

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

**MINUTES OF JUNE 3, 2021
APPROVED ON AUGUST 5, 2021**

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Planning Board was held via Zoom on June 3, 2021, at 7:00 p.m.

CALL TO ORDER

Peter Mavoides presided over the meeting as chairperson.

STATEMENT OF ADEQUATE NOTICE

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

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

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

Comments or questions sent via chat would not be accepted and would not be made part of the record or minutes.

MEMBERS IN ATTENDANCE

X Callahan, Karen
X Gallagher, James
X Hamlin, Judson
X Kaiser, Michael
X Mavoides, Peter
X Scott, Matthew
X Spann, Evelyn
Ab Stewart, Jason (excused)
X Wittman, Wayne

PROFESSIONALS IN ATTENDANCE

X Andrew Feranda, Traffic Consultant
X David Hoder, Board Engineer
X Trishka Cecil, Esquire, Board Attorney
X Josette C. Kratz, Secretary
X Elizabeth Leheny, Township Planner

APPLICATIONS

**PB005-01 Chinmaya Mission, Block 22, Lot 16 & 18, Zone A-100, 95 Cranbury Neck Road,
Relief from a condition of the resolution – fencing**

REPRESENTATIVES: Peter U Lanfrit, Esq
Babu Veeregowda, Applicant

Ms. Cecil announced jurisdiction.

Mr. Lanfrit introduced himself and the application history. He stated that in 2008 the applicant made an application before the board for site plan approval to construct a house of worship. The application was approved by this board and one of the conditions of the approval was a the applicant revised the plans to revise the fence to a three foot high post and rail fence, Condition No. 3. The house of worship was constructed and received a TCO for occupancy, about eight to nine years ago. All of the site improvements had been done with the exception of the insulation of the fence. The subject property was surrounded by all three sides by one property, which was

a farm, and since the time of the approval and construction that adjacent owner had erected an eight foot high deer fence around the entire perimeter of his property. They are requesting that they be relieved of the requirement to construction the post and rail fence given the fact that there already was a fence in place constructed by the adjoining property owner. The applicant reached out to the adjoining property owner informing that it was their intention to request the relief and he had signed a letter indicating that had no objection to the grant of that relief.

Mr. Lanfrit stated that they needed the relief in order to obtain a TC and had the bonds and performance guarantees released.

Ms. Leheny was sworn. She stated that she wanted to know if there was a reason the condition was imposed. Mr. Lanfrit inquired and originally the fence was proposed by his client to keep members of the congregation to go on the neighbor's property, which conducted farming activities. She asked why the fence was never implemented. Mr. Lanfrit stated it took five years to go through the construction of the house of worship and was open in approximately 2013 and they open with a TCO and the old property owner changed.

Mr. Hoder did not see an issue with the change.

Mr. Kaiser asked if in the future the applicant wanted to erect a fence subject to the approval of the Zoning Officer would they be permitted. Ms. Leheny answered that they could if done according to the Township ordinance/code.

There were no public comments made.

MOTIONED: Mr. Kaiser

SECONDED: Mr. Scott

ROLL CALL:

AYES: Ms. Callahan, Mr. Gallagher, Mr. Hamlin, Mr. Kaiser, Mr. Scott, Ms. Spann, Mr. Wittman, Mr. Mavoides.

NAYS: None

ABSTAIN: None

ABSENT: None

MOTION PASSED

PB335-21 SciSafe (Kerzner), Block 2, Lot 3.031, Zone LI, 8 Corporate Drive, Amend Preliminary and Final Site Plan – Outdoor generator and tanks

REPRESENTATIVES: Francis J. Brennan, III, Attorney for Applicant
Garry Richardson, Applicant
Graham Young, Applicant
D. Geoffrey Brown, Engineer
John Sayer, Engineer with AirGas

Ms. Cecil announced that all the professional previously sworn remain under oath.

Mr. Sayer sworn.

