

TOWNSHIP COMMITTEE REGULAR MEETING
December 14, 2020

The Township Committee Regular Meeting of the Township of Cranbury was held at 7:00 pm. by remote access videoconferencing in response to COVID-19 and the updated Open Public Meeting Act guidelines. Answering present to roll call were Township Committee members: Michael Ferrante, Barbara Rogers, Evelyn Spann, Jay Taylor and Mayor Matthew Scott. Also present were Denise Marabello, Township Administrator/CFO; Steve Goodell, Township Attorney; Richard Preiss, Township Planner; Thomas Decker, Township Engineer; and Debra Rubin, Municipal Clerk. Mayor Scott called the meeting to order and Ms. Rubin read the following Open Public Meetings Act statement:

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

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

Communicated to the Cranbury Press, Home News Tribune and Trenton Times on January 10, 2020 and remote access information added on April 24, 2020, updated on June 18, 2020.

Filed on January 10, 2020 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection. Township website was updated with remote access information on April 24, 2020, updated June 18, 2020.

Sent to those individuals who have requested personal notice.

Ms. Rubin read the following additional statement:

Cranbury Township

Statement on Public Comment during Remote Meeting

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

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

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

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

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Approval of Minutes:

--Township Committee Regular Meeting Minutes of November 23, 2020

The Township Committee Regular Meeting Minutes of November 23, 2020 were presented on a motion by Mrs. Spann, seconded by Mr. Ferrante. On a roll call vote of the members of the Township Committee;

Ayes: (Ferrante
 (Rogers
 (Spann
 (Taylor
 (Scott
 Abstain: None
 Absent: (None

Nays: (None

the Township Committee Regular Meeting Minutes of November 23, 2020 were adopted.

**Reports and Communications Boards/Commission 2020 Accomplishments
Members of Committee**

- Mr. Ferrante – Mr. Ferrante recapped on the past year for the following; Zoning Board of Adjustment, Board of Health, Environmental Commission and Scouting. He also reported on Resident Communication Subcommittee which saw an increase in email subscriptions and the mailing of postcards during the pandemic. He added the Traffic Subcommittee received notice on the Cranbury Circle which will be posted to the township website for public comment. Mr. Ferrante ended with acknowledging Chief Owens for the past Halloween efforts and its success.
- Dr. Rogers – Dr. Rogers recapped on the past year for the following: Parks Commissions, Cranbury Historic Preservation Society and Shade Tree Commission. She added the upcoming celebration of Cranbury Township celebrating 325 years in 2022 and suggested the township begin planning for the event. She added the Communication Subcommittee also created and maintained the interactive business map on the township website and Cranbury Business Association website. She provided comments on the Bike Network Plan to the lead of the Technical Assistance Team.
- Mrs. Spann – Mrs. Spann recapped the actions taken by Planning Board and Historic Preservation Commission over the past year, as well as, Municipal Alliance activities. Mrs. Spann recognized and thanked each volunteer for serving on the various committees. She reported for Buildings/Maintenance regarding the installation of new bay doors at the firehouse. Mrs. Spann reported on the efforts of the Zoning Committee and explained the function of the committee. She added it would be beneficial to have Zoning Board representation on the committee in the upcoming year.
- Mr. Taylor – Mr. Taylor recapped on Board of Recreation Commissioners activities, such as, implementing a drive-in movie during the pandemic. He added a presentation is on the agenda for later in the meeting from the Board of Recreation Commissioners for the upcoming year.

Mayor

- Mayor Scott – Mayor Scott discussed the challenges of transitioning over the past year during COVID-19 along with the retirement of Chief Rickey A. Varga and the swearing in of this successor, Chief Michael J. Owens. Mayor Scott reported the Traffic Bureau was reinstated and added the Chief of Police is being responsible for the Office of Emergency Management. Mayor Scott stated the Library was displaced due to the pandemic; however, the Library Bond Grant Act will aid in beginning the construction of the new building. He reported the Economic Development Advisory Committee was created in the late summer and has been working diligently together ever since.

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Department Head –

- Sam Distasio – Fire Department – Chief Distasio provided the monthly report for November.

