

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

**MINUTES FOR DECEMBER 6, 2018  
APPROVED ON APRIL 4, 2019**

**TIME AND PLACE OF MEETING**

The special meeting of the Cranbury Township Planning Board was held at the Cranbury Township, 23-A North Main Street, Cranbury, New Jersey, Middlesex County on December 6, 2018, at 7:30 a.m.

**CALL TO ORDER**

Arthur Hasselbach, Vice-Chairman of the Cranbury Township Planning Board, called the meeting to order and acted as the Chairman thereof.

**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  
XX Gallagher, James  
XX Hasselbach, Arthur (Excused)  
XX Johnson, Glenn  
XX Kaiser, Michael  
Mavoides, Peter  
XX Mulligan, III, Daniel P  
Schilling, Brian (Excused)  
Stewart, Jason (Excused)

## **PROFESSIONALS IN ATTENDANCE**

P Andrew Feranda, Traffic Consultant  
P David Hoder, Board Engineer  
P Trishka Cecil, Esquire, Board Attorney  
P Josette C. Kratz, Secretary  
P Richard Preiss, Township Planner

## **APPLICATIONS**

PB314-18      2 Clarke Drive – Cedar Brook  
                  Block 1.01, Lot 1, Zone RO/LI  
                  2 Clarke Drive  
                  Minor Site Plan

REPRESENTATIVES:      George White, Esquire  
                                  Bruce Simon, Cedarbrook Corp  
                                  Dave Citro

PUBLIC:          Vinod Kapoor

## **PROFESSIONALS REPORTS:**

David Hoder, dated November 27, 2018  
Richard Preiss, dated December 6, 2018

EXHIBIT A-1 Sheet SKA01 Colored Site Plan  
EXHIBIT A-2 Sheet SKA02 Egress Plan Exterior Stairs

Mr. Simon stated he was seeking minor site plan approval for a new equipment pad for as back-up generator and addition of entry doors, required by code. This proposal was for a pharmaceutical facility located on 2 Clarke Drive, corner of Dey Road and Route 130. The generator would be 14 FT by 8 FT by 10 FT high. Presently there was only a Main Entrance and are requesting an employee entrance in the rear as the second means of egress with a ramp for use as an ADA access in emergencies, also by utility room as a second means of egress. Total of three doors and generator.

Mr. Gallagher asked specific questions relating to the generator specs.

The end of the building has been vacant, built in the early 2000s; another side has been rented out. This portion of the building will be a clinical packaging facility. There was no waste disposal; it was not that type of facility — only domestic waste.

Mr. Kappor, from the public, asked if the generator would affect the air quality. Mr. Simon explained it would be like a car engine and only used in a power outage. The generator was not meant for everyday use. Once a week it was turned on for regular testing.

Mr. Simon said the generator would have mufflers and will meet all code requirements. Presently the site has six to seven generators, and the largest was 750, and they have never received a complaint.

Mr. Citro testified there would be landscaping, Leland Cypress trees. Mr. Hdoer suggested mixing in hollies because of the size of the cypress and the applicant picked Norway spruce also. Mr. Priess said that could be a condition of the approval.

No more public commented

	MOTION	VOTE
Callahan, Karen (Excused)		ABSENT
Gallagher, James		YES
Hasselbach, Arthur (Excused)		ABSENT
Johnson, Glenn		YES
Kaiser, Michael	SECONDED MOTION	YES
Mavoides, Peter		YES
Mulligan, III, Daniel P	MADE MOTION	YES
Schilling, Brian (Excused)		ABSENT
Stewart, Jason (Excused)		ABSENT
MOTION WAS:		MOTION PASSED

PB267-15      High Point Development (Hagerty/Chaney Tract)  
Block 20.16, Lot(s) 7-10- & 20  
Block 19, Lot(s) 2-4  
County Road 535/Old Trenton Road, County Road 539/South Main Street,

Old Cranbury Road  
AMENDED Preliminary and Final Major Site Plan

REPRESENTATIVES: Frank Petrino, Esquire  
Sean Delany, P.E. Bowman Engineering  
Paul Schneier, Fleet Cranbury  
Peter Zampolin, Architect  
Michael Cantor, Project Director

