

MEMORANDUM

TO: West Windsor Township Zoning Board of Adjustment

FROM: Ian L. Hill, PE 
Board Engineer

DATE: April 27, 2022

SUBJECT: **TCMC, LLC**
Preliminary and Final Site Plan w/ d1 Use and d4 FAR variances
Block 10, Lot 15.03
201 Clarksville Road (Mercer County Route 638)
ZB19-10SP

Documentation:

The following documents have been submitted for review:

- A. Set of drawings entitled "Preliminary/Final Major Site Plan of West Windsor Self Storage for Princeton Junction Storage, LLC- Block 10, Lot 15.03 - West Windsor Township, Mercer County, New Jersey", fifteen (15) sheets total, prepared by Van Note - Harvey Associates, Inc. (Ralph A. Patrella, PE), dated September 10, 2021, revised through April 12, 2022;
- B. Set of Landscape and Lighting drawings entitled "Self Storage Facility - 201 Clarksville Road - Block 10, Lot 15.03 - West Windsor Township, Mercer County, NJ", seven (7) sheets total, prepared by Stearns Associates, LLC (D. Thomas Stearns, LLA), dated September 10, 2021, revised through April 12, 2022;
- C. Set of Architectural drawings entitled "New Self Storage Facility - 201 Clarksville Road - Block 10, Lot 15.03 - West Windsor Township, Mercer County, Princeton Junction, NJ", thirteen (13) sheets total, prepared by Tate Architecture PLLC (J. Neil Tate, AIA), dated September 27, 2021, revised through January 3, 2022;
- D. Survey entitled "Boundary and Topographic Survey - Princeton Junction Commons - Lot 15.03, Block 10 - West Windsor Township, Mercer County, New Jersey" prepared by T&M Associates (Richard A. Moralle, PE, PLS) dated February 10, 2011, unrevised;
- E. SWM report entitled "Engineering Report - West Windsor Self Storage - Block 10, Lot 15.03 - West Windsor Township, Mercer County, New Jersey" prepared by Van Note - Harvey Associates dated September 10, 2021, revised through April 6, 2022;

OFFICE LOCATIONS

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Lebanon, NJ 908-735-9500	Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772
Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 215-345-1876	Leesport, PA 610-670-6630

- F. Document entitled “Stormwater Management Operation & Maintenance Manual - West Windsor Self Storage – Block 10, Lot 15.03 – West Windsor Township, Mercer County, New Jersey” prepared by Van Note – Harvey Associates dated September 10, 2021, revised through April 12, 2022;
- G. Report entitled “Traffic Impact Study for Princeton Junction Storage, LLC” prepared by Dynamic Traffic (Nick Verderese, PE and Justin P. Taylor, PE, PTOE) dated March 3, 2022; **(Not included in current digital submission but previously submitted during TRC process and assumed to remain part of the record documents of the application).**
- H. Report entitled “Subsurface Investigation – West Windsor Self Storage – West Windsor Township, Mercer County, NJ” prepared by Melick-Tully & Associates dated January 31, 2022 (submitted as Appendix A.1 to SWM Report);
- I. Various documents issued by the New Jersey Department of Environmental Protection, including:
- Letter of Interpretation File No. 1113-89-0693.1 dated October 7, 1991;
 - Individual Freshwater Wetlands Permit No. 1113-91-0009.1, dated February 13, 1992; and
 - Freshwater Wetlands Individual Permit No. FWW-FWIP-050001, dated October 30, 2008.
- J. Development Application Package Including:
- Development Application;
 - Document entitled “Addendum to Application of TCMC, LLC”;
 - Application to West Windsor Zoning Board of Adjustment;
 - Completed Site Plan Checklist;
 - ZBA Checklist;
 - Applicant’s Disclosure Statement;
 - Green Development Practices Checklist;
 - Environmental Impact Statement Worksheet;
 - Resolution of Memorialization – File No. ZB19-10 dated January 23, 2020
 - Title Insurance Commitment prepared by Title Evolution, LLC for Block 15.03, Lot 10 dated February 18, 2021;.

Summary:

The applicant previously presented a concept plan for the consideration of the West Windsor Zoning Board of Adjustment in order develop the property with a self-storage facility consisting of three buildings: a four-story structure with a total gross floor area (GFA) of 55,600 square feet, a one-story structure with a GFA of 17,600 square feet and a one-story structure with a GFA of 5,500 square feet for a total GFA of 78,700 square feet. A d1 Use variance and d4 FAR variance along with bulk variances for side yard and front yard setbacks was granted by the Board of Adjustment in a resolution memorialized on January 23, 2021.

Subsequent to this approval, the applicant has since revised his proposal to consist of:

- A three-story 11,375 square-foot Building “A” (34,125 square feet total);
- A three-story 17,600 square-foot Building “B” with a 3,200 sf one-story (third floor) “bridge” to Building “A” consisting of an aggregate 56,000 square feet; and
- A one-story 5,500 square-foot Building “C”.

The increase in square-footage from the approved 78,700 square feet to 95,625 square feet (calculated - 95,928 shown in zoning table) will affect the applicant's d1 Use variance and d4 FAR variance and he will likely need to seek amended d variances, although that determination is deferred to the Board Attorney and/or Planner.

The property is located within the ROM-4 (Research, Office, Manufacturing) zoning district, on the north (westbound) side of Clarksville Road (CR 638), approximately $\frac{3}{4}$ of a mile southwest of the West Windsor Township municipal complex and consists of 10.65 acres with various existing constraints, including detention basin, potable water, sanitary sewer and utility easements at the front of the property, a drainage swale easement at the rear of the property, and an NJDEP deed restriction area that encompasses the bulk of the site's 10.65 acres. The property is located within the Duck Pond Run HUC 14 subwatershed and is part of the larger overall Stony Brook HUC 11 watershed. The site will be serviced by NJ American Water and is located within the Stony Brook Regional Sewerage Authority's sewer service area.

I have reviewed the documents submitted and offer the following for the TRC's consideration:

1.0 Site Plan

1.01 The applicant has requested a waiver from the following Checklist requirement:

- Site Plan Checklist Item 200-13.C.4) which requires the preparation of an Environmental Impact Statement. However, the application package included a completed Environmental Impact Statement Worksheet, so a waiver is not required. I defer to the Board Environmental Consultant to comment on the merits of this document.
- In addition, it is Township policy to require applicants seeking Preliminary and Final Site Plan approvals concurrently to request and be granted waivers from Final Site Plan Checklist Items 200-14.C.1 a), C.1b)(1) & C.1.b)(5) in lieu of listing them as complete. The applicant shall request, and I recommend that the Board grant, these waivers.

1.02 No exterior solid waste storage areas are proposed. The applicant shall provide testimony on trash storage and collection protocols and discuss why outside dumpster storage is undesirable.

1.03 The Existing Conditions Plan (Sheet CE-2) shall be revised to list Submission Item D as a Reference Plan.

2.0 Access and Circulation:

2.01 The applicant is proposing to provide ten parking spaces for the development, including one van-accessible space. The Township ordinance does not have a parking standard for a self-storage use. The applicant shall provide testimony to the Board's satisfaction on the adequacy of the provided parking for the proposed use.

2.02 The five (5) parking spaces at the north end of the building are directly abutting the building wall. This condition is in noncompliance with §200-29D(1), which requires sidewalks between parking areas and principal structures. The applicant has indicated the intent to seek a design waiver from this standard and has provided bollard protection for the building structure. Testimony to the Board's satisfaction in support of this design waiver request must be provided.

