

WEST WINDSOR TOWNSHIP PLANNING BOARD MEETING
REGULAR MEETING
March 23, 2022

The Regular meeting of the Planning Board was called to order at 7:03 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 17, 2022.

ROLL CALL AND DECLARATION OF QUORUM

Gene O'Brien, Chairman
Hemant Marathe, Mayor
Andrea Mandel, Councilwoman
Sue Appelget
Anis Baig
Curtis Hoberman
Simon Pankove
Robert Loverro, Alt. #2

ABSENT: Michael Karp, Vice-Chairman
Allen Schectel
Jyotika Bahree, Alt. #1

TOWNSHIP CONSULTANT STAFF PRESENT

Gerald Muller, Esq., Attorney
David Novak, PP, Planner
John Taylor, PE, Assistant Township Engineer
Dan Dobromilsky, LLA, Township Landscape Architect

Sam Surtees, Land Use Manager and Zoning Officer

LIAISON REPORTS

Environmental Commission: Mr. Baig reported on the meeting held via Zoom on March 10, 2022. He updated the Board on the Community Park Rain Garden and Community Park Pollinator Garden projects for 2022. The Environmental Commission is joining Mercer County Sustainable Coalition for Greening Together 2022, which will be held from April 23-30, 2022. On April 23, 2022, the Environmental Commission will hold the following events at the West Windsor Community Park: 1) Pollinator and Rain Gardens, 2) Solar lights near the dog park, 3) Bike rides of Bicycle and Pedestrian Alliance celebrating West Windsor's 225th anniversary. The Sustainable Jersey certification expires on 12/31/22. Recertification is required every three years. At present, West Windsor has Silver Status and would like to obtain the same again with assistance from Dan Dobromilsky.

Affordable Housing Committee: Chairman O'Brien reported that he attended the March 3 meeting of the Affordable Housing Committee. He assured the AHC members that the Planning Board treats their memoranda similar to our professionals' reports. He indicated the only application at this time with possible affordable units is for Eco-Village at

102 Bear Brook Road, and it is incomplete. In response to a question whether the converted Hyatt Place will have affordable units, it will have 15% of such.

REORGANIZATION

Chairman O’ Brien stated he received notification from a current Board member who volunteered to be the liaison to the Affordable Housing Committee for 2022. The Board member will be appointed at a future meeting when he is present.

CONSENT AGENDA

Mr. Pankove made a motion to approve the Consent Agenda (minutes of October 13, 2021, December 8, 2021, December 15, 2021, and January 12, 2022); seconded by Mr. Hoberman. Approved by voice vote. Abstentions were made by each of the members who were not present at the various meetings.

The minutes will be forwarded to the Administrative Secretary.

CHAIRMAN’S COMMENTS AND CORRESPONDENCE

Chairman O’Brien had no comments.

JOHN HINSDALE, 38 Quaker Road: Mr. Hinsdale gave statistics on the attendance of certain Planning Board members. Chairman O’Brien responded that attendance of certain meetings during the period was during COVID and members did not feel safe. Chairman O’Brien added that the Planning Board did conduct all their business during that time.

APPLICATIONS:

- a) **PB21-13** **Henry & Jane Landau**
Minor Subdivision with Bulk Variances
Block 34, Lot 21: 143 South Lane
Property Zoned: RR/C District
MLUL: 3/24/22

The Applicants propose to subdivide the property into two lots. Proposed lot 21.01 would consist of approximately 4.71 acres and contain the existing 1-story brick dwelling, pole barn, two sheds and horse shelter. Proposed lot 21.02 would consist of approximately 3.33 acres and contain the existing outdoor horse-riding area and would be the site of a future dwelling, along with other associated improvements such as a disposal bed, well, driveway, etc.

Attorney Muller stated that the board has jurisdiction and proof of service is acceptable. He swore-in Henry Landau, property owner, and Jeffrey Brown, PE, PP., with Princeton Junction Engineering. Dino Spadaccini, Attorney for the applicant, introduced Mr. Brown who gave an overview of the project and proceeded with the hearing.

The following reports were submitted and reviewed by the Township’s Planning Board Professionals:
David Novak, PP, Planner, Burgis Associates, dated March 15, 2022
John Taylor, PE, Township Engineer, (for Francis Guzik), dated March 16, 2022
Dan Dobromilsky, LLA, Township Landscape Architect, dated March 14, 2022

Douglas Davidson, West Windsor Health Department, March 17, 2022

The applicant requires three variances pertaining to lot width, side yard setback, and maximum improvement coverage. In reference to MIC, Mr. Landau testified that he owns land in Robbinsville adjoining proposed Lot 21.01 for which the variance is required. If this were considered with proposed Lot 21.01, no variance would be needed. Mr. Landau agreed to restrict development of his land in Robbinsville via a deed restriction, which would be a condition of possible approval.

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

AMES HOYT, 29 Country Lane, Hamilton, NJ: Mr. Hoyt thanked the Planning Board. He asked what Watershed this is. Mr. Brown did not know the answer. Chairman O'Brien responded that a Letter of Interpretation will be received from the NJ DEP. Engineer Taylor said that the Township Engineering Department will review the Stormwater Management Plan per Township Ordinance. The application is not to install impervious surface at this time.

There was no further comment from the public. Mr. Pankove made a motion to close the meeting for public comment; seconded by Councilwoman Mandel.

