

**MINUTES
OF THE
CRANBURY TOWNSHIP
PLANNING BOARD
CRANBURY, NEW JERSEY
MIDDLESEX COUNTY
MARCH 2, 2023**

TIME AND PLACE OF MEETING

The Meeting of the Cranbury Township Planning Board was held on March 2, 2023 7:00 pm at Town Hall, 23A North Main Street, Meeting Room.

CALL TO ORDER

Mike Kaiser, Chairperson, called the meeting to order at 7:00 pm and presided over the meeting.

STATEMENT OF ADEQUATE NOTICE

Under the Sunshine Law adequate notice in accordance with the open public meetings act was provided on January 11, 2023 of this meeting's date, time, place and the agenda was mailed to the Cranbury Press and Trenton Times, posted on the Township Bulletin Board, mailed to those requesting personal notice and filed with the municipal clerk.

MEMBERS IN ATTENDANCE

- ☒ El-Badawi, Eman
- ☒ Ferrante, Michael
- ☒ Gallagher, James
- ☒ Gittings, Bill
- ☐ Jones, Dominique
- ☒ Kaiser, Michael, Chairperson
- ☐ Spann, Evelyn
- ☒ Stewart, Jason
- ☐ Wittman, Wayne, Vice-Chairperson

PROFESSIONALS IN ATTENDANCE

- ☒ Andrew Feranda, Traffic Engineer
- ☒ David Hoder, Board Engineer
- ☒ Elizabeth Leheny, Township Planner
- ☒ Sharon Dragan, Esquire, Board Attorney
- ☒ Robin Tillou, Planning Board Administrative Officer

MINUTES

December 1, 2022

Upon a motion from Mr. Ferrante and Mr. Stewart offering a second, the December 1, 2022 minutes were unanimously approved by those eligible to vote.

January 5, 2023

Upon a motion from Mr. Ferrante and Mr. Stewart offering a second, the January 5, 2023 Reorg minutes were unanimously approved by those eligible to vote.

RESOLUTIONS

**PB337-21 Cranbury Self Storage, LLC
Block 16, Lot 9, Zone GC
116 S. Main Street
Preliminary and Final Site Plan**

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Stewart

SECONDED: Mr. Gallagher

ROLL CALL:

AYES: Mr. Ferrante, Mr. Gallagher, Mr. Stewart and Mr. Kaiser

NAYS: None.

ABSTAIN: None.

MOTION PASSED

**PB368-22 Home Depot, Inc. (HD Operation Holding Co.)
61 Station Road
Block 7, Lot 18 I-LI-S Zone
Minor Site Plan
Smoking Shelter**

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Ferrante

SECONDED: Mr. Stewart

ROLL CALL:

AYES: Ms. El-Badawi, Mr. Ferrante, Mr. Gallagher, Mr. Gittings, and Mr. Stewart

NAYS: None.

ABSTAIN: None.

MOTION PASSED

APPLICATION

PB369-22 Elrac, LLC. (Enterprise Rent A Car)
2670 Route 130
Block 5, Lot 14 HC (Highway Commercial) Zone
Amendment to Site Plan – Car Station

REPRESENTATIVES: Greg Hock, D’Arcy Johnson Day, P.C., Attorney
Brian Murphy, P.E., P.P., C.M.E., FWH Associates

EXHIBITS

A-1 – Aerial Exhibit

A-2 – Elrac Site Plan

Ms. Dragan, Board Attorney, announced this Board has jurisdiction over this application and notice is adequate.

Ms. Dragan swore in Brian Murphy, the applicant’s engineer.

Ms. Dragan swore in the Board professionals.

Mr. Hock introduced the application stating Elrac is going for approval of the existing car station to permit vacuuming and cleaning in the car station. This is typical of car rental establishments. Enterprise Rent a Car is leasing the building and does not own it.

Ms. Dragan stated ADJ is the owner.

Mr. Murphy advised the Board he has been a professional engineer and licensed in NJ since 1995 and a professional planner since 1999 and has testified before 100 other Boards including Cranbury Township.

Chairperson Kaiser accepted Mr. Murphy’s credentials.

Mr. Murphy exhibited A-1, an aerial exhibit, and explained the lot is an “L” shape lot. The building shares tenants that are a dog kennel and a Pizzeria/Italian Restaurant. The lot to the north are single family homes, to the east is trailer storage and the lot to the west is Dunkin on Route 130.

