

WEST WINDSOR TOWNSHIP PLANNING BOARD MEETING
REGULAR MEETING
June 15, 2022

The Regular meeting of the Planning Board was called to order at 7:05 pm by Vice-Chairman Karp 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 June 9, 2022.

ROLL CALL AND DECLARATION OF QUORUM

Michael Karp, Vice-Chairman
Hemant Marathe, Mayor
Andrea Mandel, Councilwoman
Sue Appelget
Anis Baig
Curtis Hoberman
Simon Pankove
Allen Schectel
Robert Loverro, Alt. #2

ABSENT: Gene O'Brien, Chairman
Jyotika Bahree, Alt. #1

TOWNSHIP CONSULTANT STAFF PRESENT

Martina Baillie, Esq., Attorney, Law Offices of Gerald Muller, PC
David Novak, PP, Planner
Dan Dobromilsky, LLA, Township Landscape Architect
John Taylor, PE, Assistant Township Engineer

Sam Surtees, Land Use Manager and Zoning Officer

CONSENT AGENDA -- MINUTES

May 18, 2022

Mr. Pankove made a motion to approve the May 18, 2022 minutes, as amended; seconded by Mr. Hoberman. Approved by voice vote. Abstention(s) by: Mr. Schectel.

May 25, 2022

Mr. Pankove made a motion to approve the May 25, 2022 minutes, as amended; seconded by Mr. Schectel. Approved by voice vote.

The minutes will be amended by the Recording Secretary and the final version will be forwarded to the Administrative Secretary.

APPLICATIONS:

a) PB22-03 SW CIMA Network Inc. (Pep Boys/Advance Auto Parts)

Sign Waiver Request
3505 US Route 1; Block 7.03, Lot 1
Property Zoned: B-2 District
MLUL: N/A

The Applicant is seeking signage plan approval as well as waiver relief for an existing Pep Boys Auto Parks and Service store. Applicant is seeking waivers for the following: maximum number of signs, maximum letter height, garage door signage, under canopy signage, and loading bay signage.

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

Tim Arch, Attorney representing the applicant, gave an overview of the project and explained how the business is evolving resulting in the necessity to change signs at the site. He then reviewed the waivers being requested.

Mr. William Lockett, President/Owner of Seaman Network, a national sign and branding firm was present to testify on behalf of the applicant. He was sworn-in by Attorney Baillie and qualified as a fact witness. Exhibits were presented.

The Township's Planning Board Planner David Novak, PP, Planner with Burgis Associates was sworn-in by Attorney Baillie. He reviewed his report dated June 7, 2022.

Councilwoman Mandel made a motion to approve the application with requested waivers; seconded by Mr. Baig.

Roll Call:

Aye: Loverro, Schectel, Pankove, Hoberman, Baig, Appelget, Mandel, Marathe, Karp

Nay: None

Abstain: None

Absent: Bahree, O'Brien

Not Voting: None

b) PB20-15 Amended PJ Train Station Redevelopment

NW Corner of Station Drive & Washington Road
Block 6, Lots 8, 54, 55.01 & 76
Property Zoned: RP-1 District
MLUL: 6/15/2022

The applicant, AvalonBay, seeks amended preliminary and final site plan approval. The site is located in the RP-1 Princeton Junction Redevelopment Plan District. Applicant previously received approval for a mixed-use development consisting of multifamily dwellings, townhouses, senior housing, and commercial tenants. This application for amended approval seeks: to increase the height of the east parking garage from 5 stories to 6 stories; approval of signage details,

locations and associated landscaping; and the placement of temporary signage and a temporary sales trailer. No variances are requested.

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

Richard J. Hoff, Jr., Attorney, with Bisgaier Hoff, representing the applicant (AvalonBay Communities), gave an overview of the amended application.

The following were present to testify on behalf of the applicant. They were sworn-in simultaneously by Attorney Baillie and qualified as expert witnesses. Exhibits were presented via a power-point presentation.

Daniel Sobieski, PE, Engineer
Jim Constantine, PP, Planner
Laura Miller, Atria

The Township's Planning Board Professionals were sworn-in by Attorney Baillie. Reports were submitted as follows:

David Novak, PP, Planner, Burgis Associates, dated June 8, 2022
John Taylor, Assistant Township Engineer for Francis Guzik, PE, Township Engineer, dated June 8, 2022
Dan Dobromilsky, LLA, Township Landscape Architect, dated June 6, 2022
Jeff L'Amoreaux, PE, Traffic Engineer, Arora and Associates, dated June 9, 2022 (not present)
Tim Lynch, Chief, Emergency Services reported he had no comments regarding the revisions (not present)

Vice-Chairman Karp opened the meeting for public comment on the application.

