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**AGENDA FOR THE REGULAR BUSINESS MEETING
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN**

June 22, 2020

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 10, 2020 to The Times and the Princeton Packet. This meeting is being held electronically for the public. See posted instructions.
4. Salute to the Flag
5. Ceremonial Matters and/or Topic for Priority Consideration
6. Public Comment: (30 minutes comment period; 3-minute limit per person)
7. Administration Comments
8. Council Member Comments
9. Chair/Clerk Comments
10. Public Hearings

2020-12 AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR PRINCETON JUNCTION BY MODIFYING THE RP-1 DISTRICT

2020-13 AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 200; SECTION 260 - RP-1 DISTRICT OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR AMENDING THE RP-1 DISTRICT STANDARDS (1999)

2020-14 BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$6,822,300 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$6,497,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

2020-15 BOND ORDINANCE PROVIDING FOR GENERAL IMPROVEMENTS AND REQUIRED UPGRADES TO THE SWIM POOL COMPLEX IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$50,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$48,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

2020-16 CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR FOR THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY APPROPRIATING THE AMOUNT OF \$410,000.00

11. Consent Agenda

A. Resolutions

B. Minutes

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2020-R127 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with ACT Engineers to Continue Environmental Monitoring and Compliance Reporting for Groundwater after Remediation of the former West Windsor Township Landfill/Compost Facility - \$8,000

2020-R128 Authorizing the Insertion of a Special Item of Revenue Into the 2020 Municipal Budget from Sustainable Jersey Grant Funded by PSEG Foundation - \$10,000

- 2020-R129 Authorizing the Insertion of a Special Item of Revenue Into the 2020 Municipal Budget from the State of New Jersey Law and Public Safety for Body Armor Fund - \$4,528.86
- 2020-R130 Authorizing the Insertion of a Special Item of Revenue Into the 2020 Municipal Budget from the State of New Jersey Alcohol Education, Rehabilitation & Enforcement Fund - \$583.48
- 2020-R131 Authorizing the Business Administrator to Purchase Replacement Network Firewalls and Disaster Recovery Storage Upgrades, Installation, and Configuration Services from CDW Government through State Cooperative Purchasing Program - \$43,060
- 2020-R132 Authorizing the Mayor and Clerk to Execute Amendment #1 To The Affordable Housing Agreement with Princeton Baptist Church
- 2020-R133 Granting an Additional Extension of Reservation of Sewer Capacity for the Project Known as Woodstone at West Windsor PB17-08
- 2020-R134 Authorizing the Full Release of Performance Guarantee LC #1052 in the amount of \$10,798.20 and Retaining the Full Amount of Performance Guarantee LC #1053 in the amount of \$9,476.55 and the Reduction of Cash Performance Guarantee from \$2,252.75 to \$1,052.95 for the Project Known as Ellsworth Realty Building N-3 and N-3 Site Work (ZB 13.01.3 & ZB13-02.3S)
- 2020-R135 Authorizing the Full Release of Performance Guarantee LC #1049 in the amount of \$19,025.98; Cash in the amount of \$2,112.20; and Cash in the amount of \$1.80 for the Project Known as Ellsworth Realty Building N-4 and N-5 for Private Site Improvements (ZB12-01.1 & ZB 13-01.2)
- 2020-R136 Authorizing the Reduction of Cash Performance Guarantee to \$16,198.00 for Private On-Site Improvements for the Project Known as Honey Bee Day School (PB15-04AM)

2020-R137 Authorizing the Health Officer to Execute a Grant Agreement with New Jersey Association of County and City Health Officials to Receive funding for COVID-19 in the amount of \$34,114 Based on Population

2020-R138 Authorizing the Mayor and Clerk to Execute Agreements with Various Swim Teams for Practice Only at WaterWorks Lap Pool

14. Introduction of Ordinances

2020-17 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) AMENDING THE B-2 DISTRICT STANDARDS

PUBLIC HEARING - July 27, 2020

15. Additional Public Comment (three-minute limit per person)

16. Council Reports/Discussion/New Business

17. Administration Updates

18. Closed Session

19. Adjournment

**West Windsor Township
Township Council Meeting
Electronic Participation Instructions for the June 22, 2020 Business Session
Start Time 7:00 p.m.**

The West Windsor Township encourages residents to participate in the upcoming Township Council meeting through one of the below methods using your phone or computer.

You may call in starting 10 to 15 minutes before the meeting begins. You will not hear anything on the other end of the line until the meeting starts at the designate time. You will be muted so you can hear us but we won't be able to hear you.

By Phone:


Call into Phone Number: **978-990-5000**
Enter Access Code: **560396#**

By Computer:

- Go to website: <https://www.freeconferencecall.com/wall/ghuber2/host>
- Access Code: 560396
- Click on "Join Online Meeting"
- Enter your name and email address
- Click "Join"
- Enable your computer Audio by clicking on the phone icon at the top of your screen
- Click on Mic & Speakers
- Click Yes on the popup box that says "let www.freeconferencecall.com use your microphone?"
- It may take a few minutes to hear the audio

Public Participation

When it's Public Comment Time in the meeting the following will occur:

- The computer will be changed to Q&A Mode. You will hear this announcement.
- Phone callers will dial *6 to get in line to make a comment
- If you are using a computer, you will need a microphone to verbally make a public comment, or to write a message to us, click the Chat icon 
- Wait until you hear an automated message saying "Ask your question now" you will need to state your name and address before your comments make your public comment. You will be unmuted so that everyone can hear you.

Email Prior to Meeting Public Comments to be read at meeting

You can e-mail the Township Clerk at ghuber@westwindsortwp.com by 11:00 a.m. the day of the meeting and your comments will be read into the record. Please include your name and address.

ORDINANCE 2020-12

AN ORDINANCE AMENDING THE REDEVELOPMENT PLAN FOR PRINCETON JUNCTION BY MODIFYING THE RP-1 DISTRICT

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. The first full paragraph on page 8 is amended as necessary to reflect the new district regulations set forth below.

Section 2. The Executive Summary is amended as necessary to reflect the new district regulations set forth below.

Section 3. The Redevelopment Plan Development Summary on page 12 is amended to reflect the new district regulations set forth below.

Section 4. The following shall amend the RP-1 District regulations included in “The Plan” that were amended by Ordinance 2018-28. Added text is underlined, and text being eliminated is [brackets].

DISTRICT RP-1

RP-1 District use regulations

RP-1 District.

A. RP-1 District Use Regulations.

- (1) Purpose. The RP-1 District is envisioned as the core of the Redevelopment Area on the west side of the rail line where a mix of residential, retail, office and civic space can be designed as a distinctive walkable center with a sense of place for Princeton Junction.
- (2) Principal permitted uses. In the RP-1 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for one or more of the following uses:
 - (a) Multi-family dwellings, townhouses, stacked townhouses, senior housing and live-work units, including affordable housing meeting all Uniform Housing Affordability Controls (“UHAC”) standards. Residential structures will comply with all federal and state accessibility laws. Senior housing is defined as housing consisting of a bed and/or unit in one or

more of the following housing arrangements: nursing home, senior citizen housing, age-restricted units (independent living), assisted living residence (which may include memory and/or dementia care), and any other housing designed for persons aged 55 and older.

- (b) Civic spaces and uses, including a farmer's market.
- (c) One hotel.
- (d) Stores and shops for the conduct of any retail business, including specialty and gift shops and boutiques, excluding drive-through facilities.
- (e) Personal service establishments (e.g., tailor, barbershop, or beauty salon).
- (f) Offices for professional services (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); governmental offices (e.g., post office branch); and offices incidental to uses permitted in this section.
- (g) Restaurants, cafes, luncheonettes and delicatessens, excluding curb service establishments and drive-through facilities but not excluding walk-up services and outdoor dining.
- (h) Indoor recreation facilities, including instructional studios and fitness centers.
- (i) Banks and similar financial institutions, including walk-up automated teller machines (ATM), provided that such are compatible with the design of the building and are appropriately located at the side or rear of a building. ATMs located within a building or vestibule are not subject to this restriction. Drive-through facilities serving such uses are not permitted.
- (j) Attended laundry and retail dry-cleaning services, not including bulk processing and, in the case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises.

- (k) Book, newspaper, periodical and stationery stores and copy centers.
 - (l) Parcel package shipping stores or mailing centers.
 - (m) Artisan studios, craftsman workshops, and art galleries.
 - (n) Museums and other cultural and civic facilities of a similar nature.
 - (o) Parks and plazas.
 - (p) Buildings and uses for municipal purposes owned or operated by West Windsor Township or not-for-profits designated by the Township.
 - (q) Taverns, limited breweries, and brew pubs.
- (3) Permitted accessory uses.
- (a) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
 - (b) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
 - (c) Signs.
 - (d) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
 - (e) Sidewalk cafes and outdoor dining facilities associated with permitted restaurants, cafes, luncheonettes, and delicatessens.
 - (f) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
 - (g) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.

- (h) Community bulletin or message boards, including electronic signs with changeable type only for the purpose of conveying information about community events. However, animated type signs shall not be permitted.
 - (i) Public service facilities.
 - (j) Accessory uses customarily incidental to permitted principal uses, including structured parking, management and maintenance offices, fitness and other resident amenities, storm water management facilities and structures.
 - (k) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.
 - (l) Kiosks, which may have restrooms.
- (4) Conditional uses. In the RP-1 District, the following uses may be permitted as conditional uses: Child-care centers meeting the standards set forth in § 200-241, except that (i) they shall not be permitted in freestanding buildings, (ii) the minimum standards applicable to a freestanding child-care center in § 200-241A(1), (3) and (4) shall not be applicable and (iii) the provisions related to an outdoor play area center in § 200-241A(8) and (9) shall not be applicable, if one is not provided as permitted by the New Jersey Department of Human Services.

B. RP-1 District intensity, bulk and other regulations. The following shall be the standards for the RP-1 District:

- (1) Minimum tract area: The entirety of the District, which shall be conceptually planned in a comprehensive integrated manner showing the proposed development for the entire District. Individual components of the District may be shown conceptually to allow for the District to be developed in phases.
- (2) Number of dwelling units: The redeveloper may construct up to 800 dwelling units as of right, at least 95 of which shall be senior housing. 16.5% of the dwelling units constructed shall be set aside as affordable units complying with all UHAC regulations. At least 37% of the affordable units shall be made available to low-income households and at least 13% shall be made available to very-low-income households as defined by the New Jersey Fair Housing Act. The remaining

affordable units shall be made available to moderate-income households. The affordable units within each residential component of the development shall be dispersed throughout such component.

- (3) Amount of indoor nonresidential square footage: At least 37,000 square feet of indoor nonresidential space shall be constructed by the redeveloper. Nonresidential uses may be located on the first floor of multiuse buildings, except that freestanding one- or two-story nonresidential structures are permitted to be located within the promenade as kiosks or fronting the promenade in a corner location as a nonresidential building. Kiosks and commercial uses within a hotel shall not be counted towards the minimum indoor nonresidential square footage requirement.
- (4) Required outdoor civic space and uses: Consistent with Exhibit E of the Settlement and Redeveloper's Agreement, civic uses shall include a minimum of 50,000 square feet contained in the promenade and shall be provided, owned and maintained by the redeveloper at its cost in perpetuity. It may be used for a farmer's market and other public events sponsored by civic organizations which shall be according to a schedule of availability and rules of usage established by the redeveloper in cooperation with the Township. The promenade shall include a sheltered public gathering space permanently affixed and constructed primarily of glass or other transparent material subject to the approval of the Township. The promenade shall also include a plaza, utilities, and shall be located at a place where the streets could be closed for vehicular traffic at appropriate locations. If necessary, the redeveloper shall provide public use easements allowing the public to use and enjoy the promenade. Public access to restrooms shall be provided during normal business hours and scheduled public events.
- (5) A hotel may be constructed and shall be fronting the promenade.
- (6) Maximum improvement coverage: 95%.
- (7) Maximum building height: Four stories with the exception of:
 - (a) Mixed-use buildings with nonresidential uses on the ground floor can be up to five stories, provided that the fifth floor facade is stepped back a minimum of six feet from the fourth floor facade below.

- (b) Senior housing buildings may be up to five (5) stories and seventy (70) feet.
- (c) One hotel may be up to six stories and eighty-five (85) feet, plus open or partially covered rooftop terraces and outdoor dining facilities.
- (d) Parking structures attached to buildings with principal permitted uses may be up to six levels and seventy (70) feet. Parking levels located below grade shall not be counted in calculating the number of levels or height. [The top floor of the garage shall not be higher than the adjoining building to which it is attached.] In those instances where a side of a garage is not attached to a building, a parapet shall be provided in order to shield from view any parked vehicles.
- (e) In accordance with New Jersey Building Code (N.J.A.C. 5:23-3.14), Building Height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

In this district, height limitation references to footage and number of stories are intended to limit building height to the specified maximum footage and number of stories within said footage. Building height calculations shall exclude building service equipment (e.g., mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment), stair enclosures, skylights or atrium structures, roof-access stairwells and amenities on a rooftop terrace (e.g., decking, landscaping, railing, walls, furniture, lighting, pergolas and similar amenities), and architectural enhancements and appurtenances (e.g., parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements).

[1] Section 200-2[9]29 F of Chapter 200 of the Township's Code relating to height exceptions shall not apply.

[2] Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

(8) Minimum Parking requirements.

- (a) 1.4375 off-street parking spaces per residential unit are to be provided within the district except for senior housing and townhouses.
- (b) 2.0 off-street parking spaces per townhouse shall be provided.
- (c) Senior housing requires 0.7 off-street parking spaces per unit.
- (d) Non-residential uses may rely on shared parking and, if available, commuter parking spaces [in-off] during off-hours and on weekends without the provision of dedicated parking except for employees at a ratio of 1.0 space per 1,000 square feet of non-residential square footage [(as described in section C.)] excluding hotels.
- (e) Parking serving hotel guests and employees shall be provided at the rate of 0.6 spaces per room, except that the required number of spaces may be reduced if a shared parking analysis demonstrates that a lower number of spaces will be sufficient.
- (f) The applicable parking requirement may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of proximity to public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute's Shared Parking Analysis or other generally accepted standards applicable to shared parking.

(9) Other standards

- (a) No development shall proceed in the District without a redeveloper's agreement with the Township.
- (b) There shall be no FAR (floor area ratio) or MIC (maximum improvement coverage) requirements for individual lots, such requirements applying only district-wide regardless of subdivisions created to separate buildings, uses, ownership or financing within the overall RP-1 District. Setback and

building distance standards are not applied in order to maximize flexibility of the design and to achieve the goals of the RP-1 District as a compact, walkable center with an active public space and street life.

- (c) Procedures for snow storage and removal shall be identified.

C. RP-1 District Design Standards

The RP-1 District is intended to promote redevelopment to achieve the goals of the District as a compact, walkable center with active street life and a promenade as the primary public space. The creation of a cohesive built environment where existing and proposed commercial and residential development are integrated is essential to this district. These design standards are intended to maximize flexibility of the design to achieve the goals of the district. All standards set forth in the Township Land Use Code, other than District regulations, shall continue to apply except when inconsistent with the design standards set forth below.