- 2.03 Per §200-27.B.(2), bicycle parking is required to be provided at a rate of one bicycle space for each 20 vehicular spaces or fraction thereof. For the proposed 10 spaces, a total of 1 bicycle parking space would need to be provided at a location to be determined by the Board Planner and/or Landscape Architect. A bicycle parking area is shown at the entrance to Building A that provides parking for two bicycles; thus, the design is conforming.
- 2.04 The site plan does not indicate a dedicated loading area for the development. Ordinance §200-27.D. does not specify loading area standards specifically for self-storage facilities but does state that “in no case shall the required space be less than one loading area”. The applicant will need to provide a loading area or request relief from the Board with the appropriate justification.
- 2.05 Further comment on the access and circulation aspects of the proposed design are deferred to the Township Traffic Consultant.
- 3.0 Stormwater Management:**
- 3.01 This project is subject to the Township’s “green infrastructure” (GI) Stormwater Control Ordinance (SCO). The applicant is using porous pavement with subsurface storage to demonstrate compliance with the water quantity management and water quality management aspects of the regulations. I have reviewed the design and calculations and offer the following:
- Porous pavement qualifies as Green Infrastructure for water quantity and quality purposes only if the footprint of additional tributary non-porous pavement is less than 3 times the area of the porous pavement. The additional tributary pavement area is ~4,645 square feet (SF) to the porous footprint of 38,915 square feet, or approximately 12%, rather than the allowable 300%. Thus, it complies with the GI standards for quality and quantity management.
- 3.02 Not all of the proposed on-site pavement is captured and treated by the Permeable Pavement BMP. A relatively small area of 1,710 SF runs off at the County Road untreated. A weighted water quality TSS reduction calculation must be provided that demonstrates the additional TSS reduction provided by the detention time of the storage stone exceeds that lost by the untreated pavement, such that 80% TSS reduction overall is achieved.
- 3.03 The report states that Groundwater Recharge facilities are not required due to the site soils behaving as HSG D soils based upon a report published by Melick Tully (MTA) in 2008 and a supplemental report issued by MTA on January 31, 2022. I have reviewed the MTA reports and find that their testing was done in compliance with the standards promulgated in Chapter 12 of the NJ Stormwater BMP Manual and concur with their conclusion that the site’s underlying soils are highly resistant to infiltration. As the existing soils behave as HSG D soils, there is no theoretical recharge deficit that the applicant needs to mitigate and no structural Recharge BMPs are required for this project.
- 3.04 The proposed Permeable Pavement BMP with optional additional storage and outlet control structure (OCS) provides attenuation of the peak runoff rates from the 2-, 10- and 100-year design storms to less than 50%, 75% and 80% of their predevelopment runoff rates, respectively. Thus, the standard for water quantity management in the Township Stormwater Control Ordinance has been met.
- 3.05 The applicant is proposing to “remove and salvage” several of the existing drainage structures on-site. At my request, a note that all structures designated for re-use will be subject to inspection by the Township Engineering department or its designated agent and any structures deemed to have excessive damage and

not suitable for re-use shall be removed from the site and disposed of in accordance with all applicable regulations has been added to the plans. As such, I have no objection to the proposal.

- 3.06 Section 200-36.1 requires the use of pervious surfaces for all sidewalks, trails, courtyards and other site amenities. The applicant intends to seek a design waiver and must provide testimony on the inability to use porous materials for the walkways rather than standard concrete.
- 3.07 The applicant has submitted a Stormwater Management Facilities Maintenance Manual (Submission Item F, above). This document has been revised by the applicant in accordance with comments raised during the TRC review portion of the application and is generally acceptable. However, there remain some minor items to be addressed that will be communicated to the applicant's engineer directly. Please make final signoff on the BMP O&M Manual a condition of any Board action taken on this application.

4.0 Utilities

- 4.01 Sanitary sewer demand calculations have been provided in the Engineering Report (Submission Item E, Section IV) that indicates that the site will generate 75 gallons per day (gpd) of sewage flows based on 3 employees at 25 gpd per employee. This will not require a TWA permit from NJDEP but the applicant will need to request and receive the allocation of this sewer demand flow from Township Council. This would be completed at the time of resolution compliance should the Board act favorably on this application and should be made a condition of any Board approval.
- 4.02 Public water will be provided by NJ American Water. The applicant is proposing one on-site fire hydrant and fire-department connections (FDC) for each building with a fire service supply line to Building A only. Approval of the fire protection systems is ultimately deferred to the Director of Fire and Emergency Services.
- 4.03 In addition to sanitary sewer and potable water, the plans also make provision for natural gas, electric, telephone and CATV services, including a location for an electrical transformer. These conceptual layouts are subject to the input of and final design by the individual servicing utilities.

5.0 Lighting

- 5.01 The applicant indicates that all lights will remain on from dusk until dawn via the use of a photocell sensor for security purposes. Ordinance Section 200-31.D requires that all lighting not required for security purposes be turned off by 11:00 pm. The applicant will need to provide testimony to the Board that all lights are required to remain on.
- 5.02 Ordinance Section 200-31.K.(2) requires that lighting design of intersections average 3.0 footcandles. No calculation for the driveway intersection with Clarksville Road was provided, but in addition to the two proposed site light fixtures in this area, there is also an existing County cobra head fixture right by the driveway access. To whatever extent it is determined that a design waiver is required for this condition, I would have no objection to it as the intersection will be adequately lit as designed and supplemented by existing light levels.

6.0 General Comments

- 6.01 Provide a partial profile of the storm sewer/permeable pavement BMP system (E INL-8 to OCS 6, for example) that shows piping, underdrains, and the maximum water surface elevation of the water quality design storm (WQDS), and the 2-, 10 and 100-year maximum storage elevations. The lowest outlet

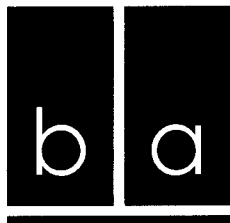
elevation in the OCS (shown as a weir at elevation 82.50) must be higher than the WQDS elevation, per Permeable Pavement design standards.

- 6.02 The proposed metal fence shown along the curb and driveway south of Building A is located directly on top of an existing sewer main within an existing sewer easement. The fence must be relocated off of the sewer main and should be located outside of the easement limits.
- 6.03 Replace the “window-well”-type OCS grating system with 1-1/4” openings to a flush screen/grate with openings smaller than ½” per the design requirements of the NJ Stormwater BMP Manual.
- 6.04 As the Permeable pavement system is designed to address stormwater runoff quantity control in addition to WQDS management, the minimum tested infiltration rate of the surface course is 20 inches per hour. A note to this effect shall be added to the porous pavement construction notes.
- 6.05 All construction details are subject to the review and approval of the Township Engineer. This will be made a condition of any Board action on this application.
- 6.06 The applicant shall provide **two** engineer’s estimates of probable construction costs for this project. One will include all site improvements for the purpose of establishing the required construction inspection escrow fees, while the other will be used for the purpose of establishing the required performance guarantee amounts. The latter is to consist solely of those improvements in the Township/County right-of-way or improvements ultimately to be dedicated to the Township/County as well as any proposed buffer landscaping and berming. This should be made a condition of any Board action on this application.
- 6.07 As per Ordinance section 200-81.1 the applicant will be required to provide, via both hard copy and in electronic format, approved subdivision and site plans being submitted for signature and as-built surveys upon project completion should this project be approved and constructed. Electronic copies of the Stormwater Management Report and Maintenance Manual are also requested upon approval of same. This will be made a condition of any Board action on this application.
- 6.08 Other outside agency approvals will also be required. The following approvals are anticipated at this time:
 - Mercer County Planning Board
 - Mercer County Soil Conservation District
 - Delaware and Raritan Canal Commission

This concludes my comments on the current submission. Due to a prior obligation, I will be unable to attend the ZBA meeting on May 5, 2022. However, I will arrange for someone from my firm to attend and be in a position to answer any questions the Board may have.