Mr. Murphy exhibited A-2, Site Plan, and explained the stalls in the rear are reserved for Enterprise. The three-sided metal shed in the rear of the property (the car station) in the northeast is to clean the interior only i.e., vacuuming, etc. for Enterprise’s use only and there is signage indicating so. The car station is built so the employees are not doing the interior work to the cars in inclement weather. The lights are on from 8 am – 5 pm and are turned off at

nighttime. The lights are on a timer. There are reserved spots. There is a setback variance being requested. The setback is 9.1 ft. to the rear where 35 ft. is required. The odd shape property presents a hardship. There is no detriment to the zone or master plan. The trash will be contained. The parking stays the same.

Ms. Dragan asked when the last revision date was for the site plan.

Mr. Murphy responded October 7, 2022.

Mr. Hoder asked about the lighting.

Mr. Murphy responded it will be inside only and the lighting is timed from 8 am – 5 pm only.

Mr. Hoder asked how the structure is being held to the ground due to being a lightweight structure.

Mr. Murphy stated the car station is bolted on each corner to the ground.

Mr. Hoder asked if the cleanup materials leak out of the car station and if there can be steel bollards to ensure the car station stays in place.

Mr. Murphy stated none of the cleaning products are hazardous and they only use what will be used for cleaning the windows for exterior. They can provide steel bollards.

Mr. Hoder asked if the work being done in the car station is out of the view of the residents.

Mr. Murphy stated there is a 6 ft. stockade fence between the houses and the site that blocks out what they do.

Mr. Gittings asked how many cars can fit in the car station.

Mr. Murphy stated 15 total but they usually park 6 - 7.

Mr. Gittings stated there are 3 – 4 trucks parked in the grass and the dirt.

Mr. Murphy stated he is not sure what those trucks are and will make a call to see what they are.

Mr. Gittings stated the details show anchoring for a concrete pad, but it is not concrete, it is asphalt and asphalt has no lift resistance for 8” anchors.

Mr. Murphy stated if they must go deeper with the anchors, they will do that. They will unbolt it, move it, and put a footing underneath it. That can be made a requirement.

Mr. Gittings stated this will require building permits as well and at that time the construction official will make sure of that.

Chairperson Kaiser stated that detail was not designed by an architect which is typical, it was designed by a manufacturer. Part of the condition is to have an architect or engineer produce the concrete footing.

Mr. Murphy stated he has a structural engineer on staff.

Mr. Gallagher asked why they built the car station without a permit.

Mr. Hock stated Enterprise had a global initiative with COVID due to the demand to build the car stations. Currently, they are trying to make it right.

Mr. Gallagher asked to confirm there is no wastewater, oil changes or antifreeze.

Mr. Murphy responded no there is not.

Mr. Feranda stated the original approval for this property was in 2013 or 2014 and the approval was for 50 spaces and 5 spaces banked. 61 spaces are required. What has changed because the application states the requirement is 54 spaces. It appears there are 56. The plans should reflect all those numbers and be put in the parking calculations. The shed size must be consistent on the plans. There should be bollards in the adjacent space to protect the shed. You should narrow the parking space, so the space is not lost. There were concerns originally about the multiple uses and the shared uses that the variance for the parking spaces would work and this is the time to confirm there have not been any issues on site.

Mr. Murphy stated that due to Enterprise being open 8 pm – 5 pm and only having their own vehicles needing spaces it has not been an issue.

Mr. Murphy stated there are angled iron bollards.

Mr. Feranda wanted confirmation there will be no parking issues and the 12 spaces are marked.

Mr. Murphy responded yes there are 7 – 8 cars there typically. The circulation and access remain the same.

Ms. Leheny asked if the residential portion of the building on the 2nd floor is still used for residential.

Mr. Murphy stated he was told it is still a separate residence to the best of their knowledge.

Ms. Leheny asked which plan is correct, the architectural or the site plan with the sizes.

Mr. Murphy responded 18x4x21 is correct.

Ms. Leheny stated the residents to the left seem open to that structure and a concern is the headlights during the night hours. Can you provide buffering for the night hours of customers dropping off the cars?

Mr. Murphy stated there are no drop-off keys or after hours.

Ms. Leheny stated it should be stipulated there would be no intention to use that section of the site past 5 pm.

Mr. Hoder stated another condition is to make sure the foundations prevent the lightweight structure from flying away. There should be concrete foundation 2-3 ft. and bolt the foundation during the pour or hilling the anchors will also hold it in. That will be stronger than the aluminum.