EXHIBIT A-1 Ay24, Van Cleef Ltr dated 8/24/2018 & PPG letter dated 8/21/2018  
EXHIBIT A-2 Deviation Chart  
EXHIBIT A-3 Resolution  
EXHIBIT A-4 Sheet 5 of 18, dated 8/24/2016  
EXHIBIT A-5 Phase 1 residential sub-district approved the layout  
EXHIBIT A-6 Overlay Plan for Bldg 9, date 10/25/2018  
EXHIBIT A-7 Overlay Plan for Bldg 10, date 10/25/2018  
EXHIBIT A-8 Overlay Plan for Bldg 11, date 10/25/2018

EXHIBIT A-9 Whole Set of Engineering Drawings as listed, the date on all plan 11/16/2018, prepared by Bowman Consulting:

Sheet 1 of 4 Amended Site Plan,  
Sheet 2 of 4 Amended Site Plan Optional Footprints-Bldgs 4, 7 & 8  
Sheet 3 of 4 Landscape Plan – Mechanical Unit Screening  
Sheet 4 of 4 Landscape Plan – Mechanical Unit, Screening –  
Optional Bldgs 4, 7 & 8

EXHIBIT A-10 Whole Set of Elevations, dated 11/28/2018 Sheet A-1 thru A-9, prepared by Zampolin & Associates  
EXHIBIT A-11 Architectural  
EXHIBIT A-12 Photo Board  
EXHIBIT A-13 Revised BBQ Elevations  
EXHIBIT A-14 Garage Detail – Manufacturer Spec  
EXHIBIT A-15 Architectural Deviation List, updated December 12/4/2018

EXHIBITS Specific to this meeting 12/6/2018

EXHIBIT A-16 Garage Door Building Type 1 Option 1  
EXHIBIT A-17 Garage Door Building Type 1 Option 2 Drawing No A1B  
EXHIBIT A-18 Electrical Meter Wall, Sheet A2  
EXHIBIT A-19 Crown Molding  
EXHIBIT A-20 Windows Shutter Options

EXHIBIT A-21 AC Unit Screen Plan enter 12/6/2018

EXHIBIT A-22 - Sheet 18 of 18, 8/24/2016 signed plans details with an architectural view of the building

Mr. Mulligan interjected that before the hearing begun, he asked for clarification on the process tonight.

Mr. Preiss suggested to handle as at the last meeting, take testimony and Board questions, and then at the end open to the public for questioning.

Mr. Schreier distributed extra copies of Exhibit A-15.

Board preferenced the changes presented this evening, more in keeping with the type of architecture they are trying to accomplish, and the white would be easier for replacement consistency.

Board stated the main entry door changes were okay.

Board stated garage entrance side of the homes full glass option acceptable for natural light. Mr. Mulligan stated if the public had a compelling reason in which not to allow, he would reconsider his decision.

Board stated the roof vents color change to black was acceptable.

Board stated the façade walls between the interior units and panel locations were an issue to be determined (EXHIBIT A-18) and proposed a compromise to mimic what was originally approved. There seemed to be a consensus that having these units located in front of the homes was unacceptable. The research by one member revealed the utility companies do not dictate where these are located, eliminating there reasoning for placing them in these locations. Mr. Mulligan and Mr. Kiaser stated the placement in the front were unacceptable.

Mr. Muligan stated, having the ability to work with Cranbury Housing Authority on a much lower budget and product much better product, he expected it to be done here for Gateway/High Point.

Mr. Petrino asked if they were for sale or rentals. Mr. Mulligan stated both; all meters are on the side.

Mr. Schneier claimed he didn't have an option because each lot was subdivided so they couldn't place the meters on another persons' lot at the ends; whereas a condominium would grant more flexibility. He stated he would be happy to explore the location of the meters with PSE& G was someone could get them in touch with the right person. He asked for relief for what installed and endeavor to find a better location as they move forward. He did not think there was wall space on the garage sides of the building.

Mr. Kaiser stated he asked PSE & G who decides where the meter was placed, and PSE & G answered the developer. He stated we are changing the architectural design to fit meters and would not go with this.

Mr. Mulligan wanted a creative solution in which to address this issue on the existing buildings and the buildings to be constructed. Mr. Kaiser agreed with Mr. Mulligan.

