

TOWNSHIP COMMITTEE REGULAR MEETING
November 8, 2021

The Township Committee Regular Meeting of the Township of Cranbury commenced at 7:04p.m. after the close of the Closed Session which began at 6:02 pm. by remote access videoconferencing in response to COVID-19 and the updated Open Public Meeting Act guidelines. Answering present to roll call were Township Committee members: Barbara Rogers, Matthew Scott, Evelyn Spann and Mayor Michael Ferrante. Jay Taylor was absent. Also present were Denise Marabello, Township Administrator/CFO; Scott Miccio, Township Attorney; and Debra Rubin, Municipal Clerk. Mayor Ferrante led in the salute to the flag, and Ms. Rubin read the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

Posted on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.

Communicated to the Cranbury Press, Home News Tribune and Trenton Times on January 22, 2021.

Filed on January 22, 2021 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection. Township website was previously updated with remote access information on April 24, 2020, and updated June 18, 2020.

Sent to those individuals who have requested personal notice.

Ms. Rubin read the following additional statement:

Cranbury Township

Statement on Public Comment during Remote Meeting

The public may electronically submit questions or comments to twpcclerk@cranbury-nj.com or in written letter form via mail to Cranbury Township Town Hall no later than 4:00 p.m. the day of the scheduled Committee Meeting. Name, address and phone or email must be included. Timely submitted questions or public comment shall be read aloud and addressed during the public meeting. Duplicate written comments may be summarized and noted for the record in a consistent manner.

To eliminate background noise so that all meeting participants may hear, please mute your microphone and remain in listening mode only. The Clerk will place all remote attendees on this platform on mute as well and will manage the order of the remote participant's comments. During public comment period(s), the Clerk will make an announcement that any remote participant seeking to comment must signify their intent by using the "raise hand" feature on Zoom. The Clerk will then unmute each participant individually when it is their designated time to speak. If you do not have a question or comment, please keep your microphone muted. Please unmute yourself only at the direction of the Clerk. All remote users must state their name and address at the beginning of his/her public comment.

Should a member of the public using the Zoom platform become disruptive, that individual will be kept on mute and receive a warning that continued disruption may result in their being prevented from speaking or removed from the meeting entirely. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to speak.

The Township Committee will facilitate a dialogue with all commenters to the extent permitted by Zoom technology.

Resolution – Closed Session

Mayor Ferrante asked for a motion to approve the Closed Session resolution(s) On a motion by Mr. Scott seconded by Dr. Rogers the following Closed Session resolution (s) was adopted unanimously by the following vote:

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Ayes: (Rogers
(Scott
(Spann
(Ferrante

Abstain: (None
Absent: (Taylor

Nays: (None

Cranbury Township Resolution # R 11-21-120

RESOLUTION TO CLOSE MEETING TO THE PUBLIC

BE IT RESOLVED, by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey as follows:

The general nature of the subject to be discussed in this session is as follows:

- **N.J.S.A. 10:4-12b** (4) Contractual Negotiations
- **N.J.S.A. 10:4-12b** (5) Pending Litigation

It is unknown at this time precisely when the matters discussed in this session will be disclosed to the public. Matters involving contract negotiations or the acquisition of land will be disclosed upon conclusion of the negotiations or upon approval of the acquisition. Matters involving personnel will be disclosed when the need for confidentiality no longer exists. Matters concerning litigation will be announced upon the conclusion of trial or settlement of that litigation or when the need for confidentiality no longer exists.

Mayor Ferrante asked for a motion to end the Closed Session and move to Regular Meeting at 7:04 p.m. On a motion by Mr. Scott, seconded by Dr. Rogers the Closed Session was closed and Regular Meeting continued.

Approval of Minutes: Mayor Ferrante asked if any members of the Township Committee would like to address changes or amendments to the following minutes. Hearing none, Mayor Ferrante asked for a motion to adopt the following minutes:

--Township Committee Regular Meeting Minutes of October 25, 2021 and;

On a motion by Mrs. Spann, seconded by Dr. Rogers, along with the following roll call vote of the members of the Township Committee;

Ayes: (Rogers
(Spann
(Ferrante

Abstain: (None
Absent: (Scott (stepped away from meeting at time of roll call)
(Taylor

Nays: (None

the Township Committee Regular Meeting Minutes of October 25, 2021 were adopted.

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Reports and Communications
Members of Committee

- Dr. Rogers – Dr. Rogers reported on her attendance at the Shade Tree and Board of Health meetings.
- Mrs. Spann – Mrs. Spann reported on the Zoning Board and Development Review Committee meetings being cancelled due to no applications scheduled. She did not attend the Planning Board meeting and noted that Mr. Scott would report on the meeting under his reports.
- Mr. Taylor – Absent
- Mr. Scott – (Reported once in attendance) – Mr. Scott announced he would have report on the Planning Board meeting at the next Township Committee meeting of November 22nd.

Mayor

Mayor Ferrante – The following items were covered under the Mayor's Updates and Upcoming Events;

- **Halloween** – Road Closure Successful. Mayor Ferrante thanked all involved in making the even successful.
- **Scouting For Food** – BSA and Pack 52
- **Plainsboro Road Repair** – Grant Awarded
- **Lake Project:**
 - **Oct 18:** dredging activities began
 - Pedestrian passage access created
- **Library Project:**
 - **October** – Foundations Poured
 - **November 4-5** – Drain Connected to School Parking Lot

Upcoming Events:

Nov 9: Tai Chi Starts

Nov 17: Wellness Program – Holiday Eating

Dec 14: School Bond Referendum

Dec 18/19: Santa Gift Drop-Offs

2022: Cranbury's 325th Anniversary

Department Head – None

Follow-up Items

- None

Agenda Additions/Changes – None

Boards and Commissions – Vacancies: Mayor Ferrante announced vacancies on both Municipal Alliance and Parks Commission.

Ordinances –

First Reading –

Ms. Rubin read the following ordinance by title only.

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Mrs. Spann made a motion to introduce the following ordinance. Dr. Rogers seconded the motion. On a roll call vote, the ordinance passed for introduction. Second reading will be held on December 13, 2021 after Planning Board review.

Ayes: (Rogers
(Spann
(Ferrante

Abstain: (None

Absent: (Scott (stepped away from meeting at time of roll call)
(Taylor

Nays: (None

**TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY**

ORDINANCE NO. 11-21-12

**ORDINANCE OF THE TOWNSHIP OF CRANBURY REPLACING SECTION 150-37, "SIGNS", OF
THE CODE OF THE**

TOWNSHIP OF CRANBURY AND AMENDING SECTION 150-7, "DEFINITIONS"

WHEREAS, the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, finds and determines that the Township's Land Use Regulations and its signage regulations were intended to maintain and improve the quality of life for all citizens of the Township; and

WHEREAS, the Township Committee desires to delete sections, subsections, paragraphs, subparagraphs, divisions, subdivisions, clauses, sentences, phrases, words, and provisions of the existing ordinance which are obsolete or superfluous, and/or which have not been enforced, and/or which are not enforceable, and/or which would be severable by a court of competent jurisdiction; and

WHEREAS, the Township Committee has determined the need to update and revise the Township's Land Use Regulations relative to signs, and wish to ensure that the Township's Land Use Regulations as they relate to signs are in compliance with all constitutional and other legal requirements; and

WHEREAS, the Township Committee recognizes the efforts of the Township Zoning Committee, which extensively reviewed the Township's sign provisions, and made recommended changes to ensure compliance with the law, and allowance of free expression; and