- (1) Promenade public space (which is shown conceptually in Exhibit E of the Settlement and Redeveloper's Agreement).
 - (a) The promenade shall be designed to include passive areas and active public gathering space that can host a farmer's market and other public events.
 - (b) If applicable, the farmer's market shall include stall areas, an open-air pavilion structure, a plaza and utilities such as electric and water. It shall be located on the promenade at a place where the streets could be closed to vehicular traffic at appropriate locations.
 - (c) The promenade shall utilize shared space principles that combine movement and other civic functions of streets and public space. This includes aesthetic treatments considering decorative materials and/or patterns for all vehicular, pedestrian and shared paved surfaces. Pavements should be specifically designed to emphasize the creation of spaces and transition between spaces or zones and to provide visual clues to pedestrians, bicyclists and motorists to reinforce the use and function of the area as a low speed pedestrian-oriented public space through which motor vehicles travel and park. Bollards or visual clues (including, but not limited to, pavement, colors/textures, pedestrian/bicycle symbols and/or signage,

planters, landscaping, street trees, ground cover landscaping, street furniture, lampposts and other street lighting techniques, fixed benches and moveable seating, and outdoor café zones) shall be utilized for defining separation of pedestrian circulation from vehicular travel lanes and on-street parking. More refined pavements should be utilized to emphasize and enhance areas designed for larger volumes of pedestrian activity such as building entrances, plazas and terraces, nodes, drop-off and pick-up zones and crosswalks. A palette of compatible decorative pavements and/or pavement patterns should be developed for the entire promenade.

- (2) Circulation and parking.
 - (a) Streets [shall] may include on-street parallel or angled parking in order to promote pedestrian street activity, lower vehicular speeds, and provide convenient access to retail uses and the promenade.
 - (b) Off-street parking and service access shall be designed to avoid the backing in and out of streets to the greatest extent possible.
 - (c) Roadway identified on the concept plan as Road A shall be contained in a maximum right-of-way of 50 feet.
 - (d) Sidewalk widths shall measure at least 10 feet in the core retail and promenade area in the RP-1 District and shall be a minimum of five feet wide in all other areas (except where vehicle parking overhang of a sidewalk area can occur wherein the width of the sidewalk area is to be a minimum of six feet). All sidewalks should be durably paved and smoothly surfaced to provide for the free movement of pedestrians. All sidewalks and pathways must be designed to provide access for the physically disabled in accordance with state and federal regulations. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the applicable accessibility standards.
 - (e) The minimum width for off-road bike lanes is eight feet.
 - (f) Surface parking cannot be located between the building and the front property line. Where surface parking may be located

along a street frontage, such must be screened from the street by a solid fence or wall at a minimum height of 48 inches.

- (g) Structured parking may be contained within, under or attached to buildings. Parking structures or podium-type parking under buildings may not front toward the promenade public space. Where parking structures front on public streets, such may feature liner buildings which are shallow commercial or residential buildings on the facades of parking structures or ground floor space along the sidewalk designed as amenity, utility, retail, commercial or office space.
 - (h) There shall be one bicycle parking space per 10 automobile parking spaces for the first 100 parking stalls allocated to nonresidential uses for the public, and one bicycle space for every 20 automobile parking spaces allocated to nonresidential uses for the public beyond that.
 - (i) A minimum of two spaces will be provided for parking for shared car services.
 - (j) Loading for nonresidential uses fronting on the promenade may be accommodated by collective provision for loading facilities that allow for sharing of such facilities among two or more uses and may be located in either on-street loading zones or off-street loading areas, which may be located within a building or a parking structure. A hotel shall provide an off-street loading area.
- (3) Landscape architectural treatments and guidelines.
- (a) All plants, trees, shrubs, pedestrian pavements and streetscape elements shall be installed in accordance with a landscape plan and schedule provided by the redeveloper, subject to the approval of the Planning Board.
 - (b) Landscape architectural treatments shall be provided throughout the redevelopment area to create spatial definition or separation, shade, visual interest, seasonal color, visual buffering, microclimatic enhancement, and habitat and to improve safety.

- (c) Indigenous plant species shall be primarily specified within the District and invasive exotic species shall be avoided. Any landscaping that is not resistant to the environment, or that dies, shall be replaced by the redeveloper in accordance with the maintenance guarantee provisions of the municipal land use law.
 - (d) In landscaped spaces, passive systems such as cisterns and water gardens that collect rainwater for irrigation or recharge are encouraged.
 - (e) Soil moisture-sensing irrigation systems shall be used.
- (4) Building orientation, massing and facade composition.
- (a) New buildings within the District should be considered an integral part of the overall site design and developed with appropriate consideration for both proposed and existing buildings with respect to height, mass, siting, location, materials, orientation, signs, lighting and use.
 - (b) Buildings shall front on the promenade and public streets to provide form and function to the streetscape. The streetscape should be continuous and varied through the use of street furniture, landscaping, building articulation, building frontage setbacks and changes in sidewalk types and textures. Driveway intersections with the public street should be minimized to avoid excessive interruptions in the streetwall.
 - (c) Buildings shall be designed to present an articulated facade from all vantage points. Parking structures shall not front on the promenade. Parking structures or that portion of a building containing a parking structure that is not fronting on the promenade may have an exterior clad in a vine-covered trellis, graphic panels, solar panels, a window-like facade treatment, liner buildings or ground floor space along the sidewalk designed as retail, commercial, residential or office space.
 - (d) The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building with the exception of parking structures or that portion of a building containing a parking structure. All sides of a building shall be architecturally designed to be consistent

with regard to style, materials, colors and details. Blank wall or service area treatment of side and/or rear elevations visible from public view shall be avoided.

- (e) Unless the redeveloper proposes a specific use that requires a unique building, such as a hotel, buildings should be designed utilizing base, middle and top forms as the primary method relating buildings to each other.
- (f) The base shall be considered the first story of the facade facing a public street, depending on the overall heights of the building. The design of the base, as well as the quality and durability of its materials, should be emphasized to create visual interest and support pedestrian activity. The building's base should be presented to the Planning Board at a larger scale of drawing and greater detail than the remainder of the facade to ensure it meets the building design objectives.
- (g) In addition to the base, the exterior design of mixed-use residential buildings shall include a middle field section and a cap on the top. The middle of the building shall be differentiated from the base by a horizontal transition line. A horizontal transition line should also be established separating the middle field from the cap or top of the buildings.
- (h) The base transition line should generally be defined at the water table, sill of the ground floor windows or top of the ground floor. The upper transition line articulating the cap should generally be defined by a cornice, projecting overhang or other appropriate means that defines the cap of the building.
- (i) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Long, monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies, awnings, and signs, recesses, and changes in floor level shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

- (j) For townhouses or stacked townhouses, buildings may contain a maximum of 12 townhouse dwellings or stacked townhouse modules (24 stacked townhouses) in a single row and shall not require any facade, height or roofline offsets. The base of townhouses or stacked townhouses should generally be defined at the water table, sill of the ground floor windows or top of the ground floor and the cap should generally be defined by a cornice or overhanging eave line. Townhouses or stacked townhouses shall have a front entry that faces a street, courtyard, mews or other open space, with garages accessed from the rear (via a driveway and/or alley), and are not required to have private outdoor space at the ground level.
- (k) In general, it is preferred to keep the street facade parallel to the property line in alignment with adjacent buildings.
- (l) Blank walls must contain architectural relief such as expressive details, blind windows, murals, etc.
- (m) All buildings shall provide scale-defining architectural elements or details at the first two floor levels minimum, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies.
- (n) Windows for residential buildings shall be primarily vertically proportioned. Tinted and highly reflective glass are discouraged.
- (o) Ground-floor retail, services, and restaurant uses shall have large transparent windows. Such windows shall be framed by the surrounding wall and shall be a minimum of 75% of the total ground-level facade area adjoining the sidewalk. The window wall facade area may be reduced if, due to a particular use or settings, the provision of windows will present concerns for aesthetic design or security. However, the facade design should employ an arrangement of materials that reflects the required window area and/or lines to be compatible with the intent of these guidelines.
- (p) The predominant material of all street walls on primary and secondary streets shall be brick, precast, cement-board siding, wood, metal storefront, tile, stone, stone veneer, resin panels, composites, metal panels and finished masonry block, or

curtain wall. Stucco may be used as an accent. All materials, colors and elevations shall be approved by the Planning Board.

- (q) Shop fronts may have a kick plate that ranges in height from 8 inches to 42 inches running continuously beneath the required fenestration.
- (r) Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of and access to residential structures may be elevated.
- (s) The front doors of all buildings shall be visible from the street unless fronting on a courtyard, mews or other open space. If located more than 10 feet from the front building line, their location must be reinforced with additional graphics, signage, lighting, marquees or canopies.
- (t) All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, canopies, awnings, and other elements, where appropriate. Any such element utilized, including doors, shall be architecturally compatible with the style, materials, colors and details of the building as a whole. The main entrance shall face the street on which the property fronts.
- (u) Awnings, which add visual richness to the commercial corridor while enhancing the quality of public walkways, are encouraged for all storefronts. Awnings shall have fixed or retractable metal framework.
- (v) Canopies, unlike awnings, are nonretractable. They shall be constructed of wood or metal framing, standing-seam metal roof or glass roof as solid canopies or semi-open trellises. Canopies may incorporate signage and down lighting. Security shall be implemented so that it cannot be seen, and security grille housing is specifically prohibited. For flat solid panel clad canopies, a membrane could be used if concealed from pedestrian view.

- (w) All awnings and canopies shall be securely attached to the building so that the lowest part of the awning or canopy is mounted a minimum of eight feet above the sidewalk at the storefront. Awnings and canopies may project over a sidewalk and/or in the public right-of-way.
- (x) Buildings directly fronting the promenade shall be designed to appear as landmark buildings. One possible treatment to achieve this goal would have buildings designed with additional height or architectural embellishments, such as corner towers, to emphasize their location.
- (y) Appropriate design of the corner of mixed-use buildings directly fronting the promenade shall include one of the following patterns:
 - [1] Opening the space at ground level for people to walk across the corner, with the building mass above redefining the corner.
 - [2] A recessed entry at the corner such as the familiar angled wall with an entry door.
 - [3] A corner window with an important view into the building.
 - [4] Balconies or bay windows that wrap the corner.
 - [5] A tower element.
- (z) Multistory buildings with flat roofs shall provide light color roof surfaces. Green roof plantings and solar photovoltaic systems on roofs and parking decks shall be permitted.
- (aa) Excepting the antenna itself, all parts and components of personal communications antennas, satellite dishes, and television and radio antennas shall be screened from view regardless of elevation, or shall be disguised within an enclosed structure. The screening shall be designed as part of the overall design theme of the building to which it is associated.

- (bb) Dish antennas may not exceed 12 feet in diameter.
- (cc) Mechanical equipment located on building roofs shall be screened so as not to be visible from the ground level from adjacent developments and from public streets and spaces. Mechanical equipment at ground level shall be screened and in the rear.

(5) Lighting.

- (a) Lighting levels along paved portions of public walks shall be an average of no less than one footcandle for commercial areas and 0.5 footcandle for residential areas.
- (b) Fixtures serving to light streets shall be at a height of no greater than 20 feet above the adjacent roadway surface. The light center of a fixture for a pedestrian walkway shall be mounted at a height of 12 feet to 14 feet above the adjacent surface of the walkway, except for bollard fixtures, footlight fixtures and other low-mounted fixtures. The fixtures may include attachments to accommodate such amenities as banners, seasonal lighting, and flower pots.
- (c) The design for a proposed facade must consider the appearance of the building in the evening and develop an exterior lighting plan that includes display window lighting, building lighting, and pedestrian-scaled lighting for both buildings and pedestrian areas within the site. Lighting shall be warm in color, with control of glare for the pedestrian.

(6) Streetscape.

- (a) A palette of compatible site furnishings should be developed for the entire District. Street furnishings may include elements such as benches, gazebos, trash and recycling receptacles, bicycle racks, bird houses, drinking fountains, kiosks, sculptural elements, decorative fountains, bollards, decorative fences, seat walls, and pedestrian-scale lighting.
- (b) Community bulletin boards, such as kiosks, may be provided at strategic locations, including on the promenade.

- (c) Freestanding newspaper and advertising dispensers shall not be permitted in the right-of-way of primary streets and shall be incorporated into approved buildings or pavilions.
 - (d) Outdoor cafes may extend onto the public right-of-way upon issuance of a license by the Township. Such encroachment shall convey no rights to the licensee beyond those enumerated in the license. Outdoor cafes may be delineated from the public way by planters and/or barriers such as metal fencing. A clear width of at least four feet shall be maintained for pedestrians to pass either outboard or inboard.
- (7) Signage. In lieu of § 200-258D, the following shall apply:
- (a) The temporary display of signs, banners, flags, pennants and similar devices in connection with special events or activities of a public or nonprofit nature shall be permitted, provided that temporary signs which are displayed between one (1) and eighty-nine (89) days shall not occur more than twelve (12) times per calendar year and temporary signs that are displayed between ninety (90) and one hundred and twenty (120) days shall not occur more than six (6) times per calendar year. The materials for temporary signage shall consist of vinyl, mesh, fabric, or other durable material. Such temporary signs shall be permitted in the RP-1, RP-4, and RP-6 Districts.
 - (b) The temporary display of signs, banners, flags, pennants and similar devices, in connection with the opening of a new business use or reopening of an existing business use shall be permitted provided such display shall not exceed three months for nonresidential uses and 15 months for hotel and residential uses.
 - (c) Existing nonconforming signs shall be removed from this District within a period of 12 months after building permit issuance.
 - (d) All signs within the project area shall be part of the overall total design scheme and in keeping with the architectural character of the District in which the sign is located.
 - (e) Each type of signage shall be permitted on the same site, provided that the standards set forth below are satisfied.

[1] Wall signage.

[a] The following types of wall signs shall be permitted:

- [i] Internally lit raised letters.
- [ii] Backlit raised letters.
- [iii] Signage board with gooseneck lighting.
- [iv] Individual cut letters with gooseneck lighting.

[b] The maximum sign area shall be no greater than five percent (5%) of the total tenant wall area.

[2] Hanging signs and blade signs.

[a] One (1) hanging sign or blade sign is allowed per twenty-five (25) linear feet of frontage with a maximum of two (2) signs per frontage.

[b] The maximum sign area shall be 10 square feet per side.

[c] The letter and logo height shall be a maximum of eighteen (18) inches.

[d] Hanging signs may project a maximum of five (5) feet over a sidewalk and/or in the public right-of-way. A blade sign may only project beyond five (5) feet if attached to the underside of a tenant's canopy but may not exceed the canopy projection or an overall projection of eight (8) feet, whichever is less.