Mr. Hasselbach asked if there would be screening, such as evergreens that block the utilities all year round. Mr. Schneier answered yes.

Mr. Schneier pointed out, about Items 1, 2, 3 & 4, either the relief they are seeking or their agreement to make a change would apply to all units in the entire development, existing and proposed. There were a few instances where they may ask for relief for existing and agree to changes in the future. Item 5 would need further discussion. Item 6 deals with shutters on architectural plans, when the inspection as done by Mr. Decker, they were not complete, but they agree to install all shutters with accordance with the language of the approvals; all shutters would be half the width of the units to make an appears had they been fully operable they would cover the windows.

Mr. Priess recalled Mr. Zampolin stated on the originally approved plans on of them was not sized correctly and has made that correction. With regards to where the shutters are, as per the original plans, correct? Mr. Schneier stated yes.

Mr. Mulligan asked if A1 would be the standard in that packet of three, vs. last time he stated he had multiple copies and now there was only one copy he assumes ties them all together. Mr. Priess answered yes, and they are going back to what was proposed in A3, A6, and A9 and these exhibits are just illustration detail related to that.

Mr. Schneier said he thought the plans approved the shutters were not all sized appropriately, and the language of the approvals in the redevelopment agreement and the resolution stated they needed to be sized as if they were operable. Irrespective of the exhibits, he stated that was his object.

Mr. Priess asked if one wanted to look at the size and location of the shutter would he look at A3, A6, and A9. Mr. Schneier stated that was correct.

Mr. Priess stated the note on the plan indicates agreed to comply with the language within the design guidelines and as approved on all existing and future buildings.

Regarding Item 7, Mr. Schneier noted this item on chart was highlighted in yellow because they agreed to install railings on all the porches, the issue came up because certain porches were not high enough off the ground for code to require a railing be installed, so they failed to install them in a couple of instances, but they have agreed with the professionals that the elevations look better with the railings and they are being installed on all units existing and future, per the original approval.

Regarding Item 8, Mr. Schneier (crown moldings and sills were missing from windows) stated they had not been installed at that time and they have since installed them and would ask Mr. Zampolin to provide testimony in that regard.

Using Exhibit, A-19, Mr. Zampolin stated the second story windows have no crowns and now will be installed on all buildings. Mr. Preiss asked for clarification that the applicant was not asking, Item 11, gable returns being shorter – this was just the moldings relating to the windows, correct? The answer was yes.

Mr. Zampolin mentioned, the vignettes, if accepted would be updated onto the drawings. Mr. Preiss clarified that A3, A6, and A9 which do not show the moldings that are being proposed and A19 would more in-line to what was approved and should have a larger crown to keep it in the same scale as the original drawings, about 9” and the first floor as well.

Ms. Cecil stated this would all go into the resolution approval.

Mr. Gallagher asked if this applied to the garage doors. Mr. Preiss stated that it was a separate item.

Mr. Hoder asked what the two white boxes on the right-hand side of the revision box. It was stated they were the AC attachments.

Item #9, decorative circular gable vents missing, Mr. Schreiner stated they have all been installed and would be installed on all future buildings.

Item #10, decorative molding, not installed above the garage doors, Mr. Schreiner stated they had been installed and continue to be installed on all the units in the future. The applicant added (as shown on A3) a trim ban, and small crown and the original drawings had a molding that was approximately 9" to 10" – it was now 10". Shown on A19 will be built.

Mr. Mulligan asked if this was in keeping with A1, A4 & A7. It was answered that was correct.

Item #11, roof returns. Mr. Schreiner said one of the gables on the garage facing elevations of the buildings; they are requesting relief on two buildings; Buildings 1 and 11.

Exhibit A20 or A19, with or without shutters, Mr. Schreiner stated it would be a hardship to change on those two buildings and compromise the integrity of the two buildings. However, all the rest of the building they would comply.

Mr. Preiss asked if the Board was amenable to granting relief to the shorter gables and the second part was to the extent, that agree to that would they prefer to that would the Board prefer to see shutters on the windows as shown in A20 or should it be left without a shutter as shown on A19? Mr. Preiss weighed in expressing he thought most people would not (if the Board was amenable to granting the relief on the shorter gable returns on existing buildings) to be consistent with the other buildings, if they are longer gable returns with no shutters than it would look odd to have shutter on only the two buildings. Mr. Preiss preferred A19 without the shutters, as opposed to A22. It draws attention that these windows are different than the gable returns on the others.