Mr. Brown, already accepted, addresses the parking, loading, and circulation. Parking lot striping had already been addressed, who provided an additional report. Mr. Brennan stated there was an additional question that the number of existing and proposed loading spaces after they lost somewhere the tank was located. Mr. Brown stated the building had a total of 16 loading spaces and because of the loss of the two they would now had 14 loading spaces instead. Mr. Brown went through the changes made to the plan. The area around the generator and concrete pad was now striped, four or five feet wide and serves as a dedicated walkway from the building entrance to the gate to the fence area and also serves as a safety area around the fenced area. They added striping for the remaining loading spaces that SciSaf had. The also striped the dumpster area, proposed 8' x 16' dumpster area. There was a fence along the NJ Turnpike right-of-way, approximately 7-ft high. It screened on the Turnpike side, more from the Turnpike to the building than could see the loading area from the Turnpike. There was another opening on the southern boundary line. He stated that because of the topography the property line in the high point so the loading dock sits below that and on other side was a driveway so one cannot really see much unless much further away, then one would looking at the loading dock of the adjoining building 300-yards away. The place for landscaping would at the Turnpike.

Mr. Brown stated the generator was located on the plan and it 5100 watts diesel generator. It was at the right end of the concrete pad. It was approximately 14' L x 4' W x 8' H and in an enclosure which also was an acoustical enclosure. The applicant would meet all the ordinance requirements of noise levels at the property line.

Mr. Sauer's credentials were accepted by the Board. Mr. Sauer was familiar with the site and tank. The tank stores the liquid nitrogen as a liquid at minus 300 degrees Fahrenheit. In order to keep it as a liquid they had a vacuum jacketed tank, which was one tank inside another with a vacuum in between the two tanks. It was done because a vacuum was a very good insulator and trying to keep heat from going into the tank. Liquid nitrogen could boil at minus 300 degrees; and we want heat prevented and turning the liquid into gas inside the tank. The tank was a 3,000 gallon vertical vacuum jacketed tank. He explained the deliver process, safety issues, etc.

Mr. Brennan asked about a liquid nitrogen tank being unusual in an industrial setting. Mr. Sauer stated it was not unusual, almost all pharmaceutical companies had a bulk nitrogen, food freezers, and many other industrial types of applications.

Mr. Hoder stated he did look at the new plans but did not do a letter because there was not that much that was different. They did do most of the items in his review letter. They did not answer about the dumpster. Mr. Hoder stated it should be something like what the ordinance requires three side of enclosure. They moved the dumpster area to the east, which was good. But Mr. Hoder felt it should be in a three sided enclosure to mimic the building. Mr. Hoder stated he found out that the generator was already there and installed, perhaps not connect. There was an old and new generator. That was not normally installed before approval. It application was not approved it would had to be removed. He was leaving buffer comments to Ms. Leheny.

Mr. Hoder stated that most of Mr. Fernanda's comments had been addressed by the applicant.

Mr. Young shared recent information, the mobile tanks 235 liters capacity in the internal cavity but they are never fully filled; they hold about 200 liters and the rest was the air cavity at the top of the tank with an 85% efficiency factor from these tanks. They are able to use about 170 liters from each tank, about 45 gallons per tank. It takes about 30 to 45 minutes for the whole process.

Ms. Leheny stated the fence was semi-transparent; she wanted to see some landscaping along that edge.

Mr. Sauer stated he did not see any issues with the size of the area for making deliveries. If there were any question to the size and they would ask a driver trainer to come by with a truck and try and make the maneuver. They would confirm the ability to perform a deliver before the tank was installed.

Mr. Young stated they had already had that performed at this location.

Mr. Gallagher asked if Mr. Sauer was responsible for the design of this system. Mr. Sauer stated the tanks were not made by AirGas, but he was responsible for the design. Everything on the pad would be handled by AirGas. They would comply with all the codes applicable to the installation of the pad, bollards, tanks, etc.

Mr. Brown stated that the layout meets Cranbury's code requirements, to the best of his knowledge.