JOHN CHURCH, 11 Princeton Place (Zoning Board member not speaking on behalf of the Zoning Board): Mr. Church stated earlier he distributed a report to the Planning Board members and tonight to the applicant. He said he supports the project and the Township does need the affordable housing credit. His concern is the construction of the roads will affect the habitat of the long-eared owl. He cited an excerpt from the New Jersey administrative code regarding this. Mr. Church recommended construction of an alternate back exit route to Alexander Road. Attorney Hoff responded that this application has been reviewed and approved by the NJ DEP.

GUY PIERSON, 241 Fisher Place: Mr. Pierson agreed with Mr. Church that this project needs a "backdoor" route. Mr. Pierson also asked about the amount of light pollution caused by the signage. Mr. Sobieski responded that the lighting will be internal, subtle, and focused. Mr. Pierson asked when the roundabout will be built. Attorney Hoff responded it is part of the initial construction. Mayor Marathe added that the applicant is required to build the roundabout prior to construction and the main road has to be connected to the NJ Transit parking lot before getting a C.O.

GRAHAM ALECK, 155 Washington Road: Mr. Aleck expressed his concerns about the Washington Road entrance and traffic should be directed away from the Penns Neck community. He asked the Planning Board to consider alternate pathways. Mayor Marathe responded the Township needs to build the road through the parking lot to Alexander Road, and after that the Township will get funding to build the by-pass. The road will have to be built first. Mr. Aleck said he is concerned that all the signage is to Washington Road. Attorney Hoff responded the applicant does not own the train station and the resolution only states they will work with the town to facilitate the connection, but NJ Transit is not being cooperative.

There was no further comment from the public. Mr. Baig made a motion to close the meeting for public comment; seconded by Mr. Pankove. Voice Vote – All Aye.

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

Roll Call:

Aye: Loverro, Schectel, Pankove, Hoberman, Baig, Appelget, Mandel, Marathe, Karp

Nay: None

Abstain: None

Absent: Bahree, O'Brien

Not Voting: None

CHAIRMAN'S COMMENTS AND CORRESPONDENCE

Vice-Chairman Karp announced to the public that there can be no comments on any current or ongoing application.

OLYMPIA PERRY, Lawrence Township Committee Member, President of Democratic Club, resident of Lawrence Township, and concerned citizen of "What If": Ms. Perry stated several "what if" questions regarding the impact (of redevelopment) in West Windsor and surrounding communities. She asked the Planning Board to think of their legacy.

Ajay Kaisth, 20 Haskel Drive: Mr. Kaisth expressed his concern for the community's health, safety, quality of life, desirability and property value. He asked the Planning Board to think about these things when they make their decision. He said we must do better as a community and to think about the price of any new development, especially one that has potential impact on people and environment.

SEBASTIAN ITURRIZA: 31 Arnold Drive: Mr. Iturriza said he has been hearing that the lives of residents are not being prioritized.

NILOOFER NARENDRAN, 19 Zeloof Drive: Ms. Narendran said she has 146 letters from residents and an online petition. These letters are in regard to the residents' concern of the way the process of large applications are being handled. She is concerned about the applications that have many trucks on our roads, cancer caused by pollution, and stormwater. She asked why the agenda was changed and public comment was placed at the end. Vice-Chairman Karp responded because there were two applications on tonight's agenda, and because public comment took so long at the last meeting, it was decided to place public comment after the applications. Ms. Narendran also stated the school superintendent was not informed of the application. She also stated that the residents' comments were not heard at the Town Council meeting because the meeting was hacked.

JOHN MULCAHEY, 2 Airport Drive: Mr. Mulcahey said he thinks there has been a very high disregard to transparency and fairness. He explained the experience he had when he was dealing with the Township's Board for a variance application. He said he had to provide evidence that he was not changing the fabric and character of the community. He feels every large application should notify every resident that will be impacted.

West Windsor Township Planning Board
Regular Meeting Minutes June 15, 2022

JULIAN ITURRIZA, 31 Arnold Drive: Mr. Iturriza stated that while building, think about him and his friends and the community, and think about destroying oxygen, trees, and all the animals that help our community.

With no further business, Vice-Chairman Karp adjourned the meeting at 10:05 pm.

Respectfully submitted,

Cynthia Dziura, RMC/CMR
Recording Secretary