Boards and Commission - Recreation Commission – Lisa Rue

Ms. Rue presented a power point presentation to request approval from the Township Committee to seek funds from the Mayor's Trophy Fund. She advised these funds need to be liquidated in 2021. The presentation included projects to be considered for approval; (2) two sand volleyball courts, (1) roller rink w/ice and hockey boards, (2) two pickle ball courts (possibly four) and any remaining funds would be used for an adaptive swing/playground equipment. At the end of the presentation, Ms. Rue stated the Recreation Board is requesting approval from the Township Committee to work with the Mayor's Trophy Fund autonomously and not need to seek approval from the Township Committee on each change within a project. Discussion ensued amongst the members regarding concerns including the cost of maintenance and manpower, the possibility of an increase in liability, lack of plans for each project, the life of tennis courts and the prioritizing of the adaptive equipment at the parks. Ms. Marabello added that any larger projects may need to go through the bidding process and suggested the Recreation Board concentrate on one project, have the questions answered for the committee and return with an estimate for the project. She added that the maintenance needs to be considered and the Department of Public Works should be contacted to discuss the impact on time and budget. Mayor Scott agreed that each project should be addressed separately.

All agreed to begin with the Pickle Ball/Volleyball courts and not purchasing the nets for the first project. Lisa Rue to follow up and return to the Township Committee with additional information once received.

Follow up Items –

- None.

Agenda Additions/Changes – None

Ordinances –

First Reading – None

Second Reading –

Ms. Rubin read the following ordinance by title only.

CRANBURY TOWNSHIP
ORDINANCE# 11-20-11

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX
COUNTY, NEW JERSEY, AMENDING AND REVISING
CHAPTER 150-9 AND ADDING CHAPTER 150-29.3, THE LAND DEVELOPMENT
CODE

WHEREAS, on December 16, 2010, Cranbury Township adopted a Master Plan which recommended, among other things, that the Township implement a Scenic Corridor Overlay Zone;

WHEREAS, the November 7, 2019 Master Plan Reexamination Report reiterated this proposal;

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WHEREAS the Cranbury Township Zoning Committee now recommends that a Scenic Corridor Overlay Ordinance be adopted in the following form.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranbury, as follows:

Section 1. The Cranbury Township Land Use Development Ordinance is amended and supplemented as follows:

§ 150-9 Zone districts.

The Township of Cranbury is hereby divided into a number of zones differentiated according to use, area and bulk requirements, as indicated in **Schedule A** and **Schedule B** in § 150-28, to be designated as follows [addition is indicated in **bold**]:

150-29.3 Scenic Corridor Overlay Zone (New Section)	A-100 Zone	Agricultural Preservation
	R-LI Zone	Residential - Light Impact
	RLD-1 Zone	Residential - Low Density (1)
	RLD-3 Zone	Residential - Low Density (3)
	R-ML Zone	Residential - Mt. Laurel
	R-ML II	Residential - Mt. Laurel II
	R-ML III	Residential - Mt. Laurel III
	R-AH Zone	Residential - Affordable Housing
	V/HR Zone	Village/Hamlet Residential
	VC Zone	Village Commercial
	HC Zone	Highway Commercial
	GC Zone	General Commercial
	CM Zone	Community Mixed Use
	HM Zone	Highway Mixed Use
	RO/LI Zone	Research Office and Light Industrial
	I-LI Zone	Light Impact Industrial
	I-LIS Zone	Industrial - Light Impact Sewered
	R-AR Zone	Residential-Age Restricted
	SCO Zone	Scenic Corridor Overlay Zone

es

The boundaries of the SCO – Scenic Corridor Overlay Zone shall be all land within the underlying A-100 Agricultural Preservation District and R-LI Residential Light Impact District within four hundred (400) feet of the front property-line of the right-of-way of the following roads in Cranbury Township:

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- Dey Road
- Plainsboro Road
- Cranbury Neck Road
- John White/George Davison Road
- Ancil Davison Road

B. Exceptions

All construction, uses and activities which are conducted or protected under the “right-to-farm” provisions of the Township Code at Chapter 81-1 et. seq shall be exempt from the requirements of the SCO Zone. However, ~~property owners and farmers~~ **properties exempt under Right to Farm** within the SCO Zone are encouraged to adhere to the spirit and intent of this ordinance ~~on a voluntary basis~~, for the overall benefit of the Township.

C. Purposes

- (1) To assure maximum preservation and enhancement of the scenic corridor’s outstanding and unique scenic features and resources.
- (2) To preserve the scenic corridor roadways so as to foster a more rural scenic driving experience.
- (3) To assure that the design and placement of buildings and other improvements preserve, complement and/or enhance views of lands visible from the scenic corridor roadways.
- (4) To reduce disturbance of the existing topography and vegetation within the corridor and reduce the visual intrusion caused by excessive lighting.
- (5) To provide a review process of all disturbance or construction of improvements including buildings, parking, driveways, and all other man-made structures to assure their conformance with the purposes and development standards set forth herein.
- (6) To ensure that the standards herein in no way interfere, inhibit or otherwise obstruct activities which are protected under “right-to-farm” provisions of Township Code at Chapter 81-1 et seq.