Ms. Cecil explained that he board had no jurisdiction to be looking at the Uniform Construction Code, only what applies to Land Use through Cranbury's Land Use Ordinance. UCC was overseen by the Construction Dept.

Ms. Spann asked about the matters of delivers, it does not matter if the deliveries are once a week or once an hour, if they cannot make the turn they cannot make the turn. She asked if SciSafe was leasing the entire space or just losing the space at the end or middle, or what from the loading dock area how many bays would they had.

Mr. Young stated they would had six of the loading docks and all of the asphalt areas at the back. There was also a common area because there are trucks in and out to all of the tenants' spaces in those units. Ms. Spann stated that was her concerned, because the back bay was a shared space if there was a truck disconnect from its trailer or FedEx truck and the delivery truck cannot make the turn it would an inconvenience not the end of the world but not the best way to set up the process. She also asked why there was a generator to be installed already installed, why was it already there.

Mr. Young stated that there was a generator on a pad, which was correct. They had occupied the building for approximately three years and for all that time they had been renting a generator because they cannot operate without backup power and now want to make a permanent installations. Ms. Spann asked if there was approval for that to be installed; did the applicant do it with permission or without permission. Mr. Young stated he could not answer the question.

Mr. Brennan understood that if the application was not approved the applicant would had to remove the generator and that also the generator, pad, and associated equipment would had to be construction as approved and conditions.

Ms. Spann stated that Mr. Brennan answered her concerns.

Mr. Kaiser stated he understood the problems with the supply chain, but would had liked the applicant to have provided a letter to the board informing the board of what had taken place. It was disappointing that the applicant did not notify us. The pad should had been inspected by someone. If there was no permit than there was no one to inspect it, especially if the design drawings needed to be changed. He stated he had a significant concern of this pad; it was a foundation that was constructed without any inspections.

Mr. Kaiser stated concern for the tank, 19-ft and was visible from the NJ Turnpike, which was actually the exit lane for the rest stop so cars would going slower than they would traveling on the Turnpike normally, they are decelerating. He added he would like to see some landscaping using native species that would thrive over time. He had asked to see what had been previously approved, particularly related to where the salt storage was taking place where the dumpster area was originally approved and the enclosure that should be installed. He felt that they could redesigned the dumpster area as approved by previous approval. If the applicant was looking at an amendment to that approval then the applicant needed to look at how that should be enclosed, so he felt they should go with moving it to where it should be. Mr. Kaiser stated that buffering

to the south was important. He wished could see the plan that was approved years ago and sees if these items were addressed.

Mr. Wittman had to abstain from the vote of this meeting since he was not present and had not reviewed the previous meeting. He did state he shared the comments of Ms. Spann and Mr. Kaiser in respect to the 'jumping the gun' on the construction. He respected getting delivery of equipment before delivers were made. But actually construction and no inspection that was problematic.

Ms. Callahan asked if the board could receive a letter from the Applicant stated whether or not the new generator had or had not been installed.

Ms. Cecil felt it was appropriate to also ask for that testimony this evening.

Mr. Mavoides said that they asked for clarity.

Ms. Cecil explained the important of items admitted into evidence how they should be handled.

Mr. Mavoides summarized, by the comments made by the board, that they would like to see some landscaping on the turnpike and the south side, and would the applicant consider that and come up with an appropriate solution. Mr. Brennan stated the applicant would work with the engineer and planer and come up with a landscaping plan to their satisfaction to provide adequate screening along the turnpike. Mr. Mavoides asked about the concern around the dumpster; design and obtain approval for an appropriate dumpster enclosure or work with the originally approved site plan dumpster design and enclosure. Mr. Brennan state that the applicant would like to go back to the original location as previously approved, where the salt storage was currently located.

Floor open to public. There were no comments made from the public.

MOTIONED: Mr. Scott motioned for the approval of the application per the testimony.