Mr. Hasselbach asked the difference between the gable returns (in length). The answer was about 2.5 FT on either side.

Mr. Mulligan mentioned he would be a little more flexible since it was not on Main Street (not outside facing, internal facing). If this was facing Main Street or Old Cranbury Road, he stated he would have more issues.

Mr. Gallagher answered without shutters. Mr. Kaiser said he would rather hear the opinion from the public. Mr. Johnson and Mr. Hasselbach agreed to grant the relief.

Mr. Mulligan stated again that if it were facing Main Street or Cranbury Road, he would have an issue with it, this was internal.

Item #12, referring to missing decorative panels at the time of the inspection, below certain windows on the end units. Those decorative panels have been installed and would be installed on all future development.



The same with Item #13, the window grill patterns, they would ask the Board to accept the grill patterns that exist. Mr. Preiss stated there was minimal difference between the existing and what was originally shown on the approved plans.

Item #14, the air conditioning is condensing units, located in the front, rear of the buildings on Main Street and Old Cranbury Road. Mr. Schreiner stated there were no other options to install the condensers and because these are fee simple lots they could not place them at the ends. There was some discussion about how to screen the condensers and have offered to screen them with landscaping or lattice or constructed screen or both.

#### EXHIBIT A-21 AC Unit Screen Plan enter 12/6/2018

Mr. Delany stated they proposed some landscaped screening to install on some of the units and there was some concern that those plants would not be effective screening. Exhibit A21 shows a 3' high lattice in front of the unit to be installed 18" off the face of the unit and 2' off the sides of the unit, as per the manufacture recommendation. The lattice would be in a "U" shape. To screen the front center and the sides. The landscaping could be moved to place in front of the lattice. Lattice would be 3' high, white, to match the molding and trim on the buildings on all the units throughout the development. Lattice still allows for air flow to the units. The material would be the same color and material as porch railings.

Mr. Hoder asked if the lattice would be installed diagonally or horizontally, horizontal was traditional. Mr. Preiss stated that since everything on the details of the building was horizontal, the lattice should also be.

Mr. Delany said the plantings would 2' to 3'. The plantings for the condenser units would be one height and the plantings to screen the utility panels would be slightly higher, 3 to 4'.

Mr. Hasselbach asked if the plantings could be trimmed, so as they grew, they could be maintained and would not block the porch.

Mr. Preiss asked about the side unit AC condenser.

Mr. Delany said, on the two different units, Hagerty Model with the Master Bedroom on the ground, the alcove on the sides of the building with the fontina screening as in front with no lattice.

Mr. Mulligan commented the AC units facing Main Street and Old Cranbury Road don't need to be screened because he stated they should not be there. Mr. Kaiser agreed with Mr. Mulligan; he stated changed the image of the whole building. He wants to go back to where we started. Mr. Hasselbach asked if they could be placed inside the development. Mr. Mulligan stated it was not the Board problem to solve. Mr. Kaiser stated they could re-engineer these units, multiple zoned units.

Mr. Petrino said the units were not shown on the plans and was not normally shown.

Mr. Kaiser stated if it was not shown it should not be there. Mr. Mulligan stated it was drastically different than proposed.

Item #15 – the screening of the external mechanical, utility meters, etc. Mr. Delany stated Using A-21 planting are shown in front of the gas and electric meters. They are proposing arborvitae to provide a continuous screen. There was a concern by professionals of the overall height of the arborvitae ultimate growth and maintenance.

Item #16, highlighted yellow, restitution of the fact any dead landscaped plantings and trees need to be replaced, and all plantings must be consistent with the approved (included size of the caliper). Mr. Schreiner said that was acceptable and was what has been installed and that will be going forward for all future buildings.

Item #17, Issue of about whether they had a section of a gambrel roof behind the central bay and he stated the testimony was that it was there and hard to see.

Item #18, Roof pitch and Mr. Schreiner thought, for the most part, the roof complies with the required pitch except for one section which if changed would make the height of the building higher.