Mr. Stewart asked if the banked spaces were supposed to be for the residential.

Ms. Leheny stated the resolution states there were enough spaces to accommodate the residents.

Mr. Feranda stated the banked spaces can be constructed when the zoning officer states more parking is needed or if the applicant states there is approval for these spaces, and they now want to put spaces out there.

Mr. Gallagher asked if this application would cause additional impervious surface and if there will be salt storage.

Mr. Murphy responded there will be no additional impervious surface and there is no intent to store salt.

Chairperson Kaiser stated there should be no deicing material storage as a condition of approval.

Ms. Dragan stated the 2007 preliminary and final for the Italian Touch pizzeria stated there are no more than 12 spaces that should be allocated for Enterprise.

Mr. Gallagher asked if there was anything to put in place to make sure the car station is bolted down as soon as possible.

Ms. Dragan stated it can be a condition of approval to have the structure inspected ASAP for safety.

Chairperson Kaiser stated the structure should be evaluated for safety as a condition of approval immediately.

Ms. El-Badawi asked where the bollards are placed.

Mr. Murphy stated they are placed in the front corner and would be angled iron bollards in the southwest corner and in the middle. In the car station Enterprise employees will be cleaning the tires, vacuuming, wiping down the windows and removing the trash accumulated.

Chairperson Kaiser asked where the supplies go.

Mr. Murphy stated it all stays in the shed.

Ms. El-Badawi asked if it is temperature controlled.

Mr. Murphy stated one side is always open.

Chairperson Kaiser opened the meeting to the public.

Mr. Robert Blackburn, 12 Hardley Drive, wife owns the nearest residence and his wife and him visit Italian Touch frequently and recommends the restaurant.

With no other comment, Chairperson Kaiser closed the public forum.

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Ferrante

SECONDED: Mr. Gallagher

ROLL CALL:

AYES: Ms. El-Badawi, Mr. Ferrante, Mr. Gallagher, Mr. Gittings, Mr. Stewart,
and Mr. Kaiser

NAYS: None.

ABSTAIN: None.

MOTION PASSED

**PB370-23 Park Avenue Solar Solutions, LLC
1242 – 1248 South River Road
Block 2, Lot 4.01 – LI (Light Industrial) Zone
Minor Site Plan – Solar Panels**

REPRESENTATIVES: Michael Butler, Eckert Seamans Cherin & Mellott, LLC, Attorney

Kevin O'Neil, Altus Power Renewable Energy, Development
Manager

EXHIBITS

Exhibit A-1 Resubmission PlansA-2 – Elrac Site Plan

Exhibit A-2 Project Narrative

Exhibit A-3 Applicant's Response to Professionals' Review Letters

Mr. Butler introduced the application by stating ICON is the Owner of the building and the tenant is unknown at this time.

Mr. Stewart stated google maps shows it being Iron Mountain, but it is unknown if that is currently the tenant.

Ms. Dragan swore in Mr. O'Neil.

Mr. O'Neil is the development manager at Altus Power and Altus Power is a solar storage EV developer owner/operator nationwide. They are in year #2 of the NJ Clean Energy Community Solar program. These will subscribe to pumping electricity into the grid and selling to customers that subscribe to these projects. He has taken these projects to origination, feasibility analysis, structural and coordinating with utilities.

Mr. O'Neil advised the Board the application will be a Community Solar Project interconnected with PSE&G largely consumed locally. Subscribers will be receiving the benefits of that power production. This project is roughly a 5 MW system which equates to 4 MW AC of generation. This project is a 20-year lease and remains with the building. The DCA (Department of Community Affairs) has received their plans and are currently under review. Altus Power should have approval in the coming month. The ground disturbance proposed is a total of 674 sq. ft. The rest of the disturbance is temporary and will be trenched or directionally bored depending on the features of the soil make up and the factors of that determination.

Chairperson Kaiser asked if the transmission lines from the roof will be shown on the exterior of the building to the inverters shown on the plan.

Mr. O'Neil responded that the inverters are all on the roof. There are 19 inverters within the series connected to the panels. Those run down to the exterior of the roof and connect underground to the path on the western portion. The transformer and the switch gear are on the pad closest to the building and the other pad consists of the disconnect switches, reclosers and meter. For the most part they are a safety apparatus that can be shut off in an emergency or for maintenance. There is a switch gear on the pad and other pads disconnect switches and the meter. The application is looking for approval for the site plan and the conduits on the side of

the building onto the concrete pad with equipment on it. That will transform the energy into useable energy toward the grid.