ILH

cc: Lisa Komjati Dan Dobromilsky, LLA, PP, CTE
Sam Surtees David Novak, PP, AICP
Tim Lynch Jeff L’Amoreaux, PE
Dino Spadaccini, Esq



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
ASSOCIATES, INC.

Principals:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: West Windsor Zoning Board of Adjustment
West Windsor Division of Land Use

From: David Novak PP, AICP

Subject: TCMC, LLC
Preliminary and Final Site Plan Approval
"d(1)" Use Variance Relief, "d(4)" Floor Area Ratio Variance Relief, "c" Variance Relief
Block 10 Lot 15.03
201 Clarksville Road

Date: April 26, 2022

BA#: 3576.34

WWT#: ZB19-10SP

Introduction

The applicant, TCMC, LLC, has submitted an application seeking preliminary and final site plan approval as well as "d(1)" use variance relief, "d(4)" floor area ratio (FAR) relief, and bulk variance for the development of a self-storage facility. The site, which is identified by municipal tax records as Block 10 Lot 15.03, is located 201 Clarksville Road in the ROM-4 Industrial District (research, office, limited manufacturing).

In addition to the application form, application checklists, and related materials, the following has been submitted for review:

1. Cover Letter prepared by Van Note – Harvey Associates, Inc., dated April 13, 2022.
2. Preliminary and Final Major Site Plan prepared by Van Note – Harvey Associates, Inc., dated September 10, 2021 (last revised April 12, 2022).
3. Landscape and Lighting Plan prepared by Stearns Associates, LLC, dated September 10, 2021 (last revised April 12, 2022).
4. Architectural Plan prepared by Missi Design, LLC, dated September 27, 2021 (last revised December 2021).
5. Engineering Report prepared by Van Note – Harvey Associates, Inc., dated September 10, 2021 (last revised April 12, 2022).
6. Stormwater Management Operation and Maintenance Manual prepared by Van Note – Harvey Associates, Inc., dated September 10, 2021 (last revised April 12, 2022).
7. Environmental Impact Statement
8. NJDEP Letters of Interpretation, Freshwater Wetlands Permits
9. Commitment for Title Insurance prepared by Title Evolution, LLC

Property Description

The subject site is located in the central-westerly portion of the Township, along the northerly side of Clarksville Road and to the south of the rail line. The site has an area of approximately 10.65 acres and is shaped like a parallelogram. It fronts along Clarksville Road for 518.83 feet and has a depth of approximately 850 feet at its greatest.

The site is presently undeveloped, but contains an area of disturbance consisting of gravel and stone located within the westerly portion of the site. It has received a number of previous approvals from the Township, which are summarized as follows:

1. Minor subdivision and preliminary site plan approval was granted by the Planning Board on April 25, 1984;
2. Preliminary and final site plan approval was granted by the Planning Board on May 24, 1989;
3. Amended preliminary and final site plan approval was granted on May 26, 2010 for a 30,000 square-foot office building.
4. Concept plan approval, as well as "d(1)" use and "d(4)" FAR variance relief, was granted by the Zoning Board of Adjustment on January 23, 2020 for the development of a 78,700-square foot self-storage facility consisting of three (3) separate buildings.

Environmental constraints include a wetland area and wetland mitigation area, a conservation easement, and the Township's proposed greenbelt area. A drainage swale easement is also located along the westerly rear property line, while water and sanitary sewer easements are located along the front lot line.

Surrounding land uses consist of: the rail line to the north; the Village Square retail market to the northeast; the Avalon Princeton Junction multifamily development to the south; and an office development to the west. See the aerial at the end of this memorandum for an overview of the subject site and its surrounding environs.

Proposed Improvements

The applicant seeks preliminary and final site plan approval as well as “d(1)” use variance relief, “d(4)” FAR variance relief, and “c” variance relief to increase the size of the previously approved self-storage facility from 78,700 square feet to 95,928 square feet. The following is noted:

1. Proposed Storage Building A was previously approved to be a four-story building with a footprint of 13,900 square feet and a total area of 55,600 square feet. It is now proposed to be a three-story building with a footprint of 11,375 square feet and a total area of 34,125 square feet.
2. Proposed Storage Building B was previously approved to be a one-story building with an area of 17,600 square feet. It is now proposed to be a three-story building with a footprint of approximately 17,600 square feet and a total area of 52,800 square feet. A 3,200-square foot third-story connector is proposed to extend between Proposed Storage Buildings A and B.
3. Proposed Storage Building C was previously approved to be a one-story building with an area of 5,500 square feet. It is not proposed to change with this application.

A total of ten parking spaces are proposed. Five spaces are to be located adjacent to Proposed Building A, while five spaces are to be located adjacent to the rear of Proposed Building B. Access to the site is to be provided by the existing disturbed driveway area, while an emergency/secondary access is shown near the westerly corner of the site.

Master Plan

As per the Township’s 2020 Land Use Plan, the site is located in the ROM-4 Research Office Manufacturing Land Use category. The 2020 Plan notes that the intent of this land use category and corresponding district is to recognize the existing development character of the area and to continue to support research, office, and limited manufacturing uses. The 2020 Plan also recommended that the list of permitted uses within the ROM-4 District be expanded to include self-storage and mini-warehousing.

No such ordinance permitted these uses has been prepared as of yet.

Zoning

The site is presently located in the ROM-4 Industrial District (research, office, limited manufacturing), wherein self-storage is not identified as a permitted use. Compliance with the District's bulk standards is outlined in the following table.

Table 1: ROM-4 District

Regulations	Required	2010 Previously Approved Office	2020 Previously Approved Self-Storage	2021 Proposed	Code
Minimum Lot Area (ac)	5	10.65	10.65	10.53	200-216.A
Minimum Lot Frontage (ft)	300	518.83	518.83	523.22	200-216.B
Minimum Lot Width (ft)	350	573.55	573.55	573.55	200-216.C
Minimum Lot Depth (ft)	N/A	N/A	N/A	N/A	200-216.D
Minimum Yards					
Front Yard (ft)	125+20	126.32	127.50	(VG) 120.4	200-216.E.(1)
Front Yard LA (ft)	75 +20	23.00	75.00	(V) 90.0	200-216.E.(1)
Rear Yard (ft)	40 + 20	365.82	110.20	110.20	200-216.E.(2)
Side Yard (ft)	40	15.00/412.21	(VG) 16.00/431.50	(VG) 33.5/431.5	200-216.E.(3)
Maximum FAR (%)					
One-Story Buildings	0.033	0.065	(VG) 0.17	(V) 0.21	200-216.F.(1)
Multistory Buildings	0.045				200-216.F.(2)
Maximum Imp. Coverage (%)	50	19.99	16.33	17.3	200-216.G
Max. Building Height (st/ft)	3/45	2	(VG) 4/45	3/37.25	200-216.H

(VG): Variance Granted; (V) Variance

Variance and Waiver Relief

The following is noted regarding variance relief. We note that additional variances and waivers may be identified by the Township's other consultants and staff.

