

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

**MINUTES REORG JANUARY 6, 2022
APPROVED ON FEBRUARY 3, 2022**

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Planning Board was held via Zoom on January 6, 2022, at 7:00 p.m.

CALL TO ORDER

Robin Tillou acted as Chairperson, called the meeting to order until Michael Kaiser was nominated and appointed as Chairperson.

STATEMENT OF ADEQUATE NOTICE

Adequate notice as well as electronic notice of this meeting were provided in accordance with the requirements of the Open Public Meetings Act and the regulations governing remote public meetings. The notice included the time, date and location of the meeting and clear and concise instructions for accessing the meeting. A copy of the agenda for this meeting was made available to the public for download on the Township's website, and all documents and other materials pertaining to any applications listed on the agenda were posted electronically and made available for download at least forty-eight hours prior to the meeting.

All participants in this meeting are required to keep their microphones muted until recognized or directed otherwise. The Board will engage the Zoom "mute" function until the time for public comment is reached.

Members of the public who wish to make a comment are required to use the "Raise Hand" feature in Zoom, or, if participating by telephone, by pressing *9. Once recognized by the chair, the participant will be able to unmute his or her microphone and offer a comment. Interested parties wishing to ask a question or make a comment during a public hearing on an application will be sworn in and asked to provide their name and address before proceeding. The Board Chair or his designee will manage the order of the comments.

MEMBERS IN ATTENDANCE

- ☒ Ferrante, Michael
- ☒ Gallagher, James
- ☒ Hamlin, Judson
- ☒ Jones, Dominique
- ☒ Kaiser, Michael

- ☒ Mavoides, Peter
- ☒ Spann, Evelyn
- ☒ Stewart, Jason
- ☒ Wittman, Wayne

PROFESSIONALS IN ATTENDANCE

- ☐ Andrew Feranda, Traffic Consultant
- ☒ David Hoder, Board Engineer
- ☒ Elizabeth Leheny, Township Planner
- ☒ Robert Davidow, Esquire, Board Attorney
- ☒ Robin Tillou, Secretary

REORGANIZATION OF THE PLANNING BOARD 2022

Planning Board 2022 Mayoral/Township Committee Appointments

At the January 3, 2022 Township Committee Reorganization Meeting, the following PB appointment/reappointments were made by the Mayor/Township Committee:

- Mr. Michael Ferrante was appointed to Class I (Mayor's Designee) Planning Board Member (1/3/22 – 12/31/22).
- Ms. Evelyn Spann was reappointed to Class III (Township Committee Representative) Planning Board Member (1/3/22 – 12/31/22).
- Ms. Dominique Jones was appointed to Class II (BOE Representative) Planning Board Member (1/3/22 – 12/31/2023).
- Mr. Michael Kaiser was reappointed to Class IV Planning Board Member (1/3/2022 – 12/31/2025).

Mr. Davidow swore in all newly reappointed/appointed members prior to tonight's PB meeting.

Nominations/Elections/Appointments & Appointment Resolutions

Upon a motion made and seconded the appointments were as follows: Michael Kaiser as Chairperson; Wayne Wittman as Vice-Chairperson; Robin Tillou as Board Secretary;

Upon a motion made and seconded the following appointments were made for the 2022 Board's professionals:

Elizabeth Leheny, P.P., AICP, Phillips Preiss Grygiel, Inc, as the Board's Professional Planner
Robert Davidow, Esq. of Mason, Griffin & Pierson, P.C., as the Board's Attorney
David J. Hoder, P.E. and Hoder Associates, as the Board's Engineer
Glenn Gerkin, P.E. and T & M Associates, as the Board's Conflict Engineer
Andrew Feranda and Shropshire Associates, as the Board's Traffic Consultant
David Horner and Horner Associates, as the Board's Conflict Engineer Consultant

Development Review Committee (DRC) Members:

Chair and Member: Michael Kaiser (January 6, 2022 – December 31, 2022)

Wayne Wittman (January 6, 2022 – December 31, 2022)
Evelyn Spann (January 6, 2022 – December 31, 2022)

2022 Calendar Meeting Dates

Regular Public Meetings - to be held on the First Thursday of every month at 7:00 p.m. - Due to the state of emergency in New Jersey regarding COVID-19 (Coronavirus), the corresponding closure of municipal facilities, and the necessity for social distancing, until further notice all meetings will be held electronically via the Zoom Meeting platform, instead of in person. The PB meeting schedule dates are as follows:

January 6, February 3, March 3, April 7, May 5, June 2, July 7, August 4, September 1, October 6, November 3, December 1, January 5, 2023

Special Meetings - as called by the Chairman or requested by a majority of the Board to be held at such time and place as shall be necessarily provided that the 48 hours' notice is given under the Open Public Meetings Act.

2021 Designation of an Official Newspaper

Upon a motion made and seconded the board with an unanimous vote designated the Trenton Times as the official Newspaper for the Year 2022 and the Planning Board has further designated Cranbury Press as the secondary publication to receive all meeting notices of the Township and any Land Use Development Application Notices which cannot reasonably be published in the Trenton Times.