Item #19, whether not they agreed to semi-circular windows or quarter windows of the third-floor. Mr. Schreiner said there was a firewall between the two of them and he thought that was acceptable.

Item #20, Doorway moldings details missing, those had been provided and thought acceptable for existing buildings and buildings going forth.

Mr. Preiss stated what was represented on A-19 what was being proposed, almost the same as approved. Mr. Kaiser stated there was a major change, deleting a double-hung window and replaced with a fixed window which he stated it looked out of place. The architect stated it wasn't usable space and stated there was potential for seal failures. Mr. Kaiser asked, then why was it drawn in the original design? The architect answered they drew it as a double-hung window and the developer put in a fixed window.

Mr. Preiss suggested deferring until the public spoke.

Item #21, roof, stated okay.

Item #22, molding details at windows and gable returns, and on A-19 and A-20, the fascias and crown moldings installed per the approved drawings were slightly smaller than the approved drawings. The fascia on the gables have been reduced in scale and feeling was to maintain that athletic.

Mr. Preiss commented that the applicant was asking the Board to approve all the gables shown on A-3, A-7, A-6, and A-9 which was slightly different than the original A-1, A-4, and A-7. Compare, as an example, A-1 to A-3. I am waiting for further discussion.

Item #23, the brick they didn't return into the interior corner. Mr. Schreiner said it would be difficult to do because of the electric utilities. Applicant looking for relief on only this building, No. 10 and would comply on all other buildings.

Item #24, missing standing seam metal roofs on smaller gables. Mr. Schreiner said they all had been installed.

Item #25, chimney cap, the applicant has a decorative cap which was discussed and shown at the last meeting, and Mr. Schreiner did not think there were any issues.

Item #26, columns, the applicant had installed a slightly smaller than proposed and they had thought it was little too much. Mr. Zampolin said they are 12' x 12" and now that the railings have been installed they looked to scale and they stated the 12" was appropriate; original plans showed 15" applicant wanted to maintain the 12" columns.

Mr. Mulligan recalled that it was more than just to the column size; he remembered a column that was not standing on the porch but was standing on a brick that now has evolved into a column on a porch. He said if he looks at A-4 and A-6, side elevation there, on the bottom on A-4 he saw a column on brick and more brick behind it and on A-6 there was no column or column with no brick. There was a lot of brick detail which has disappeared.

Mr. Hoder asked about the use of a different type of AC unit which could fit in the front between the garages.

The floor was opened to the public. Each member of the public was sworn at the time they spoke.

Mr. Mulligan did mention that there has been a lot of discussion about the construction site issues, including dust, noise, etc. we are focusing on these 25 issues this evening.

Mark Berkowsky, North Main Street, Cranbury, sworn, noting his credentials spoke against the developer being allowed to build without compliance to the approved details which threaten to destroy the historic ambiance of South Main Street. The Historical Society has been granted 'Friends of the Court' status, in the past in Mt. Laurel law suites establishing the value of development to be compliant with the historical significance of Cranbury. One of the biggest concerns was the location of the air conditioner condensing units being located along Main Street and Old Cranbury Road and was suggested they are moved to the side or interior. The second concern was the location of the electric meter and again suggested to be moved. The screening was only a temporary solution.

Mr. Dreyling, Old Cranbury Road, concerned with the guard house and the look and feel of a sperate community. Mr. Dreyling was once a member Planning Board and stated no other development in Cranbury has a guard house.

Mr. Preiss said there was a box or square shown on the approved plans and was identified without details shown and it was not a functioning guard house and has been constructed.

Mr. Dreyling said it sets the development aside and has the appearance of a gated community.

Mr. Delany testified that the guard house was on the approved plans.

EXHIBIT A-22 - Sheet 18 of 18, 8/24/2016 signed plans details with an architectural view of the building

Mr. Schreiner said it was to dress up the entrance to the community. There will be electric to the structure but not intended to be light.