1. "d(1)" Use Variance Relief

Variance relief is requested pursuant to NJSA 40:55D-70.d(1) of the Municipal Land Use Law (MLUL) for a principal use or structure in a district restricted against such use or principal structure. We question whether the applicant in fact requires this variance relief, as the Zoning Board of Adjustment previously granted approval for the proposed use. However, we defer to the Board attorney regarding this matter.

2. "d(4)" FAR Variance Relief

Variance relief is requested pursuant to NJSA 40:55D-70.d(4) of the Municipal Land Use Law (MLUL) for an increase in the permitted floor area ratio (FAR). The ROM-4 District typically permits a FAR of 0.22 for one-story buildings or 0.30 for multistory buildings. However, as identified in the applicant's zoning table, Section 200-238 of the Township's zoning regulations establishes a reduction in the permissible floor area based upon the extent of environmental constraints on any given site. Since more than sixty percent (60%) of the subject site consists of environmental constraints, an eighty-five percent (85%) reduction in floor area is required. Thus, a FAR of 0.045 is permitted, which equates to approximately 20,876.13 square feet.

The applicant previously received "d(4)" variance relief for a FAR of 0.17, which equated to approximately 78,700 square feet. The applicant now seeks "d(4)" variance relief for a FAR of 0.21.

3. Front Yard Setback: Landscape Buffer

Variance relief is requested pursuant to NJSA 40:55D-70.c(1) or (2) of the MLUL from Section 200-216.E.(1) of the Township code which requires a landscape buffer of ninety-five (95) feet, whereas the applicant has proposed a buffer width of ninety (90) feet.

4. Loading Spaces

Variance relief is requested pursuant to NJSA 40:55D-70.c(1) or (2) of the MLUL from Section 200-27D.(1) of the Township code which requires two (2) loading spaces for the proposed development, whereas one (1) is proposed. However, since this regulation is located in the design standards of the Township's land use and development regulations, it should be identified as a design waiver and not as a variance.

Planning Review

We offer the following comments on the proposed development:

1. Proposed Use

The applicant should provide updated information regarding the proposed use. Specifically, the following should be discussed:

- a. Operation. The applicant should provide testimony regarding the overall operation of the proposed facility, and whether it will be geared towards both residential and nonresidential customers.
- b. Additional Units. The architectural plan notes that 738 storage units are proposed. Approximately 500 storage units were proposed in the previously approved plan. This should be confirmed through testimony.
- c. Hours of Operation. It is our understanding that the typical hours of operation are to be 9am to 5pm, with certain tenants having increased access to later hours. This should be confirmed through testimony.
- d. Staff. It is our understanding there will typically be one employee on site, with occasionally more for maintenance purposes. This should be confirmed through testimony.
- e. Truck Rental. The applicant should confirm that no truck rentals are proposed.

2. Visual Impact and Landscape Buffer

At the prior January 23, 2020 Zoning Board of Adjustment hearing, the Board and the applicant discussed the existing and proposed landscaping along the site's Clarksville Road frontage. Specifically, the visual impact of the approved building was discussed, and how that impact could be softened by landscaping and buffering.

The applicant should continue discussing this issue with respect to the new proposed building. Specifically, testimony should be provided as to how visible Proposed Building B will be from Clarksville Road, and how the views of this building will be buffered through landscaping. Renderings and sections of the design have been prepared, which help illustrate the building's potential visual impact.

3. Total Floor Area

The applicant should clarify the proposed total floor area. While the site plan zoning table identifies a total area of 95,928 square feet, the areas of the three storage building as labeled on the site plan equal 95,625 square feet.

4. Architectural Design

At the prior January 23, 2020 Zoning Board of Adjustment hearing, renderings of the proposed architecture were provided. The conceptual design of the storage building was intended to create a commercial appearance. Façade materials generally consisted of a stone base, EIFS, and glass panels.

An updated architectural plan has since been provided. The southeasterly and northwesterly façades of Proposed Building A will primarily consist of masonry brick on the first floor, a gray stucco on the second and third floors, and blue awnings and windows. The northwesterly façade of Proposed Building A will also consist of masonry brick, gray stucco, and a blue awning, but will not consist of any windows. The façade of Proposed Building 2 will primarily consist of masonry brick on the first floor with blue garage doors and a gray stucco on the second and third floors.

5. Parking and Circulation

The following is noted regarding parking and circulation:

- a. Total Number of Parking Spaces. The applicant proposes to increase the total floor area by approximately 17,200 square feet. Accordingly, the total number of parking spaces is proposed to increase from five (as previously approved) to ten. The Township does not have a parking standard established in Section 200-27.B.(1) for self-storage facilities. Section 200-28.C.(1) establishes that for uses not specifically covered by the site plan review section, the board shall be guided by:

"...the number of persons to be employed in said building or by the use; the numbers of persons expected to reside in, visit or patronize the building or use; the anticipated percentage of residents, visitors or patrons using various transportation modes; and the need for safe and convenient loading space for visitors or patrons and goods."

The applicant noted that as per the Institute of Transportation Engineer's (ITE's) *Parking Generation Manual*, a self-storage facility typically produces a peak parking demand of 0.1 space per 1,000 square feet of floor area. This equates to a peak parking demand of approximately ten (9.59) parking spaces. The applicant has proposed ten spaces.

- b. EV Parking Spaces. Since the application was previously approved by the Zoning Board of Adjustment, Senate Bill S3223 and the Department of Community Affairs's Model Ordinance pertaining to EV parking spaces were approved by the State of New Jersey. As per that legislation, one (1) Make-Ready space is required for facilities with fifty (50) or fewer spaces. This is established a condition of any preliminary site plan approval. The applicant has proposed an EV space near the front entrance of the building. Details of EV parking space signage and striping should be provided.
- c. Circulation. The applicant should discuss how the circulation of the site will change. Testimony should focus on patron vehicles as well as delivery vehicles, emergency service vehicles, and refuse vehicles. Testimony should also be provided as to the emergency access to adjoining Lot 15.02 and whether an easement exists for this access.
- d. Traffic Generation. Testimony should be provided regarding the expected amount of traffic to be generated by this proposed alteration. As per the provided Traffic Report, the proposed development is expected to produce less traffic than the previously approved office building.

6. Signage

The following is noted regarding signage:

- a. Freestanding Sign. A freestanding monument sign is proposed along the easterly side of the existing driveway. The sign is to have a width of 12 feet, a height of 4 feet, and an area of 48 square feet. Its materials shall match the proposed building façade materials.
- b. Attached Signage. The applicant has proposed an attached sign on the southeasterly elevation. The sign will have a width of 14'-3", a height of 3'-6", and an area of approximately 50 square feet. The applicant shall review the standards set forth in Section 200-32A.(2)(a) regarding wall signage to confirm compliance, particularly in regard to letter height.

Statutory Criteria

The following is noted regarding the statutory criteria.