WHEREAS, the Township Committee finds that certain types of signs, particularly large signs, create a safety hazard by distracting motorists, pedestrians, and others, and wish to protect the safety of motorists, pedestrians, and others from distraction caused by signs; and

WHEREAS, the Township Committee finds that some signs, particularly large signs, detract from the aesthetic beauty of the landscape, and wish to preserve the aesthetic and natural beauty of the Township; and

WHEREAS, the regulation of signs for purposes of aesthetics has long been recognized as advancing the public welfare; and as far back as 1954 the United States Supreme Court recognized that "the concept of the public welfare is broad and inclusive," that the values it represents are "spiritual as well as physical, aesthetic as well as monetary," and that it is within the power of the legislature "to determine that the community should be beautiful as well as healthy, spacious as well as clean, well

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balanced as well as carefully patrolled” [Justice Douglas in *Berman v. Parker*, 348 U.S. 26, 33 (1954)]; and

WHEREAS, the Township Committee finds and determines that aesthetics is a valid basis for zoning, and the regulation of the size of signs and the prohibition of certain types of signs can be based upon aesthetic grounds alone as promoting the general welfare [see *United Advertising Corp. v. Borough of Raritan*, 11 N.J. 144, 93 A.2d 362 (N.J. 1952); *Merritt v. Peters*, 65 So. 2d 861 (Fla. 1953); *Dade County v. Gould*, 99 So. 2d 236 (Fla. 1957); *United Advertising Corp. v. Borough of Metuchen*, 42 N.J. 1, 198 A.2d 447 (N.J. 1964); *E.B. Elliott Advertising Co. v. Metropolitan Dade County*, 425 F.2d 1141 (5th Cir. 1970), *cert. dismissed*, 400 U.S. 878 (1970); *Westfield Motor Sales Co. v. Town of Westfield*, 129 N.J. Super. 528, 324 A.2d 113 (N.J. Super. Ct. Law Div. 1974)]; and

WHEREAS, the Township Committee finds and determines that the size, height, and other characteristics of signs can magnify their adverse impacts on both traffic safety and aesthetics, and find and determine that this ordinance will lessen hazardous situations, as well as confusion and visual clutter otherwise caused by the proliferation, improper placement, excessive height, excessive size, and distracting characteristics of signs which compete for the attention of pedestrian and vehicular traffic; and

WHEREAS, the Township Committee finds and determines that this ordinance will enhance the attractiveness and economic well-being of the Township as a place in which to live, visit, and conduct business; and

WHEREAS, the Township Committee finds and determines that in order to reconfirm that its sign regulations meet constitutional scrutiny, it is appropriate to amend the Township’s Land Use Regulations to emphasize the fact that noncommercial messages may be placed wherever commercial messages appear, that commercial speech is not favored over noncommercial speech, and that any on-site or off-site sign permitted or allowed by law is allowed to contain noncommercial speech in lieu of commercial speech; and

WHEREAS, the Township Committee finds and determines that the Township has consistently adopted and enacted severability provisions in connection with its ordinance code provisions, and that the Township Committee wishes to ensure that severability provisions apply to its land development regulations, including its sign regulations; and

WHEREAS, the Township Committee finds and determines that the Township’s sign regulations are concerned with the secondary effects of speech, including but not limited to aesthetics and traffic safety, and are not intended to regulate viewpoints or censor speech, and for those and other reasons that the foregoing provisions are not subject to, or would not fail, a “prior restraint” analysis; and

WHEREAS, the Township Committee is aware that there have been several judicial decisions where courts have not given full effect to severability clauses that applied to sign regulations and where the courts have expressed uncertainty over whether the legislative body intended that severability would apply to certain factual situations despite the presumption that would ordinarily flow from the presence of a severability clause; and

WHEREAS, the Township Committee desires that there be an ample record of its intention that the presence of a severability clause in connection with the Township’s sign regulations be applied to the maximum extent possible, even if less speech would result from a determination that any exceptions, limitations, variances or other provisions are invalid or unconstitutional for any reason whatsoever; and

WHEREAS, allowing certain signage without permits based upon the function served by the sign (e.g., warning signs, construction signs, real estate signs, and other sign types described herein), is preferred to requiring permits for all such signs or alternatively, banning all such signs, and the Township Committee finds and determines that the dimensional criteria, including but not limited to size (area) and height, established for certain signs and sign-types as set forth below are not based upon any arbitrary determination but are based upon the function served by the sign and sign-type involved, and serve a

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legitimate governmental interest of balancing aesthetics and safety with the need for signage that serves a necessary purpose; and

WHEREAS, under current jurisprudence [see, e.g., *Ladue v. Gilleo*, 512 U.S. 43 (1994)], signs that allow property owners, especially residential homeowners, to freely express a particular point of view on their own property should be reasonably accommodated and may be uniquely valuable, and the Township Committee wishes to codify current practices that have allowed residential property owners to freely express their point of view on their own property consistent with current jurisprudence set forth in *Ladue v. Gilleo*, 512 U.S. 43 (1994) [see also, e.g., *State v. Miller*, 162 N.J. Super. 333, 392 A.2d 122 (1978), *aff'd*, 83 N.J. 402, 416 A.2d 821 (1980); *Berg Agency v. Township of Maplewood*, 163 N.J. Super. 542, 395 A.2d 261 (Super. Ct. Law Div. 1978)]; and

WHEREAS, free expression signs are sufficient to allow for political speech unrelated to particular candidates or ballot issues; and

WHEREAS, limitations on various types of signs are also related to the zoning districts for the properties on which they are located, including residential and commercial districts; and

WHEREAS, the predominant concern in establishing sign regulations for the development and use of land is with adverse secondary effects, and not with the content of speech or viewpoint expressed; and

WHEREAS, the Township Committee finds and determines that the following amendments (1) are consistent with all applicable policies of the Township's adopted Master Plan, (2) are not in conflict with the public interest, and (3) will not result in incompatible land uses;

NOW THEREFORE, BET IT ORDAINED, by the Township Committee of the Township of Cranbury, in Middlesex County, New Jersey, as follows:

Section 1.

The signage related definitions in Section 150-7 ("Definitions") of the Township Code of the Township of Cranbury shall be amended as follows (deletions are struck through and additions are underlined):

§ 150-7 Definitions.

SIGN

Any object, device, display or structure or part thereof, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

SIGN, ANIMATED OR MOVING

Any sign or part of a sign which changes physical position or light intensity by any movement or rotation or that gives the visual impression of such movement or rotation.

SIGN AREA

The entire face of a sign, including the advertising surface and any framing, trim or molding, but not including the supporting structure.

SIGN, AWNING

A sign that is mounted, painted, or attached to an awning or other window or door canopy that is otherwise permitted by ordinance.

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SIGN, BANNER

A sign of fabric or similar material that is mounted on a pole(s) and/or building by any means. A banner is not defined by shape, and it may be square, rectangular, round, triangular or pennant shaped. National flags, state, county and municipal flags or the official flag of any institution or business shall not be considered a banner.

SIGN, BILLBOARD

A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

SIGN, BUSINESS

A sign that directs attention to a business or profession conducted or to a commodity or service sold, offered or manufactured, or to an entertainment offered on the premises where the sign is located.

SIGN, CONSTRUCTION

A temporary sign erected on the premises on which construction is taking place, during the period of such construction, which may indicate the name of the development project and the names of the occupant and principal designers such as architects, engineers, landscape architects, contractors or similar artisans and the owners, financial supporters, sponsors and similar individuals or firms having a role or interest with respect to the structure or project.

