

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

**MINUTES APRIL 4, 2018
APPROVED JUNE 6, 2018**

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Zoning Board of Adjustment was held at the Cranbury Township Hall Municipal Building, 23-A North Main Street, Cranbury, New Jersey, Middlesex County on April 4, 2018, at 7:30 p.m.

CALL TO ORDER

Ms. Merilee Meacock called the meeting to order and presided over the meeting as Chairman was appointed.

STATEMENT OF ADEQUATE NOTICE

Pursuant with 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

- ☒ Joseph Buonavolonta
- ☒ Sean Deverin
- ☒ Robert Diamond
- ☒ Michael Dulin
- ☒ John Hoffman
- ☒ David Nissen
- ☐ Frank McGovern (Alternate #1)
- ☒ Richard Kallan (Alternate #2)
- ☒ Marilee Meacock

PROFESSIONALS IN ATTENDANCE

- ☒ Andrew Feranda, Traffic Consultant
- ☒ David Hoder, P.E., Board Engineer
- ☒ Trishka Cecil, Zoning Board of Adjustment Attorney
- ☒ Josette C. Kratz, Secretary
- ☒ Richard Preiss, P.P., Board Planner
- ☒ Virginia Guinta, Court Reporter

MISC. - Upon a motion made and seconded the board approved 2014, 2015, 2016 & 2017 Annual Reports.

APPROVAL OF MINUTES - Upon a motion made and seconded the board approved the minutes of January 3, 2018.

RESOLUTIONS

ZBA296-16 Mukesh Somani
 Block 7, Lot 15, Zone I-LI-S
 65 Station Road
 Use Variance ("D" Variance) & Site Plan

MOTION BY: Mr. Dulin (to approve)
SECONDED BY: Mr. Diamond

Mr. Nissen noted the vote of the use variance should say yes for the vote for Ms. Meacock

ROLL CALL:

AYES: Mr. Diamond, Mr. Dulin, Mr. Hoffman, Ms. Meacock, Mr. Nissen
NAYS: None
ABSTAIN: Mr. Kallan (not eligible)
ABSENT: McGovern

MOTION APPROVED

APPLICATIONS

ZBA310-18 Cox, David & Donelda
 Block 32, Lot 13, Zone VC
 14 North Main Street
 Bulk Variance

REPRESENTATIVES BY: Joseph Primiano, Architect
David Cox, Applicant/Owner

The applicant proposed to restore the historic welling to its original condition by reconstructing the wrap around porch and roofing and removed the two existing porches. The porch will wrap around the northwestern and southwestern corners and along North Main Street with all architectural elements to match the originally designed porch. The dwelling is currently 3.6 feet from the north side of the property line, where 6 (six) feet is necessary for a minimum side yard setback. The applicant is not encroaching further than the existing portion of the old porch that still exists.

Mr. Preiss commented about the benefits, stating it was clear in the master plan that historic preservation was a goal of Cranbury with sustainable benefits.

There were no public comments made.

MOTION BY: Mr. Dulin
SECONDED BY: Mr. Deverin

ROLL CALL:

AYES: Buonavolonta, Deverin, Diamond, Dulin, Hoffman, Meacock, Nissen
NAYS: None
ABSTAIN: Kallan (not eligible)
ABSENT: McGovern

MOTION APPROVED

**ZBA309-18 The Enclave at Cranbury
Block 21.03, Lot 10, Community Mixed-Use Zone
68-70 South Main Street
Use Variance, Preliminary and Final Major Subdivision**

REPRESENTATIVES: Robert G. Smith, Esquire – Bob Smith & Associates
Todd A. Ochsner, Applicant
James W. Higgins, P.P.
Mark Lescavage, P.E.

PUBLIC WHO SPOKE: Theresa Lim
Louise Campi-Carroll
Melissa Marschner
Dave Carroll
Evelyn Spann

EXHIBITS: A-1 Aerial Map
 A-2 Colored rendering/Site Layout
 A-3 Sheet 3 Site Plan
 A-4 Conceptual Site Layout Conforming
 A-5 Aerial/Closer Scale
 A-6 Blow-up of Sheet 3

All witnesses, professionals, public who spoke were sworn.

(TRANSCRIPT OF THIS HEARING AVAILABLE)

Mr. Smith introduced himself, stating this was an application for a use variance and subdivision to allow for nine single-family homes, stormwater detention lot, and there is an existing office commercial lot. Mr. Lescavage explained they are seeking preliminary and final subdivision approval. Zoning for this property was community mixed use which allowed condominiums and townhouses. Property is 3.47 acres located on the corner of Old Trenton Road (County Route 535) and South Main Street (County Route 614) in the CM Zone. The Liedtke Subdivision surrounds the property. The applicant proposes nine single-family residential building lots, the smallest being 6,189 SF, and the largest, 10,682 SF, most of the lots being in the 6,500 SF range. There will also be an additional lot being created on the southwest portion of the property for a Stormwater management basin. Access will be utilizing the existing commercial driveway as on full movement access into the project. The street, which they are calling Arthur Lane, will loop around and come back to intersect Old Trenton Road. There are proposed sidewalks on both sides of Arthur Lane which will gain access to Old Trenton Road. Lot size proposed a minimum of 6,000 SF; lot width 70-FT, front yard 15-feet, side yard 6-FT, rear yard 25-FT. Building height 35-FT. Accessory structure rear yard 10-FT and accessory structure height 15-FT. Each lot will comply with the RSIS regarding the driveway width and number of bedrooms and the required parking therein. The stormwater basin will be an infiltration basin, meeting all the standards for the Stormwater management rules regarding groundwater recharge and water quality and required reduction of Stormwater quality for a 2, 10, and 100-year storm event. There will also be a bioswale to the rear of Lots 10.02 and 10.03, and we're adding in a rain garden mix as suggested in the DRC. The water line will connect to Old Trenton Road and sewer through Liedtke Drive subdivision easement.