Mr. O'Neil went through Exhibit A-3, Altus Power's Response to the Professionals' Review Letters.

Mr. Ferrante asked if anyone would be able to see the solar.

Mr. O'Neil responded that it would be difficult in passing on ground level.

Chairperson Kaiser asked what the tallest inverter will be.

Mr. O'Neil responded 4 ft. and the tallest piece of equipment is 6 ft. which is a sensor.

Mr. Gallagher asked how high the panels are.

Mr. O'Neil responded the panels are under the inverter height, from 2 – 4 ft.

Mr. O'Neil explained that there are personnel that performs quarterly inspections and maintenance as needed. Performance data is sent remotely.

Mr. O'Neil advised as per Exhibit A-3, there is no screening proposed due to the existing vegetation screening the pads.

Mr. Feranda commented that during construction, it does go through the circulation and to confirm that notice will be given to the employees that work is being done in that area.

Mr. O'Neil responded they will not block the access drive and they are giving notice for a month prior to the work.

Mr. Feranda asked if drones are used to observe the roof.

Mr. O'Neil responded they do use drones, but typically it will be manual labor to check on the roof.

Mr. Stewart requested clarification that it will be safe for someone to go on the roof.

Chairperson Kaiser advised for safety reasons the modules are set back 8 ft. and there are spaces between the modules.

Mr. Hoder stated there is contamination in the soil, which is common in fields that were previously farmed. There should be something put in place so that all precautions are to be taken during construction to ensure the workers and the public are safe.

Ms. Dragan advised DEP needs to be notified that disturbance is taking place.

Mr. Gallagher stated you must notify the DEP for the site remediation program and a case manager should be assigned to that.

Mr. Gittings asked where the excavating would be going.

Mr. O'Neil stated it will be back filled.

Mr. Gittings stated there will still be extra soil.

Mr. O'Neil responded that they do not feel due to the size of the conduit.

Mr. Gittings stated it will be 3 ft. x 2 ft. so there will be soil that will not be able to spread out.

Mr. Butler stated they will provide details of soil in the condition if there is excess soil.

Mr. Gallagher asked if there is security fencing.

Mr. O'Neil responded no it is not needed.

Chairperson Kaiser stated all components are on the roof, so it is not accessible.

Mr. O'Neil agreed with Chairperson Kaiser's statement.

Mr. Gittings asked if the conduit will match the façade of the building.

Mr. O'Neil stated they can do that as a condition.

Mr. Gallagher asked if a utility easement would be needed.

Mr. O'Neil responded leading up to the first pad yes. It is being coordinated with the Owner.

Mr. Gallagher asked of the directional drilling instead of trenching, how would that be the same level of trenching?

Mr. O'Neil responded that whatever requirements are needed for capping will be done.

Mr. Hoder stated the details need to be changed of what trenches will look like and what the soil stock pile or final disposal area will look like with a cap on it. Identify that on the plans.

Mr. O'Neil responded that they would ensure that if the soil is disturbed it is going to a proper location for proper disposal as per DEP regulations who will be notified.

Mr. Dragan stated the Board would like a copy of that for their records.

Mr. Gittings asked what happened after the 20 years of leasing the panels.

Mr. O'Neil responded the conditions of the lease with the landlord is to take it away and restore the landscape and building façade after the lease.

Mr. Gallagher asked if the wiring is aluminum or copper.

Mr. O'Neil responded that the majority is aluminum, but certain components are copper.

Chairperson Kaiser stated the buffering needs to be a condition due to consistency of having a buffer for disturbance of this size with other applications.

Mr. O'Neil responded they are open to adding landscaping to where needed but need to provide access to emergency vehicles.

Chairperson Kaiser stated Ms. Leheny can manage the landscaping for the buffering.

Ms. El-Badawi asked how long the project will take from start to finish.

Mr. O'Neil responded it is typically 6 months. The majority of construction occurs 3-4 months and then there is testing for approximately 3+ months. The deadline for this project is November 4, 2023 for the State.

The conditions of approval are as follows:

1. Buffering on pads.
2. Better details of utilities and trench.
3. Freehold Soil Conservation approval.
4. Paint conduit to building façade.
5. Proper handling of potential excess of contaminated soils.

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Gallagher

SECONDED: Mr. Ferrante

ROLL CALL:

AYES: Ms. El-Badawi, Mr. Ferrante, Mr. Gallagher, Mr. Gittings, Mr. Stewart,
and Mr. Kaiser

NAYS: None.