SIGN, DIGITAL BILLBOARD

Changeable electronic variable message signs (CEVMS) on billboards that have changeable messages or displays and meet requirements related to duration of messages, transition time, lighting and brightness.

SIGN, DIRECTIONAL OR WAYFINDING

A sign limited to directional symbols and/or messages, principally for pedestrian or vehicular traffic.

SIGN, FACADE

See "sign, wall."

SIGN, FACE

The area or display surface used for the message.

SIGN, FLAGS, STREAMERS AND PENNANTS.

A flag is a piece of cloth or plastic, supported by a staff, which is intended to flutter in the wind. National, state, county, municipal and corporate flags are exempt. A streamer or pennant is an individual object or series of small objects made of a lightweight plastic or fabric or other material, which may not contain text and which is suspended from or twined around a rope, wire or string.

SIGN, FLASHING

~~Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.~~

SIGN, FREE EXPRESSION

Any sign which expresses free speech protected under the First Amendment of the Constitution of the United States.

SIGN, FREESTANDING

Any non-movable sign not affixed to a building.

SIGN, GOVERNMENTAL

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A sign erected and maintained pursuant to and in discharge of any governmental functions or required by law, ordinance or other governmental regulation.

SIGN, GROUND OR MONUMENT

Any sign, other than a pole sign, in which the entire bottom is in contact with or is close to the ground and is independent of any other structure.

SIGN, HOME OCCUPATION

A sign containing only the name and occupation of a permitted home occupation.

SIGN, ILLUMINATED

A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

SIGN, INFLATABLE

Any display capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event.

SIGN, MENU BOARD

A sign containing a menu, or a portion thereof, of food products for sale from the restaurant with which it is associated.

SIGN, NONCONFORMING

Any sign lawfully existing on the effective date of an ordinance or any amendment thereto, that renders such sign nonconforming because it does not conform to all the standards and regulations of this Chapter.

SIGN, PERMANENT WINDOW

A permanent sign that is painted or mounted onto a windowpane, or that is hung directly inside a window solely for the purpose or effect of identifying any premises from the sidewalk or street.

SIGN, POLE

A sign that is mounted on a freestanding pole or other support.

SIGN, POLITICAL ELECTION

A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

SIGN, PROJECTING

A sign, other than a flat, wall sign, that projects more than 12 inches from the face of the building to which it is attached. ~~A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.~~

SIGN, REAL ESTATE

A sign pertaining to the sale or lease of the premises or a portion of the premises on which the sign is located.

SIGN, ROOF

A sign that is mounted on the roof of a building or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof or the deck line of a building with a mansard roof.

SIGN, SANDWICH BOARD or A-FRAME SIGN BOARD

A sandwich board sign, also called an "A-frame" sign board, is a self-supporting, portable sign, not attached to the ground or other permanent structure, A-shaped, constructed with two sides (or planes) joined at the top, with two visible sides, containing commercial speech, situated adjacent to a business, typically on a sidewalk.

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SIGN, TEMPORARY

A sign or advertising display constructed of cloth, canvas fabric, plywood or other light material and designed or intended to be displayed for a short period of time.

SIGN, TEMPORARY EVENT

A sign of lightweight fabric or similar material that is mounted on a pole or building by any means, or inflatable signs, or signs temporarily painted or taped onto a window and intended to be displayed for a limited period of time only, including banners, balloons, flags (not including national, state, county, municipal or corporate flags) and pennants or streamers.

SIGN, TEMPORARY WINDOW

A temporary sign, painted or taped to a window, advertising special sales, events or products for a limited duration. Such signs shall be considered a temporary event sign and subject to the requirements set forth in §150-37E(8).

SIGN, WALL

A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of, the sign and that does not project more than twelve (12) inches from such building or structure.

Section 2.

Section 150-37 ("Signs") of the Township Code of the Township of Cranbury is repealed in its entirety and replaced with the following:

§ 150-37 Signs.

A. Purpose, intent and scope. It is the purpose of this section to promote the public health, safety and general welfare through reasonable, consistent and nondiscriminatory sign standards. The sign regulations in this section are not intended to censor speech or to regulate viewpoints, but instead are intended to regulate the secondary effects of speech, and especially insofar as those secondary effects may adversely affect aesthetics and traffic and pedestrian safety. In order to preserve and enhance the Township as a desirable community in which to live and do business, a pleasing, visually attractive environment is of foremost importance. The regulation of signs within the Township is a highly contributive means by which to achieve this desired end. These sign regulations have been prepared with the intent of enhancing the visual environment of the Township and promoting its continued well-being, and are intended to:

- (1) Encourage the effective use of signs as a means of communication in the Township;
- (2) Maintain and enhance the aesthetic environment and the Township's ability to attract sources of economic development and growth;
- (3) Improve pedestrian and traffic safety;
- (4) Minimize the possible adverse effect of signs on nearby public and private property;
- (5) Foster the integration of signage with architectural and landscape designs;

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- (6) Lessen the visual clutter that may otherwise be caused by the proliferation, improper placement, illumination, animation, excessive height, and excessive size (area) of signs which compete for the attention of pedestrian and vehicular traffic;
- (7) Allow signs that are compatible with their surroundings and aid orientation, while precluding the placement of signs that contribute to sign clutter or that conceal or obstruct adjacent land uses or signs;
- (8) Encourage and allow signs that are appropriate to the zoning district in which they are located and consistent with the category of use and function to which they pertain;
- (9) Curtail the size and number of signs and sign messages to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
- (10) Establish sign size in relationship to the scale of the lot and building on which the sign is to be placed or to which it pertains;
- (11) Categorize signs based upon the function that they serve and tailor the regulation of signs based upon their function;
- (12) Preclude signs from conflicting with the principal permitted use of the site and adjoining sites;
- (13) Regulate signs in a manner so as to not interfere with, obstruct the vision of or distract motorists, bicyclists or pedestrians;
- (14) Except to the extent expressly preempted by state or federal law, ensure that signs are constructed, installed and maintained in a safe and satisfactory manner, and protect the public from unsafe signs;
- (15) Preserve, conserve, protect, and enhance the aesthetic quality and scenic beauty of all districts of the Township;
- (16) Allow for traffic control devices consistent with national standards and whose purpose is to promote highway safety and efficiency by providing for the orderly movement of road users on streets and highways, and that notify road users of regulations and provide warning and guidance needed for the safe, uniform and efficient operation of all elements of the traffic stream;
- (17) Protect property values by precluding to the maximum extent possible sign types that create a nuisance to the occupancy or use of other properties as a result of their size, height, illumination, brightness, or movement;

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(18) Protect property values by ensuring that sign types, as well as the number of signs, are in harmony with buildings, neighborhoods, and conforming signs in the area;

(19) Regulate the appearance and design of signs in a manner that promotes and enhances the beautification of the Township and that complements the natural surroundings in recognition of the Township's reliance on its natural surroundings and beautification efforts in retaining economic advantage for the community; and

(20) Preserve and enhance the rural and historic character of the Township; and

(21) Enable the fair and consistent enforcement of these sign regulations.

B. Approvals required. No sign, except those which are exempt from such approvals as set forth in §150-37C below, may be erected, constructed, attached or relocated or structurally altered, unless approved by the Zoning Officer or the Board having jurisdiction over an application for site plan approval, as set forth in this Article.

