

WEST WINDSOR TOWNSHIP PLANNING BOARD
REGULAR MEETING
October 2, 2019

The regular meeting of the Planning Board was called to order at 7:00 pm on Wednesday, October 2, 2019 by Chair O'Brien in Meeting Room A of the Municipal Building.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, location and agenda was mailed to the news media, posted on the township bulletin board and filed with the municipal clerk on July 5, 2019.

ROLL CALL AND DECLARATION OF QUORUM

Sue Appelget
Linda Geevers
Curtis Hoberman
Michael Huey
Andrea Mandel
Simon Pankove
Hemant Marathe
Michael Karp
Gene O'Brien
Allen Schectel- Alt I
Anis Baig-Alt II

REORGANIZATION

Mr. Huey made a motion to appoint Rita Bergen as the new Recording Secretary. Seconded by Ms. Mandel. No discussion. Motion approved by voice vote.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

There were no public comments on non-agenda items.

MINUTES: July 24, 2019; August 7, 2019

July 24, 2019 –

Page 7, fifth paragraph, should be changed from "several acres of property" to "several hundred acres of property."

Mr. Schectel pointed out that Page 6, sixth paragraph, should be changed from "the worst intersection" to "one of the worst intersections."

Mr. Pankove made a motion to approve the 7/24/2019 minutes. Seconded by Mr. Schectel. Motion approved by voice vote.

August 7, 2019

Mr. Pankove made a motion to approve the 8/7/2019 minutes. Seconded by Mr. Haberman. Motion approved by voice vote.

LIAISON REPORTS

Environmental Commission: Ms. Mandel updated the Board regarding the Farmers' Market.

The application for recertification to Silver Level for West Windsor Township to Sustainable Jersey was re-submitted. It is under review and we expect to have enough points to qualify.

National drive electric week was held at the Farmers Market on September 14, 2019. Twenty different plug-in electric vehicles and a total of about 50 EVs were on display. There was a lot of interest. Expect to see many more electric cars in the Township in the future.

MCIA in conjunction with the Mercer County Sustainability coalition held a business energy savings event on 9/19. Limited representatives from the business community participated. We have available links to slides on how businesses can save money by making subsidized energy savings improvements.

Affordable Housing Committee: Mr. Schectel updated the Board regarding renovating four low income housing for four families for Haven House. \$75,000 was needed for renovations based upon bids. Mr. Hoberman asked is the building for that project the Old Red Lion Inn. Mr. Schectel stated it is part of the Parsonage. Mr. Surtees stated that it is an existing two-family home built in the 20s. Council is being asked for \$75,000 on top of what the AHC already gave them. AHC approved.

Ms. Geevers asked if the Township would take over. Mr. Schectel stated that they have a foundation that would take over.

Mr. Surtees stated that it is two units with two beds in each unit. It's a two-family house. The Township will get four credits.

APPLICATIONS:

Application PB19-17:

Henry Chou, Attorney from Hill Wallack, LLP, represented AEGLE, LLC. Mr. Chou explained that the applicant is seeking a minor subdivision approval to adjust the property lines of two lots owned by the applicant. Block 16, Lots 24 and 69. Address is 67 Penn Lyle Road. Applicant seeks to subdivide off a 4,500 square foot portion of Lot 24 and consolidate that portion with the existing Lot 69, which would increase the size of Lot 69 from 0.7507 acres to 0.8540 acres. Purpose is to avoid having to get a variance for the floor area ratio ("FAR") between the 4,689-square foot dwelling and the 0.7507-acre size of Lot 69, which is 14.3%, and exceeds the permitted maximum 13% FAR. The proposed increase in the size of Lot 69 would bring the FAR down to a conforming 12.6% and eliminate the need for an FAR variance.

One witnesses for the applicant was sworn in. No objections to witness being considered expert.

Eric B. Rupnarain, P.E., the engineer for AEGLE, LLC, presented several exhibits.

Exhibit A1: Map

Lot 24 is the larger lot, 22 acres with access to Penn Lyle Road. The property is presently vacant. It is encumbered by several areas of wetlands. There is a pond in the middle of the parcel.

Lot 69 is the smaller lot and also has frontage on Penn Lyle Road. Approximately $\frac{3}{4}$ of an acre. Presently there is a new home that has been constructed on the property with driveway access on Penn Lyle Road.