D(1) Use Variance Relief

The applicant has requested variance relief pursuant to N.J.S.A. 40:55D-70.d(1) from the Municipal Land Use Law (MLUL) for "a use or principal structure in a district restricted against such use or principal structure." An applicant requesting a "d" variance must demonstrate that special reasons exist for the granting of the variance, and that the granting of such variance will further the purposes of the MLUL (positive criteria). In addition, the applicant must prove that there will be no substantial detriment to the public good and no substantial impairment to the intent of the Master Plan.

For a non-inherently beneficial use, the applicant has an enhanced burden of proof to demonstrate that the site is particularly suited for the use, and that the use is not inconsistent with the Master Plan's intent.

Floor Area Ratio (FAR) Variance Relief

The applicant has requested variance relief pursuant to N.J.S.A. 40:55D70.(d)(4) from the Municipal Land Use Law (MLUL) for an increase in the permitted floor area ratio.

An applicant requesting "d(4)" variance relief must demonstrate the positive criteria: specifically, that special reasons exist for the granting of the variance, and that the granting of the variance will further the purposes of the MLUL. In addition, the applicant must also address the negative criteria and demonstrate that there will be no substantial detriment to the public and no substantial impairment to the intent of the zone plan.

Randolph Town Center v. Township of Randolph, 324 N.J Super at. 416 provides guidance for Boards of Adjustments in evaluating applications requesting "d(4)" variance relief. In that decision, the Court held that in establishing special reasons for a FAR variance, Boards should look to Coventry Square v. Westwood Zoning Board of Adjustment and not Medici v. BPR. Therefore, an applicant requesting "d(4)" variances does not need to show that the site is particularly suited for more intensive development. Rather, an applicant must demonstrate that the site will accommodate the problems associated with a floor area larger than that permitted by the ordinance. In addition, the applicant must still address the negative criteria.

In consideration of the above, the applicant should discuss how the site will function given its exceeding of the floor area requirement. Specific testimony should focus on the circulation of the site, and how patrons and larger vehicles will be able to circulate through the site. Testimony should also be offered regarding how the proposed layout fits into the previously disturbed areas.

Bulk Variance Relief

The applicant is seeking variance relief pursuant to NJSA 40:55D-70(c)(1) and/or (2). The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

1. Physical Features Test. An applicant may be granted c(1) variance relief when it is demonstrated that the noncompliant condition is caused by: 1) an exceptional narrowness, shallowness, or shape of the property; 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property; or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon
2. Public Benefits Test. An applicant may be granted c(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.


In addition to the above, the applicant must address the Negative Criteria of the statute. To meet the negative criteria, an applicant must demonstrate the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance.

Map 1: Subject Site (scale: 1" = 300')



MEMORANDUM

TO: Zoning Board
West Windsor Township

FROM: Christopher B. Jepson, P.E.
Environmental Consultant 

DATE: April 26, 2022

SUBJECT: TCMC LLC FKA Princeton Junction Commons, LLC (ZB 19-10SP)
d-1; d-4; c Bulk Variance; Preliminary Final Major Site Plan
Block 10, Lot 15.03
VCEA Project No. 21-07-WW

As West Windsor Township's environmental consultant, Van Cleef Engineering Associates (VCEA), has reviewed the submittal of site plans and accompanying information and visited the site for the above referenced application for a d-1, d-4 and C Bulk Variance and preliminary/final site plan review and offers the following comments for the Board's consideration:

I. Overview

The applicant is seeking a review of the recently submitted preliminary/final site plan documents. The applicant is proposing to modify the prior approvals for a 78,700 square foot self-storage facility with three buildings at 201 Clarksville Road. There is now one four story building and two one story buildings with a connection. The site is 10.65 acres in size and 2.5 acres are to be developed. The 2.13 acres were previously developed with Belgian block curbing and stormwater inlets for a 30,000 square foot office building. That project never went forward. The new proposal is for an increase of gross floor area to 95,928 square feet (from 78,700 square feet). There is a NJDEP Deed Restriction on the site for a previous wetland mitigation project and the area the applicant is proposing to utilize is all that can be developed.

OFFICE LOCATIONS

www.vancleefengineering.com

Lebanon, NJ 908-735-9500	Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772
Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 214-345-1876	Leesport, PA 610-670-6630

II. Comments/Recommendations on Pertinent Issues

A. Wetlands

This site was granted a wetlands mitigation plan in 2008 to construct a wetland area (the disturbed area was 0.67 acres) and allowed the project to proceed with the 2.13 acre development. All of the NJDEP correspondence relating to this wetland issue has been included with this submittal. The rest of the site is deed restricted (approximately 8.52 acres). The existing sediment basin is to be removed with this project.

B. Greenbelt

A Greenbelt line is shown on page CE-1 which is not a new version. The deed restricted area contains most of this Greenbelt area and is wooded. The previously approved area for development (2.13 acres) has no Greenbelt issues and has been cleared of all vegetation (except the sediment basin area). Trees in the deed restricted wooded area include maple, sweet gum, oak, tulip poplar and cedar. Birds observed included crows, sparrows, robins, cedar wax wings, vultures and blue jays. A deer resistance key was also included for new plantings.

C. Water Quality

This site is located in the Duck Pond Run drainage basin. A tributary of the Duck Pond Run is approximately 135 feet away. A DRCC is required since more than an acre of additional impervious surfaces are proposed. The existing storm water management system is being greatly modified. All of the existing inlets and associated piping will be removed. The conveyance system will be further modified to eliminate the existing sediment basin and the detention basin along Clarksville Road will remain as it is. The current design consist of the addition of porous pavement and underground stone storage areas. Please go into more detail regarding the stormwater detention system. Water quality should be kept at it highest level for discharge in West Windsor Township. The applicant has removed the previously proposed water quality device due to the addition of the subsurface storage areas. A water quality device to improve the stormwater effluent characteristics prior to discharge into the West Windsor surface water system (Duck Pond Run) would still be a benefit to the receiving waters. No water quality devices are needed for groundwater discharge.

The applicant has indicated that portions of the existing Belgian block curbing will be removed and replaced at different locations as the project moves forward.

D. Environmentally Sensitive Areas

The proposed project site is underlain by the Wissahickon Schist geological formation. Wissahickon Schist is a geological formation that generally provides potentially low to moderate aquifer recharge. There are no slopes greater than 5-10% located on this site. There are no flood hazard areas on this site. This site has a low erosion hazard. The proposed development will not take place in any environmentally sensitive area. The soil series present on the site are predominately Dragston and Woodstown sandy loam (DwB). The DwB soils are suitable for construction activities.

E. Historic Resources

There was one historic residence that was located nearby. 219 Clarksville Road (1850). There will be no impacts from this development on that location.

F. Other Environmental Concerns/Comments

This site is suitable for the development as shown on the plans. The environmental concerns are primarily minor while very little clearing is necessary since the project development area is in a cleared open space.

The applicant has submitted the West Windsor Township Green Development Practices Checklist. The applicant is proposing native plantings, low water usage plumbing fixtures, low power usage lighting, LEED heat island reduction and increased HVAC efficiency among others. An EV vehicle charging station has also been included. There is no solar energy proposal for this project at this time due to the roof area.

A bike rack has now been provided with this submission.