C. Signs permitted without permit.

(1) Directional signs having an area of less than two square feet and located a minimum of fifteen (15) feet from any property line. Directional signs shall not block the line of sight from driveways and roads.

(2) Information or public service signs, such as those advertising meeting places, dates, temperature, the availability of rest rooms, telephone, or similar public conveniences, provided that such signs do not exceed two square feet in size, do not contain logos and do not advertise any commercial establishment, activity, organization, product, goods or services, except those of public utilities. Information signs provided for the guidance and convenience of the public within commercial properties may also be erected.

(3) Historic tablets, cornerstones, memorial plaques and emblems which do not exceed six square feet in area and which are installed by government agencies or civil or religious organizations.

(4) Signs which issue warnings or safety messages, such as but not limited to "no hunting," "no trespassing," "beware of dog," "private road," "private driveway," etc., provided they do not exceed two square feet in area.

(5) Help wanted or yard sale signs provided such signs are less than two square feet in area, and posted for no longer than two (2) weeks at a time.

(6) Certain temporary signs, the specifications for which are set forth in §150-37 E(7)

(7) Free expressions signs as defined in §150-7.

D. Prohibited signs. The following signs are prohibited in all zone districts:

(1) Any sign which does not advertise a permitted business, use or product sold on the premises, except as may be permitted in §150-37C above or §150-37E(5) below.

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- (2) Signs using red, green, blue or amber illumination in a beam, beacon or flashing form resembling an emergency light.
- (3) Animated signs or digital display signs including any signs that rotate, gyrate, blink, move, or appear to move in any fashion
- (4) Signs attached to the exterior glass of a building.
- (5) Roof signs and signs extending above the wall to which they are attached.
- (6) Permanent marquees extending over the sidewalk beyond the street line.
- (7) Signs posted on fences, posts, utility poles or trees.
- (8) Signs posted on Township property except where specifically authorized by the Township.
- (9) Signs installed, painted or digitally projected on sidewalks or curbs.
- (10) Signs on abutments, retaining walls and embankments.
- (11) Signs painted directly on buildings, or which fully obstruct any windows.
- (12) Signs on accessory buildings.
- (13) Signs which constitute a hazard to the traveling public by obstructing driving vision, regulatory or directional signs or signals.
- (14) Billboards, except as permitted in §150-37M.
- (15) Signs or any advertisements attached to automobiles, trailers (attached or unattached) or vehicle of any nature, parked or left stationary for more than 24 hours upon any vacant land, private driveway, or public street.
- (16) Except as otherwise specified or restricted, all outside lighted signs operating after 1:00 a.m.
- (17) Illuminated signs where the source of light is directly visible from adjoining properties or streets.
- (18) All temporary signs, except as set forth in §150-37 E(7) and (8).
- (19) Signs that emit smoke, visible vapors, particles, sound or odor.
- (20) Inflatable signs or displays.
- (21) Any changeable-copy sign, except those changeable copy signs required by State law, that are designed to allow the sign copy to be changed or altered without undertaking a physical alteration to the sign (such as changing sign panels or repainting the sign), i.e., through the use of movable letters, electronic displays, interchangeable parts or other means.
- (22) Electronic message display signs.

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E. General standards.

- (1) General standards for all signs. Signs in all zone districts shall comply with all applicable County, State and Federal sign regulations as well as the following:
 - (a) Unless exempt per §150-37C, all signs shall be approved by either the Zoning Officer, or in the case of signs submitted as part of an application for variances, design waivers or site plan approval, by the Board over which the application has jurisdiction.
 - (b) All applications involving the approval of signage shall submit a sign plan showing the size, location, colors, materials and typeface for all signs to be constructed, along with any other detail that is required to demonstrate compliance with the standards herein.
 - (c) Public service devices such as clocks and temperature indicators and all directional signs shall be devoid of advertising or logos.
 - (d) Signs should be compatible with the building's style in terms of location, scale, color and lettering to which it is attached or with which it is associated.
 - (e) In the case where multiple signs are being provided for a single premises on property or development, there should be consistent sign design theme throughout. The design theme should include style of lettering, construction material, pole or standard, size and lighting.
 - (f) When more than one sign is used, the colors on the signs shall be coordinated with each other to present a unified image.
- (2) Required signs. All principal buildings in all districts shall be clearly identified as to house or street number or name by means of an unobstructed sign affixed to the wall facing a public street. In all residential and commercial districts, such sign shall be no less than one (1) square foot or exceed two (2) square feet, and in all other zone districts, such sign shall be no less than four (4) square feet nor no more than eight (8) square feet. Such shall be clearly visible and legible from the main and abutting street. Such signs shall not require a construction permit.
- (3) Maintenance and good repair. All signs, including the structure and supporting hardware and including temporary signs, shall be maintained in good repair and functioning properly at all times. Sign faces shall be kept clean, legible and in good condition. Repairs to signs shall be of equal or better in quality of materials and design as the original sign. Upon determining that a sign has become structurally unsafe or endangers the safety of the building or the public, the Construction Official shall order such sign be made safe or removed. Such order shall be complied with within ten (10) days of the receipt thereof by the owner of the building or premises on which such unsafe sign is affixed or erected.
- (4) Measurement of sign area. Signs may be double-faced, but the maximum permitted area shall apply to one side only. The area of the sign shall include each and every part of the sign, including moldings and frames. Where the sign is supported by a post or pylon whose surface is being used for displaying or extending the sign itself, the area of this post or pylon shall be considered as part of the total allowable sign area. Wherever the name or advertising message on a sign is divided between a number of panels or parts, the total area of all the panels and parts shall be considered as one sign. Where a sign consists of letters, numbers, logos or images, the area of the sign shall be

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considered as the total area of the smallest rectangle which can collectively enclose all of the letters or numbers logos or images. Where a wall sign is permitted and based on a maximum percentage of the wall area, the wall area shall be measured from ground level to the bottom of the roof eaves and from one side of the building to the other.

- (5) Nonconforming signs. Any nonconforming sign which can be shown to have lawfully existed on the date of enactment of this chapter may be continued and may be restored, unless the sign has been abandoned.
- (6) Abandoned signs. Where a sign no longer relates to an activity conducted on the site, it shall be removed by the owner at the owner's expense. Such removal shall be carried out within ninety (90) days of cessation of activity. Signs shall also be removed upon receiving written notification by the zoning officer for any location. In the event the sign is not removed within fifteen (15) days after written notice, the Township may remove the sign at the expense of the property owner and for this purpose the Township shall have a lien in the amount of the removal cost.
- (7) Temporary signs. The following temporary signs shall be permitted in all districts.
Temporary signs shall not exceed twelve (12) square feet in area and shall be set back at least five (5) feet from all property lines. Temporary signs shall not exceed five (5) feet in height above ground level.
 - (a) One temporary sign identifying the architects, engineers, builders, brokers, contractors and others connected with the construction or repair of any building on such lot may be erected or installed without a sign permit. Such signs may be erected upon the issuance of a construction permit and shall not be displayed beyond the effective date of any certificate of occupancy affecting the premises.
 - (b) One temporary "for sale" or "for rent" sign may be erected or installed without a sign permit. The "for sale" or "for lease" sign shall be removed within seven (7) days following the completion of the sale or lease transaction.
 - (c) Temporary political election signs shall be permitted in all zone districts prior to a primary, general or special election and for one (1) week thereafter.
 - (d) Temporary directional signs for agricultural activities may be located on lots other than where the activity is taking place.
 - (e) Temporary Free expression signs are permitted in all districts.
- (8) Temporary event signs and temporary window signs shall be permitted in all commercial zone districts including the VC (Village Commercial), HC (Highway Commercial), GC (General Commercial) MC (Community Mixed Use) and HM (Highway Mixed Use) Zone districts only, subject to the following requirements:
 - (a) A temporary event sign but not a temporary window sign shall require a permit approved by the Cranbury Township Zoning Officer prior to its erection or display. A permit shall be required for each sign.
 - (b) Temporary event signage and temporary window signs for any one business shall be permitted for a period not to exceed a total of ninety (90) calendar days within a calendar year, with a maximum of four (4) temporary event sign permits issued to each business in a calendar year. Each temporary event sign permit will have a maximum duration of thirty (30) days, after which the permit will automatically expire. A thirty (30) day separation period shall be required

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between the end of one permitted period of time, and the start of another, such that no temporary signs shall be permitted for that business within the thirty (30) day separation period.