[e] Hanging signs and blade signs must have a clearance height of eight (8) feet above the sidewalk and shall not be mounted above a tenant façade.

[f] Hanging signs and blade signs may be externally or internally lit.

[3] Banner signs

[a] One (1) banner sign shall be permitted per fifty (50) linear feet of frontage with a maximum of

two (2) banners per frontage with the exception of residential and hotel entries which can have one (1) per entry and one (1) for each exterior building corner.

- [b] The maximum sign area shall be 100 square feet per side.
 - [c] Banner signs shall have a maximum projection of eight feet.
 - [d] Banner signs must have a clearance height of ten feet above the sidewalk.
 - [e] Banner signs may be mounted to the base building above the ground floor but shall not exceed an overall height of fifty feet above the finished sidewalk.
 - [f] Letters are limited to twenty-four inches in height.
 - [g] Banner signs may be externally or internally lit.
 - [h] Banner signs may project over a sidewalk and/or in the public right-of-way.
- [4] Street address signage.
- [a] Street address signage shall be provided on each building or for each individual tenant.
 - [b] Street address numbers shall have a maximum height of eight inches.
- [5] Kiosk signage.
- [a] Freestanding signs such as Parisian-style kiosks and interactive digital kiosks shall be permitted in order to identify the promenade and individual uses located in the District to passersby on major roads at the edges of the District as well as within or leading to the promenade and to advertise local events.

- [b] The maximum kiosk sign area shall be 30 square feet, as measured on each face.
 - [c] The maximum kiosk sign height shall be 16 feet above finished grade.
 - [d] Kiosks may be located in a paved sidewalk area including within the public right-of-way of streets and sidewalks.
 - [e] The base of the kiosk sign shall be landscaped with plants that extend a minimum of two feet in all directions unless such kiosk is located within a paved sidewalk area.
- [6] Awnings and canopies.
- [a] Awnings and canopies shall be architecturally compatible with the building or retail tenant.
 - [b] Awnings and canopies shall be kept in good order.
 - [c] One sign on an awning or canopy shall be permitted, provided that:
 - [i] The letter logo height does not exceed 50% of the main area of the awning or canopy.
 - [ii] The letter and logo area may be located on the valance of the awning or face of the canopy and shall not exceed 12 inches in height.
 - [iii] The letter and logo area may be located above the canopy and shall not exceed 12 inches in height.
- [7] Window lettering and signs. Window lettering and signs shall be permitted, provided that they:
- [a] Are inside the window.

- [b] Do not exceed 15% of the window area if solid and 25% of the window area if die-cut.
 - [c] Pertain only to the establishment occupying the premises where the window is located except when premises are unleased/empty.
- (f) Temporary construction and sales signage.
- [a] Signage shall be removed within the later of (a) three years of the issuance of a sign permit or (b) one year of the time of the final certificate of occupancy. One sign per each road frontage shall be permitted. However, construction signs which contain noncommercial messages, such as signs identifying individual lots, construction ingress and/or egress or safety protocols, shall be permitted.
 - [b] Temporary contractor signage. Only one sign shall be permitted identifying lenders, architects, engineers or contractors doing work on the site. Such sign shall be a maximum of four square feet per entity, but not to exceed 25 square feet. This sign shall be removed when work ceases or is abandoned or when a final certificate of occupancy for the project is issued, whichever occurs sooner.
- (g) Billboards are prohibited.
- (h) A signage package shall be submitted as a part of any application for final site plan approval.

Section 5. This ordinance shall be in force after action or inaction by the Mayor as provided by law or an override of mayoral veto by the Council whichever is applicable, and publication according to law.

INTRODUCTION:
PLANNING BOARD REVIEW:
PUBLIC HEARING:
ADOPTION:
MAYOR'S APPROVAL:
EFFECTIVE DATE:

Revision of Adopted RP-1 District Ordinance 3-13-20

ORDINANCE 2020-13

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)**

AN ORDINANCE AMENDING THE RP-1 DISTRICT STANDARDS

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 5, Princeton Junction Redevelopment Plan Regulatory Provisions, Article XXVII, Use and Bulk Regulations for Residence Districts, Section 200-260 is hereby amended to read as follows. Added text is underlined, and text being eliminated is in [brackets].

§ 200-260 RP-1 District.

A. RP-1 District Use Regulations.

- (1) Purpose. The RP-1 District is envisioned as the core of the Redevelopment Area on the west side of the rail line where a mix of residential, retail, office and civic space can be designed as a distinctive walkable center with a sense of place for Princeton Junction.
- (2) Principal permitted uses. In the RP-1 District, no building or premises shall be used and no building shall be erected or altered on a lot which is arranged, intended or designed to be used, except for one or more of the following uses:
 - (a) Multi-family dwellings, townhouses, stacked townhouses, senior housing and live-work units, including affordable housing meeting all Uniform Housing Affordability Controls (“UHAC”) standards. Residential structures will comply with all federal and state accessibility laws. Senior housing is defined as housing consisting of a bed and/or unit in one or more of the following housing arrangements: nursing home, senior citizen housing, age-restricted units (independent living), assisted living residence (which may include memory and/or dementia care), and any other housing designed for persons aged 55 and older.
 - (b) Civic spaces and uses, including a farmer’s market.
 - (c) One hotel.

- (d) Stores and shops for the conduct of any retail business, including specialty and gift shops and boutiques, excluding drive-through facilities.
- (e) Personal service establishments (e.g., tailor, barbershop, or beauty salon).
- (f) Offices for professional services (e.g., physicians, lawyers, financial advisors or architects); commercial offices (e.g., realtors or travel agencies); governmental offices (e.g., post office branch); and offices incidental to uses permitted in this section.
- (g) Restaurants, cafes, luncheonettes and delicatessens, excluding curb service establishments and drive-through facilities but not excluding walk-up services and outdoor dining.
- (h) Indoor recreation facilities, including instructional studios and fitness centers.
- (i) Banks and similar financial institutions, including walk-up automated teller machines (ATM), provided that such are compatible with the design of the building and are appropriately located at the side or rear of a building. ATMs located within a building or vestibule are not subject to this restriction. Drive-through facilities serving such uses are not permitted.
- (j) Attended laundry and retail dry-cleaning services, not including bulk processing and, in the case of dry-cleaning establishments, not providing for the storage of more than five gallons of flammable or toxic cleaning fluid on the premises.
- (k) Book, newspaper, periodical and stationery stores and copy centers.
- (l) Parcel package shipping stores or mailing centers.
- (m) Artisan studios, craftsman workshops, and art galleries.
- (n) Museums and other cultural and civic facilities of a similar nature.
- (o) Parks and plazas.

- (p) Buildings and uses for municipal purposes owned or operated by West Windsor Township or not-for-profits designated by the Township.
 - (q) Taverns, limited breweries, and brew pubs.
- (3) Permitted accessory uses.
- (a) Recreational and open space facilities, including, but not limited to, pools, walkways, courtyards and plazas.
 - (b) Off-street parking and loading, including parking structures attached to buildings with principal permitted uses, appropriately screened from public view.
 - (c) Signs.
 - (d) Street furnishings, planters, street lights, and exterior, garden-type shade structures.
 - (e) Sidewalk cafes and outdoor dining facilities associated with permitted restaurants, cafes, luncheonettes, and delicatessens.
 - (f) Fences and walls, which shall complement the architectural style, type and design of the building and the overall project design.
 - (g) Decks, patios and terraces (including rooftop facilities), which shall complement the architectural style, type and design of the building and the overall project design.
 - (h) Community bulletin or message boards, including electronic signs with changeable type only for the purpose of conveying information about community events. However, animated type signs shall not be permitted.
 - (i) Public service facilities.
 - (j) Accessory uses customarily incidental to permitted principal uses, including structured parking, management and maintenance offices, fitness and other resident amenities, storm water management facilities and structures.

(k) Open-air structures such as gazebos, pavilions, children's play areas and pet parks.

(l) Kiosks, which may have restrooms.

(4) Conditional uses. In the RP-1 District, the following uses may be permitted as conditional uses: Child-care centers meeting the standards set forth in § 200-241, except that (i) they shall not be permitted in freestanding buildings, (ii) the minimum standards applicable to a freestanding child-care center in § 200-241A(1), (3) and (4) shall not be applicable and (iii) the provisions related to an outdoor play area center in § 200-241A(8) and (9) shall not be applicable, if one is not provided as permitted by the New Jersey Department of Human Services.

B. RP-1 District intensity, bulk and other regulations. The following shall be the standards for the RP-1 District:

- (1) Minimum tract area: The entirety of the District, which shall be conceptually planned in a comprehensive integrated manner showing the proposed development for the entire District. Individual components of the District may be shown conceptually to allow for the District to be developed in phases.
- (2) Number of dwelling units: The redeveloper may construct up to 800 dwelling units as of right, at least 95 of which shall be senior housing. 16.5% of the dwelling units constructed shall be set aside as affordable units complying with all UHAC regulations. At least 37% of the affordable units shall be made available to low-income households and at least 13% shall be made available to very-low-income households as defined by the New Jersey Fair Housing Act. The remaining affordable units shall be made available to moderate-income households. The affordable units within each residential component of the development shall be dispersed throughout such component.
- (3) Amount of indoor nonresidential square footage: At least 37,000 square feet of indoor nonresidential space shall be constructed by the redeveloper. Nonresidential uses may be located on the first floor of multiuse buildings, except that freestanding one- or two-story nonresidential structures are permitted to be located within the promenade as kiosks or fronting the promenade in a corner location as a nonresidential building. Kiosks and commercial uses within a hotel shall not be counted towards the minimum indoor nonresidential square footage requirement.

- (4) Required outdoor civic space and uses: Consistent with Exhibit E of the Settlement and Redeveloper's Agreement, civic uses shall include a minimum of 50,000 square feet contained in the promenade and shall be provided, owned and maintained by the redeveloper at its cost in perpetuity. It may be used for a farmer's market and other public events sponsored by civic organizations which shall be according to a schedule of availability and rules of usage established by the redeveloper in cooperation with the Township. The promenade shall include a sheltered public gathering space permanently affixed and constructed primarily of glass or other transparent material subject to the approval of the Township. The promenade shall also include a plaza, utilities, and shall be located at a place where the streets could be closed for vehicular traffic at appropriate locations. If necessary, the redeveloper shall provide public use easements allowing the public to use and enjoy the promenade. Public access to restrooms shall be provided during normal business hours and scheduled public events.
- (5) A hotel may be constructed and shall be fronting the promenade.
- (6) Maximum improvement coverage: 95%.
- (7) Maximum building height: Four stories with the exception of:
 - (a) Mixed-use buildings with nonresidential uses on the ground floor can be up to five stories, provided that the fifth floor facade is stepped back a minimum of six feet from the fourth floor facade below.
 - (b) Senior housing buildings may be up to five (5) stories and seventy (70) feet.
 - (c) One hotel may be up to six stories and eighty-five (85) feet, plus open or partially covered rooftop terraces and outdoor dining facilities.
 - (d) Parking structures attached to buildings with principal permitted uses may be up to six levels and seventy (70) feet. Parking levels located below grade shall not be counted in calculating the number of levels or height. [The top floor of the garage shall be no higher than the adjoining building to which it is attached.] In those instances where a side of a garage is not attached to a building, a parapet shall be provided in order to shield from view any parked vehicles.

- (e) In accordance with New Jersey Building Code (N.J.A.C. 5:23-3.14), Building Height shall be defined as the vertical distance from grade plane to the average height of the highest roof surface. A grade plane shall be defined as a reference plane representing the average of finished ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than 6 feet from the building, between the building and a point 6 feet from the building.

In this district, height limitation references to footage and number of stories are intended to limit building height to the specified maximum footage and number of stories within said footage. Building height calculations shall exclude building service equipment (e.g., mechanical services, elevator penthouses, condensers, exhaust fans, air-conditioning and similar equipment), stair enclosures, skylights or atrium structures, roof-access stairwells and amenities on a rooftop terrace (e.g., decking, landscaping, railing, walls, furniture, lighting, pergolas and similar amenities), and architectural enhancements and appurtenances (e.g., parapets, chimneys, cupolas, steeples, spires, belfries, towers, corner towers, flagpoles and similar elements).

[1] Section 200-2[9]29 F of Chapter 200 of the Township's Code relating to height exceptions shall not apply.

[2] Mezzanines and lofts that qualify as mezzanines under the International Building Code (Section 505.2) shall not constitute a story or half story and shall be considered part of the story below.

(8) Minimum Parking requirements.

- (a) 1.4375 off-street parking spaces per residential unit are to be provided within the district except for senior housing and townhouses.
- (b) 2.0 off-street parking spaces per townhouse unit shall be provided.
- (c) Senior housing requires 0.7 off-street parking spaces per unit.
- (d) Non-residential uses may rely on shared parking and, if available, commuter parking spaces [in-off] during off-hours and on weekends without the provision of dedicated parking except for employees at a ratio of 1.0 space per 1,000 square feet of non-

residential square footage [(as described in section C.)] excluding hotels.

- (e) Parking serving hotel guests and employees shall be provided at the rate of 0.6 spaces per room, except that the required number of spaces may be reduced if a shared parking analysis demonstrates that a lower number of spaces will be sufficient.
- (f) The applicable parking requirement may be reduced where it can be demonstrated to the satisfaction of the Planning Board that such reductions are justified by reason of proximity to public transportation and/or documented arrangements for shared parking supported by analyses consistent with the Urban Land Institute's Shared Parking Analysis or other generally accepted standards applicable to shared parking.

(9) Other standards

- (a) No development shall proceed in the District without a redeveloper's agreement with the Township.
- (b) There shall be no FAR (floor area ratio) or MIC (maximum improvement coverage) requirements for individual lots, such requirements applying only district-wide regardless of subdivisions created to separate buildings, uses, ownership or financing within the overall RP-1 District. Setback and building distance standards are not applied in order to maximize flexibility of the design and to achieve the goals of the RP-1 District as a compact, walkable center with an active public space and street life.
- (c) Procedures for snow storage and removal shall be identified.

C. RP-1 District Design Standards

The RP-1 District is intended to promote redevelopment to achieve the goals of the District as a compact, walkable center with active street life and a promenade as the primary public space. The creation of a cohesive built environment where existing and proposed commercial and residential development are integrated is essential to this district. These design standards are intended to maximize flexibility of the design to achieve the goals of the district. All standards set forth in the Township Land Use Code, other than District regulations, shall continue to apply except when inconsistent with the design standards set forth below.

- (1) Promenade public space (which is shown conceptually in Exhibit E of the Settlement and Redeveloper's Agreement).