III. ITEMS PROVIDED FOR REVIEW

- Preliminary/Final Major Site Plan (15 sheets), prepared by Van Note-Harvey Associates, Inc., dated September 210, 2021, February 11, 2022 and revised April 12, 2022.
- Comments Response Letter, prepared by Van Note Harvey, dated April 13, 2022.
- Landscape and Lighting Design Plans (7 sheets), prepared by Stearns Associates, dated September 10, 2021 and revised February 11, 2022.
- Architectural Plans (11 sheets), prepared by Tate Architecture, dated September 27, 2021 and revised January 3, 2022.
- Resolution of Memorialization, dated January 23, 2020.
- Cover Letter and Addendum, prepared by Spadaccini Law Firm, LLC, dated October 29, 2021 and revised April 13, 2022..
- Development Application, Site Plan Checklist, Zoning Board of Adjustment Checklist and Application to West Windsor Zoning Board of Adjustment Zoning Board, prepared by Spadaccini Law Firm, LLC, various dates.
- Traffic Impact and Parking Analysis, prepared by Van Note-Harvey Associates, dated September 10, 2021 and revised March 3, 2022. .
- Wetlands information including LOI and Individual Freshwater Wetlands Permit regarding mitigation area.
- Environmental Impact Statement Impact Worksheet and Green Development Practices Checklist, prepared by Van Note-Harvey Associates, dated October 25, 2021 and revised March 3, 2022.
- Memorandum, prepared by Van Note-Harvey Associates, dated March 4, 2022.
- Stormwater Management O&M Manual, prepared by Van Note-Harvey Associates, dated February 11, 2022 and revised April 12, 2022..
- Engineering Report, prepared by Van Note-Harvey Associates, dated February 11, 2022 and revised April 12, 2022.
- Green Development Checklist, prepared by Tate Architecture, dated February 21, 2022 and revised March 3, 2022.
- Architectural Design/Signage, prepared by Tate Architecture, dated February 21, 2022.

If you should have any questions or concerns regarding these comments please contact me at this office.

cc: Applicant
S. Surtees, WWT CD
D. Novak, Burgis Associates
D. Dobromilsky, Landscape Architect

Zoning Board Members
E. Schmierer, Mason, Griffin & Pierson
J. L'Amoreaux, Traffic Consultant
I. Hill, Consultant Engineer




WEST WINDSOR TOWNSHIP

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF ENGINEERING

MEMORANDUM

Date: April 26, 2022

To: West Windsor Township Zoning Board of Adjustment

From: Dan Dobromilsky, LLA/PP/LTE 
Township Landscape Architect

Subject: **TCMC, LLC – f.k.a. PRINCETON JCT. COMMONS, LLC - ZB 19-10sp**
P/F Major Site Plan w/ d-1, d-4, and c Bulk Variances
Landscape Architectural Review
(B-10 L-15.03) 201 Clarksville Road

A site visit has been conducted and the plans (dated last revised 4-12-22) submitted for this application have been analyzed relative to Township Code requirements. The following comments regarding the landscape architectural aspects of this proposal are offered for consideration by the board as this application is reviewed:

1. The Township Master Plan Greenbelt (proposed) occurs on the rear half of this property. This portion of the proposed Greenbelt is a finger of potential environmentally constrained lands extending 1100' to 2000' from the Duck Pond Run, located to the west. The northeast corridor rail line separates these environmentally constrained lands from Greenbelt to the north. Thus, the Greenbelt on this property is remote from the stream and disconnected from other significant portions of Greenbelt.

This property was subject of previous mitigation associated with wetlands conducted under NJDEP permitting that resulted in conservation restrictions on 6.2 acres, or the eastern two-thirds of the property. These vegetated wetlands and wetland buffers will not be impacted by this proposed development. The conservation area should be integrated into the Township Greenbelt. The existing trees in these areas will not be disturbed and the tree removal to implement this proposed development will be minimal.

2. The proposed building and site layout fits into the developable portion of the property in an efficient manner, extending back from Clarksville Road to reduce the visual impact at the street.
3. A 95' landscape buffer is required along Clarksville Road whereas 90' is proposed, for 300' of the 518' of property frontage. An existing stormwater management basin with mature deciduous trees will remain within the proposed 90' landscape buffer. Supplemental planting including upright evergreen trees and a deciduous hedge of shrubs will be added to augment the buffering afforded by the existing trees. The proposed plantings were selected to resist deer foraging and fit the space provided to create an attractive buffer and mitigate any visual impacts from the proposed building and use. The section drawings on sheet L4.0 of the plan submission set offer an illustration of the buffer dimension and landscape buffer after a few years of growth.

MEMORANDUM

To: WW T.R.C.
From: Dan Dobromilsky
Re: ZB 19-10
Date: 4-26-22

4. The upright evergreen tree hedge will extend around and along the western property bounds to help mitigate the reduced side yard setback (33.5' proposed vs 40' required), and buffer views from the adjacent office building and parking lot.
5. The landscape design associated with the other portions of the site development address Township code standards in a satisfactory manner. The plant selections will offer seasonal interest, shade, and aesthetic enhancement of the site.
6. The site sections and architecture images included with this submission portray the visual character of this proposal from many angles and viewpoints. The form and façade design is complimentary of the office setting of this zone and this portion of Clarksville Road. The bulk of the building extends back from Clarksville Road with a narrow 80' wide façade parallel to the street. The rooftop mechanical equipment will be centrally located and thus will not be visible from the street or adjacent properties.
7. The applicant has submitted the Green Building Checklist to describe/discuss green building techniques that will be implemented with this project. Staff has conducted an on-going discussion with the applicant regarding the potential to make this building solar PV ready, anticipating possible solar power addition in the future. The applicant should briefly offer some testimony regarding this and other green building techniques associated with this project.

Upon request, additional comments may be offered based upon the submission of updated or modified documents, and/or the testimony presented at the public hearing.

cc: S. Surtees
Board Consultants
Applicant



SURINDER S. ARORA, PE
President

ARORA and ASSOCIATES, P.C.
Consulting Engineers
Princeton Pike Corporate Center
1200 Lenox Drive, Suite 200, Lawrenceville, NJ 08648
(609) 844-1111 • Fax (609) 844-9799

MEMORANDUM

DATE: April 27, 2022

TO: West Windsor Township Zoning Board of Adjustment

FROM: Jeffrey A. L'Amoreaux, P.E.
Traffic Consultant

SUBJECT: TCMC, LLC formerly Princeton Junction Commons
Zoning Board of Adjustment Review
ZB19-10SP
201 Clarksville Road
Block: 10, Lot 15.03
West Windsor Township, Mercer County, New Jersey

I am in receipt of the following information electronically for review pertaining to an application for a Zoning Board of Adjustment review for a proposed self-storage facility to be located along Clarksville Road (CR 638):

- One (1) Transmittal Letter from Van Note-Harvey Associates (5 pages) dated April 13, 2022
- One (1) set of Preliminary and Final Major Site Plans (35 sheets) prepared by Van Note-Harvey Associates, Inc. dated September 10, 2021, with latest revision April 12, 2022
- Green Development Practices Checklist
- One (1) copy of "Engineering Report" prepared by Van Note-Harvey Associates, Inc. (15 pages) dated September 10, 2021, last revised April 12, 2022
- One (1) copy of "Stormwater Management Operations and Maintenance Manual" (29 pages) prepared by Van Note-Harvey Associates, Inc. dated September 10, 2021, last revised April 12, 2022
- One Traffic Impact Statement Report (26 pages) prepared by Dynamic Traffic dated March 3, 2022

The proposed site is situated along the southbound side of Clarksville Road. The property is bounded by commercial uses to the north and south, the Amtrak/NJ Transit Northeast Corridor rail line to the west, Clarksville Road to the east and across Clarksville Road, a residential subdivision, Avalon Princeton Junction.