- (c) Only one (1) temporary event sign shall be permitted per frontage.
- (d) No temporary event signs shall be placed in a location where the height of the sign exceeds twelve (12) feet above grade.
- (e) Temporary event signs shall not be located within a public right-of-way, driveway, parking space, or within sight triangles. Temporary event signs shall not block or impede any vehicular, pedestrian or bicycle traffic in any way.
- (f) The following types and sizes of temporary event signs shall be permitted:
 - i. Banners. A temporary event banner hung from a single pole or light stanchion shall not exceed twenty (20) square feet in area. A temporary event banner strung between a wall and poles, or between poles or light stanchions, shall not exceed fifty (50) square feet in area.
 - ii. Balloons. Up to twenty (20) balloons of any color in one single bunch may be placed on an existing permanent sign or may be placed in conjunction with a banner for which a temporary event sign permit has been issued.
 - iii. Flags, streamers and pennants. Up to two lines of flags, streamers or pennants, totaling not more than twenty (20) feet, may be placed upon or attached to an existing permanent sign, or to a banner for which a temporary event sign has been granted.
 - iv. Balloons, flags, pennants and streamers shall require a temporary event sign permit, and the duration of display shall be in accordance with this subsection.
 - v. Temporary window signs shall be permitted to cover up to twenty-five (25%) of the window to which it is mounted, but in no event shall such signs exceed eight (8) square feet in total.
- (g) Temporary event signs shall not be lit by any illumination device, or light source which has not already been approved by site plan approval.

F. Sign standards in residential zone districts. Except for the Planned Adult Residential (PAR) Overlay Zone district, only the following types of signs shall be permitted in residential zone districts:

- (1) Any sign erected by an agency of the Township, County, State or Federal Government
- (2) Signs used for the protection of the public during construction or repairs.
- (3) One sign, with a maximum area of two (2) square feet and a maximum height of eight (8) inches, indicating only the name and address of the occupant of any dwelling or permitted home occupation or permitted and approved bed and breakfast establishment. Signs shall be constructed of natural materials (i.e., wood, metal or stone).
- (4) Signs identifying the names of public or semipublic institutions, including schools and houses of worship as follows:
 - (a) The area of any freestanding institutional sign shall not exceed twenty (20) square feet, and not more than one such sign shall be placed along any street on which such property fronts at least five (5) feet from the property line.

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- (b) Not more than one (1) additional sign may be located on the wall of any structure on the site. The area of each such sign shall not exceed twenty-five (25) square feet or two percent (2%) of the area of the wall to which it is affixed, whichever is less.
- (c) Signs designating entrances or exits to or from parking areas shall be limited to one (1) sign with a maximum area of two (2) square feet for each such exit or entrance and located at least five (5) feet from a property line. One (1) additional sign per parking area designating the conditions of use or identity, with a maximum area of six (6) square feet shall be permitted.

G. Sign standards in the Planned Adult Residential (PAR) Overlay Zone district. In the PAR Overlay Zone district, the following signs shall be permitted:

- (1) Any sign erected by an agency of the Township, County, State or Federal Government.
- (2) One monument entrance feature sign on each side of the primary entrance to the community, plus one entrance feature sign on each side of a secondary entrance. Each entry monument shall be limited to a maximum of 36 square feet of sign face and shall be coordinated as part of an overall signage design for the community.
- (3) Way-finding signs may be located throughout the community.
- (4) Temporary flags and signs shall be permitted during sales events during the construction phases of the development.
- (5) Entry feature monuments may include hardscape in the form of brick or stone and may include decorative fencing at a maximum height of 48 inches. Monument structures shall have a maximum height of 60 inches from the average grade. The sign face shall be designed to match the scale, style, and design of the entrance monument on which it is mounted.
- (6) Entrance features and all secondary way-finding signage may be lighted with either ground-mounted or sign-mounted lighting meeting the requirements of this chapter.
- (7) All signs shall be landscaped consistent with the site landscaping plan.

H. Sign standards in the Village Commercial (VC) Zone district.

- (1) General standards.
 - (a) For single-tenant buildings no more than two (2) signs, each of a different type, shall be permitted per property.
 - (b) Signs shall be compatible with the historic character of the Village as reviewed by Cranbury's Historic Preservation Commission (HPC). The HPC may offer recommendations to the Zoning Officer or Board who is responsible for its approval, but such recommendation is advisory and not binding upon the Zoning Officer or approving Board.
 - (c) All signs in the VC Zone district shall be fabricated from natural materials, or natural-looking materials and their design shall be compatible with the historic nature of downtown Cranbury.
 - (d) Colors used for the sign shall match either the background or the trim color of the structure it serves, with no more than three (3) colors inclusive of black, and white shall be used on one sign.

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- (e) To the extent that signs in the VC Zone district are illuminated, only external illumination shall be permitted. All illumination sources should be shielded and directed only toward the sign.
- (2) Freestanding signs.
- (a) Freestanding sign shall be permitted anywhere in the front yard and may be located on the property line provided no portion of such sign projects into the right-of-way.
 - (b) The maximum size of the sign face shall be ten (10) square feet. The maximum height to the top of such sign shall be seven (7) feet.
- (3) Wall signs.
- (a) Only one sign affixed to the wall shall be permitted for each business; either a projecting sign or a wall sign.
 - (b) The sign size shall be restricted to an area not more than five percent (5%) of the wall area, including windows and doors, on which the sign is attached, or a maximum of twelve (12) square feet, whichever is less.
 - (c) No wall sign shall obscure architectural details of the building.
- (4) Projecting signs.
- (a) Only one sign affixed to the wall shall be permitted for each business; either a projecting sign or a wall sign.
 - (b) In multi-business tenanted building, one projecting or wall sign shall be permitted for each business tenant. Each projecting sign shall be separated by a distance of not less than twenty-five (25) feet.
 - (c) A projecting sign shall provide a vertical clearance of no less than eight (8) feet from the bottom of the sign to the finished grade or sidewalk below. Such sign shall not project above the top of the vertical wall to which it is affixed, nor above the first story of a multistory building.
 - (d) A projecting sign shall not extend more than for four (4) feet from the face of the building to which it is attached.
 - (e) The total area of a projecting sign shall not exceed seven (7) square feet.
- (5) Window signs.
- (a) Permanent window signs shall be limited to the name and function of the business, and only in those cases where a wall sign is not provided.
 - (b) Permanent window signs shall be limited to twenty-five percent (25%) of the total glass area of the building front but shall not exceed a maximum of eight (8) square feet.
 - (c) Temporary window signs such as for sales or special events shall be permitted but limited to twenty-five (25%) of the total glass area of the window in which the sign is located or a maximum of eight (8) square feet whichever is less and limited in time to that which is specified in §150-37E(8).
- (6) Sandwich board signs.
- (a) Sandwich boards are permitted to be displayed outdoors.