- (a) The promenade shall be designed to include passive areas and active public gathering space that can host a farmer's market and other public events.
- (b) If applicable, the farmer's market shall include stall areas, an open-air pavilion structure, a plaza and utilities such as electric and water. It shall be located on the promenade at a place where the streets could be closed to vehicular traffic at appropriate locations.
- (c) The promenade shall utilize shared space principles that combine movement and other civic functions of streets and public space. This includes aesthetic treatments considering decorative materials and/or patterns for all vehicular, pedestrian and shared paved surfaces. Pavements should be specifically designed to emphasize the creation of spaces and transition between spaces or zones and to provide visual clues to pedestrians, bicyclists and motorists to reinforce the use and function of the area as a low speed pedestrian-oriented public space through which motor vehicles travel and park. Bollards or visual clues (including, but not limited to, pavement, colors/textures, pedestrian/bicycle symbols and/or signage, planters, landscaping, street trees, ground cover landscaping, street furniture, lampposts and other street lighting techniques, fixed benches and moveable seating, and outdoor café zones) shall be utilized for defining separation of pedestrian circulation from vehicular travel lanes and on-street parking. More refined pavements should be utilized to emphasize and enhance areas designed for larger volumes of pedestrian activity such as building entrances, plazas and terraces, nodes, drop-off and pick-up zones and crosswalks. A palette of compatible decorative pavements and/or pavement patterns should be developed for the entire promenade.

(2) Circulation and parking.

- (a) Streets [shall] may include on-street parallel or angled parking in order to promote pedestrian street activity, lower vehicular speeds, and provide convenient access to retail uses and the promenade.
- (b) Off-street parking and service access shall be designed to avoid the backing in and out of streets to the greatest extent possible.
- (c) Roadway identified on the concept plan as Road A shall be contained in a maximum right-of-way of 50 feet.

- (d) Sidewalk widths shall measure at least 10 feet in the core retail and promenade area in the RP-1 District and shall be a minimum of five feet wide in all other areas (except where vehicle parking overhang of a sidewalk area can occur wherein the width of the sidewalk area is to be a minimum of six feet). All sidewalks should be durably paved and smoothly surfaced to provide for the free movement of pedestrians. All sidewalks and pathways must be designed to provide access for the physically disabled in accordance with state and federal regulations. Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the applicable accessibility standards.
- (e) The minimum width for off-road bike lanes is eight feet.
- (f) Surface parking cannot be located between the building and the front property line. Where surface parking may be located along a street frontage, such must be screened from the street by a solid fence or wall at a minimum height of 48 inches.
- (g) Structured parking may be contained within, under or attached to buildings. Parking structures or podium-type parking under buildings may not front toward the promenade public space. Where parking structures front on public streets, such may feature liner buildings which are shallow commercial or residential buildings on the facades of parking structures or ground floor space along the sidewalk designed as amenity, utility, retail, commercial or office space.
- (h) There shall be one bicycle parking space per 10 automobile parking spaces for the first 100 parking stalls allocated to nonresidential uses for the public, and one bicycle space for every 20 automobile parking spaces allocated to nonresidential uses for the public beyond that.
- (i) A minimum of two spaces will be provided for parking for shared car services.
- (j) Loading for nonresidential uses fronting on the promenade may be accommodated by collective provision for loading facilities that allow for sharing of such facilities among two or more uses and may be located in either on-street loading zones or off-street

loading areas, which may be located within a building or a parking structure. A hotel shall provide an off-street loading area.

- (3) Landscape architectural treatments and guidelines.
 - (a) All plants, trees, shrubs, pedestrian pavements and streetscape elements shall be installed in accordance with a landscape plan and schedule provided by the redeveloper, subject to the approval of the Planning Board.
 - (b) Landscape architectural treatments shall be provided throughout the redevelopment area to create spatial definition or separation, shade, visual interest, seasonal color, visual buffering, microclimatic enhancement, and habitat and to improve safety.
 - (c) Indigenous plant species shall be primarily specified within the District and invasive exotic species shall be avoided. Any landscaping that is not resistant to the environment, or that dies, shall be replaced by the redeveloper in accordance with the maintenance guarantee provisions of the municipal land use law.
 - (d) In landscaped spaces, passive systems such as cisterns and water gardens that collect rainwater for irrigation or recharge are encouraged.
 - (e) Soil moisture-sensing irrigation systems shall be used.
- (4) Building orientation, massing and facade composition.
 - (a) New buildings within the District should be considered an integral part of the overall site design and developed with appropriate consideration for both proposed and existing buildings with respect to height, mass, siting, location, materials, orientation, signs, lighting and use.
 - (b) Buildings shall front on the promenade and public streets to provide form and function to the streetscape. The streetscape should be continuous and varied through the use of street furniture, landscaping, building articulation, building frontage setbacks and changes in sidewalk types and textures. Driveway intersections with the public street should be minimized to avoid excessive interruptions in the streetwall.

- (c) Buildings shall be designed to present an articulated facade from all vantage points. Parking structures shall not front on the promenade. Parking structures or that portion of a building containing a parking structure that is not fronting on the promenade may have an exterior clad in a vine-covered trellis, graphic panels, solar panels, a window-like facade treatment, liner buildings or ground floor space along the sidewalk designed as retail, commercial, residential or office space.
- (d) The architectural treatment of the front facade shall be continued in its major features around all visibly exposed sides of a building with the exception of parking structures or that portion of a building containing a parking structure. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details. Blank wall or service area treatment of side and/or rear elevations visible from public view shall be avoided.
- (e) Unless the redeveloper proposes a specific use that requires a unique building, such as a hotel, buildings should be designed utilizing base, middle and top forms as the primary method relating buildings to each other.
- (f) The base shall be considered the first story of the facade facing a public street, depending on the overall heights of the building. The design of the base, as well as the quality and durability of its materials, should be emphasized to create visual interest and support pedestrian activity. The building's base should be presented to the Planning Board at a larger scale of drawing and greater detail than the remainder of the facade to ensure it meets the building design objectives.
- (g) In addition to the base, the exterior design of mixed-use residential buildings shall include a middle field section and a cap on the top. The middle of the building shall be differentiated from the base by a horizontal transition line. A horizontal transition line should also be established separating the middle field from the cap or top of the buildings.
- (h) The base transition line should generally be defined at the water table, sill of the ground floor windows or top of the ground floor. The upper transition line articulating the cap should generally be

defined by a cornice, projecting overhang or other appropriate means that defines the cap of the building.

- (i) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. Long, monotonous, uninterrupted walls or roof planes shall be avoided. Building wall offsets, including projections such as balconies, canopies, awnings, and signs, recesses, and changes in floor level shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets, dormers, or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.
- (j) For townhouses or stacked townhouses, buildings may contain a maximum of 12 townhouse dwellings or stacked townhouse modules (24 stacked townhouses) in a single row and shall not require any facade, height or roofline offsets. The base of townhouses or stacked townhouses should generally be defined at the water table, sill of the ground floor windows or top of the ground floor and the cap should generally be defined by a cornice or overhanging eave line. Townhouses or stacked townhouses shall have a front entry that faces a street, courtyard, mews or other open space, with garages accessed from the rear (via a driveway and/or alley), and are not required to have private outdoor space at the ground level.
- (k) In general, it is preferred to keep the street facade parallel to the property line in alignment with adjacent buildings.
- (l) Blank walls must contain architectural relief such as expressive details, blind windows, murals, etc.
- (m) All buildings shall provide scale-defining architectural elements or details at the first two floor levels minimum, such as windows, spandrels, awnings, porticos, pediments, cornices, pilasters, columns and balconies.
- (n) Windows for residential buildings shall be primarily vertically proportioned. Tinted and highly reflective glass are discouraged.

- (o) Ground-floor retail, services, and restaurant uses shall have large transparent windows. Such windows shall be framed by the surrounding wall and shall be a minimum of 75% of the total ground-level facade area adjoining the sidewalk. The window wall facade area may be reduced if, due to a particular use or settings, the provision of windows will present concerns for aesthetic design or security. However, the facade design should employ an arrangement of materials that reflects the required window area and/or lines to be compatible with the intent of these guidelines.
- (p) The predominant material of all street walls on primary and secondary streets shall be brick, precast, cement-board siding, wood, metal storefront, tile, stone, stone veneer, resin panels, composites, metal panels and finished masonry block, or curtain wall. Stucco may be used as an accent. All materials, colors and elevations shall be approved by the Planning Board.
- (q) Shop fronts may have a kick plate that ranges in height from 8 inches to 42 inches running continuously beneath the required fenestration.
- (r) Public access to commercial and governmental buildings shall be provided at sidewalk grade. The primary floor of and access to residential structures may be elevated.
- (s) The front doors of all buildings shall be visible from the street unless fronting on a courtyard, mews or other open space. If located more than 10 feet from the front building line, their location must be reinforced with additional graphics, signage, lighting, marquees or canopies.
- (t) All entrances to a building, except service and emergency egress doors, shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, balustrades, canopies, awnings, and other elements, where appropriate. Any such element utilized, including doors, shall be architecturally compatible with the style, materials, colors and details of the building as a whole. The main entrance shall face the street on which the property fronts.
- (u) Awnings, which add visual richness to the commercial corridor while enhancing the quality of public walkways, are encouraged

for all storefronts. Awnings shall have fixed or retractable metal framework.

- (v) Canopies, unlike awnings, are nonretractable. They shall be constructed of wood or metal framing, standing-seam metal roof or glass roof as solid canopies or semi-open trellises. Canopies may incorporate signage and down lighting. Security shall be implemented so that it cannot be seen, and security grille housing is specifically prohibited. For flat solid panel clad canopies, a membrane could be used if concealed from pedestrian view.
- (w) All awnings and canopies shall be securely attached to the building so that the lowest part of the awning or canopy is mounted a minimum of eight feet above the sidewalk at the storefront. Awnings and canopies may project over a sidewalk and/or in the public right-of-way.
- (x) Buildings directly fronting the promenade shall be designed to appear as landmark buildings. One possible treatment to achieve this goal would have buildings designed with additional height or architectural embellishments, such as corner towers, to emphasize their location.
- (y) Appropriate design of the corner of mixed-use buildings directly fronting the promenade shall include one of the following patterns:
 - [1] Opening the space at ground level for people to walk across the corner, with the building mass above redefining the corner.
 - [2] A recessed entry at the corner such as the familiar angled wall with an entry door.
 - [3] A corner window with an important view into the building.
 - [4] Balconies or bay windows that wrap the corner.
 - [5] A tower element.

- (z) Multistory buildings with flat roofs shall provide light color roof surfaces. Green roof plantings and solar photovoltaic systems on roofs and parking decks shall be permitted.
- (aa) Excepting the antenna itself, all parts and components of personal communications antennas, satellite dishes, and television and radio antennas shall be screened from view regardless of elevation, or shall be disguised within an enclosed structure. The screening shall be designed as part of the overall design theme of the building to which it is associated.
- (bb) Dish antennas may not exceed 12 feet in diameter.
- (cc) Mechanical equipment located on building roofs shall be screened so as not to be visible from the ground level from adjacent developments and from public streets and spaces. Mechanical equipment at ground level shall be screened and in the rear.

(5) Lighting.

- (a) Lighting levels along paved portions of public walks shall be an average of no less than one footcandle for commercial areas and 0.5 footcandle for residential areas.
- (b) Fixtures serving to light streets shall be at a height of no greater than 20 feet above the adjacent roadway surface. The light center of a fixture for a pedestrian walkway shall be mounted at a height of 12 feet to 14 feet above the adjacent surface of the walkway, except for bollard fixtures, footlight fixtures and other low-mounted fixtures. The fixtures may include attachments to accommodate such amenities as banners, seasonal lighting, and flower pots.
- (c) The design for a proposed facade must consider the appearance of the building in the evening and develop an exterior lighting plan that includes display window lighting, building lighting, and pedestrian-scaled lighting for both buildings and pedestrian areas within the site. Lighting shall be warm in color, with control of glare for the pedestrian.

(6) Streetscape.

- (a) A palette of compatible site furnishings should be developed for the entire District. Street furnishings may include elements such as benches, gazebos, trash and recycling receptacles, bicycle racks, bird houses, drinking fountains, kiosks, sculptural elements, decorative fountains, bollards, decorative fences, seat walls, and pedestrian-scale lighting.
 - (b) Community bulletin boards, such as kiosks, may be provided at strategic locations, including on the promenade.
 - (c) Freestanding newspaper and advertising dispensers shall not be permitted in the right-of-way of primary streets and shall be incorporated into approved buildings or pavilions.
 - (d) Outdoor cafes may extend onto the public right-of-way upon issuance of a license by the Township. Such encroachment shall convey no rights to the licensee beyond those enumerated in the license. Outdoor cafes may be delineated from the public way by planters and/or barriers such as metal fencing. A clear width of at least four feet shall be maintained for pedestrians to pass either outboard or inboard.
- (7) Signage. In lieu of § 200-258D, the following shall apply:
- (a) The temporary display of signs, banners, flags, pennants and similar devices in connection with special events or activities of a public or nonprofit nature shall be permitted, provided that temporary signs which are displayed between one (1) and eighty-nine (89) days shall not occur more than twelve (12) times per calendar year and temporary signs that are displayed between ninety (90) and one hundred and twenty (120) days shall not occur more than six (6) times per calendar year. The materials for temporary signage shall consist of vinyl, mesh, fabric, or other durable material. Such temporary signs shall be permitted in the RP-1, RP-4, and RP-6 Districts.
 - (b) The temporary display of signs, banners, flags, pennants and similar devices, in connection with the opening of a new business use or reopening of an existing business use shall be permitted provided such display shall not exceed three months for nonresidential uses and 15 months for hotel and residential uses.
 - (c) Existing nonconforming signs shall be removed from this District within a period of 12 months after building permit issuance.

- (d) All signs within the project area shall be part of the overall total design scheme and in keeping with the architectural character of the District in which the sign is located.
- (e) Each type of signage shall be permitted on the same site, provided that the standards set forth below are satisfied.

[1] Wall signage.

- [a] The following types of wall signs shall be permitted:

- [i] Internally lit raised letters.
- [ii] Backlit raised letters.
- [iii] Signage board with gooseneck lighting.
- [iv] Individual cut letters with gooseneck lighting.

- [b] The maximum sign area shall be no greater than five percent (5%) of the total tenant wall area.

[2] Hanging signs and blade signs.

- [a] One (1) hanging sign or blade sign is allowed per twenty-five (25) linear feet of frontage with a maximum of two (2) signs per frontage.

- [b] The maximum sign area shall be 10 square feet per side.

- [c] The letter and logo height shall be a maximum of eighteen (18) inches.

- [d] Hanging signs may project a maximum of five (5) feet over a sidewalk and/or in the public right-of-way. A blade sign may only project beyond five (5) feet if attached to the underside of a tenant's canopy but may not exceed the canopy projection or an overall projection of eight (8) feet, whichever is less.

- [e] Hanging signs and blade signs must have a clearance height of eight (8) feet above the sidewalk and shall not be mounted above a tenant façade.

[f] Hanging signs and blade signs may be externally or internally lit.

[3] Banner signs

[a] One (1) banner sign shall be permitted per fifty (50) linear feet of frontage with a maximum of two (2) banners per frontage with the exception of residential and hotel entries which can have one (1) per entry and one (1) for each exterior building corner.

[b] The maximum sign area shall be 100 square feet per side.