The project proposes the construction of three free-standing self-storage buildings. Building A is proposed to be a three-story building (11,375 sf per floor) with a gross floor area of 34,125 sf. Building B (behind and to the west of Building A) calls for the construction of a three-story building (17,600 sf per floor) for a gross floor area of 52,800 sf. Buildings A and B are connected at the third floor by a 3200 sf one story storage building via a bridge over a paved driveway. Building C is proposed to the north of Building B and would consist of a one (1) story, 5,500 sf self-storage space. Thus, the total proposed developable floor area is estimated to be 95,625 sf of self-storage use.

Princeton Junction Commons, LLC
Zoning Board of Adjustment Review
201 Clarksville Road
Block:10, Lot 15.03
West Windsor Township, Mercer County, NJ
April 27, 2022
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ARORA and ASSOCIATES, P.C.
Consulting Engineers

This proposed development will be supported by a two-way, two-lane driveway (a site driveway with block curbing and stone base exists today).

An emergency vehicle access is in place in the southwest corner of the site which will be controlled by a gate with a Knox-box and key provision.

Parking is proposed for ten (10) vehicles which includes one handicap-accessible space.

The site is in the ROM-4 Industrial District (research, office, limited manufacturing) and as such is a non-permitted use thereby requiring an application for and the granting of d (1) use variance.

We have completed our review of the above-referenced documentation and offer the following comments for the Board's consideration.

1. A Traffic Impact Study (TIS) has been prepared for this site. Comparisons of trip generations indicate that the proposed self-storage facility would generate lesser trips than the previously approved (under a different application) 30,000 sf office use. A total of 9 trips (5-entering, 4-exiting) are projected in the AM peak hour while 14 trips (7-entering, 7-exiting) are anticipated during the PM peak hour. These trips numbers are deemed low; however, it should be noted that Clarksville Road carries a high volume of background traffic during the AM (872- EB, 923-WB) and PM (864-EB, 873-WB) peak hours, respectively. Capacity analysis results indicate that the site driveway egress movements would operate at level of service (LOS) E or better during the AM and PM peak hours. Based on this, the traffic impact due to the self-storage facility would be deemed acceptable.
2. Within Code Section 200-27B., there is no parking rate provided for a "self-storage" use. The applicant used the rates provided in the Institute of Transportation Engineers publication, "Parking Generation Manual 5th Edition", which identifies a peak parking demand of 0.10 spaces per 1,000 SF for self-storage uses. This results to a peak parking demand for the site of 10 spaces for the proposed 95,625 SF self-storage facility. Ten (10) parking spaces have been proposed and is considered reasonable.
3. Testimony/Information regarding the trash/garbage disposal proposed for the site is to be provided. On Architectural Plan AD 100.0, there is an area labeled as 'Trash' on the ground floor of Building 'A' in the vicinity of the main entry gate. The anticipated function and usage of this location at Building A is to be discussed, in addition to the trash/garbage provisions for Buildings B and C, respectively. Testimony regarding both the pedestrian/trash truck access to/from the proposed dumpster areas is to be provided.
4. Testimony/Information is to be provided regarding the hours of operation, and access provisions to/from the various storage units especially for those in the multi-story building. Specifically, the parking and loading areas for the patrons accessing the upper floor storage spaces and the anticipated

Princeton Junction Commons, LLC
Zoning Board of Adjustment Review
201 Clarksville Road
Block:10, Lot 15.03
West Windsor Township, Mercer County, NJ
April 27, 2022
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ARORA and ASSOCIATES, P.C.
Consulting Engineers

vehicular maneuvers at such locations are to be discussed/demonstrated. Per Township Ordinance, §200-27.C, §200-29.O and §200-29.P, off-street loading areas are required.

5. The site's gross floor area of 95,625 SF corresponds to a FAR Value of 0.21, whereas a FAR of 0.045 is allowed per Township Code. It is noted that a FAR of 0.17 was previously approved for the d (4) variance by the applicant. The applicant should provide testimony, and we defer further comments to the Township Planner.
6. On Plan sheet CE-4, a concrete sidewalk is labeled on the east side of Building A, running north from the crosswalk at the southern emergency/secondary gate up to the paved driveway separating Buildings A and B. The section of the sidewalk, north of the ADA parking space is shown as 5.2 feet wide. Per the Township code, 6.5 feet wide sidewalk is recommended. The applicant is to provide testimony/information regarding this non-compliance. We defer further comments to the Township Planner.
7. At the location of the mid-block crosswalk along Clarksville Road shown on Plan Sheet CE-4, the two signs marked as W6-7P(L) on both sides Clarksville Road are to be changed to W16-7P(L).
8. Thirty (30) feet wide two-way circulating aisles have been indicated for the site. In addition, parking is allowed on the circulating aisle for the ground floor storage patrons during loading/unloading operations. There is the potential for through traffic path to be blocked along the circulating aisle between Buildings B and C, when more than two vehicles are parked at right angles on both sides of the road to load/unload. This would be problematic. The applicant is to address this concern.
9. To ensure efficient flow of traffic along the circulating aisle, consideration should be given to providing one-way circulating aisles throughout the site. The implementation of one-way circulating aisle would provide adequate space for loading/unloading and minimize/eliminate any blockage of the circulating aisle at any time.
10. On Plan Sheet MVMT, the fire truck turning template shows some encroachment into the curbside at the southwest corner of Building A that needs to be addressed. We defer further comments to the Township's Fire Marshall.

This completes my comments currently.

cc:	Sam Surtees	Joseph Burgis, PP, AICP
	Lisa Komjati	Edwin Schmierer, Esq.
	Ian Hill, P.E.	Dan Dobromilsky, PP, AICP
	Chris Jepson, P.E.	Tim Lynch
	David Novak, PP, AICP	Dino Spadaccini, Esq.

West Windsor Township Fire & Emergency Services

Memorandum

DATE: January 14, 2020
TO: Chairperson, Zoning Board
FROM: Chief Timothy M. Lynch
REGARDING: ZB 19-10, TCMC LLC

OVERVIEW

This application is for a newly constructed self-storage facility.

Storage facilities such as this present a challenge to fire suppression forces as the contents of each storage pod are unknown. For that reason, we are encouraged to note that fire sprinklers have been included for all buildings.

GENERAL REQUIREMENTS

ACCESS

- Access for emergency vehicles is adequate and in compliance with the Township Fire Prevention Ordinance.
- Due to the limited access, No Parking Fire Lanes shall be created by the applicant along all curb areas to restrict curbside parking from the entire site.

WATER SUPPLY FOR FIRE PROTECTION

- The applicant has provided a fire hydrant in compliance with Township Code.

MISCELLANEOUS

- A lock box to allow immediate access by the Fire Department shall be installed on the front of the building.
- The position of the fire department connections that supports the fire sprinkler system are approved.
- We request the installation of fire department standpipes in each stair tower. The standpipes shall have 2 ½' national standard thread hose outlets on each stair tower floor



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landing. The standpipes shall be tied into the fire sprinkler piping so that there will be only one fire department connection.