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- (b) An annual zoning permit is required for the display of a sandwich board. Such permit shall be valid for one (1) calendar year after the date of issuance.
- (c) Only one (1) sandwich board is permitted for any one business. In a multi-business tenant building, only one sandwich board shall be permitted per tenant.
- (d) Sandwich boards shall be no more than two and a half (2 ½) feet in width and not taller than four (4) feet in height when extended. The height of any such sign may not be artificially increased above the maximum allowable height by placing materials beneath the base of the sign. The signs shall be placed upon the ground or at grade.
- (e) Sandwich boards may be displayed only during hours when the business is open to the public and must be brought inside the building when the business is closed to the public.
- (f) The location of the sandwich board shall be only in front of the business establishment that it advertises.
- (g) No sandwich board shall be placed in a driveway, the cartway of a public street, within a sight triangle, within any public parking space, or impede the exiting of passengers from parked cars or pedestrian movement on a public sidewalk.
- (h) Sandwich boards may not be permanently fixed but must be secured to withstand winds to prevent a roadway or sidewalk hazard.
- (i) Sandwich boards shall be constructed of weather-resistant material, and no plastic or magnetic lettering shall be permitted. Information in the form of words, or images, may be provided in either chalk or dry erase, in which case they shall be changed frequently.
- (j) No sandwich board shall contain foil, mirrors, or base metal or reflective material which could create a hazardous condition to a motorist, bicyclist, or pedestrian, nor contain a light of any kind.

(7) Awning signs.

- (a) A single tenant shall not display both a projecting sign and awning sign on the same façade.
- (b) Awning sign shall be placed only on the valance parallel to the storefront.
- (c) An awning sign must not display any graphic other than the name of the business, any logo, and the street number.
- (d) The awning sign area shall be less than 70 percent of the surface area of valance parallel to the storefront.
- (e) The height of the lettering on an awning sign shall not exceed twelve inches including any logo.
- (f) Awning sign copy shall be non-illuminated or indirectly illuminated.

I. Sign standards in commercial zones other than Village Commercial (VC) Zone district. The following sign standards apply to all uses in the General Commercial (GC), Highway Commercial (HC), Community Mixed Use (MC), and Highway Mixed Use (HM) Zone districts:

- (1) Freestanding signs.

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- (a) Not more than one (1) freestanding sign shall be permitted for each lot, regardless of the number of establishments.
 - (b) A sign shall not be located within a sight triangle and shall be located at least ten (10) feet from the property line, provided no safety conflict is created as a result of site specific conditions, in which case the sign shall be located further away from the road to allow for safe pedestrian and vehicular traffic.
 - (c) Materials shall be similar to the primary structure.
 - (d) Freestanding signs shall be located and designed in such a manner as to be consistent with the landscaping plan for the site.
 - (e) The area of the freestanding sign shall not exceed fifty (50) square feet with a maximum letter size of fifteen (15) inches.
 - (f) The maximum height of the freestanding sign (from grade to the top of the sign) shall be fifteen (15) feet.
 - (g) All freestanding signs shall be externally lit.
- (2) Wall signs.
- (a) In a single-tenant building, a total of two (2) exterior wall signs shall be permitted, provided that not more than one (1) such sign shall be affixed to any single exterior wall. The maximum sign area of a wall sign shall be five percent (5%) of the building facade but shall not exceed fifty (50) square feet whichever is less. The purpose of the wall sign shall be to identify individual uses from the parking lot, not the highway.
 - (b) In a multitenant building, individual wall signs identifying each tenant are permitted along the front facade, provided that the combined area of such signs does not exceed five percent (5%) of the building or one hundred (100) square feet, whichever is less.
 - (c) All wall signs shall be affixed flat against the wall and shall not project more than six (6) inches.
 - (d) Wall signs are permitted on the wall extending horizontally across the top of the storefront. Wall signs shall not obscure, conflict with or cover any architectural element and must be aligned with major building elements, such as windows, trim and structure lines.
 - (e) Wall signs shall not be more than fifteen (15) feet above grade level.
 - (f) All wall signs shall be externally lit. However, individual channel cut letters and logos that are internally lit shall be permitted.
- (3) Window signs.
- (a) Permanent window signs shall be permitted in addition to wall signs, provided all window lettering and signage is inside the window and shall be kept in good repair.
 - (b) Permanent window lettering or signs shall be permitted only if the rectangle or circle confining such lettering or sign, or the background upon which it appears, does not exceed ten percent (10%) of the window area. Any painted area of any window shall be construed as window lettering or signs, whether or not such area actually contains lettering or advertising.

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- (c) The window lettering or sign shall pertain only to the establishment occupying that portion of the premises where the window is located.
- (d) Temporary window signs shall be permitted in accordance with §150-37E(8).

J. Sign standards for outdoor dining.

- (1) For those establishments for which outdoor dining is permitted and for which site plan approval has been granted, no signs other than a menu board shall be permitted outside the restaurant. Not more than one (1) menu board shall be allowed for each outdoor dining use. The menu board shall not exceed four (4) square feet. The menu board shall be attached to the abutting building or other location approved by the Planning Board and shall be in compliance with Township codes. All signage, including the menu board and signage on awnings, canopies and umbrellas and other fixtures, shall be in compliance with Township codes regulating signage. No additional lighting of the sign shall be permitted.

K. Sign standards for fuel stations and convenience stores.

- (1) Only one (1) freestanding sign shall be permitted for a stand-alone fuel stations or stand-alone convenience stores, or for combined fuel stations and convenience stores provided on the same lot. Such sign may include price information but shall not exceed sixty (60) square feet in area or twenty (20) feet in height measured from grade to the top of the sign and shall not be located closer than ten (10) feet from any property line.
- (2) A standalone convenience store may have a freestanding sign of the same dimensions, height and location as that permitted by a fuel service station.
- (3) In addition, one (1) wall sign on any convenience store or accessory fuel service station building shall be permitted per street frontage, and shall not exceed forty (40) square feet in area, either as a single sign or in aggregate.
- (4) When a canopy over a fuel service area has been provided, one (1) sign or logo shall be permitted on the canopy. Such sign or logo shall not to exceed twelve (12) square feet.
- (5) Customary lettering or other insignia which are an integral part of a fuel pump or canopy and consisting only of a fuel name, price indicator and any other sign or signs as required by law. The aggregate area of such sign shall not exceed three (3) square feet on each pump.
- (6) One temporary sign, located inside the property line, specifically advertising special or seasonal servicing of motor vehicles, provided that the area of each side of such sign shall not exceed eight (8) square feet.
- (7) All signs shall be externally lit, except that wall signs may use individual channel cut letters on logos that are internally lit.

L. Sign standards in industrial zone districts. The following sign standards apply to all uses in the Research Office and Light Industrial (RO/LI), Light Industrial (LI), Industrial-Light Impact (I-LI), and Industrial-Light Impact Sewered (I-LIS) Zone districts.

- (1) Freestanding signs.
 - (a) One (1) freestanding sign per road frontage shall be permitted for each tenant.
 - (b) The area of such sign(s) shall not exceed one and a half (1.5) square feet for each linear foot of the front of the building or sixty (60) square feet, whichever is less.