ABSTAIN: None.

MOTION PASSED

PB371-23 Park Avenue Solar Solutions, LLC
283 Prospect Plains Road
Block 2, Lot 4.02 – LI (Light Industrial) Zone
Minor Site Plan – Solar Panels

REPRESENTATIVES: Michael Butler, Eckert Seamans Cherin & Mellott, LLC, Attorney
Kevin O’Neil, Altus Power Renewable Energy, Development
Manager

EXHIBITS

Exhibit A-1 Resubmission PlansA-2 – Elrac Site Plan

Exhibit A-2 Project Narrative

Exhibit A-3 Applicant's Response to Professionals' Review Letters

Mr. O’Neil advised the Board for this application, the same conditions will be applied from application #PB370-23 1242 – 1248 S. River Road and are as follows:

1. Making a note on the plan of the deed notice.
2. The Board Planner will be consulted for the buffering of the equipment on the ground.
3. The conduit coming down on the side of the building will match the façade of the building.
4. Showing the details of the soil and receiving any outside approval for the soil.
5. If there is excess soil, removal of the soil will be under the requirements of DEP.

Mr. O’Neil stated this application is also a part of the NJ Clean Energy Community Solar program and will have a 20-year lease. This application is slightly smaller. It is 3,461 KW DC = 3.4 MW DC which equates to 2.2 KW DC. That will generate annually 3,700,000 KW hours of electricity. That is equal to the annual equivalent production to COT emission for 331 homes. The ground disturbance will be 353 sq. ft. The physical trenching is also limited compared to the previous application. The setback from the first pad is 200 ft. from Prospect Plains Road. Other than the differences mentioned the two (2) applications have no other differences.

Mr. Hoder stated the conduit is run through the retention basin. Is there a way to move it out of the wet area?

Mr. O’Neil responded he will investigate that. Possibly tuck it tighter to the existing parking lot.

Mr. Hoder advised that they may have to go to Freehold Soil Conservation District if there is 5,000 sq. ft. of disturbance. (This is for both applications for the soil.)

Mr. Butler stated the applicant can go to Freehold Soil Conservation District if there is 5,000 sq. ft. of disturbance.

Mr. Stewart asked about fire prevention for the equipment.

Mr. O'Neil stated anything can be a fire hazard, the more concerning components are the equipment on the rooftop.

Mr. Hoder would like to see the equipment 10 ft. from the building.

Mr. Gittings stated in regards to the 40 ft. deciduous tree where the pad is being placed, putting it further from the building will save the tree. If the tree cannot be saved due to the hydrant, can you save the trees? The trenching is near the trees and should be outside of the drip edge of the trees.

Chairperson Kaiser asked Ms. Leheny if that could be passed to her firm regarding the trees.

Ms. Leheny advised it could be.

Mr. Stewart asked if the equipment will be screened as a condition as was with PB370-23.

Mr. O'Neil stated they will agree to the same condition of screening if emergency vehicles can access the equipment.

Ms. El-Badawi asked if this application will happen simultaneously with PB370-23.

Mr. O'Neil responded it more than likely will be worked on simultaneously unless one gets delayed in a different time frame than the other.

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

The conditions of approval are as follows:

1. Relocate pad 10 ft. from building.
2. Buffering on both pads.
3. Better details of utilities and trench.
4. Freehold Soil Conservation approval.
5. Underground utilities are outside of trees.

6. Paint conduit to building façade.
7. Proper handling of potential excess of contaminated soils.

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Stewart

SECONDED: Mr. Gittings

ROLL CALL:

AYES: Ms. E1-Badawi, Mr. Ferrante, Mr. Gallagher, Mr. Gittings, Mr. Stewart,
and Mr. Kaiser

NAYS: None.

ABSTAIN: None.

MOTION PASSED

PUBLIC COMMENT

Chairperson Kaiser opened the meeting to the public, with no public comment, the public forum was closed.

ADJOURNMENT OF MEETING

There being no further business, Mr. Stewart made a motion to adjourn the meeting and Mr. Gallagher offered a second. By unanimous vote, the meeting was thereupon adjourned at 10:00 pm.

CERTIFICATE OF SECRETARY

I, the undersigned, do at this moment certify;

That I am duly elected and secretary of the Cranbury Township Planning Board and that the minutes of the Planning Board, held on March 2, 2023, consisting of fourteen (14) 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 April 7, 2023.

Robin Tillou

Robin Tillou, Administrative Officer

/rst