SECONDED: Ms. Spann

ROLL CALL:

AYES: MS. Callahan, Mr. Gallagher, Mr. Hamlin, Mr. Kaiser, Mr. Scott, Ms. Spann, Mr. Mavoides

NAYS: None

ABSTAIN: Mr. Whittman

ABSENT: Mr. Stewart

MOTION PASSED

PB338-21 Cooper Electric, Block 4, Lot 1.03, Zone LI, 311-315 Half Acre Road, Amended Preliminary & Final Site Plan - back-up generator

REPRESENTATIVES: Herschel Rose, Attorney
 David Cooper, President of Cooper Electric
 Jeff Sias, Engineering Expert
 George Neelen, Employee of Cooper Power Systems
 Brian Streiter, Addition employee of Cooper Electric

Ms. Cecil announced justification to hear the matter.

Mr. Rose introduced himself and explained the application was for a backup generator on the site. The generator would be located on a grassy area and the applicant was not proposing any variances, only an amendment to the previously approved plans in order to install the generator and transfer switch along with plantings and trees.

Ms. Cecil sworn in the board professionals and also swore each of the applicant's professionals and witnesses as they spoke.

Mr. Cooper, sworn, had worked with Cooper Electric since 1992 and explained that they are an electrical distributor who trade within three markets within NY, PA and NJ. They are considered an essential business. They service contractors, health care, financials, education, etc. They are moving to Cranbury to 660,000SF because they needed a larger automation system, which could not fit into the other building. They had a lot of automation, forklifts, chargers, lighting, etc., all needed to work in the event of a power outage. This generator would back up the entire building. The consequences would a complete shutdown and non-function ability. They had made mistakes in the past with the last building and would now provide the power necessary. The generator was sized appropriately for the power intake they needed. They would consent the additional landscape plantings per the letters from the board engineer and planner. The electrical plan for the underground trenching and wiring was now provided as condition of the approval. They would also obtain all outside agency approvals.

Mr. Sias, sworn, testified regarding the layout of the proposed generator and associated equipment. Sheet C 7 B of the survey as provided to the board. They proposed construction of a 20-ft x 45-ft reinforced concrete pad to support a 2 megawatt generator within the curbed grassed island. The curb grassed island, lower right hand corner of screen to the right at the curbed grassed island near a sanitary pump station. The generator would be a self-contained fully enclosed unit, which sits on top of a 7900 gallon double, walled insulated diesel fuel tank. The generator unit itself was approximate 10'4" wide x 42'8" x 17'6" high. The concrete slab had

been designed to allow ample room around the entire unit for easy access and services and the slabs would be enclosed by 8' tall chain link fence with vinyl privacy slates. There would be a 5' gate as well as 2 10' wide double gates would provide to facilitate the fueling and routine maintenance of the unit. All routine servicing and fueling would be completed by service vehicles parked within the current paved areas, driveway loop to the north. The area, which included the existing drop curve to the right of the island that had the existing sewer pump, had been reserved for any future major service work that may need direct vehicle access. They had no proposed plantings within that area in the event that down the road they needed to get into the area with a piece of equipment to service the unit they would not have to remove any bushes or trees. It was not planned on being used on a routine basis, emergencies only. There was a 5' x 8' reinforced concrete pad for the transfer switch, which was also self-contained and fully enclosed. All proposed electrical connection between the generator and transfer switch and the building would be located on the ground with conduits. Detailed plans are available and would be submitted as part of the construction permit application. All of the existing electricity goes into the buildings goes through that area, including a transformer that already was existing on the site. That allows for shorter runs of wire, which increases efficiency, and loss of electrical draw through all the conduits.

The existing building, based on the current property survey, was setback from the Half Acre Road right-of-way 130.9', indicated on survey. The proposed generator sits back another approximately 21' behind the building setback, which gives them an additional setback of a 152'. The NJ Turnpike, which sits to the left to the west, was approximately 1300' away from the proposed location of the generator and the road to the east was approximately 1200' away so the side and front setbacks meet all of the current land use regulations. The current warehouse on the other half of Half Acre Road, not shown on this plan, was approximately 430' to the southernmost point of the unit. All the units are located within existing curved landscaped island, shown the sanitary pumping station, which had its own dedicated standby generator. This was installed as part of the original development tract and was maintained and owned by the property owner and Cooper Electric had no responsibility to that but would remain in place as existing including its own dedicated generator.