Roll Call:

Aye: Loverro, Pankove, Hoberman, Baig, Appelget, Mandel, Marathe, O'Brien

Nay: None

Abstain: None

Absent: Bahree, Schectel, Karp

Not Voting: None

Mr. Hoberman made a motion to approve the application with waivers, variances, and conditions; seconded by Mr. Baig.

Roll Call:

Aye: Loverro, Pankove, Hoberman, Baig, Appelget, Mandel, Marathe, O'Brien

Nay: None

Abstain: None

Absent: Bahree, Schectel, Karp

Not Voting: None

PB22-01 Mercer County Park Commission/Miry Run Park Improvements

Courtesy Review

Block 29, Lots 5.01, 3.01, 6 (behind Mercer County Vo-Tech School; end of Line Road at cul-de-sac)

Property Zoned: E & RR/C Districts

MLUL: N/A

The Mercer County Park Commission (MCPC) is proposing specific site improvements for an enhanced park experience throughout the 249-acres Dam Site 21 location. The site is located within West Windsor, Hamilton, and Robbinsville Townships. The improvements will provide for easier access into the site and offer a looped pedestrian walking experience throughout the site. The proposed improvements include: A paved access drive off of Old Trenton Road in West Windsor Township; core area with parking, small restroom facility, education pavilion and maintenance building;

hard surface pedestrian/bicycle path from Old Trenton Road to Combs Road; fishing access, kayak launch, emergency water access areas; vernal pool boardwalk trail with elevated canopy walk connecting to Hughes Drive; dam breast pathway with a pedestrian bridge over the dam spillway; pervious pathways and a boardwalk trail system along the southern water's edge of the pond.

This is a courtesy review of the project. Leslie Floyd, Mercer County Planning Director, Ralph Petrella, PE, Van Note-Harvey Associates, and Joe Pizza, Deputy Commissioner/Project Manager, Mercer County Park Commission, gave a description of the project. There were several questions/comments from the Planning Board members.

The following reports were submitted by the Township's Planning Board Professionals:

- John Taylor, PE, Assistant Township Engineer, (for Francis Guzik), dated March 16, 2022
- Dan Dobromilsky, LLA, Township Landscape Architect, dated March 14, 2022
- Greg Guttadora, REHS, West Windsor Township Health Department
- Tim Lynch, Chief, Emergency Services, dated March 16, 2022

In addition to the improvements listed in the material submitted by the County, its representatives also provided the following: lake dredging is to start in the Fall; bike racks are to be included in the core area; a fence is to be erected along this site's boundary with the adjoining Tindall farm; water and sewer service will be provided to the core area from Old Trenton Road; and pervious surface will be provided for parking as well as trails.

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

LOUIS PETITJEAN, 112 Lowell Court: Mr. Petitjean asked about the proposed parking and installation of bike racks.

DINO SPADACCINI, 2 Ernie's Court, Hamilton, NJ: Mr. Spadaccini said that his home borders Mercer County Park. He presented a site plan of the park and questioned various proposed components of the plan, including location of the proposed core area and the cost estimates for the improvements.

TED PIVOVARNICK, 11 Clarion Court, Hamilton, NJ: Mr. Pivovarnick said he also borders the park. He said he is happy about the dredging and trails. He expressed his concern about the parking lot and the lights, and what will happen in future phases. Chairman O'Brien responded the Park is open only from dawn to dusk, based on a statement by Mr. Pizza.

DOUG TINDALL, 1201 Old Trenton Road, West Windsor, NJ: Mr. Tindall said he is concerned about wildlife management. He also commented on the placement of a fence between his farm property line and the park that Mercer County Park promised to install.

AMES HOYT, 29 Country Lane, Hamilton, NJ, representing Hamilton Township Open Space: Mr. Hoyt said he borders Veteran's Park in Hamilton. He noted certain problems including the proposed core area and canopy walk. He proposes that this project be downsized for right now.

There was no further comment from the public. Township Professionals made comments.

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Councilwoman Mandel made a motion to move the Core Area to the trapezoidal area close to Old Trenton Road to create less of a disturbance around the pond area; seconded by Mr. Pankove.

Following discussion among Board members, Ms. Mandel offered an amendment to change the wording in the original motion from “the trapezoidal area close to Old Trenton Road” to read “closer to Old Trenton Road.” Seconded by Mr. Pankove.

Roll Call on the amendment:

Aye: Loverro, Pankove, Appelget, Mandel, Marathe, O’Brien

Nay: Hoberman, Baig

Abstain: None

Chair O’Brien then called for a vote on the amended motion.

Aye: Pankove, Appelget, Mandel, Marathe

Nay: Hoberman, Baig, Loverro, O’Brien

Chair O’Brien announced the motion is defeated for lack of a majority.

Attorney Muller reviewed some items in the Township Professionals’ reports.

Mayor Marathe made a motion to instruct Attorney Muller to create a document with various concerns and suggestions as cited by Attorney Muller to be presented to the Mercer County Park Commission as they proceed with Phase I improvements; seconded by Mr. Baig.

Approved by voice vote.

The next meeting is scheduled for April 6, 2022.

With no further business, Chairman O’Brien adjourned the meeting at 10:09 pm.

Respectfully submitted,

Cynthia Dziura
Recording Secretary