

**MINUTES
OF THE
CRANBURY TOWNSHIP
PLANNING BOARD
CRANBURY, NEW JERSEY
MIDDLESEX COUNTY
APRIL 6, 2023**

TIME AND PLACE OF MEETING

The Meeting of the Cranbury Township Planning Board was held on April 6, 2023 7:00 pm at Cranbury Library, 30 Park Place West, Meeting Room #1 & 2.

CALL TO ORDER

Mike Kaiser, Chairperson, called the meeting to order at 7:05 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

March 2, 2023

Upon a motion from Mr. Stewart and Mr. Kaiser offering a second, the March 2, 2023 minutes were unanimously approved by those eligible to vote.

RESOLUTIONS

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

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Stewart

SECONDED: Mr. Kaiser

ROLL CALL:

AYES: Mr. Stewart and Mr. Kaiser

NAYS: None.

ABSTAIN: None.

MOTION PASSED

**PB370-23 Park Avenue Solar
Block 2, Lot 4.02, Zone LI
283 Prospect Plains Road
Minor Site Plan – Solar Panels**

MOTIONED TO APPROVE WITH CONDITIONS: Mr. Stewart

SECONDED: Mr. Kaiser

ROLL CALL:

AYES: Mr. Stewart and Mr. Kaiser

NAYS: None.

ABSTAIN: None.

MOTION PASSED

DISCUSSION

PB324-19 Regency at Cranbury – Toll Brothers

Chair Kaiser advised he had contacted the Township Engineer, Thomas Decker, regarding concerns from residents on the Regency at Cranbury application that went before the Planning Board in 2019.

Vice-Chair Wittman stated he had been approached by residents in that area with concerns about the construction for The Regency. A couple examples of the concerns are the sanitary sewer was

being put in at different heights and there is a section on the road where only one car can get through. What is the point of contact for concerns on the project at this point.

Chair Kaiser stated the concerns are anything that may have fallen through the cracks of the Planning Board's approval and the Planning Board's intentions are being followed through. Mr. Decker did confirm he goes through the resolution thoroughly.

Ms. Spann confirmed with Chair Kaiser that the concern is the resolution is not being executed as the Planning Board required.

Chair Kaiser stated yes there are concerns with compliance.

Ms. Spann stated once the plans are signed off on it is out of the Planning Board's jurisdiction. It is then turned over to the Township Committee (TC). There are two members from the Township Committee on this Board that collaborate with Tom Decker. The residents should express those concerns to the Township Committee whether by memo or going to the TC meeting and speak during public comment. If the Planning Board has concerns with resolution compliance, then we can take it to Tom Decker and if the residents have concerns, they can take it to the TC.

Mr. Stewart asked if Mr. Decker saw an issue with the resolution not complying.

Chair Kaiser stated residents are having concerns of all the topsoil being exported when it can be used as green space for future residents of the property. Mr. Decker highlighted portions of what is to be inspected and what the intentions were. The approval was they could not export some fill up to an amount and if they do more they will have to come back to the Board. Mr. Decker is sending out an inspector to ensure the issues are complaint.

Ms. Jones asked what happens when the resolution is not being executed.

Ms. Dragan stated once the Board is done with an application, it then gets transferred over to the Township Engineer who is now supposed to be doing the inspections on site and looking at the resolution. The TC oversees the performance guarantee. They make recommendations on whether the guarantees should be reduced or released. If the developer is in breach of anything it is the Township that will go after them. It is not the Board that will enforce it. The developer is in contact with the Township Committee.

Vice-Chair Wittman asked if the Board could have an update on the approved plans.

Ms. Spann stated we can express our concerns to the TC and Tom Decker could possibly attend the TC meeting to discuss. It is in the Planning Board's jurisdiction to ensure the resolution is being complied with.

Vice-Chair Wittman would like to ensure that everything is getting done right with the project whether it be biweekly meetings with the developer to ensure that.

Chair Kaiser stated the two members of the Board that are on the TC need to be informed of their options. The performance bond is important, and the TC needs to know they have that leverage.

Ms. Dragan stated the developer's agreement needs to be thorough as well. If there are violations in the developer's agreement or the approval, there can be a stop work order.

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. Wittman made a motion to adjourn the meeting and Ms. Spann offered a second. By unanimous vote, the meeting was thereupon adjourned at 7:40 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 April 6, 2023, consisting of four (4) 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 5, 2023.

Robin Tillou

Robin Tillou, Administrative Officer

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