[c] Banner signs shall have a maximum projection of eight feet.

[d] Banner signs must have a clearance height of ten feet above the sidewalk.

[e] Banner signs may be mounted to the base building above the ground floor but shall not exceed an overall height of fifty feet above the finished sidewalk.

[f] Letters are limited to twenty-four inches in height.

[g] Banner signs may be externally or internally lit.

[h] Banner signs may project over a sidewalk and/or in the public right-of-way.

[4] Street address signage.

[a] Street address signage shall be provided on each building or for each individual tenant.

[b] Street address numbers shall have a maximum height of eight inches.

- [5] Kiosk signage.
 - [a] Freestanding signs such as Parisian-style kiosks and interactive digital kiosks shall be permitted in order to identify the promenade and individual uses located in the District to passersby on major roads at the edges of the District as well as within or leading to the promenade and to advertise local events.
 - [b] The maximum kiosk sign area shall be 30 square feet, as measured on each face.
 - [c] The maximum kiosk sign height shall be 16 feet above finished grade.
 - [d] Kiosks may be located in a paved sidewalk area including within the public right-of-way of streets and sidewalks.
 - [e] The base of the kiosk sign shall be landscaped with plants that extend a minimum of two feet in all directions unless such kiosk is located within a paved sidewalk area.

- [6] Awnings and canopies.
 - [a] Awnings and canopies shall be architecturally compatible with the building or retail tenant.
 - [b] Awnings and canopies shall be kept in good order.
 - [c] One sign on an awning or canopy shall be permitted, provided that:
 - [i] The letter logo height does not exceed 50% of the main area of the awning or canopy.
 - [ii] The letter and logo area may be located on the valance of the awning or face of the canopy and shall not exceed 12 inches in height.

- [iii] The letter and logo area may be located above the canopy and shall not exceed 12 inches in height.
- [7] Window lettering and signs. Window lettering and signs shall be permitted, provided that they:
 - [a] Are inside the window.
 - [b] Do not exceed 15% of the window area if solid and 25% of the window area if die-cut.
 - [c] Pertain only to the establishment occupying the premises where the window is located except when premises are unleased/empty.
- (f) Temporary construction and sales signage.
 - [a] Signage shall be removed within the later of (a) three years of the issuance of a sign permit or (b) one year of the time of the final certificate of occupancy. One sign per each road frontage shall be permitted. However, construction signs which contain noncommercial messages, such as signs identifying individual lots, construction ingress and/or egress or safety protocols, shall be permitted.
 - [b] Temporary contractor signage. Only one sign shall be permitted identifying lenders, architects, engineers or contractors doing work on the site. Such sign shall be a maximum of four square feet per entity, but not to exceed 25 square feet. This sign shall be removed when work ceases or is abandoned or when a final certificate of occupancy for the project is issued, whichever occurs sooner.
- (g) Billboards are prohibited.
- (h) A signage package shall be submitted as a part of any application for final site plan approval.

Section 2. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral vote by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

INTRODUCTION:
PLANNING BOARD REVIEW:
PUBLIC HEARING:
ADOPTION:
MAYOR'S APPROVAL:
EFFECTIVE DATE:

Revision of Adopted Ordinance Amending the Township Code RP-1 3-13-20

2020-14

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$6,822,300 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$6,497,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of West Windsor, in the County of Mercer, New Jersey (the "Township") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$6,822,300, including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$558,000 for the purpose of Bennington Avenue reconstruction which is a part of Section 3(C)(5) (the "State Grant") and further including the aggregate sum of \$325,300 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made

available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of receipt of the State Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$6,497,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
A) ADMINISTRATION 1) <u>Acquisition of Equipment</u> Network, computer, printer and scanner replacement and/or upgrades, copier machine replacement and the acquisition of furniture for the Municipal Court, including all related costs and expenditures incidental thereto.	\$282,450	\$269,000	5 years
2) <u>Municipal Facilities and Related Improvements</u> Improvements to the Municipal Administration Building, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
3) <u>Municipal Facilities and Related Improvements</u> Improvements to the Health and Recreation Building and carpet and flooring replacement at the Senior Building, including all work and materials necessary therefor and incidental thereto.	\$50,400	\$48,000	15 years
4) <u>Municipal Facilities and Related improvements</u> Security system upgrade projects for various municipal buildings, including all work and materials necessary therefor and incidental thereto.	\$10,185	\$9,700	15 years
5) <u>Municipal Facilities and Related Improvements</u> Generator replacement for the Police/Court Building, including all work and materials necessary therefor and incidental thereto.	\$151,200	\$144,000	10 years
6) <u>Municipal Facilities and Related Improvements</u> Improvements to the Art's Council Building, including all work and materials necessary therefor and incidental thereto.	\$5,040	\$4,800	15 years
7) <u>Municipal Facilities and Related Improvements</u> General improvements to the Schenck Historical Farmstead, including all related costs and expenditures incidental thereto.	\$10,185	\$9,700	15 years
B) COMMUNITY DEVELOPMENT – CODE ENFORCEMENT <u>Acquisition of Equipment – Vehicular</u> Acquisition of a four-wheel drive vehicle, including all related costs and expenditures incidental thereto.	\$29,400	\$28,000	5 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
C) COMMUNITY DEVELOPMENT – ENGINEERING 1) <u>Acquisition of Equipment</u> Acquisition of digital tax map conversion and replacement of engineering plotter and monitor, including all work and materials necessary therefor and incidental thereto.	\$166,950	\$159,000	10 years
2) <u>Bicycle and Pedestrian Improvements</u> The Sidewalk Extension Program, Crosswalk Improvement Program and sidewalk repairs – street trees, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.	\$299,250	\$285,000	10 years
3) <u>Drainage Improvements</u> Emergency road and drainage repairs, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.	\$50,400	\$48,000	20 years
4) <u>Municipal Facilities and Related Improvements</u> Renovations to the existing Fire and Emergency Services Facility, including all work and materials necessary therefor and incidental thereto.	\$151,200	\$144,000	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
<p>5) <u>Roadway Improvements</u> Annual Residential Road Improvement Program, as well as Annual Road Improvement Program – Collector Roads, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$2,679,000 (including a grant expected to be received from the State of New Jersey Department of Transportation in the amount of \$558,000 for Bennington Avenue reconstruction)</p>	<p>\$2,551,000</p>	<p>10 years</p>
<p>6) <u>Traffic Safety Improvements - Hazard Mitigation & Other Improvements</u> Signage and striping improvements; Grover's Mill Dam inspection and repairs, Wallace Road Bus Garage remediation program; compost facility remediation; annual flood abatement program; EAB Management Program-street trees and annual utility maintenance and improvements program, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$441,000</p>	<p>\$420,000</p>	<p>10 years</p>
<p>7) <u>Municipal Facilities and Related Improvements-Sewer</u> Sewer extension and pump station improvements, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$252,000</p>	<p>\$240,000</p>	<p>40 years</p>
<p>D) COMMUNITY DEVELOPMENT – LAND USE</p>			
<p>1) <u>Municipal Properties Improvements</u> The Street Tree Planting Program, including all work and materials necessary therefor and incidental thereto.</p>	<p>\$20,475</p>	<p>\$19,500</p>	<p>10 years</p>

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
2) <u>Municipal Park Improvements</u> Park improvements, all as shown on a list on file in the office of the Clerk, which list is hereby incorporated by reference, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
3) <u>Municipal Facilities and Related Improvements</u> Improvements to the Senior Center, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
4) <u>Acquisition of Equipment</u> Acquisition of office furniture for the Senior Center, including all work and materials necessary therefor and incidental thereto.	\$5,040	\$4,800	5 years
E) PUBLIC SAFETY – FIRE & EMERGENCY SERVICES			
1) <u>Acquisition of Equipment – Non Vehicular</u> Fire hose, nozzle and equipment replacement, including all related costs and expenditures incidental thereto.	\$50,400	\$48,000	10 years
2) <u>Acquisition of Equipment - Vehicular</u> Acquisition of a fire engine and a four-wheel drive vehicle, including all related costs and expenditures incidental thereto.	\$863,100	\$822,000	15 years
3) <u>Municipal Facilities and Related Improvements</u> Building and general improvements to the PJ Firehouse, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
4) <u>Municipal Facilities and Related Improvements</u> Building and general improvements to the Fire & Emergency Services Facility, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
F) PUBLIC SAFETY – POLICE			
1) <u>Acquisition of Equipment – Office/Computer Technology</u> and computer replacement, software replacement, security systems upgrade project and CAD-Records System, including all related costs and expenditures incidental thereto.	\$268,800	\$256,000	5 years
2) <u>Acquisition of Equipment – Vehicular</u> Acquisition of two four-wheel drive vehicles, including all related costs and expenditures incidental thereto.	\$132,300	\$126,000	5 years
3) <u>Acquisition of Equipment – Non Vehicular</u> The acquisition of firearms, portable radios, emergency equipment for patrol vehicles and mobile data terminals and the unmanned aircraft system program, including all related costs and expenditures incidental thereto.	\$121,275	\$115,500	10 years
4) <u>Municipal Facilities and Related Improvements</u> Improvements to the Municipal Police/Court Building, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
G) PUBLIC WORKS			
1) <u>Acquisition of Equipment – Non Vehicular</u> Acquisition of laser guided line painter, including all related costs and expenditures incidental thereto.	\$26,250	\$25,000	10 years

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
2) <u>Acquisition of Equipment – Vehicular</u> Acquisition of trucks, a compactor truck and a mason dump truck, including all related costs and expenditures incidental thereto.	\$306,600	\$292,000	5 years
3) <u>Municipal Facilities and Related Improvements</u> Building/general improvements to the Municipal Public Works Complex, including all work and materials necessary therefor and incidental thereto.	\$25,200	\$24,000	15 years
4) <u>Municipal Facilities and Related Improvements – Sewer</u> Sanitary sewer system improvements and storm sewer improvements, including all work and materials necessary therefor and incidental thereto.	<u>\$273,000</u>	<u>\$260,000</u>	40 years
TOTALS	<u>\$6,822,300</u>	<u>\$6,497,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall

determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the

Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 12.55 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$6,497,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$700,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes or improvements described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the

improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION: June 8, 2020

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

2020-15

BOND ORDINANCE PROVIDING FOR GENERAL IMPROVEMENTS AND REQUIRED UPGRADES TO THE SWIM POOL COMPLEX IN AND BY THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$50,400 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$48,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST WINDSOR, IN THE COUNTY OF MERCER, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the Township of West Windsor, in the County of Mercer, New Jersey (the "Township") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$50,400, including the sum of \$2,400 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$48,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and

within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is general improvements and required upgrades to the Swim Pool Complex, including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the

amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the Township may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$48,000, and the obligations authorized herein will be

within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$5,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with

its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

INTRODUCTION: June 8, 2020

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

2020-16
TOWNSHIP OF WEST WINDSOR

CAPITAL IMPROVEMENT ORDINANCE PROVIDING FOR VARIOUS CAPITAL
IMPROVEMENTS AND OTHER RELATED EXPENSES IN OR FOR THE
TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW
JERSEY APPROPRIATING THE AMOUNT OF \$410,000.00

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST WINDSOR, COUNTY OF MERCER, STATE OF NEW JERSEY, AS FOLLOWS:

SECTION 1. The improvements described in Section 2 of this Capital Improvement Ordinance are hereby authorized to be undertaken by the Township of West Windsor, New Jersey as General Improvements. For the improvements described in Section 2 there is hereby appropriated the sum of \$410,000.00.

SECTION 2. The description of the improvements required are as follows:

GENERAL IMPROVEMENT APPROPRIATIONS

1) Parks Open Space - Maintenance Program	\$ 100,000.00
2) Parks Open Space – Development Program	\$ 200,000.00
3) Preserve Open Space - Maintenance Program	\$ 90,000.00
4) Preserve Open Space - Development Program	\$ 20,000.00

TOTAL **\$ 410,000.00**

SECTION 3. The improvements described in Section 2 of this Capital Improvement Ordinance are financed from funds already received by the Township of West Windsor which are presently being held in the following accounts:

1) Reserve for Open Space Tax Trust Fund	\$ 100,000.00
2) Reserve for Open Space Tax Trust Fund	\$ 200,000.00
3) Reserve for Open Space Tax Trust Fund	\$ 90,000.00
4) Reserve for Open Space Tax Trust Fund	\$ 20,000.00

TOTAL **\$ 410,000.00**

SECTION 4. This Ordinance shall take effect twenty (20) days after action or Inaction by the Mayor as provided by law or an override of a mayoral veto by the Council, whichever is applicable. Publication shall be in accordance to law.

INTRODUCTION: June 08, 2020

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

ORDINANCE 2020-17

**AN ORDINANCE TO AMEND AND SUPPLEMENT
THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999)**

AN ORDINANCE AMENDING THE B-2 DISTRICT STANDARDS

BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, as follows:

Section 1. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 1, Site Plan Review, Article II, Terminology, Section 200-4, Definitions, Subsection B is amended by adding the following NEW definitions. Added text is underlined, and text being eliminated is ~~struck through~~.

CULTURAL FACILITY – A building, structure or site that is, or will be, owned, leased or otherwise used by one or more cultural organizations and that is accessible to the public. The term cultural facility may include such activities as museums, historical sites, zoos, aquariums, nature or science centers, theaters, concert halls, exhibition spaces, classrooms and auditoriums suitable for presentation of performing or visual arts.

SENIOR DAY CARE – A non-residential facility providing care for the elderly and/or functionally impaired adults in a protective environment. Operators shall be licensed as required by the State of New Jersey as applicable to operate and offer services such as providing meals, social services, recreational outings and trips, physical therapy, general supervision, and support. Senior day care centers may not provide services to participants for longer than twelve (12) hours in a day.

SURGICENTER – Facilities providing surgical treatment to patients not requiring hospitalization, which are not part of a hospital but which are organized and operated to provide medical care to out-patients. Patients shall be served solely on an outpatient basis, and no patients shall be kept overnight on the premises

URGENT CARE CENTER – A use wherein urgent medical care medicine is performed solely within the confines of a building, which use is principally engaged in providing immediate walk-in, extended hour access to acute illness or injury care by a licensed physician that is beyond customary medical office hours or availability of a typical primary care medical practice. Patients shall be served solely on an outpatient basis, and no patients shall be kept overnight on the premises nor treated outside the confines of a building. Urgent care medicine is as defined by the American Academy of Urgent Care Medicine.

Section 2. Chapter 200 of said Code, Land Use, Part 4, Zoning, Article XXVI, Titles, Purposes, Establishment of Districts; General Conditions, Section 200-143, Zoning Map, is amended to read as follows:

The boundaries of said zoning district is hereby established as shown on the Zoning Map, Township of West Windsor, dated May 23, 2009, and revised through March 16, 2020, which, with all explanatory matter thereon, is hereby adopted and made part of this Part 4. An official copy of said Map, indicating the latest amendments shall be kept up-to-date in the office of the Land Use Manager for the use and benefit of the public and shall have the most current revision date shown thereon. The Zoning Map for that shall be the official reference as to the current zoning classification of the land within the boundaries of the Township of West Windsor.

