedestrian crosswalk on the east side of the building, and the paint or materials to be used for all striping.

	MOTION	ROLL CALL
Callahan, Karen	SECONDED	AYE
Gallagher, James		AYE
Hamlin, Judson	MOTIONED	AYE
Johnson, Glenn		AYE
Kaiser, Michael		AYE
Mavoides, Peter		AYE
Mulligan, Dan		AYE
Stewart, Jason		AYE
Witt, Nancy		AYE
	RESULTS	Passed

PB317-18 Matrix 259 LCE
 Block 3, Lot 1.020 & 1.026, Zone LI
 259 Prospect Plains Road
 Preliminary & Final Major Site Plan

REPRESENTATIVES: Raymond Aquino, P.E. – Director of Land Development
 Glenn Pantel, Esq. – Drinker, Biddle & Rather, LLP
 Michael McKenna, P.E. – Bowman Consulting
 John T. Chadwick IV, P.P.
 Karl Pehnke, P.E. – Langan Engineering

PROFESSIONAL REPORTS:

January 31, 2019, David Hoder, Hoder Associates
January 3, 2019, Freehold Soil Conservation District
February 5, 2019, Richard Preiss, P.P. Phillips Preiss Grygiel Leheny Hughes LLC
February 5, 2019, Andrew Feranda, Shropshire Associates
February 12, 2019, Cranbury Volunteer Fire Company

EXHIBITS:

A-1 Aerial of the Campus scale 1"=100' dated 2/7/19
A-2 "Site Plan Rendering" scale 1"=30' 2/7/19
A-3 Aerial Goggle Earth scale approx. 1"=130' dated 2/7/19
A-4 Board with 4 colored pictures 11x17 showing the west elevation of bldg J entrance, bld J from the NJTPK, showing sign "Innophos", showing sign "Amerihealth"

A-5 8.5x11 showing bldg mounted sign on west elevation of Amerihealth bldg

The subject property is located in the LI (Light Industrial Zone District) on the East side of the New Jersey Turnpike. The site has frontage on Forsgate Drive and contains 36.008 Acres in Cranbury and 34.387 acres in Monroe. The applicant is proposing to increase the number of spaces for Buildings I & J from 39 spaces to 277 spaces by adding 136 constructed spaces and 102 banked spaces. The applicant is also intending to add signage and a dumpster enclosure to the site. The signs include two facade signs 100 SF. each and a 50 FT. ground sign. We defer review of the signs to the Township planner.

All board and applicant professionals were sworn, the board had jurisdiction to hear matter.

Mr. Pantel stated there would be variances need for the parking spaces, lighting for the signage, wall signs and size of signs,

Mr. Preiss stated that at the DRC it was noted that if the applicant wanted to be on the agenda for this evening final plans would have to be submitted the next day and the applicant stated the did want to be on the agenda that the plans provided at the DRC would be the plans that would be distributed to the Board and the professionals would review those plans and was done. One of the items deficient, pointed out was details related the signage and in his review letter he did not review the signs specifically, but he did have notes relating to the signage. Mr. Preiss also stated that there were changes to the landscaping, materials for the enclosures and signage. Mr. Preiss felt that landscaping and the enclosure was enough, however, the signage the board has not had the benefit to review, nor did he have time in which to review. He suggested not voting this evening.

Ms. Cecil concurred. This would not be considered minor modifications but providing sign details the night of the hearing is not acceptable.

RECESSED

Mr. Pantel asked that the hearing be continued to the March 7, 2019 date without further notice.

Mr. Chadwick stated the two-façade sign at the main entrance to building J, they do not specific tenants at this time.

Mr. Preiss stated it was not clear to him, based on the plans submitted, where the signs are and what they are for the free-standing signs and the signs on the building and Mr. Chadwick is only identifying the signs they propose to add. Applicant needs to identify all the existing signs and the proposed signs (within the area).

Mr. Chadwick stated this was a classic 1960's campus design, and they were note efficient and need markers to make them successful. The lighting would be internally light on the wall and the sign on the other side would be channel letters. Preference was to back-light, in order to compete.

Mr. Preiss ask how many free-standing signs were proposed.

Mr. Chadwick stated one and two wall; three possible location.

Mr. Preiss stated he had no issue with proposing one monument sign and two tenant signs, but he had issues with the size proposed based on plans provided. The materials and lighting; free-standing Cranbury prefers metal or wood or brick. Lighting, variances have been granted for channel lit. Maximum of two tenant size at 60 SF. Need details on materials of base and landscaping.

Mr. Kaiser wanted to know the size of all existing signs. Details should be size and location.

Mr. Mavoides asked if the Board was comfortable with deferring to Mr. Preiss on the final landscaping plan.