Applicant is proposing to add 30 feet to depth of the property of Lot 69. The existing rear lot line, which is located to the west of Lot 69 would be moved 30 feet westerly. This would allow applicant to be compliant with FAR requirement.

In order to be compliant a portion of the existing driveway would have to be removed, amounting to about 550 square feet.

Mr. O'Brien asked if there would be no new egress anywhere else and the driveway stays the same. Engineer stated that is correct.

Ms. Mandel asked if the driveway would be removed. Engineer stated the width of the driveway would be reduced from 18 feet to 13 feet and the driveway would be paved, but it would not be removed.

Mr. Pankove referred to the shaded portion of the plan, page 3 as to what the engineer is referring to.

Mr. Chou stated that lot 24 is under a present development application, which hasn't been approved. Mr. Chou stated that this has been before the board for a while. The reason for the holdup is because there is an existing right of way on the West Winds Homeowner's Association Property that needs to be adjusted. An easement from them. They want their on-site stormwater drainage issues to be addressed in order to get an easement.

Mr. O'Brien asked if that is the application for Cherry Grove Mr. Chou stated yes.

Mr. O'Brien opened discussion to the public regarding application.

Ying Li, 2 Brendan Place, West Windsor Township, was sworn in

Ms. Li stated that based upon the testimony Mr. Chou gave, he only mentioned one development. She lives in subdivision. Issues have been ongoing for years. The property backs to her neighborhood on North Post Road. She is worried that, if they don't do things properly, it will create major issues.

Chairman O'Brien stated that the Board is only approving the addition of square footage from the large lot to small lot so that the house that is on the small lot will comply with regulations.

Ying Li stated that she has no objections regarding this.

Joseph Burgess, PP, Township Planner, was sworn in.

Mr. Burgess stated there is a lot of benefit to this application. By completing the 30-foot extension, a conforming FAR will result. From a planning perspective he sees no negative results from this plan.

Ms. Mandel asked about compliance for the zones. Mr. Burgess stated that there is compliance for the zones. The larger lot is in the RR/C zone; the smaller lot is in the R24 zone.

Ms. Mandel asked if the property needs to be rezoned. Mr. Burgess answered that it would not.

Francis Guzik, PE, Township Engineer, was sworn in. Mr. Guzik referred to his report dated September 19, 2019. Nothing substantial as far as comments go with exception of waivers requested for Letter of Interpretation from DEP. Reference was made to a 2017 LOI that was included referenced in the paperwork but was not in the office. Mr. Rupnarain sent him LOI. In reviewing that he agreed that the wetlands subdivision plans represents wetlands that exist on Lot 24 as approved by DEP. Mr. Guzik is in agreement with Mr. Burgess, i.e. no negative impacts with the simple lot line adjustment. Driveway would be the one continuing addition that would need a certificate of occupancy for Lot 69.

His comment 2.01 typically addresses Township ordinance that calls for sidewalks on both sides of roads within the Township. Currently no sidewalk is in front of these two properties. There is a sidewalk across the street. He is recommending that sidewalk be installed along Lot 69 frontage. A contribution in lieu of sidewalk installation can be made, which the Township will use to install sidewalks at a future date. Comment 2.04 pertains to area to be transferred from one property to another and the description for the new lot. Comment 2.05 references requirement for both hard copies and electronic copies of the plan documents to be provided for the Township records. Comment 2.06 indicates Mercer County Planning board approval may be required, but he's not sure.

Ms. Geevers asked about comment 2.01 and sidewalk installation. Mr. Burgess stated that the Board has required contribution in lieu of construction. There was a quick estimate based on the typical cost for that dollar amount.

Mr. Chou stated that it would be their preference to make a contribution in lieu of actually installing the sidewalks. No objection by Mr. Burgess.

No further public comments on application.

Mr. Pankove moved to close the public hearing and Mr. Huey seconded. Motion was approved.

Mr. Pankove made a motion for approval of the application PB19-17 subdivision final major site plan subject to waivers and conditions. Mr. Schectel seconded. Motion approved 9-0 by roll call vote.

Next meeting will be October 23rd.

With no further business for the Board Chair O'Brien adjourned the meeting at 7:44 p.m.

Respectfully submitted,

Rita Bergen
Recording Secretary