D. Application and Conflicts

All construction or development that occurs or is proposed or intended to occur within the SCO – Scenic Corridor Overlay district shall adhere to the provisions of the underlying zone and in addition, the requirements of the SCO district as set forth herein. Where the provisions of the SCO district conflict with those of the underlying zone, the requirements of the SCO district shall apply.

E. Corridor Roadway Improvements

- (1) The regulations that are set forth in subsection F below, both acknowledge and recognize that improvements that are proposed or undertaken within the right-of way of ~~many~~ **some** of the scenic corridor roadways, are under the jurisdiction of Middlesex County. However, it is the intent of the Township to encourage the County to the extent

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possible, not to require, endorse or otherwise encourage any improvements which undermine the purposes set forth in subsection C above, unless absolutely necessary for the health and safety of the public.

- (2) Such improvements would include the following:
 - (a) Widening the paved cartway of the roadway, including the provision of turn lanes or acceleration or deceleration lanes.
 - (b) The provision of curbs along the roadway edge.
 - (c) The provision of sidewalks, street lighting fixtures or shade trees.
 - (d) Requiring or/undertaking the realignment of any portion on the roadway.
 - (e) Increasing the posted speed limit along the roadway.
 - (f) Unnecessarily requiring or undertaking the removal of mature trees and vegetation within the right-of-way.

~~(3)~~ **(g) The following improvements within the right-of-way are not discouraged: Such improvements which would not be precluded from being undertaken are roadway striping for bike lanes, or the provisions of appropriate signage, or the addition of bike lanes or the widening of the paved cartway to add separate bike lanes and the addition of appropriate signage related thereto.**

F. Scenic Corridor Overlay Standards

(1) Building Materials, Colors and Styles

Buildings located within the corridor shall use building materials, color and styles that are aesthetically compatible with the agricultural setting or that are consistent with existing historical styles in Cranbury. For residential buildings, adherence to the architectural styles articulated in Cranbury's historic district are encouraged if a farmstead style is not utilized. Farm-related structures shall be compatible with the farmstead style to the extent possible. All other buildings should include windows and suitable textural treatments and pitched roofs to avoid the appearance of a flat "box" on the landscape. Buildings shall be oriented so as to avoid exposing rear facades to the roadway.

(2) Siting of Buildings

Within 400 feet of the roadway, buildings which do not adhere to the standards for building materials, colors, and styles set forth in § 150-29.3 F(1) above, should be sited in a manner which minimizes their visibility, or to the extent impractical, shall screen all elements that are incompatible with the rural and agricultural character of the corridor, by means of landscaping.

(3) Parking

The provision of outdoor parking areas for more than four (4) vehicles that are directly visible from the roadway is discouraged. To the extent possible, outdoor parking areas

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should be located behind buildings, walls, fences, hedges or other natural screening to prevent a direct view from the roadway. To the extent that views of such parking areas are unavoidable, landscaping shall be used around the perimeter of parking area to screen such views from the roadway and within the parking lots to break up the sea of asphalt.

(4) Outdoor Lighting

The height, location, and intensity of any outdoor lighting provided within the scenic corridor shall be reduced to that which is necessary for security and safety purposes. Lighting fixtures which produce glare or which otherwise interferes with the visibility of the night sky shall be avoided. The design of all light fixtures shall be compatible with rural and agricultural character of the scenic corridor.

(5) Tree and Woodland Conservation

The removal or destruction of existing trees and vegetation which contribute to the scenic corridors rural and agricultural character, such as hedgerows, stands of mature trees or meadows that are a part of an agricultural viewshed, shall be avoided to the extent practical.

(6) Landscaping and Grading

Significant changes to the existing topography shall be avoided to the extent practical and landscaping should be utilized to soften and buffer views of structures, buildings and driveways, parking are that area necessary, but which are not compatible with the rural and agricultural character of the corridor. Existing native vegetation shall be retained in place wherever possible. Where native plants must be removed, the transplantation of salvaged plants is encouraged as well as replacement by native landscaping. Such landscaping shall include species and locations which maintain the corridor's natural vegetative or agricultural appearance.

(7) Billboards, Telecommunication Towers and Utilities

Billboards and telecommunication towers shall be prohibited within the scenic corridor. The placement of above-ground utility structures (such as electrical substations, water pumping facilities, etc.) within the scenic corridor shall be avoided to the maximum extent possible. Aside from electrical and telephone wires serving agricultural uses and single-family homes, all utilities shall be located underground within the corridor.