Mr. Tom Wiedner, Main Street, concerned with Mr. Berkoswky's comments. He stated that this all came up because he and his wife saw the AC condenser units and wonder why they were on Main Street. This was the entrance to Cranbury, from the south and it was important how the township looks as one enters Cranbury and to drive by and to see condensers on the front lawns, as one was entering the historic village, was ridiculous. He asked that the Board have the builder attend the next Historical Society meeting with these details and let them take at it, particularly the views from South Main Street. The developersubmits, for approval, based on what they think the Board wants to receive approval. Then the developer builds whatever they want to build then asking for forgiveness. If the Board continues to grant variances based on that bases the reputation as a Planning Board becomes, "don't bother too much to comply, because we could come in later the Board and get what you (the applicant) want in the end." The Board should be granting these changes based on whether the Board stated they were better than what was approved.

Ms. Elizabeth Silverman, South Main Street, she stated someone should be made to 'tow-the-line,' and it should be the developer.

Mr. Richard Letter, 10 South Main Street, agreed to the other members of the public who spoke. He thought it was disgusting to have to view those air conditioning units and a disgrace; nowhere on Main Street does anyone have to view AC condensers so why was it okay for this development? People will not maintain the trees or lattice, five years from now it will look horrendous. The applicant originally came in an presented an application, indicating they would look out for our town and that was not what they have done and asked the Board to consider that.

Ms. Kathy Lehr, 1 Lidtke Drive, stated she was happy to hear of the progress being made on the pump station and asked how they could monitor the progress of this situation.

Mr. Mulligan stated it was an agreement with the township so it would be the Township Committee.

Ms. Lehr stated the applicant should consider the deer population in the area and arborvitae landscaping.

Mr. John Calabrese, 84 Labaw, asked a question about the donation toward the pump station. Ms. Cecil stated that the Planning Board not have this information and stated further questions regarding the pump station should be directed to the Township Committee. Mr. Calabrese asked if the applicant was familiar with pump stations. Mr. Mulligan stated all pump station matters should be addressed at the Township Committee level. The Township Committee was working with the developer, and no matter what - the pump station would be taken care of and will be functioning.

Ms. Jane Elias, 12 Labaw, asked how many project managers has the developer gone through?

Mr. Petrino stated the question had nothing to do with the application.

Ms. Elias stated if they had a project manager, he should be making sure that what was on these plans should have been followed. She mentioned that when Four Seasons was, proposed their guard shed was voted down, how come this developer could have one. They built these monstrosities, so high around a community with 'normal' sized houses and then placed a guard shed, portraying a gated community, and the Board approved it. She stated, "as a member of Four Seasons this was unfair."

Mr. Vikal Kapor, 4 Handley Court, the walk from one end of Main Street to the other end has charm; stating he did not want to look at the back yard of these houses. He stated the Board was responsible for that.

Public portion closed

Mr. Petrino stated it was not unusual to grant amended approvals. These mechanical systems are not structures as defined under the MLUL, the applicant does not need a variance, and they were not required to place them on the plans at the time of approval. The applicant has come to this Board with 25 issues, and many of the 25 were complying with the original plans. The MLUL allows amendments to conditions of approvals. The control was a construction permit, and there was a construction official that knows what was approved and has a set of plans, and if something changes and the AC unit gets three times larger and four times higher, he will not issue a permit because it was not consistent with the plans. If the Board feels it was a structure, then the Construction Official has control over that. This development was established with an HOA, required to maintain the commons areas, including where the units are in the common areas, and they will be responsible for maintaining the lattice and landscaping.

Mr. Petrino stated on the most issues the applicant had agreed, either by going back and changing what was constructed as approved. Mr. Schreiner took responsibility, and most of these issues are either being taken care of or, have already been addressed. He stated the AC units were not a Planning Board issue; he felt they were not a structure and would not need a variance and are not a setback issue.

Mr. Schreiner opined that they (High Point/Fleet) have admitted their mistakes and agreed to work with the Board on a resolution. Twenty of the twenty-five issues are not an issue anymore. He stated they were willing to collaborate if the Board grants some of the relief they were seeking.

Mr. Preiss asked the Board, of the 25 issues, what did the Board feel where not acceptable?

Ms. Cecil stated her notes indicated the meters, the AC units/condensers, and a couple of others. There didn't seem to be any issues after they heard from the public with the dormer issues, molding details, etc.

Items #5, #14 and #15, #20, #22, #23 and #26 were the items the Board stated they needed to state their position.