There are approximately 13 existing trees in the 8" to 12" caliper range of mix deciduous and evergreen trees. In addition to, four other similar trees in the 2" to 6" range. They are proposing additional 6' to 8' Colorado Spruce trees and additional 4' to 6' shrub shown within the grass island and there was a legend.

Mr. Hoder stated that applicant had covered most of his items mentioned in his report; such as decibel levels, exhaust, landscaping, etc. Mr. Hoder stated he would defer the landscaping to Ms. Leheny. Air permit required. Reserved area, how often that would be used. Maybe pavers would be needed.

Mr. Sias stated they are planning for the worst case scenario but they do not anticipate anything

happening and do not see that being use. It was top of the line Kohler and Cooper would services, however it does not mean it would not break that may require getting in there with a small derrick on the back of a truck to pull a head off a motor, or something like that. They could delete it if the board felt necessary, just a precaution and over designing.

Ms. Cecil asked if the applicant would install grass pavers as the letter suggested in his report. Mr. Sais stated they could or deletes it from the plan because it does not warrant the expense of doing that. If the curb opening was not there he stated he would had not proposed it, but it was there already and assume it was there to service the existing pump station and dovetailed into the design.

Mr. Hoder stated that he was satisfied that grass pavers would not be needed if it was not services often from that location it could be services from eh street and would not suggested additional planting within the area and felt it correct that should be reserved for emergencies into future. Mr. Hoder covered Mr. Feranda's letter and the possibility for the needed for bollards within that area and could testimony be provided. Mr. Sais did foresee anyone jumping that curb and plowing into the fence or backing any truck up there. He felt the bollards, bright yellow, would detract and not give protection. Anyone up there should be conscience of the fence and the unit.

Mr. Hoder stated he felt Mr. Sias convinced him of not needing the bollards; the trees would act as bollards if somebody wanted to drive into the island. He mentioned on Mr. Feranda's report the mention of the size of the delivery trucks; would they be tractor trailer? Mr. Sais answered it would a 7900 gallon trucks, therefore a substantial truck. Mr. Neelan stated the first truck would large in size to fill the tank; follow-up should be regular fuel deliver trucks because the tank would not run to less than half before refilled anyway. They agree about 30' long. Mr. Hoder stated he did not see that as a real problem either.

Mr. Hoder added the codes that apply and the applicant agreed.

Ms. Leheny as how long could the generator run and serves Copper with their needs; in terms of hours. Mr. Neelan stated the tank was sized for 49 hours at 100% load and the load factor was around 70%. Ms. Leheny asked about exercising the generator, so how often would deliveries even happen. Mr. Neelan stated it would use 160 gallons per hour, maybe monthly.

Ms. Leheny asked what the purposes of the 5' gate and why only 5' when the others are 10'. Mr. Sais stated the 5' gate would a man gate if someone had to take a count of the hours or check the fuel level.

Mr. Gallagher questioned the bollards and the needed to check the UCC and NFPA 30. He asked if they had developed a SPCC plan.

Mr. Streiter, sworn and accepted, testified that they had engaged a firm ESIS Health and Safety Environmental Company who would be preparing the spill prevention control and counter measures plan for the entire facility. They had not done it yet, had issued the contract and their instruction packet from them was to contact them two weeks before work begins. Mr. Gallagher stated it may affect your site plan. Mr. Gallagher asked about requirements of periodic inspections, example after ten years.

Mr. Neelan stated he was not aware of any and they are built to UL 142 Standards and no mandatory inspection of the tank. It had a three alarm panel; high, low & critical high. Does had a leak detection switch (double wall tank). Mr. Gallagher asked about overflow; Mr. Neelan answered it had a shut off and a 5 gallon spill tank.