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- (c) The height of such sign(s) shall not exceed six (6) feet.
 - (d) The sign(s) shall be located at least ten (10) feet from the property line.
 - (e) The area surrounding the base of the sign(s) shall be landscaped consistent with the site landscaping plan.
 - (f) Such signs shall be externally lit.
- (2) Directory signs.
- (a) One (1) freestanding directory sign identifying the occupants of the building shall be permitted for each driveway entrance.
 - (b) The area of such sign(s) shall not exceed sixteen (16) square feet, and the height shall not exceed six (6) feet.
 - (c) Such sign(s) shall be located at least fifty (50) feet from the property line.
 - (d) The area surrounding the base of the sign(s) shall be landscaped consistent with the site landscaping plan.
 - (e) Such signs shall be externally lit.
- (3) Wall signs.
- (a) In single-tenant buildings, a maximum of two (2) wall signs shall be permitted.
 - (b) In multi-tenant buildings, a maximum of one (1) wall sign shall be permitted for each tenant with a maximum of four (4) wall signs in total, and with no more than one (1) wall sign per façade.
 - (c) Tenants that occupy a corner space in a multi-tenant building shall be permitted to have one (1) sign on each side of the building up to a maximum of two (2) signs.
 - (d) The total area of a single wall sign shall not exceed two percent (2%) of the area of the façade to which is affixed or one hundred (100) square feet whichever is less. The height of the sign itself shall not exceed ten (10) feet.
 - (e) In single-tenant buildings, wall signs shall either be placed over the main entrance of the building or shall be placed towards a top wall corner, but no closer than three (3) feet to the top of the vertical wall to which it is attached and no closer than four (4) feet of the side to the wall to which it is attached.
 - (f) In multi-tenant buildings, where several tenants share a common entrance, only one (1) wall sign shall be permitted; however, the space on the wall sign may be allocated among the several tenants.
 - (g) Building numbering or identification signs for the purpose of directing emergency personnel shall not be included as a "wall sign" for purposes of compliance with this section. (See §150-37E(2) ("Required Signs")).
 - (h) No wall sign shall be located less than twelve (12) feet above finished grade, nor shall such wall sign project above or to the side of any wall to which it is attached.
 - (i) A wall sign shall not project more than twelve (12) inches from the face of the wall.

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- (j) Wall signs shall not be internally lit. However, individual channel cut letters or logo's with internal illumination shall be permitted. External sources of lighting shall be in accordance with this chapter.
- (k) Wall signs shall be utilized for the identification of the tenants within the building only, and no advertising, phone numbers, websites or other information shall be permitted. Corporate or business identification logos shall be permitted.

M. Sign standards for billboards.

- (a) Billboards are permitted along the New Jersey Turnpike.
- (b) Billboards may be located a maximum of two hundred and fifty (250) feet from the right-of-way line of the Turnpike.
- (c) Maximum billboard sign area showing to one (1) direction shall be six hundred seventy-two (672) square feet, with copy extensions beyond the basic billboard sign not to exceed ten percent (10%) of the basic billboard area.
- (d) The minimum setback from the New Jersey Turnpike right-of-way shall be ten (10) feet.
- (e) The minimum setback from lot lines other than the New Jersey Turnpike shall be fifty (50) feet.
- (f) Maximum billboard height shall be forty (40) feet above the grade of the New Jersey Turnpike measured at the closest point of the Turnpike to the sign location and not higher than fifty (50) feet above grade at the location of the sign.
- (g) No more than four billboard structures shall be permitted on both sides of the New Jersey Turnpike within any linear mile.
- (h) Minimum distance between billboards shall be one thousand (1,000) feet along the same side of the Turnpike.
- (i) Billboards shall be located no closer than eight hundred (800) feet to a residential zone district; provided, however, that this distance may be reduced to five hundred (500) feet if the applicant can demonstrate that the proposed sign will not be capable of being seen at any point within a residential zone district nor will there be any glare visible from the sign within the residential zone district.
- (j) Billboards shall be designed and sited to be viewed only from the Turnpike.
- (k) Applications for billboards shall be subject to the review and approval procedures set forth in § 150-85 of the Cranbury Township Code. The items to be reviewed as part of such application shall include traffic safety, lighting, landscaping, visual impact, drainage and other similar elements of site plan reviews. As part of its review, the approving agency shall consider the impact of the proposed billboard on surrounding properties and the Turnpike itself. Lighting shall be designed to restrict any glare and spillover to the immediate area of the sign. Landscaping shall be required to achieve a positive aesthetic impression of the general sign area. Visual impact, particularly on surrounding properties, shall be minimized and addressed through the use of landscaping, screening, berming, grading and fencing.

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N. Substitution of noncommercial speech for commercial speech. Notwithstanding anything contained in this section or this Code to the contrary, any sign erected pursuant to the provisions of this section or this Code with a commercial message may, at the option of the owner, contain a noncommercial message unrelated to the business located on the premises where the sign is erected. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from a commercial to a noncommercial message, or from one noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign type, and provided that the size, height, setback and other dimensional criteria contained in this section and this Code have been satisfied.

O. Severability.

(a) Generally; severability where less speech results. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section is declared or held to be invalid or unconstitutional by any court of competent jurisdiction, such declaration or holding shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section, even if such severability would result in less speech, whether by subjecting previously exempt signs to this section's permitting requirements, or otherwise.

(b) Severability of provisions pertaining to billboards and other prohibited signs and sign types. Without diminishing or limiting in any way the declaration of severability set forth above or elsewhere in this section, this Code or in any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section or any other law is declared or held to be unconstitutional or invalid by any court of competent jurisdiction, such declaration or holding shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this section that pertains to prohibited signs, including specifically the prohibition on billboards and those signs and sign types prohibited and not allowed under Subsection D of this section.

Section 3. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are hereby repealed.

Section 4. Referral to Planning Board. Pursuant to the Municipal Land Use Law, *N.J.S.A.* 40:55D-64, a copy of this ordinance will be referred to the Cranbury Township Planning Board for its review and comments prior to its second reading and hearing on adoption.

Section 5. Severability. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this ordinance is declared or held invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word shall be deemed a separate, distinct, and independent provision, and such declaration or holding shall not affect the validity or constitutionality of any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this ordinance, and this ordinance is declared severable.

Section 6. Effective Date. This ordinance shall take effect twenty days after its final passage and following filing with the Middlesex County Planning Board.

Second Reading – None

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Resolutions – Consent

Mayor Ferrante asked the Township Committee if there were any questions or comments on the Consent Agenda items. Hearing none, Mayor Ferrante asked for a motion to approve the Consent Agenda resolution(s). On a motion by Dr. Rogers, seconded by Mrs. Spann the following Consent Agenda Resolution(s) were adopted unanimously by the following vote:

Ayes: (Rogers
(Spann
(Ferrante

Abstain: (None
Absent: (Scott (stepped away from meeting at time of roll call)
(Taylor

Nays: (None

CRANBURY TOWNSHIP RESOLUTION #R 10-21-121

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid;

TOWNSHIP OF CRANBURY RESOLUTION #11-21-122

APPOINTING TOWNSHIP TAX COLLECTOR

WHEREAS, there will be a vacancy in the office of Township Tax Collector; and

WHEREAS, it is the recommendation of the Township Administrator that Tanyika Johns be appointed to fill this position effective December 1, 2021; and

WHEREAS, Ms. Johns is a Certified Tax Collector pursuant to the Laws of the State of New Jersey, holding Certificate #T-1506; and

WHEREAS, *N.J.S.A. 40A:9-142* provides for the Tax Collector term of office; and

WHEREAS, Ms. Johns will serve as Tax Collector for the remainder of the four-year term ending December 31, 2022 and will be re-appointed on January 1, 2023 for a four-year term ending December 31, 2026.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury that Tanyika Johns is hereby appointed to the office of Township Tax Collector, effective December 1, 2021.