MINUTES

Upon a motion made and seconded the minutes of December 2, 2021 were unanimously approved.

APPLICATION

PB 321-19 American Outdoor Advertising LLC, Block 14, Lots 1 & 2, I/LI Zone, 30 Brickyard Road, Amendment to Final Major Site Plan – Relocate Billboard

REPRESENTATIVES: Frank Petrino, Esq., Eckerts Seamans
Timothy Stalling, Managing Member of American Outdoor Advertising, LLC

EXHIBITS:

A-1 – Roberts Engineering, May 26, 2021 Revised September 1, 2021 Sheet 1 Site Location Plan Survey with added Notes
A-2 - Original Approval in September 2021 of Location of Pole

Mr. Davidow confirmed the Planning Board has jurisdiction over this application and adequate notice has been provided by the applicant.

All of the applicant's and board's professionals were sworn.

Mr. Petrino introduced the application by stating it has come before said Board in 2019 for the original application and in September 2021 for an amendment, which both had been approved. This property has frontage on Brick Yard Road and the NJ Turnpike. This is a double sided digital billboard. We are here tonight to make a modification to the location of the digital billboard from the prior approval of 29 ft. setback from the Turnpike and within the colonial pipeline easement. What is being proposed tonight will place the billboard 3 ft. west of the pipeline easement and setback approximately 11 ft. from the Turnpike. The proposed location does not create any variances or design exceptions nor does it impact any bulk measurements previously approved by the Board.

Mr. Stalling stated previous approval of the minor change resulted in a field visit to the site. In the review of the typography as well as the easement, the sign company decided it would be easier to facilitate the construction of the structure itself to be on the flip side of the easement. The exact same parrell, but on the opposite side of the easement. This was for the equipment and the various elements of the construction process to be easier. When looking at the second location to put the structure it was found that they can do that flip on the other side of the easement and maintain the requirement of the setbacks. It does move the sign a bit closer to the road.

Mr. Gallagher asked if Colonial Pipeline Company has given them an encroachment agreement.

Mr. Stalling stated there is an encroachment agreement with Colonial Pipeline Company.

Exhibits A-1 and A-2 were introduced to show where the location of the pole was before and where it will be with the proposal.

Mr. Stalling explained they are taking the exact structure shown in the exhibit and flipping it to the other side of the easement.

Mr. Stewart asked for the number of feet the furthest point of the sign is closer to the turnpike as a result of the change.

Mr. Stalling stated it is approximately 17 feet.

Mr. Kaiser asked for confirmation that the sign is moving lateral and no other direction in this proposal.

Mr. Stalling stated that is correct.

Mr. Stewart asked for the requirement of the Township on how far the sign can be from the Turnpike.

Mr. Stalling stated to maintain a 10 ft. setback and we are at 11 ft.

Mr. Petrino advised there are no variances or deviations from Township or NJDOT standards required in this proposal.

Mr. Hoder advised the driveway is running into a wooded area. Can you reconfigure the driveway so no trees are taken down?

Mr. Stanning stated they can do that.

Ms. Leheny stated the Board may want the encroachment agreement for their files.

Chair Kaiser agreed to retrieve this from the applicant.

Mr. Petrino stated he would provide the easement agreement from Colonial Pipeline to the Board.

Mr. Gallagher advised this should be an example that we would like for applicants to provide a current survey as opposed to giving a survey from years ago from a previous approval.

Chair Kaiser opened the meeting to the public. With no public present to give comment, the public forum was closed for this application.

MOTIONED: Mr. Hamlin

SECONDED: Mr. Stewart

ROLL CALL:

AYES: Mr. Ferrante, Mr. Gallagher, Mr. Hamlin, Mr. Mavoides, Ms. Spann, Mr. Stewart, Mr. Whitman, Mr. Kaiser

NAYS: None

ABSTAIN: None

MOTION PASSED

COMMENTS FROM THE PUBLIC

Mr. Kaiser opened the meeting to the public. With no public comment, the public comment was closed.

RESOLUTION

(Open Public Meetings Act - Executive Session)

WHEREAS: N.J.S. 2:4-12, Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist:

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the Township of Cranbury, County of Middlesex, State of New Jersey, as follows:

The public shall be excluded from discussion of the hereinafter specified subject matters.

The general nature of the subject matter to be discussed is as follows:

Personnel matters and/or issues;

It is anticipated at this time that the above matter will be made public when the need for confidentiality no longer exists.

This Resolution shall take effect immediately.

MOTIONED: Mr. Stewart SECONDED: Ms. Spann
Unanimously approved by all members present.

RESUME PUBLIC SESSION

ADJOURNMENT OF MEETING

There being no further business, on motion duly made, seconded, and carried, the meeting was thereupon adjourned at 8:00 pm.

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 minutes of the Planning Board, held on January 6, 2022, consisting of seven (7) pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS of which, I have hereunto subscribed my name to said Planning Board this February 4, 2022.

Robin Tillou

Robin Tillou, Administrative Officer

/rst