Mr. Wittman stated that both he and Mr. Gallagher had the same first question. Secondly had asked about if this was considered a confined space situation. Mr. Neelan stated it was not considered a confined space situation based on the generator design and positioning.

Mr. Kaiser asked about Sheet 3, landscape plan, he stated he could not located the proposed plants. Mr. Sais stated it was the upper right box, plant schedule and below that there was a legend that shows the types of trees and then it matching with the plan below. Mr. Kaiser asked for a screen share. Ms. Leheny stated she would work with the applicant's engineer to assure the landscaping was proposed. Mr. Kaiser stated he thought the Board would like to see plan. Mr. Kaiser stated also Colorado (blue) spruce was not on the schedule. Mr. Sais stated he would re-submit plan. Mr. Kaiser stated that Cranbury had a very involved Shade Tree Commission with a list of recommended trees and plantings. Mr. Kaiser discouraged the red oak they seem to be dying. Obviously the board and the engineer had a different plan. Mr. Kaiser stated the island was there for a reason, screen trailers and truck areas. The generator would cause removal of trees and felt it important certain that there was appropriate screening for anything being displaced from the island; even to other side of southern side of roadway.

Mr. Kaiser complemented the applicant on the presentation this evening.

There were no public comments made.

Mr. Hoder stated that if the NFPA requires bollards, then they should be installed.

MOTIONED: Mr. Kaiser subject to revised landscaping plans reviewed by the board planner and bollards.

SECONDED: Mr. Wittman

ROLL CALL:

AYES: Ms. Callahan, Mr. Gallagher, Mr. Hamlin, Mr. Kaiser, Mr. Scott, MS.
Spann, Mr. Wittman
NAYS: None
ABSTAIN: None
ABSENT: Mr. Stewart

MOTION PASSED

**PB339-21 Plant Food, Block 16, Lot 12, Zone I-LI, 38 Hightstown-Cranbury Station Road,
Minor Site Plan – back-up generator**

REPRESENTATIVES: Francis J Brennan III
Theodore (Ted) Platz, Owner/Applicant
Grant Platz, Owner/Applicant
Michael Geddis, Installer

Mr. Brennan explained what this application entailed and was on a little used road on the outskirts of Cranbury that until ten years ago was barely paved and maintain by the property owners on the road. The application was for a site plan approval to install a 125 kilowatt Kohler standby generator, sitting on an 8' x 12' concrete pad, located 480' off the roadside, behind a 7' existing privacy fence at the property. Self-contained double wall 24-hr run tank with a 290 gallons capacity and buried conduit. There was a pre-existing fence variance (pointed out from the planner's office), so if a variance was necessary they would amend their application to include that variance.

Ms. Cecil stated they would not needed a variance for the fence since it was pre-existing and same applicant was in 2017 for site plan approval and if in place at that time she saw no needed to seek approval.

Ms. Cecil announced jurisdiction and swore in the board professionals and the applicant's professionals.

Mr. Paltz (Ted) explained what Plant Food was and his role. Fertilizing farms, gold courses, anything within the green industry. Last year they had lost electric for five days, which ceased production, orders, etc. Trying to receive approval to maintain business and keep electric on in the event of another outage.

Mr. Grant Platz explained the proposed application of the emergency generator, which would 480' off the roadway to the rear, blue and dotted line on exhibit. The generator was designed to

power the main building where office and mixer room are located, the mixer controls, main frames for the business, etc. and continue operation.

It was brought to the attention of the attorney that the Board's Engineer did not flag that a licensed engineer had not prepared the plan this evening and that technically the application could not be deemed complete. Application was carried to the following July 5, 2021 hearing at 7:00 p.m.

Application was carried to July 1, 2021 at 7:00 p.m. at which time the applicant would bring a licensed engineer to represent the applicant.

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 other minutes of the Planning Board, held on June 6, 2021, consisting of ____ pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS of which, I had hereunto subscribed my name to said Planning Board this July 1, 2021.

Josette C. Kratz, Secretary

/jck