Ms. Meacock asked who was maintaining the detention basin. Mr. Ochsner stated it would be taken over by Cranbury Township.

Mr. Deverin questioned why the minimum lot width was 70-FT but the design is shown none were 70-Ft, and again for minimum side yard at 6-FT but none of the lot designs where at 6-FT.

Mr. Preiss stated if the Board approves the subdivision as shown on Sheet 3, these actual lot sizes, lot configurations, lot widths are going to be approved. Mr. Ochsner answered yes but asked for flexibility. Mr. Preiss stated no, adding lot lines cannot be moved – what is proposed is what is approved, the applicant would have to come in for an amendment if any changes were to be made to the plans. Mr. Smith said that was correct.

Mr. Preiss added that accessory structures could only be in the rear yard. Mr. Smith agreed.

Mr. Ochsner stated Arthur Road would be a public road. The basin and roadway would go to the Township. Then R.C.S. Holdings would retain ownership and maintain it the way it is.

Mr. Kallan asked about parking on Arthur Road. Mr. Ochsner stated it was not, if they go to 28-FT wide road then it would have striped parking on one side. Mr. Kallan mentioned fire company access.

Mr. Hoder commented there should be signage to parking not striping. One sign stating parking allowed and the other side stating no parking. Mr. Smith mentioned that Mr. Ochsner agreed to 90% of Mr. Hoder's reports with exceptions. There will not be an association therefore the basin will become the responsibility of Cranbury. The widening of the street to 28-FT 40-ft right-of-way will required a waiver.

Mr. Hoder wanted it stated that the lot lines between lot would remain the same and only shortened or lengthened based on the changes of the radius of roadway. Mr. Hoder asked for increased lighting. Mr. Ochsner stated they are using PSE&G's fixtures. Mr. Hoder mentioned developer's agreement for the sanitary sewer. Applicant agreed to Mr. Shropshire's report.

Ms. Meacock mention fence along Old Trenton Road that was consistent for the entire development in front of the detention basin as well as the four lots on the other side of Arthur Lane. This was proposed for continuity within the development and consistent on Old Trenton Road, like a three-rail high (flat rail, not split rail) horse fence, natural wood along with greenery.

Mr. Higgins testified to the planning aspects of the application regarding the Master plan objectives, ensuring the development would be visually and functionally compatible with the physical character of the Township, and the Cranbury Village to complement the character for the historic village. He stated there were special reason existing for the granting of the of the variance, and there was no substantial negative impact either to the surrounding properties or to the zone plan or zoning ordinance and master plan.

Mr. Deverin questioned the density numbers.

Public Comments

Ms. Lim asked for the largest privacy fence possible and making the homeowner responsible for maintaining the fence. She mentioned the drainage problem which existing and asked where it would drain to.

Ms. Campi-Carroll mentioned the Liedtke Drive retentions basins where at maximum and take more than three-days to drain. She agreed with Mr. Deverin that the density numbers were wrong.

Ms. Marschner had concerns with the easement for sanitary sewer and groundwater runoff; believing that Liedtke Drive's HOA owned the easements and did not want to pay for nine additional homes, believing the Liedtke at they were paying for the infrastructure. She felt there was too much uncertainty for final subdivision approval. She addressed the number of children entering the school system.

Mr. Carroll felt it was the properties owner they did not participate in the development across the street. He felt he paid the highest taxes in the area. He felt six homes would be better than nine. He asked about recourse, and it was explained to him that there was an appeal process.

Ms. Spann felt it important to consider the Stormwater easements, sidewalks, fire trucks, etc. She felt they should use the Cranbury/Princeton multiplier instead of the Rutgers multiplier.

The Board felt there was still unanswered questions and clarity needed to be made on what the board was approving.

Mr. Ochsner would contract for a transcript to be made of this evenings proceeding so that Mr. McGovern could read and be an eligible voting member for the next meeting date this application would be heard.

It was announced that this application would be carried to the June 6, 2018 date at 7:30 p.m. without further notice and the applicant would send a letter extending the time to act if necessary.

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 Zoning Board of Adjustment and, that the preceding minutes of the Zoning Board of Adjustment, held on April 4, 2018, consisting of 9 pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Zoning Board of Adjustment this June 6, 2018.

Josette C. Kratz, Secretary

/jck