Mr. Pantel stated they would try and work all of that out before the next meeting, with Mr. Preiss.

Ms. Cecil stated the revised landscaping are sent to Mr. Preiss, he will do his review and if he has issue, he will state them in his report to the board and then you will bring Mr. McKenna back in.

Mr. Preiss wanted the revised signage also submitted.

Carried to the March 7, 2019 PB meeting without further notice.

ORDINANCE NO. 01-19-03 Cranbury Township Ordinance #01-19-03 An Ordinance of the Township of Cranbury, Middlesex County, New Jersey, Amending Township Code Chapter 150-35, Land Development, to Table 2: FENCES AND WALLS PERMITTED BY ZONE.

Mr. Preiss explained at the last comprehensive Master Plan and subsequent Master Plan Amendment did not address the issue of fences. He said that it was not inconsistent with the Master Plan. The key thing was it looks like the governing body is suggesting that deleting all of Type 1 fences and asked for a Township Committee member to explain the Township Committee's reasoning.

Mr. Mulligan stated this would impact any existing property in Cranbury as well as any new development within Cranbury. Property owner claim they are erecting a three (3) foot fence and erect a larger fence than three feet fence. Cranbury is special in that it is not a 'fenced' community.

Mr. Stewart asked the result of a property owner who has an existing fence which is in disrepair to the point of needing a new fence. Perhaps had the fence for over 20 years and rotting and in need of replacement, and beyond painting it one more time.

Mr. Mulligan did not ask that question before.

Ms. Cecil answered that if something is now made illegal and is destroyed it cannot be replaced without a variance.

Mr. Preiss explained that a Type 1 fence is 100% solid up to here (3) feet high. Located anywhere on the property line up to the property line.

Ms. Cecil said she could not give an answer because a fence, by its nature cannot be repaired unless replacing it but cannot replace it unless it is identical to what was there.

Mr. Gallagher felt this would be confusing as written. Mr. Preiss felt it could be tweaked to read better.

Ms. Witt commented, as someone who has 200-lb dogs and lives on Main Street, one is glad we have a fence.

Mr. Mulligan stated a person could still have one if they get a variance to erect one and approved.

Ms. Cecil explained most front yard variances granted are for those with more than one front yard, such as corner lots.

Mr. Hoder asked about the rotting fence. Perhaps we can give direction to the Zoning Officer.

Ms. Cecil said, to the extent he needs one, she felt he had already dealt with the question and may have already had his own interpretation. She stated she did not want to give the Zoning Officer direction to a Zoning Officer who may not need it.

Mr. Stewart asked if someone, in good faith, replaced their fence with a 'like kind' fence, not paying attention to this because they already have a fence and the neighbor whistle blows and now, he has a violation and hope for a variance. It could become a situation that could create animosity.

Mr. Mulligan said there are always unintended consequences with policy, however, as we look toward new developments in Cranbury, it is something that needs to be considered.

Mr. Stewart asked why this a problem is to add a sentence that authorizes 'like kind'. Ms. Cecil said she did not want to do that without speaking with Mr. Graydon first. For all she knows he could already be interpreting the code that way.

Ms. Stewart said the PB is supposed to comments and as a board the comment should be that the board suggests allowing preexisting fences.

Mr. Preiss said the ordinance may not be worded properly to explain pre-existing conditions. Mr. Mavoides agreed that the ordinance does not do enough to address pre-existing conditions.

Ms. Callahan asked the cost.

Ms. Cecil said it depended on the submitted application.

Mr. Preiss explained it has exceeded \$4,000.00 at times.

Mr. Gallagher asked about retaining walls.

Mr. Hamlin asked if there was something that gave rise to this ordinance change.

Mr. Mulligan stated it was Mr. Taylor who was pushing this, and this will impact existing and new homes in Cranbury.

Mr. Mavoides asked if the Board agreed with addressing language to address pre-existing fence conditions.

Mr. Cox of Main Street, speaking from the public, mentioned to unintended consequence of back and side yards considered as front yards and felt this was arbitrary.

Mr. Kaiser agreed that there have been historical homes which have had fences for over 100 years and does this ordinance 'rubbing' that out.

Ms. Cecil said the grand-fathering is by law.

Ms. Stewart stated we want a note addressing replacement of pre-existing conditions and should be clear.

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 at this moment certify;

That I am duly elected and acting secretary of the Cranbury Township Planning Board and, that the preceding minutes of the Planning Board, held on February 7, 2019 consisting of ___ pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS of which, I have hereunto subscribed my name of said Planning Board this April 4, 2019.

Josette C. Kratz, Secretary

/jck