Section 3. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVIII, Regulations for Business Districts, Section 200-201, B-2 Business District (neighborhood center) use regulations, is hereby amended to read as follows. Added text is underlined, and text being eliminated is ~~struck through~~.

§ 200-201 B-2 Business District (neighborhood center) use regulations.

A. Permitted uses. In a B-2 District, no building or premises shall be used and no building shall be erected or altered which is arranged, intended or designed to be used except for one or more of the following uses, and all such uses shall be subject to the performance standards set forth in Part 1, Site Plan Review, of this chapter:

- (1) Stores and shops for the conduct of any retail business, ~~excluding drive-in establishments.~~ (including curbside pickup and outdoor display areas and for the sale of items not otherwise specifically prohibited in this Section).
- (2) Personal service establishments (e.g., a tailor, barbershop or beauty salon).
- (3) Offices for professional services (e.g., physicians, lawyers or architects); commercial offices (e.g., realtors or travel agencies); and offices incidental to uses permitted in this subsection.
- (4) Restaurants and neighborhood taverns, including curbside pickup and drive-through establishments. ~~excluding drive-in and curb service establishments.~~
- (5) Repair and servicing, indoor only, of any article for sale which is permitted in this district.
- (6) Attended laundry and retail dry-cleaning services, not including bulk processing on or from other premises.

- (7) Copy centers and newspaper offices.
- (8) Hotels.
- (9) Fast-food operations with or without drive-throughs.
- (10) Commercial recreation facilities.
- (11) Cultural facilities.
- (12) Branch banks with or without drive-throughs.
- (13) Convenience stores in conjunction with a gasoline service station.
- (14) Senior day care facilities.
- (15) Urgent care and surgicenter facilities.
- (16) Fitness and wellness centers

~~(8)~~(17) Planned commercial development, notwithstanding any other requirements of this chapter, except as changed herein, shall also be subject to the following special requirements:

- (a) Tract area limitations: No grouping of permitted uses shall be placed on a tract area less than ~~five~~ three (3) acres.
- (b) Mix of uses: At a minimum, three of the permitted and/or conditional uses as outlined herein shall be provided.
- (c) Minimum lot frontage: 250 feet
- (d) Maximum FAR: The maximum permitted FAR shall be allowed to vary according to the following schedule

Uses in	Maximum FAR
One-story buildings	0.20
Multistory buildings	0.25
<u>Multi-story hotels</u>	<u>0.35</u>

- (e) Maximum improvement coverage: 60%.

- (f) Building arrangement, lot width, frontage, depth and yards. Buildings, lot, yard sizes and dimensions may be freely disposed and arranged on a lot, provided that the development conforms with a site plan approved by the Planning Board, subject to the provisions of Part 1, Site Plan Review, of this chapter, and the following minimum standards:
- [1] Minimum lot width: 250 feet.
 - [2] The minimum distance between any building, including accessory uses, except parking, and any residence district shall be 100 feet.
 - [3] Minimum yard setbacks except for hotels: Front yard, 50 feet; side and rear yards, 15 feet, except in those instances where they abut, in whole or in part, a residence district or lot line, then such yards shall be increased by 35 feet.
 - [4] The minimum distance between any building, including accessory uses, except parking, and any street line shall be 50 feet.
 - ~~[5] The minimum distance between any group (more than one) of commercial uses and the lot lines of the following: church, library, school, college, nursing home, hospital or similar uses, 200 feet, measured along the same street line in the same block.~~
 - ~~[6]~~[5] Minimum distance between any access driveway and any residence district: 50 feet.
- (g) Common open space. The organization, administration and financial arrangements and guarantees governing the common open space or other common facilities which may be a part of a planned commercial development shall be subject to the requirements as set forth for planned residential development in Article XXVII of this Part 4.
- (h) Maximum building height: 2 ½ stories or 35 feet, whichever is higher, except for hotels as established herein.
- (i) Back-up generators. Permanent backup generators shall be provided for any gas station/convenience store. Generators shall be

tied into natural gas if natural gas is available. Should natural gas not be available to the site, propane generators shall be required.

(j) Hotels

[1] Maximum building height: Four (4) stories, but not more than 55 feet.

[2] Minimum side or rear yard setback: 40 feet, or 75 feet if adjoining to a residence district.

[3] A minimum of at least twenty (20) units of accommodation, exclusive of any permanent, on-site superintendent's living quarters.

[4] Each unit of accommodation shall contain a minimum floor area of 250 feet.

(k) Fast-food operations and banks with drive-throughs and curbside pickup:

[1] Minimum distance between any drive-through lane and any property line: 30 feet, or 50 feet if the property line separates a residential district.

[2] For banks, no more than three (3) drive-through teller windows shall be provided, not including an ATM drive-up lane.

[3] Access to and from drive-through facilities shall not be permitted onto public streets. Such access shall be provided from the internal road system servicing the planned commercial development. Ingress and egress points shall be coordinated so as not to impede the main traffic flow required for the overall planned development.

(l) Individual lot requirements for planned commercial developments. There shall be no maximum FAR or limitation on maximum improvement coverage for individual lots within a planned commercial development, provided that the shopping center conforms to a site plan approved by the board of jurisdiction. Lot widths, frontages, rear yards, side yards, front yards, lot dimensions, parking lot locations and building distances may be

freely arranged and disposed of. A lot need not front on a street, and there are no minimum building distances for individual lots in the same building. The intent of this provision is to permit individual stores to exist as separate lots. However, each individual lot shall be subject to and may only be improved in accordance with the final subdivision approval for the shopping center in accordance with these district regulations. The board of jurisdiction shall condition final subdivision approval upon submission by the applicant and approval by the board attorney of a declaration of covenants and restrictions or other suitable instrument setting forth the mechanisms by which and providing adequate assurances that security, outside cleaning and other routine external maintenance, external repainting, maintenance of the common open space, garbage collection, snow removal and other appropriate items will be provided for the shopping center. The board of jurisdiction shall not impose any conditions on the preliminary and/or final subdivision approval other than those set forth in the immediately preceding sentence. This section only applies to shopping centers in existence as of the date of adoption of this ordinance.

~~(9)~~(18) Buildings, structures and uses owned or operated by the Township of West Windsor.

~~(10)~~(19) All farm and agricultural uses permitted in residential districts in accordance with the provisions set forth in Article XXXI of this Part 4.

~~(11)~~(20) Accessory uses and accessory buildings incidental to the above uses located on the same lot and within the same zoning district permitting the principal use.

B. Conditional uses in the B-2 District. In a B-2 District, the following uses may be permitted as conditional uses.

~~(1) Living and/or sleeping accommodations for one household in conjunction with a permitted use subject to the following special requirements:~~

~~(a) Such accommodations are incidental to the business use of the premises, are located within the principal building and only are available above the ground floor of the permitted business use and are not located above any uses containing toxic or inflammable material unless it can be shown that such location meets all~~

~~necessary state health and occupancy standards governing such conditions.~~

- ~~(b) The residential portion shall have a direct and separate entrance upon a street, either directly or via an unobstructed passageway.~~

~~(2)~~(1) Public utilities, substations, electric and gas facilities, subject to the following special requirements:

- (a) No storage of materials and trucks and no repair facilities or staging of repair crews, except within completely enclosed buildings.
- (b) The exterior of any structure shall be in keeping with the other structures in the immediate neighborhood.

~~(3) — Fast food operations, subject to the following conditions~~

- ~~(a) — Minimum lot area: 50,000 square feet.~~
- ~~(b) — Minimum lot width: 200 feet.~~
- ~~(c) — Minimum lot frontage: 150 feet.~~
- ~~(d) — Minimum lot depth: 200 feet.~~
- ~~(e) — Minimum setback from all street lines: 50 feet.~~
- ~~(f) — Minimum distance between any building, including accessory uses, and any residence district: 50 feet.~~
- ~~(g) — Minimum distance between any access driveway and any residence district: 50 feet.~~
- ~~(h) — Minimum distance between any access driveway and any adjoining property line: 10 feet.~~
- ~~(i) — Minimum distance between any access driveway and an access driveway of any of the following: church, library, school, college, nursing home, hospital and similar uses: 200 feet, measured along the same street line in the same block.~~
- ~~(j) — Spacing of access driveways:~~

~~[1] — Entrance access driveways shall not be located within 200 feet of the intersection of any two street lines.~~

~~[2] — Minimum distance from adjoining property lines: 10 feet.~~

~~[3] — Minimum distance between access driveways: 40 feet.~~

~~[4] — Access driveways onto state or county highways shall be approved by the Township Engineer and state or county Highway Department.~~

~~(4)(2)~~ Motion-picture theaters and/or theaters for the performing arts, provided that they are located in enclosed buildings and are part of a planned commercial development which has access from U.S Route 1.

~~(5)~~ Motor vehicle service stations and motor vehicle commercial garages, subject to the following special requirements:

~~(a) — Minimum lot width, including any lot side which permits access: 150 feet.~~

~~(b) — Minimum setback line from all street lines: 40 feet.~~

~~(c) — Minimum distance of buildings from all property lines other than street lines: 25 feet.~~

~~(d) — Minimum distance between any buildings, including accessory uses, and any residence district: 50 feet.~~

~~(e) — Minimum distance between any access driveway and any residence district: 50 feet.~~

~~(f) — Minimum distance between any access driveways and the lot line of the following uses: church, library, school, college, nursing home, hospital and similar uses: 200 feet, measured along the same street line in the same block.~~

~~(g) — Minimum distance between structures of any service station and/or repair garage and another service station and/or repair garage or those for which a building permit has been issued shall be 300 feet, measured along the same street line in the same or adjoining block. For similar use establishments located on opposite sides of the~~

street, the point of beginning measurement shall be off set to the opposite street line.

~~(h) Minimum distance between gasoline pump islands, compressed air connections and similar equipment and facilities and any street lines: 25 feet.~~

~~(i) Spacing of access driveways:~~

~~[1] Minimum distance from adjoining property lines: 10 feet.~~

~~[2] Minimum distance from minor intersections: 30 feet. Where intersecting street(s) is(are) major or minor arterials, as defined by the Township's Master Plan, the minimum distance under this subsection shall be 50 feet. This distance shall be measured from the right of way lines of intersecting streets involved.~~

~~[3] Minimum distance between access driveways: 30 feet.~~

~~[4] Access driveways onto state or county highways shall be approved by the Township Engineer and the state or county Highway Department.~~

~~(j) Hydraulic hoists, pits and all lubrication, greasing, washing and repair equipment shall be entirely enclosed within buildings.~~

~~(k) Exterior lighting shall be shielded so that it is deflected away from adjacent properties and from passing motorists.~~

~~(l) Wrecked or junked or stripped vehicles or vehicles in an inoperative condition shall not be permitted on the premises for a period of more than 30 days. One customer's motor vehicle may be kept on the site for sale.~~

~~(m) Lease or rental of motor vehicles may be permitted in conjunction with a motor vehicle service station provided that:~~

~~[1] A minimum lot area of one acre is available.~~

~~[2] No vehicle storage or parking area shall be nearer than 10 feet to any lot line.~~

~~[3] — The side and rear property yards abutting the area containing such lease or rental vehicles shall be landscaped, fenced or screened to provide, at the time of installation, an effective visual barrier to obscure from view at ground level the stored vehicles from adjoining uses.~~

~~[4] — The number of vehicles permitted on a lot shall not interfere with nor impede the daily access to and circulation of the service station operation.~~

~~(6) — Hotel/motel which has access to U.S. Route 1 and conforms to the special requirements for such uses as contained in Article XXIX, § 200-211B, of this Part 4.~~

~~(7) A planned commercial development providing for a community scale retail convenience center, subject to the requirements for planned developments stipulated in Article XXXI of this Part 4.~~

~~(a) — Location. A planned commercial development consistent with the goals and policies of the West Windsor Township Master Plan shall only be permitted at the southeast corner formed by the intersection of Route 1 and Meadow Road.~~

~~(b) — Minimum development area: 28 acres in contiguous parcels not separated by any street and served by public water and sewer systems. For purposes of meeting this requirement, at the option of an applicant, contiguous lands in the same ownership located adjacent to an existing B-2 District and zoned for ROM-1 uses may be included in a planned commercial development. Upon such inclusion, the contiguous lands or part thereof shall be consolidated with the planned commercial development and subject to the application of the herein conditions, standards and permitted land uses.~~

~~(c) — Permitted uses.~~

~~[1] — Community-oriented retail shopping center consisting of an integrated development according to a uniform design theme with common parking/service areas and pedestrian amenities, containing retail stores and shops, personal service establishments, specialty stores and boutiques, banks and indoor restaurants, excluding drive-in facilities. Theaters and professional or business offices, except those~~

offices related to the management of the planned development, shall be excluded. At least one major retail anchor store shall be provided. Any freestanding structure not physically attached to the principal shopping center shall contain a minimum of 3,000 square feet of gross floor area.

[2] ~~Accessory uses and accessory buildings incidental to the above uses located on the same lot and within the same zoning district permitted the principal use.~~

(d) ~~Minimum lot frontage.~~

[1] ~~Along Route 1: 1,000 feet, as measured along Route 1 from its point of tangency with Meadow Road.~~

[2] ~~Along Meadow Road: 640 feet, as measured along Meadow Road from the tangency point used to measure the Route 1 frontage.~~

(e) ~~Maximum FAR. The maximum permitted FAR shall be 0.23, subject to the phasing requirements set forth in Subsection B(7)(h) herein. In no event, however, shall the planned commercial center exceed 280,000 gross square feet of floor area.~~

(f) ~~Maximum MIC. The maximum permitted MIC shall be 60%.~~

(g) ~~Bulk requirements.~~

[1] ~~Maximum building height: 2 1/2 stories or 35 feet.~~

[2] ~~Building arrangement, lot width, frontage, depth and yards. Buildings, lot, yard sizes and dimensions may be freely disposed and arranged on a lot, provided that the development conforms with a site plan approved by the Planning Board, subject to the provisions of Part 1, Site Plan Review, of this chapter, and the following minimum standards:~~

[a] ~~Minimum lot width shall be the same dimensions as those stipulated for the Route 1 and Meadow Road frontages under Subsection B(7)(d) of this section.~~

~~[b] — Minimum distance between any building, including accessory uses, except parking and any residence district shall be 75 feet, together with such landscape and/or berm treatment sufficient to shield from view commercial activity at the zoning district line and conforming to the landscape design criteria of § 200-91R of Part 3, Subdivision and Site Plan Procedures, of this chapter.~~

~~[c] — Minimum front yard setbacks from Route 1: 125 feet, with a seventy five foot landscape area at the street right of way.~~

~~[d] — Minimum front yard setback from Meadow Road: 50 feet, with a thirty foot landscape area at the street right of way.~~

~~[e] — Minimum rear and side yard setbacks: 50 feet.~~

~~[f] — Minimum distance between any access driveway and any residence district shall be 100 feet.~~

~~(h) — Phasing requirements. To permit a planned commercial development in accordance with the standards of this section, a phasing plan shall be devised to attain the following objectives:~~

~~[1] — The development shall contain a minimum of two phases, with the first phase not to exceed 220,000 square feet of gross building floor area.~~

~~[2] — Subject to positive findings by the Planning Board for a planned commercial development as outlined in Article XXXI of this Part 4, a developer may be permitted to develop up to the limit established for a first phase, provided that the developer demonstrates that he or she will construct the necessary road improvements to achieve, in the highway PM peak hour, a level of service E and V/C ratio not to exceed 1.0 at the Route 1 and Meadow Road intersection to accommodate both the projected occupancy of the first phase planned commercial development, together with a reasonable estimate of traffic growth from immediate area development projects that would be expected to utilize the intersection during the same time~~

period projected for the first phase occupancy. Such intersection capacity analyses shall be undertaken according to the latest edition of the 1985 Highway Capacity Manual.

