

WEST WINDSOR TOWNSHIP PLANNING BOARD MEETING
REGULAR MEETING MINUTES
MARCH 17, 2021

The Regular meeting of the Planning Board was called to order at 7:07 pm by Chairman O' Brien in the Senior Center Building at the Municipal Complex.

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 March 10, 2021.

ROLL CALL AND DECLARATION OF QUORUM

Gene O'Brien, Chair
Hemant Marathe, Mayor
Anis Baig
Curtis Hoberman
Jyotika Bahree, Alt. #1

ABSENT: Michael Karp, Vice-Chair
Sue Appelget
Linda Geevers
Simon Pankove
Allen Schectel
Saju Joseph, Alt. #2

TOWNSHIP CONSULTANT STAFF

David Novak, PP, Planner, Burgis Associates, Inc.
Francis Guzik, PE, Township Engineer
Dan Dobromilsky, LLA, Township Landscape Architect
Sam Surtees, Land Use Manager and Zoning Officer

CHAIRMAN'S COMMENTS AND CORRESPONDENCE

Chairman O'Brien opened the meeting for public comment on non-agenda items.

Ilene Dube, 11 Meadow Run Road: Ms. Dube thanked Police and Fire Departments. She read into the record her comments regarding last meeting and review of the Circulation Element. She expressed concern about the wetlands where the Ward Road extension will be built and would like to see the woods remain preserved. She added that she has accumulated several petitions from residents in support of her concerns.

Diane Hasling, 12 Jacob Drive: Ms. Hasling asked Attorney Muller several follow-up questions to last week's discussion of the proposed development application regarding completeness, change of application, state stormwater rules and regulations, health and safety. Attorney Muller responded to all her questions.

CONSENT AGENDA

Mr. Hoberman asked that Resolution 2021R-04 be removed from the Consent Agenda.

MINUTES

Minutes: July 15, 2020

Mayor Marathe made a motion to approve the July 15, 2020 minutes as submitted; seconded by Mr. Baig. Approved by voice vote. Abstention(s) by: Ms. Bahree.

RESOLUTIONS:

2021R-04 Resolution: Increase in Miller, Porter & Muller 2020 Budget

Mr. Hoberman inquired about the name change of Attorney Muller's firm. Attorney Muller confirmed that the firm name change was effective January 1, 2021.

Mr. Hoberman made a motion to approve Planning Board Resolution 2021R-04; seconded by Mr. Baig.

Aye: Hoberman, Baig, Marathe, O'Brien

Nay: None

Abstain: Bahree

Absent: Joseph, Schectel, Pankove, Geevers, Appelget, Karp

Not Voting: None

LIAISON REPORTS:

Environmental Commission – Given by Liaison Mr. Baig

Mr. Baig reviewed the list of projects the Environment Commission is currently working on: EC Website, Sustainable Landscapes, Stormwater, Energy Savings, Solar, EVs, Deer, Recycling, and COVID 19.

Affordable Housing Committee – No one was present to give the report.

7:15 pm -- 10 Minute Recess.

APPLICATIONS:

PB20-11 Teacher Insurance and Annuity Association for the Benefit of its Separate Real Estate Agent Account (Market Fair)

Minor Site Plan

Block 7.15, Lot 14.04: 3535 US Route 1

Property Zoned: B-2 District

MLUL: 3/30/21

MarketFair (Teachers) is requesting minor site plan approval for four (4) new outdoor patio areas.

Attorney Muller confirmed that the proof of publication and service are in order and the Board has jurisdiction.

Thomas Letizia, Esquire, Troutman Pepper Hamilton Sanders, LLP, attorney representing the applicant, gave an overview of the project.

Present to testify on behalf of the applicant and sworn-in simultaneously were:

Richard Kenwood, VP/General Manager, CBRE, Property Management for MarketFair

Kevin Brakel, PE, CME, Princeton Junction Engineering

Frank D. Russo, Sr. RA, Project Manager, Bergmann Architects/Engineers/Planners

Exhibits were presented and the applicant's professionals provided testimony.

The Township's Planning Board Professional(s) were sworn-in simultaneously. The following reports were reviewed:

- David Novak, PP, Planner, dated March 9, 2021
- Francis Guzik, PE, Engineer, dated March 9, 2021
- Dan Dobromilsky, LLA, Landscape Architect, dated March 9, 2021

The applicant will convert 58 standard size parking spaces to compact size to compensate for the additional improvement coverage so there is no need to change MIC. The removed pavement will be replaced with soil and landscaping.

There was discussion about the requested pervious and impervious 500' patio. Future usage will be subject to administrative review.

Chairman O'Brien opened the meeting for public comment on the application. There was no comment from the public.

Mr. Hoberman made a motion to approve the application for minor site plan with conditions as cited by Attorney Muller; seconded by Ms. Bahree.

Aye: Bahree, Hoberman, Baig, Marathe, O'Brien

Nay: None

Abstain: None

Absent: Joseph, Schectel, Pankove, Geevers, Appelget, Karp

Not Voting: None

8:35 pm -- 10 Minute Recess.

PB20-10 Teacher Insurance and Annuity Association for the Benefit of its Separate Real Estate Agent Account (Market Fair)
Sign Waiver(s)
Block 7.15, Lot 14.04: 3535 US Route 1
Property Zoned: B-2 District
MLUL: N/A

MarketFair (Teachers) is seeking minor site plan approval with waivers for update to its comprehensive sign plan at the shopping mall.

Attorney Muller confirmed that the proof of publication and service are in order and the Board has jurisdiction.

Thomas Letizia, Esquire, Troutman Pepper Hamilton Sanders, LLP, attorney representing the applicant, gave an overview of the requested waivers.

Present to testify on behalf of the applicant and sworn-in simultaneously were:

- Richard Kenwood, VP/General Manager, CBRE, Property Management for MarketFair
- Mark Drye, Principal, Caruso & Drye Associates, Expert Witness in Sign Consulting

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Exhibits were presented and the applicant's expert/professional provided testimony.

The Township's Planning Board Professional, David Novak, PP, Planner was sworn in. He reviewed the waivers on his report dated March 9, 2021.

Chairman O'Brien opened the meeting for public comment on the application.

DEBORAH DODSON, 22 Stonebridge Lane: President of the Canal Point Homeowner's Association but speaking as a resident. Ms. Dodson expressed her concerns about the size of the MarketFair sign on Canal Point Boulevard. She distributed exhibits to the Board members. Her calculations included the base of the sign. After discussion, there was a compromise and the applicant agreed to reduce the height of the base by four inches.

DAVID HINGSTON, 12 Dorset Court: Mr. Hingston urged the Board to limit the glare and illumination of the signs at night on Canal Point Boulevard.

There were no further comments from the public.

Mr. Hoberman made a motion to approve the application with waivers and conditions as cited by Attorney Muller; seconded by Mr. Baig

Aye: Bahree, Hoberman, Baig, Marathe, O'Brien

Nay: None

Abstain: None

Absent: Joseph, Schectel, Pankove, Geevers, Appelget, Karp

Not Voting: None

With no further business, Chairman O'Brien adjourned the meeting at 10:21 pm. The next meeting is April 7, 2021.

Respectfully submitted,

Cynthia Dziura
Recording Secretary