Mr. Preiss stated the only item with #20 was if it should be a double hung window. Board members, three were in favor of the double-hung window. Item #22 miss molding and returns missing, Mr. Preiss thought the consensus was to allow what was built to remain and the future construction would have the correct, approved moldings and returns built. Board concurred. Items cladding added to the single interior wall on the side elevation; the Board stated that was okay. Item #26, columns and base, Board majority, stated they should go back to the original approved both for those built and those who remain to be built as originally approved.

Mr. Preiss addressed the gate-house, it was shown and approved by the Planning Board, and there was the clear intention that the applicant could not restrict access nor could there be any barriers of entry. Board has no choice but accepts the gate-house as approved.

Mr. Scheiener asked the Board for the opportunity to contact the utility companies and suppliers and return for the two remaining issues.

Mr. Gallagher asked if they would explore the issue of researching the convents and deeds and possibly located those units on the ends of the buildings.

Mr. Schreiner said they would explore all options.

Mr. Mulligan said they would package that with the columns, which were already constructed.

Mr. Kaiser noted the gas meters were also an issue and asked about generators.

Mr. Schreiner said that was not an option.

Mr. Kaiser was concerned if the owners would come back and then request generators; he stated that should be addressed since they normally must be placed near the gas meter.

Mr. Schreiner said there might be a restriction in the homeowner's documents and that he would have to check on that, which may satisfy the Board.

Open Items were #5, #14, #15, #26.

Ms. Cecil asked what would be gained to vote this evening on the other items? The Board could not approve any plans.

Mr. Schreiner stated they were here for amended site plan approval and architectural deviations. Ms. Cecil stated they were also part of the amended site plan approval.

Mr. Schreiner asked if they could bifurcate this and approve the items everyone agreed on, subject to working out the remaining issues. He wanted to be able to continue with construction based on the Boards feelings of those other items agreed upon.

Ms. Cecil - her list as follows:

- Item #1 – Garage Doors (White Insets for all), using Exhibits A-16 and A-17
- Item #2 – Proposal fine
- Item #3 – Proposal fine
- Item #4 – Going back to the original approval
- Item #5 – Held in abeyance
- Item #6 - Acceptable
- Item #7 – Acceptable
- Item #8 – Acceptable as shown on A-19
- Item #9 - Acceptable
- Item #10 – Acceptable as shown on A-19
- Item #11 – Acceptable, preferred option in A-19 without (future must have extended gable)
- Item #12 - Acceptable
- Item #13 - Acceptable
- Item #14 - Held in abeyance
- Item #15 - Held in abeyance
- Item #16 - Acceptable
- Item #17 - Acceptable
- Item #18 - Acceptable
- Item #19 - Acceptable
- Item #20 – Acceptable as shown on A-19, except that the attic windows on all units must be double hung
- Item #21 - Acceptable
- Item #22 – Acceptable only on existing all future must comply
- Item #23 - Acceptable
- Item #24 - Acceptable
- Item #25 - Acceptable
- Item #26 - Held in abeyance



MOTION MADE BY: Mr. Johnson  
SECONDED BY: Mr. Gallagher

AYES: Mr. Gallagher, Mr. Johnson, Mr. Kaiser, Mr. Mulligan,  
Mr. Hasselbach  
NAYS: None  
ABSTAIN: None  
ABSENT: Ms. Callahan, Mr. Schilling, Mr. Stewart, Mr. Mavoides

MOTION PASSED

**PB312-18 Cranbury Commons (a.k.a High Point Commercial, Hagerty/Cheney)  
Block 20.16, Lot 7.01, Mixed Use Development  
Old Trenton Road, South Main Street, Old Cranbury-Hightstown Road  
Amendment of the original approval and final site plan**

REPRESENTATIVES: Frank Petrino, Esquire at Eckert Seamans Cherin & Mellott, LLC  
Arie Behar, President at First Property Management  
Sean Delany, P.E. & Principal at Bowman Consulting  
Richard Perez, Architect at Perez & Radosti Architects  
Jay Troutman, Jr., Principal at McDonough & Rea Associates

EXHIBITS:

- Exhibit A-1: Aerial Map Exhibit prepared by Bowman Consulting, dated November 1, 2018
- Exhibit A-2: Color Rendering Exhibit prepared by Bowman Consulting, dated November 1, 2018
- Exhibit A-3: Site-Wide Unrestricted Use Remedial Action Outcome letters dated September 29, 2017
- Exhibit A-4: Three-dimensional rendering of mixed-used building prepared by Perez + Radosti (Old Cranbury Road view)
- Exhibit A-5: Three-dimensional rendering of mixed-used building prepared by Perez + Radosti (Parking lot view)
- Exhibit A-6: **Revised** three-dimensional rendering of mixed-used building prepared by Perez + Radosti (Old Cranbury Road view)
- Exhibit A-7: Sample board (building colors and materials)
- Exhibit A-8: **Revised** three-dimensional rendering of mixed-used building prepared by Perez + Radosti (Parking lot view)

Mr. Mulligan asked how many variances was the Board dealing with. Ms. Cecil answered that she thought it was two; one for the hot box (setback at 14-FT and signage).

Mr. Mulligan recalled, at the last hearing the discussion about a superintendent apartment. Ms. Cecil noted she had that as a condition of approval, further indicating that it could not be rented out and limited to one bedroom.

Ms. Cecil added to the list of conditions. The architectural details and the details for the wall signage for Phase Three was being deferred. This would not have to do with the monument sign; the rest of the signage would be subject to review by the professionals. The Board will be approving the number, and the location of the signs, not the sign details which would go to the zoning officer for a zoning permit and the monument sign details should come back to the Planning Board for review and approval.

Mr. Preiss thought they provided some additional details.

Mr. Mulligan verified that there was a discussion related to the signs on the buildings not to be internally lit.

Mr. Perez answered yes.

Ms. Cecil stated no internal illumination of any signs. She added they address screening for the hot boxes; the Board did not discuss that. The applicant did agree to paint the hotbox a dark, matte color by the board's recommendations.

Ms. Cecil stated there was discussion regarding the islands in the center being landscaped as part of the prior approval and noted that all previous conditions of the earlier approval still applied going forward. Deliveries are restricted to WB40, to be included in the leases with the tenants.

Mr. Preiss stated all standard language for the affordable units complies with the ordinance.

Mr. Feranda stated there should be a limit to only WB40 trucks and a timeframe set because of potential noise; he suggested 8 AM to 7 PM. Ms. Cecil thought that was part of the previous approval since she recalled those hours being discussed; however, she would make sure.

Mr. Delany confirmed those exact hours.

Ms. Cecil thanked Mr. Delany, as noted, she would make that a condition of the approval.

Mr. Hoder added the applicant consented to move the second hot box for Phase 3 behind the building face.

Ms. Cecil mentioned she had that condition and added the shutters would be PVC, not vinyl. Middle window on the ends would be double hung, no shutters. The outdoor furniture for the end of Building A must be compatible with the style and the era of the building itself. There would be a trigger to reexamine the cut-through issue once the mixed-use development had reached a certain level of occupancy.

Mr. Mulligan thought Mr. Feranda had made a recommendation on that number.

Ms. Cecil said she would address that issue with Mr. Fernanda and the applicant's traffic consultant. She commented that her notes had mention of the signage tenant names and logos only, no other information. External illumination, ground-mounted gooseneck, and asked if there was a decision on making the signs shorter and wider.

Mr. Preiss stated it was more elegant as proposed but stated 11 FT was tall and the Board should not be surprised when they see it.

Mr. Mulligan thanked the professionals for the presentation, tonight and found it refreshing. He added, to the potential owner of the property that he should be mindful of what they have gone through with the other applications in the area and reminded him that what was agreed upon was what must be built.

Mr. Behar commented that he was anxious to start and after see the last application he could promise no changes.

Mr. Preiss asked if the Board could make that a condition of approval.

Mr. Behar projected they would start around April. The applicant still needed to receive County and Freehold Soil approval.

Mr. Mulligan made mention and thanked Mr. Hasselbach for all his many years of services. Board applauded.

## **DISCUSSION ITEMS**

2019 Meeting Dates (Planning Board and Development Review Committee) – everyone agreed it was good to formalize for the re-organization meeting.

## **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 November 1, 2018, consisting of 21 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 May 2, 2018.

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Josette C. Kratz, Secretary

/jck