~~[3] — With respect to the succeeding phases of the planned commercial development, such phase shall not be granted final approval until it is demonstrated that funding for a grade-separated interchange of Meadow Road and Route 1 is available and committed and contracts for such construction have been let. The interchange design, in the highway PM peak hour, shall be sufficient to accommodate the planned commercial development as well as projected traffic growth from immediate area development projects and/or development proposals that would utilize the proposed interchange at a level service D and V/C ratio not to exceed 0.95. Such interchange capacity analyses shall be undertaken according to the latest edition of the 1985 Highway Capacity Manual.~~

~~(i) — Common open space. The organization, administration and financial arrangements and guaranties governing the common open space or other common facilities which may be part of a planned commercial development shall be subject to the requirements as set forth in §§ 200-190C(2) and 200-190C(3).~~

(8) Branch banks, including drive in banking facilities, subject to the following special requirements:

~~(a) — Such banks, including drive in banking facilities, shall be located within and be an integral part of the site plan design of a planned commerce development. Furthermore, such uses shall be clearly subordinate to the principal retail nature of the planned commercial development.~~

~~(b) — No more than three drive in teller windows shall be provided. A lone for queuing purposes sufficient in length to accommodate a minimum of 12 automobiles shall be provided for each drive in lane providing access to a teller window. No parking or queuing for the bank facilities shall interfere with required fire lanes, the overall planned commercial development's main access drives, parking aisles and pedestrian walks.~~

- ~~(c) — Access to and from the banking and drive-in facilities shall not be permitted onto public streets. Such access shall be provided from the internal road system servicing the planned commercial development. Ingress and egress points shall be coordinated so as not to impede main traffic flow required for the overall planned development.~~
- ~~(d) — Drive-in window lanes and bank related parking shall be physically separated from the overall planned commercial development's traffic circulation system by means of concrete curbed landscaped islands.~~
- ~~(e) — An overall signage plan shall be provided according to the type and area limitations established by the Township's sign ordinance contained in § 200-32 of Part 1, Site Plan Review, of this chapter. Other than instructional signs, the extent of wall signage shall be limited to one facade of the bank. No advertising or business signage shall be permitted on the drive-in canopy structure.~~

~~(9)(3)~~ Billboards, in accordance with the requirements of § 200-243.1.

(4) Veterinary clinics, which may or may not be part of a planned commercial development, subject to meeting the following special requirements:

- (a) The veterinary clinic building shall be sited at least one hundred and fifty (150) feet from any residential use or zoning district.
- (b) Buildings housing animals shall be soundproofed to a maximum transmission of 65 dB measured on the outside of the exterior wall. Other soundproofing requirements may be imposed by the board of jurisdiction, such as, but not limited to the following: non-opening windows and forced-air ventilation, solid core doors and sound-absorbent ceilings.
- (c) Proper and ample ventilation of all animal areas in buildings shall be demonstrated to the satisfaction of the board of jurisdiction and shall meet all state licensing requirements.
- (d) Animals may be kept overnight for medical reasons only.
- (e) Animals shall be housed indoors and may be allowed outside only for short periods under staff supervision for hygienic or medical

reasons. When they are outside, they shall be kept in a completely enclosed area.

(f) A maximum percentage of floor area for overnight holding of animals shall be limited to 30% of the gross floor area of the veterinary clinic/hospital building.

(g) No cremation or disposal of dead animals is allowed on the premises. Disposal of used and contaminated veterinary medical supplies shall meet low-level hazardous waste disposal requirements.

(h) The curbing of pets shall be addressed.

Section 4. Chapter 200 of the Code of the Township of West Windsor (1999), Land Use, Part 4, Zoning, Article XXVIII, Regulations for Business Districts, Section 200-202, B-2 Business District bulk and area restrictions, is hereby amended to read as follows. Added text is underlined, and text being eliminated is struck through.

§ 200-202 B-2 Business District bulk and area restrictions.

- A. Minimum lot area: one acre.
- B. Minimum lot frontage 125 feet.
- C. Minimum lot width: 150 feet.
- D. Minimum lot depth: 200 feet.
- E. Minimum yards:
 - (1) Front yard: 30 feet.
 - (2) Rear yard: 15 feet.
 - (3) Side yards: There shall be two side yards with a minimum of 15 feet each.
 - (4) Yards abutting residential districts: Except for the front yard, the above yards shall be increased by 60 feet in those instances where they abut, whole or part, a residential district or lot line.
- F. Maximum FAR. The maximum permitted FAR shall be allowed to vary according to the following schedule:

Uses in	Maximum FAR
One-story buildings	0.18
Multistory buildings	0.20
<u>Multistory hotels</u>	<u>0.35</u>

G. Maximum improvement coverage: 55%

H. Maximum building height: 2 ½ stories or 35 feet.

I. Hotels

(1) Maximum building height: Irrespective of §200-202H, the maximum height of a hotel shall be four (4) stories, but not more than 55 feet.

(2) Minimum side or rear yard setback: Irrespective of §200-202E(2), 40 feet, or 75 feet if adjoining to a residence district.

(3) A minimum of at least twenty (20) unites of accommodation, exclusive of any permanent, on-site superintendent's living quarters

(4) Each unit of accommodation shall contain a minimum floor area of 250 feet.

J. Fast-food operations and banks with drive-throughs:

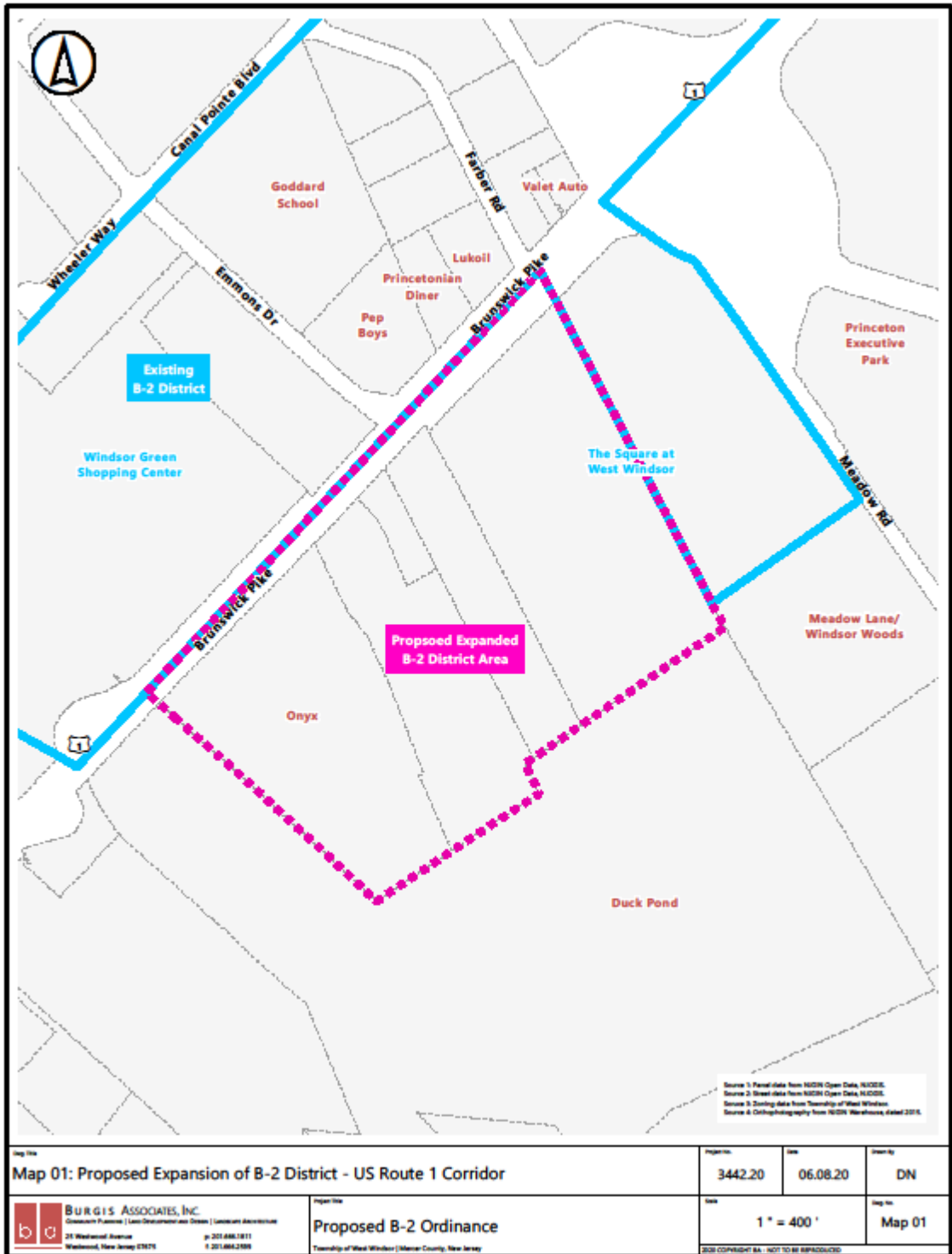
(1) Minimum distance between any drive-through lane and any adjoining property line: 30 feet, or 50 feet if adjoining to a residence district.

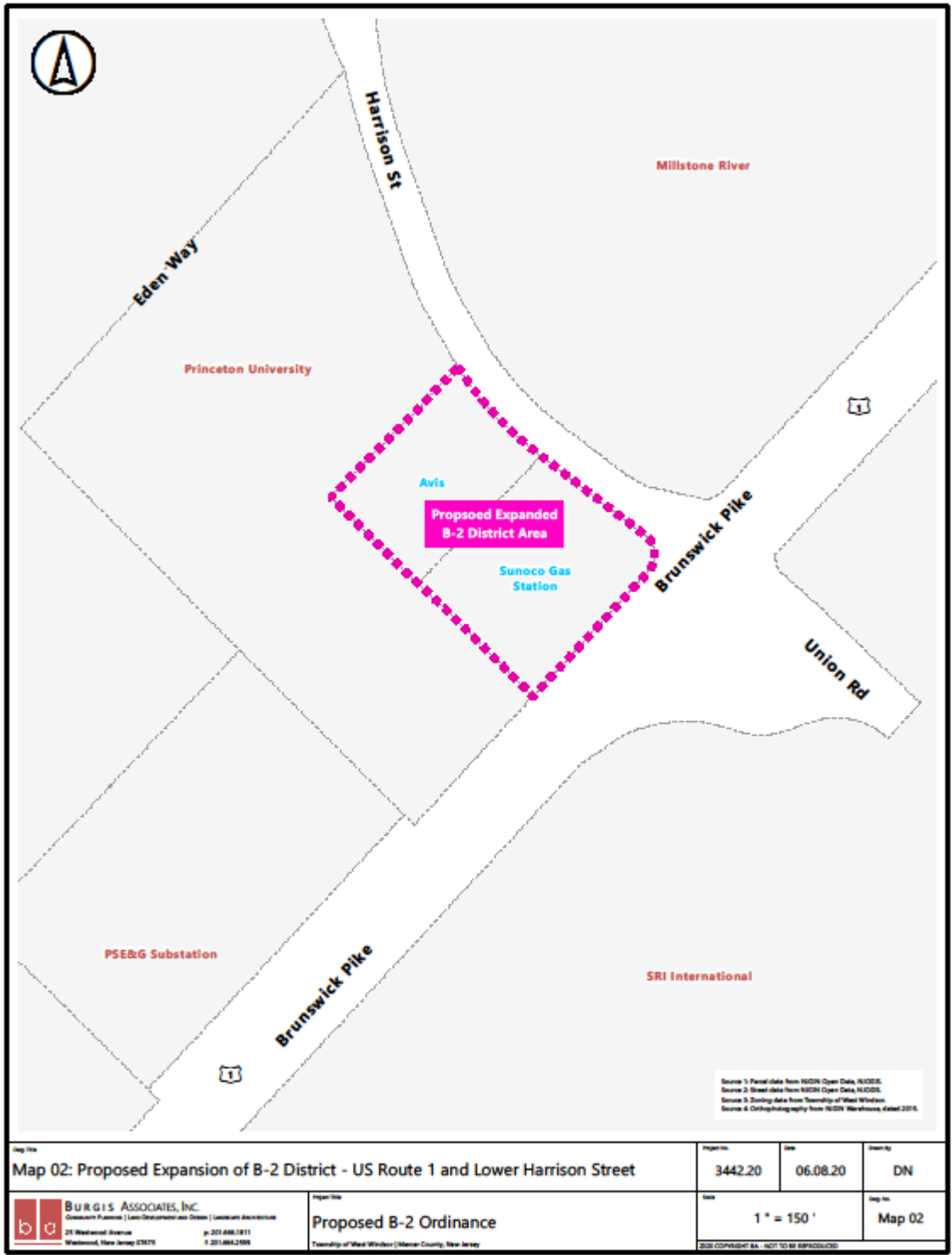
(2) For banks, no more than three (3) drive-in teller windows shall be provided.

(3) Access to and from drive-through facilities shall not be permitted onto public streets. Such access shall be provided from the internal road system servicing the development. Ingress and egress points shall be coordinated so as not to impede the main traffic flow required for the development.

Section 5. This ordinance shall take effect twenty days after action or inaction by the Mayor as approved by law, or an override of a mayoral vote by the Council, whichever is applicable; upon filing with the Mercer County Planning Board; and upon publication according to law.