(8) Signs, Walls and Fences

The location, height, size, lighting and design of any signage within the corridor shall be reduced to the smallest necessary to serve their intended function and shall utilize materials, colors and designs which are consistent with the rural and agricultural character of the scenic corridor. Chain link fencing is discouraged within the scenic corridor. Fences and walls should be of a location, height and design that maintain the corridor's agricultural and rural character.

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Section 2. Repealer. All ordinances or parts thereof inconsistent herewith are repealed as to such inconsistencies.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Effective date. This ordinance shall take effect upon its passage, publication, filing with the County of Middlesex, and entry of final judgement of compliance and repose.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on November 9, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held virtually via Zoom in lieu of in the meeting room of Town Hall, 23-A North Main Street, in the Township of Cranbury on December 14, 2020 at 7:00 P.M., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same or on the township website at https://www.cranburytownship.org/ordinances#anchor_introduced

Mr. Preiss, Township Planner, reviewed the Memorandum from the Planning Board, regarding the suggested amendments and advised the amendments were not substantive. Therefore, the ordinance did not need to be reintroduced or readvertised.

Mayor Scott opened for public comment on the ordinance only.

Public Comment on Ordinance No. 11-20-11:

- Paul Mullen – Mr. Pullen questioned why the public has not seen the version of the ordinance the Township Committee was considering for adoption. He stated the ordinance sounds discouraging towards the bike plan. Mr. Preiss advised that the amendments were not considered substantive and therefore it was not necessary to readvertise or reintroduce. Mr. Preiss read the amended language aloud for the public.

Hearing no further public comment, Mr. Ferrante made a motion to close public comment, Dr. Rogers seconded the motion. On a voice vote, the motion passed unanimously.

Mr. Ferrante made a motion to amend Ordinance # 11-20-11 from first introduction in accordance with the amended version received by the Township Committee with Zoning Committee recommendations. Mr. Taylor seconded the motion to vote to amend. On a roll call vote, the ordinance was amended as received. On a roll call vote, the ordinance was adopted as amended.

Ayes: (Ferrante
(Rogers
(Spann
(Scott

Abstain: (None
Absent: (None

Nays: (Taylor

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Ms. Rubin read the following ordinance by title only.

Mayor Scott opened for public comment on the ordinance only. Hearing none, Mayor Scott asked for a motion to close public comment, Mr. Ferrante made a motion to close public comment, Mrs. Spann seconded the motion. On a voice vote, the motion passed unanimously.

**CRANBURY TOWNSHIP
ORDINANCE# 11-20-12**

**AN ORDINANCE OF THE TOWNSHIP OF CRANBURY, IN MIDDLESEX COUNTY,
NEW JERSEY, AMENDING AND REVISING
CHAPTER 150-61 OF THE LAND DEVELOPMENT CODE**

Mr. Ferrante made a motion to adopt Ordinance # 11-20-12. Mr. Taylor seconded the motion. On a roll call vote, the ordinance was adopted.

Ayes:	(Ferrante	
	(Rogers	
	(Spann	
	(Taylor	
	(Scott	
	Abstain: (None	
	Absent: (None	
	Nays: (None	

Resolutions – Consent

Mayor Scott asked the Township Committee if there were any questions or comments on the Consent Agenda items. Hearing none, Mayor Scott requested a motion to adopt the existing Resolutions. On a motion by Mr. Ferrante, seconded by Dr. Rogers the following Consent Resolutions were adopted by the following vote:

Ayes:	(Ferrante	
	(Rogers	
	(Spann	
	(Scott	
	(Taylor	
	Abstain: (None	
	Absent: (None	
	Nays: (None	

Cranbury Township Resolution #R 12-20-131

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

CRANBURY TOWNSHIP # R 12-20-132

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

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

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

Section 1

NOW, THEREFORE, BE IT RESOLVED that the Township Committee hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of \$343,256.00 which item is now available as a revenue from the State of New Jersey pursuant to the provision of statute, and

Section 2

BE IT FURTHER RESOLVED that a like sum of \$343,256.00 is hereby appropriated under the caption "NJDOT Old Cranbury Road".

Section 3

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

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

Public Comment

Mayor Scott opened the meeting to general public comment. Hearing none, Mayor Scott closed the meeting to public comment.

Action Items:

- Running list of 2021 Projects

Adjourn

Mayor Scott requested a motion to adjourn. On motion by Mr. Taylor, seconded by Dr. Rogers and unanimously carried, the meeting adjourned at 9:59 p.m.

Debra A. Rubin, RMC
Municipal Clerk