Cranbury Township Resolution # R 11-21-123

RESOLUTION OF THE TOWNSHIP OF CRANBURY, NJ

A RESOLUTION AUTHORIZING YEAR 2021 BUDGET TRANSFERS.

WHEREAS, there are 2021 Budget Accounts which require more funding due to circumstances not known at the beginning of the year; and

WHEREAS, there will be excess balances in budget accounts in which the expenditures will be less than projected at the beginning of the year, and

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NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury, that the following year 2021 Budget Transfers be authorized and made on the records and accounts of the Township:

	<u>Budget Account</u>	<u>From</u>	<u>To</u>
1-01-20-155-025	Legal– OE	\$15,000.00	
1-01-20-165-310	Engineering – OE	\$15,000.00	
1-01-25-240-011	Police – S&W	\$24,000.00	
1-01-25-240-012	Police – Overtime	\$60,200.00	
1-01-25-240-018	Police – Clothing Allowance	\$ 1,800.00	
1-01-25-240-019	Police – Cert Training	\$ 4,000.00	
1-01-45-920-055	2006 Bond Principal		\$120,000.00

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy forwarded to each of the following:

- (a) Township Auditor
- (b) Township Chief Financial Officer

CRANBURY TOWNSHIP # R 11-21-124

**RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE
MUNICIPAL BUDGET OF THE TOWNSHIP OF CRANBURY PURSUANT TO N.J.S.A. 40A:4-87
(CHAPTER 159, P.L. 1948)**

WHEREAS, N.J.S.A. 40A: 4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount; and

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2021 in the sum of \$389,621.00 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute; and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$389,621.00 is hereby appropriated under the caption “NJDOT – Plainsboro Road”.

Section 3

BE IT FURTHER RESOLVED that a copy of the Resolution, certified by the Township Clerk to be a true copy forwarded to each of the following:

- (a) Director of the Division of Local Government Services
- (b) Township Chief Financial Officer

TOWNSHIP COMMITTEE REGULAR MEETING
November 8, 2021

Cranbury Township Resolution # R 11-21-125

A RESOLUTION OF THE TOWNSHIP OF CRANBURY AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE TOWNSHIP OF CRANBURY AND THE COUNTY OF MIDDLESEX

WHEREAS, Middlesex County has created the Middlesex County Department of Public Health pursuant to N.J.S.A. 26:3A2-1 et seq. to provide an array of public health services; and

WHEREAS, the Township of Cranbury is desirous of contracting with Middlesex County for furnishing by the County to the Municipality health services of technical and professional nature; and

WHEREAS, Middlesex County has submitted a proposed agreement to provide all public health services for the Township of Cranbury for two (2) years commencing on January 1, 2022 and terminating on December 31, 2023;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Cranbury that the Mayor and Clerk be authorized to execute a Shared Services Agreement between the Township of Cranbury and the County of Middlesex for public health services; and

BE IT FURTHER RESOLVED, the Mayor and Clerk are hereby authorized to execute said Agreement on behalf of the Township of Cranbury.

Cranbury Township Resolution #R 11-21-126

**RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF
TAXES ON 23 EVANS DRIVE (BLOCK 34 LOT 23)**

WHEREAS, a tax overpayment in the amount of \$2,127.49, has resulted from a double payment being made to property located at 23 Evans Drive (Block 34, Lot 23); and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of Cranbury Township that a refund of the overpayment of taxes, in the amount of \$2,127.49, be made payable to Kyungdong Lee and mailed to Kyungdong Lee, 23 Evans Drive, Cranbury, NJ 08512; and

BE IT FURTHER RESOLVED that the appropriate Township officials are authorized to take action in accordance with this resolution.

Cranbury Township Resolution # R 11-21-127

Appointment to Municipal Alliance Committee on Drug Abuse & Alcoholism

WHEREAS, it is necessary to make the following appointment(s) to the Municipal Alliance Committee on Drug Abuse & Alcoholism for the Township of Cranbury:

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following individual(s) are appointed to the position(s) and term(s) noted effective November 8th, 2021:

TOWNSHIP COMMITTEE REGULAR MEETING
November 8, 2021

TOWNSHIP COMMITTEE APPOINTMENTS

NAME	APPOINTMENT	TERM ENDING
Robyn Skeete	Municipal Alliance	12/31/2023 (unexpired Full Member)
Susan Saravelli	Municipal Alliance	12/31/2021 (unexpired 1 st Alternate)

Work Session:

Snow Removal Ordinance – Discussion of revisions to existing township ordinance: Mayor Ferrante reviewed the suggested changes to the existing ordinance which included the total number of warnings to be issued and amount of fine per violation. After considerable discussion over the amount of the fine, the members agreed to keep snow removal within (48) forty-eight hours, two (2) warnings and a fine of \$125. The ordinance will be prepared and introduced at the next meeting to be held on November 22nd.

Public Comment

Mayor Ferrante advised the following comments and general correspondence were submitted via email by the deadline to be addressed during public comment.

- Milton Georges – Draining issue in front of house on Old Cranbury Road.
- Kellie Lavery/Petty Road Residents – Temporary signage placed at end of Petty Road on October 26th caused some school bussing issues. Suggested different signage or change in location of sign for any future storm occurrence and bridge closure.
- Penny/Dave Fletcher – Request for recycling reminder to be sent to residents. Mayor Ferrante stated the reminder will be placed in the upcoming Mayor's Update to be email blasted to residents.

Mayor Ferrante then opened the meeting to general public comment.

- Bill Gittings – Requested township help with access problem regarding his property. Mr. Gittings stated he had been advised upon purchase that his driveway would be approved to connect to Park Place West. He requested clarification on whether an agreement needs to be made with Cranbury Housing Associates (CHA) who currently owns the portion of the road or if the township will have area dedicated to them, which would allow Mr. Gittings to connect to public road. (Mr. Ferrante addressed afterwards that this was a legal matter and the Gittings would receive a response by 11/15)
- Michele Gittings – Added to the comments above regarding the understanding that the property had access when purchased. She requested access to public roadway as other residents have. She stated without the access the property is landlocked. She explained the front yard became Post Office and next door became CHA property. They are requesting access to Park Place West. (Mr. Ferrante addressed afterwards that this was a legal matter and the Gittings would receive a response by 11/15)
- Bill Bauder – Requested time line for the Township Engineer to address his concerns regarding the dam on Petty Road. (Mr. Ferrante reported that Mr. Decker will have information by the end of November)

Mayor Ferrante closed the public comment portion at 7:40 p.m.

TOWNSHIP COMMITTEE REGULAR MEETING
November 8, 2021

Action Items:

- Response to Mr./Mrs. Gittings (by 11/15)
- Mr. Decker, Township Engineer – stormwater update by end of November
- Snow removal ordinance – will be scheduled for next meeting for first reading

Adjourn

Mayor Ferrante requested a motion to adjourn. On motion by Mrs. Spann, seconded by Dr. Rogers and unanimously carried, the meeting adjourned at 7:43 p.m.

Debra A. Rubin, RMC
Municipal Clerk