Introduction:
Public Hearing:
Adoption:
Mayor Approval:
Effective Date:





ending the Township Code B-2 03-19-20

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, ACT Engineers have submitted a proposal dated March 24, 2020 indicating they will provide professional engineering services for the former West Windsor Township Landfill/Compost Facility – Environmental Monitoring for Eight Thousand Dollars (\$8,000.00); and

WHEREAS, the Township wishes to enter into an agreement with ACT Engineers for the aforesaid services; and

WHEREAS, the total amount of the contract is Eight Thousand Dollars (\$8,000.00); and

WHEREAS, Certification of funds has been received from the Chief Financial Officer and funds for said contract are available in the following line item appropriation account:

Traffic Safety Improvements Hazard Mitigation	405 2019 18 013	\$8,000.00
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NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a services agreement with ACT Engineers to cover the period June 22, 2020 through completion of the project.
- (2) The Agreement so authorized shall require the Provider to provide professional engineering services related to the remediation of the former West Windsor Township Landfill / Compost Facility, pursuant to their proposal dated March 24, 2020. The contract shall be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.
- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and ACT Engineers and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: June 22, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF
REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Sustainable Jersey Grant - 104648	\$10,000.00
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BE IT FURTHER RESOLVED that a like sum of \$10,000.00 and the same is hereby appropriated under the following captions:

Sustainable Jersey Grant – 10660542	\$10,000.00
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Adopted: June 22, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Body Armor Fund - 104611 \$4,528.86

BE IT FURTHER RESOLVED that a like sum of \$4,528.86 and the same is hereby appropriated under the following captions:

Body Armor Fund – 10668522 \$4,528.86

Adopted: June 22, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION PROVIDING FOR THE INSERTION OF A SPECIAL ITEM OF
REVENUE IN THE BUDGET OF THE TOWNSHIP OF WEST WINDSOR
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1948)

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any such item of revenue in the budget of the county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget, and

WHEREAS, the Director may also approve the insertion of any item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township Council of the Township of West Windsor, in the County of Mercer, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 which item is now available as a revenue from monies held pursuant to the provisions of statute.

Alcohol Education, Rehabilitation &
Enforcement Fund - 104605 \$583.48

BE IT FURTHER RESOLVED that a like sum of \$583.48 and the same is hereby appropriated under the following captions:

Alcohol Education, Rehabilitation &
Enforcement Fund – 10664520 \$583.48

Adopted: June 22, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of West Windsor has the need on a timely basis to purchase technological goods or services utilizing State contracts; and

WHEREAS, the Township is in need of a replacement network firewalls and disaster recovery storage upgrades as well as installation and configuration services; and

WHEREAS, CDW Government is an authorized vendor under NJ State Approved Co-op #65MCESCCPS, Bid #ESCNJ 18/19-03-Technology Supplies & Services, and

WHEREAS, As of June 10, 2020 the Township’s total aggregate spending with CDW Government under NJ State Approved Co-op #65MCESCCPS, Bid #ESCNJ 18/19-03-Technology Supplies & Services was as follows:

2020-R064	CDW-Government	2/24/20	\$19,866.34	COF 2020-22
2020-R105	CDW-Government	4/20/20	<u>\$12,980.00</u>	COF 2020-39
			<u>\$32,846.34</u>	

WHEREAS, the total cost of the hardware and installation and configuration services necessary is \$43,060.00; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following account for these purchases:

4 05 2019 18 001	Network/Computer/Printer/Scanners	\$ 43,060.00
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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of West Windsor that the Business Administrator Marlena Schmid is hereby authorized to purchase the above from CDW-Government under New Jersey State approved cooperative purchasing agreement ESCNJ 18/19-03.

BE IT FURTHER RESOLVED, that the authorization to the existing New Jersey State Contract M0003-89849 is amended to reflect the \$43,060.00 increase from \$32,846.34 to \$75,906.34.

Adopted: June 22, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June, 2020.

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION WITH RESPECT TO
AMENDMENT TO TOWNSHIP-PRINCETON BAPTIST CHURCH OF PENN'S NECK
AGREEMENT WITH RESPECT TO AFFORDABLE HOUSING

WHEREAS, the Princeton Baptist Church of Penn's Neck ("the Church") and the Township of West Windsor have entered into an agreement previously approved by the Township Council of the Township of West Windsor whereby the Church will renovate two dwelling units in its parsonage building (the "Building") on Block 40, Lot 4.01 on the official tax maps of the Township of West Windsor, County of Mercer, State of New Jersey, for the purpose of establishing group homes creditable for affordable housing purposes, with both units to be operated by area not-for-profit service organizations (the "Project"); and

WHEREAS, the Township has approved the inclusion of the Project in its affordable housing plan and has dedicated funds in the amount of \$295,000 for use by the Church for the renovation of the Building for the Project; and

WHEREAS, of such grant monies, the Township has already paid \$140,000 to the Church and \$4,325 to the Building Department for the permits; and

WHEREAS, the parties would like to amend the Agreement to permit the Church to draw down the balance of the grant monies more frequently in smaller amounts and permit the Church to re-allocate such monies in the event that the cost of any budget item turns out to be lower than the estimated budget amount, provided that any such surplus monies are re-allocated to other Project-related items, including, but not limited to, landscaping, fencing, and paving.

NOW, THEREFORE, BE IT RESOLVED on this 22nd day of June 2020 by the Township Council of the Township of West Windsor that the Amendment No. 1 to the Affordable Housing Agreement attached hereto is hereby approved and that the Mayor and the Clerk be authorized and directed to execute the same.

Adopted: June 22, 2020

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 22nd day of June, 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township Council granted a reservation of sanitary sewer capacity in the amount of 93,675 gallons per day for the project known as Woodstone at West Windsor (PB17-08) located at Block 7, Lot 61.02 on July 9, 2018; and

WHEREAS, Woodmont Properties, a developer of the project, was granted an extension on July 8, 2019 for reservation of sewer capacity in the public sewer system for said project; and

WHEREAS, Woodmont Properties has submitted a request for an additional extension for reservation of sewer capacity in the public sewer system for said project; and

WHEREAS, the Township Engineer has certified that there remains sufficient capacity in the existing downstream sanitary sewer system to accommodate the increase in average daily flow of a total of 93,675 gallons of wastewater that is estimated to be generated by the proposed development.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the reservation of sewer capacity in the municipal wastewater collection system in the total amount of 93,675 gallons per day, is hereby extended for a period of one (1) year for the project known as Woodstone at West Windsor (PB17-08) located at Block 7, Lot 61.02.

Adopted: June 22, 2020

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

WHEREAS, Shawn Ellsworth has made a request for a reduction of the performance guarantees posted for private site improvements in connection with construction associated with the project known as Ellsworth Realty Building N-3 and N-3 Site Work (ZB13-01.3 & ZB13-01.3S); and

WHEREAS, the performance guarantees are currently at 100% of their original amounts; and

WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommended that the performance guarantee for private site improvements be retained/released/reduced in connection with construction associated with the project known as Ellsworth Realty Building N-3 and N-3 Site Work (ZB13-01.3 & ZB13-01.3S), as follows:

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
LC #1052	\$10,798.20	3/14/2018	\$10,798.20	FULL RELEASE
LC #1053	\$9,476.55	3/14/2018	\$9,476.55	RETAIN IN FULL
Cash	\$2,252.75	2/15/2018	\$2,252.75	Reduce to \$1,052.95

WHEREAS, the Township Engineer has reviewed the reports from the Consulting Engineer and Landscape Architect and recommends that these actions be approved by the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantees posted by Ellsworth Realty for private site improvements in connection with construction associated with the project known as Ellsworth Realty Building N-3 and N-3 Site Work (ZB13-01.3 & ZB13-01.3S), be released/retained/reduced to Shawn Ellsworth, as follows:

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
LC #1052	\$10,798.20	3/14/2018	\$10,798.20	FULL RELEASE
LC #1053	\$9,476.55	3/14/2018	\$9,476.55	RETAIN IN FULL
Cash	\$2,252.75	2/15/2018	\$2,252.75	Reduce to \$1,052.95

BE IT FURTHER RESOLVED, the making of such estimates of the bond reduction based thereon shall not be taken or construed as an approval of any work so estimated, even if any individual line item(s) shows 100% completion. Final acceptance does not occur until the release of all applicable bonds and guarantees.

ADOPTED: June 22, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Shawn Ellsworth has made a request for a release of the performance guarantees posted for private site improvements in connection with construction associated with the project known as Ellsworth Realty Building N-4 and Building N-5 (ZB13-01.1 & ZB13-01.2, respectively); and

WHEREAS, the performance guarantees are currently at 100% of their original amounts; and

WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommended that the performance guarantee for private site improvements for the project known as Ellsworth Realty Building N-4 (ZB13-01.1) be released in connection with construction associated with, as follows:

Performance <u>Guarantee</u>	Original <u>Amount</u>	Date <u>Issued</u>	Current <u>Amount</u>	Recommended <u>Action</u>
LC #1049	\$19,025.98	8/25/2017	\$19,025.98	FULL RELEASE
Cash	\$2,112.20	6/9/2017	\$2,112.20	FULL RELEASE
Cash	\$1.80	6/26/2017	\$1.80	FULL RELEASE

WHEREAS, the developer is requesting the release of the following performance guarantees for the project known as Ellsworth Realty Building N-5 (ZB13-01.2) at this time because he is unable to move forward with the project at this time due to the current economic climate, and understands replacement performance guarantees will have to be posted with the Township prior to proceeding with the project in the future.

Performance <u>Guarantee</u>	Original <u>Amount</u>	Date <u>Issued</u>	Current <u>Amount</u>	Recommended <u>Action</u>
LC #1048	\$14,230.35	8/25/2017	\$14,230.35	FULL RELEASE
Cash	\$1,581.15	6/26/2017	\$1,581.15	FULL RELEASE

WHEREAS, the Township Engineer has reviewed the reports from the Consulting Engineer and Landscape Architect and recommends that these actions be approved by the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantees posted by Ellsworth Realty for private site improvements in connection with construction associated with the project known as Ellsworth Realty Building N-4 (ZB13-01.1), be released to Shawn Ellsworth, as follows:

Performance <u>Guarantee</u>	Original <u>Amount</u>	Date <u>Issued</u>	Current <u>Amount</u>	Recommended <u>Action</u>
LC #1049	\$19,025.98	8/25/2017	\$19,025.98	FULL RELEASE
Cash	\$2,112.20	6/9/2017	\$2,112.20	FULL RELEASE
Cash	\$1.80	6/26/2017	\$1.80	FULL RELEASE

BE IT FURTHER RESOLVED, the following performance guarantees for the project known as Ellsworth Realty Building N-5 (ZB13-01.2) be released to Shawn Ellsworth with the specific understanding that the site improvements have not been undertaken due to the current economic climate, and therefore are released under the condition that replacement performance guarantees will be required to be posted with the Township by the developer prior to proceeding with construction of the Ellsworth Realty Building N-5 (ZB13-01.2) project.

<u>Performance Guarantee</u>	<u>Original Amount</u>	<u>Date Issued</u>	<u>Current Amount</u>	<u>Recommended Action</u>
LC #1048	\$14,230.35	8/25/2017	\$14,230.35	FULL RELEASE
Cash	\$1,581.15	6/26/2017	\$1,581.15	FULL RELEASE

ADOPTED: June 22, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township



RESOLUTION

WHEREAS, Megharani Thube has made a request for a reduction of the performance guarantee posted for private site improvements in connection with construction associated with the project known as Honey Bee Day School (PB15-04AM); and

WHEREAS, the performance guarantee is currently at 100% of its original amount; and

WHEREAS, the West Windsor Township Consulting Engineer for the project, Van Cleef Engineering Associates, and the Township Landscape Architect have performed inspections and recommended that the performance guarantee for private site improvements be reduced in connection with construction associated with the project known as Honey Bee Day School (PB15-04AM), as follows:

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Action
Cash	\$53,990.92	12/27/2018	\$53,990.92	Reduce to \$16,198.00

WHEREAS, the Township Engineer has reviewed the reports from the Consulting Engineer and Landscape Architect and recommends that this action be approved by the Township Council.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the following performance guarantee posted by Megharani Thube for private site improvements in connection with construction associated with the project known as Honey Bee Day School (PB15-04AM), be reduced, as follows:

Performance Guarantee	Original Amount	Date Issued	Current Amount	Recommended Action
Cash	\$53,990.92	12/27/2018	\$53,990.92	Reduce to \$16,198.00

BE IT FURTHER RESOLVED, the making of such estimates of the bond reduction based thereon shall not be taken or construed as an approval of any work so estimated, even if any individual line item(s) shows 100% completion. Final acceptance does not occur until the release of all applicable bonds and guarantees.

ADOPTED: June 22, 2020

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June 2020.

 Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

WHEREAS, Township of West Windsor in the County of Mercer, State of New Jersey, along with communities around the globe, has faced unprecedented and imminent threats to the health and welfare of residents due to the global COVID-19 pandemic; and

WHEREAS, the local health department initiated a response including expansion of staff and operations to effectively meet the increased demand on public health services and to prepare for ongoing mitigation to lessen the impact posed by this disease on the health and safety of the community; and

WHEREAS, the New Jersey Association of City and County Health Officials (NJACCHO) is the lead agency for distribution of public health supplemental funds provided through the New Jersey Department of Health to support local health departments in their efforts to combat the threats presented by COVID-19;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Health Officer is authorized to sign the Letter of Agreement with NJACCHO for West Windsor Township Health Department to receive reimbursement for COVID-19 related response activities up to \$34,114 retroactively to January 20, 2020 through February 21, 2021.

Adopted: June 22, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 22th day of June 2020.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the global COVID-19 pandemic lead to closures of public buildings and facilities to lessen the impact posed by this disease on the health and safety of the community; and
- WHEREAS, West Windsor Township's swim facility, WaterWorks Family Aquatics Center, could not open Memorial Day weekend 2020 because of the pandemic; and
- WHEREAS, just until recently, it was not known whether community swimming pools would be permitted to open for the 2020 swim season; and
- WHEREAS, on June 10, 2020, Governor Murphy announced pool facilities are permitted to open to the public on or after June 22, 2020, pursuant to Executive Order No. 153 (2020); and
- WHEREAS, shortly thereafter, the New Jersey Department of Health (NJDOH) developed Outdoor Pool Standards governing the operations of pool facilities and NJ COVID-19 health and safety standards pool facility operators must follow prior to opening; and
- WHEREAS, the NJDOH standards for COVID-19 prevention mandate numerous restrictions to pool operations, capacity limits, etc., resulting in the Township deciding to keep WaterWorks closed to the public for the remainder of the 2020 pool season; and
- WHEREAS, operational expenses for upkeep and maintenance of the pool facility will be incurred while it is closed to the public and the Township wishes to offset a portion of the costs by renting the lap pool to Swim Teams for practice sessions from July 13, 2020 through August 14, 2020; and
- WHEREAS, the Township has negotiated a Facility Use Rental Agreement (Agreement), for Swim Team use of the lap pool at Water Works by: (1) Princeton Tigers Swimming; (2) Hamilton Aquatics; (3) Excel Swimming; and (4) Whitewater Swimming

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor, the Mayor Clerk are authorized to execute the agreements contingent upon the Authorized Swim Team Representative executing their Agreement including all attachments (Additional Rules; Swim Team Responsibilities; and Waiver of Liability) and upon receipt of a check for the non-refundable rental payment.

Adopted: June 22, 2020

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 22nd day of June, 2020.

Gay M. Huber
Township Clerk
West Windsor Township