- Applicant shall limit the number of trees in close proximity to the buildings as they restrict access by the fire department.
- Applicant should be aware that under N.J.A.C. 5:70, 510.1 *Emergency Responder Radio Coverage* – “All new buildings shall have approved radio coverage for emergency responders within the building based upon existing coverage levels of the public safety communications systems of the jurisdiction at the exterior of the building.”
 - The applicant will be required by the construction official to conduct a radio signal strength survey of the building while under construction, and if deemed necessary a radio signal amplification system would need to be installed.

CONCLUSION

- Based upon the above comments we recommend approval.



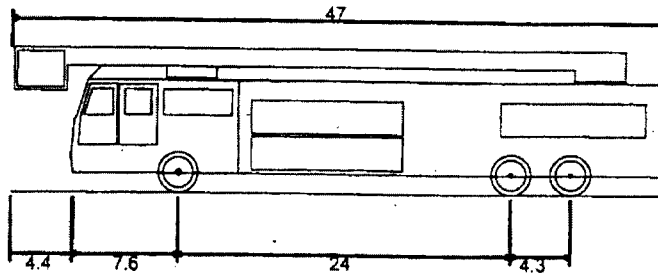
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West Windsor Township Fire & Emergency Services

Phone 609-799-8735 Fax 609-799-8926

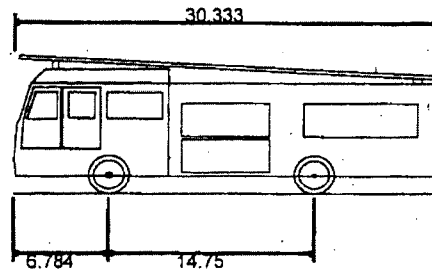
Fire Apparatus Dimensions for Turning Radii

The illustrations below of West Windsor Township fire apparatus may be used for determining the needed turning radii required for access to proposed applications for land development.



AERIAL 100' LADDER

Overall Length	47.000ft
Overall Width	8.333ft
Overall Body Height	10.000ft
Min Body Ground Clearance	1.393ft
Track Width	8.333ft
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	36.250ft



PUMPER

Overall Length	30.333ft
Overall Width	8.333ft
Overall Body Height	10.000ft
Min Body Ground Clearance	1.393ft
Track Width	8.333ft
Lock-to-lock time	6.00s
Max Wheel Angle	45.00°



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MASON, GRIFFIN & PIERSON
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

MEMORANDUM

To: West Windsor Township Zoning Board of Adjustment

From: Edwin W. Schmierer, Esq.
West Windsor Township Zoning Board of Adjustment Attorney

Date: April 26, 2022

Re: TCMC, LLC Application for d(1) Use Variance, d(4) Floor Area Ratio Use Variance, Bulk Variances, Waivers and Preliminary and Final Major Site Plan Approval: 201 Clarksville Road, Block 10, Lot 15.03 West Windsor Township Tax Map, ROM-4 Industrial District, Application No. ZB10-19SP

TCMC, LLC (the "Applicant") is the contract purchaser from Princeton Junction Commons, LLC, of the above-referenced property. The Applicant proposes to construct at 201 Clarksville Road, Lot 10, Lot 15.03 West Windsor Township Tax Map (the "Property") a self-storage facility consisting of three buildings with a total square footage of 95,928 square feet.

The West Windsor Township Zoning Board of Adjustment (the "Board") will consider this application at its meeting on May 5, 2022.

On January 23, 2020, the Board granted to the owner of the Property, Princeton Junction Commons, LLC, d(1) use variance relief to permit a self-storage facility to be constructed on the Property in three buildings. The self-storage facility, however, was at that time proposed to be 78,700 square feet in size. The Applicant's square footage also in three buildings would total 95,928 square feet. Section 200-215 of the Township's Land Use Ordinance (the "LUO") continues to set forth the permitted and conditional uses in the ROM-4 zoning district wherein

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the Property is located. Notwithstanding discussions at the West Windsor Township Planning Board to revise the Master Plan to permit self-storage facilities in the ROM-4 zoning district, the zoning regulations have yet to be amended and, therefore, self-storage facilities are not permitted or conditional uses in the zone. The Applicant, therefore, seeks a d(1) use variance.

Section 200-238 of the LUO permits an adjusted Floor Area Ratio on the environmentally constrained property of 0.065 based on prior approvals. The new site plan would have an FAR of 0.21. The previously approved self-storage facility had an approved FAR of 0.17. A d(4) use variance is required.

Bulk variance relief is also sought as a part of the site plan application. Within the zone, a landscape buffer of 95 feet is required whereas 90 feet is proposed. The previous self-storage received bulk variance relief for a 23-foot landscape buffer since the Property is heavily treed. A side yard setback variance for proposed Building A is sought. A 40-foot minimum side yard setback is required whereas proposed Building A has a side yard setback of 33.5 feet. The prior approval did grant a bulk variance for a 15-foot side yard.

Finally, a waiver is sought for one of the off street loading areas. Two loading areas are required and the Applicant proposes one loading area.

In evaluating the revised application for the self-storage facility, the Board should once again be guided by the following legal standards:

- A. (d) Use Variance: As indicated above, despite discussion at the Planning Board

MASON, GRIFFIN & PIERSON
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

April 26, 2022
Page 3

level, within the ROM-4 zoning district, self-storage facilities are currently not permitted as either a primary or conditional use. Once again, as with the original application in 2020, the Board has been asked to approve a commercial use variance and the Applicant, once again, must establish entitlement to the use variance in accordance with the standards articulated by the New Jersey Supreme Court in Medici v. BPR Co., 107 N.J. 1 (1987). The Applicant must demonstrate to your satisfaction that there are, in fact, "special reasons" to approve the self-storage use in the ROM-4 zoning district. Circulated with the application materials is a copy of the Board's Resolution of Memorialization dated January 23, 2020. In terms of the proposed use, although the self-storage facility is now larger than the facility previously approved, in evaluating the use again for self-storage facility purposes, the Board may wish to review the findings and decision which appears on pages 5 and 6 of the previously adopted resolution. The Board at that time was satisfied that the then proposed complex of three buildings for the self-storage facility consisting of 78,700 square feet represented a less intense use than a prior approval that was granted for the Property permitting the construction of a 30,000 square foot office building. The Board was also cognizant of the fact that consideration was being given at the Planning Board level to allow self-storage facilities as either permitted or conditional uses in the ROM-4 zone.

MASON, GRIFFIN & PIERSON
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COUNSELLORS AT LAW

April 26, 2022
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Although the proposed self-storage complex has grown to now be 17,228 square feet more than the illustrative site plan previously submitted to the Board when it considered the above-referenced use variances and bulk variances, the Board can once again evaluate whether or not the proposed use can be appropriately granted by the Board in the context of the current site plan for the larger self-storage facility.

- B. d(4) Floor Area Ratio Use Variance: In evaluating the prior application, the Board did apply the standards set forth in Randolph Town Center v. Tp. of Randolph, 324 N.J. Super. 412 (App. Div. 1999) and Coventry Square, Inc. v. Westwood Zoning Board of Adjustment, 138 N.J. 285 (1994). By so doing, the Board with the 2020 approval was satisfied that the Property could accommodate any problems associated with the floor area greater than that permitted by the ROM-4 regulations. The Board reached this finding notwithstanding the fact that the Property which consists of 10.65 acres of vacant land is heavily constrained primarily by wetlands. The Board may recall that only approximately 2.13 acres of the Property has developable land. Consequently, the Board can once again consider that the remaining lands which are not developable represent an appropriate buffer and when the entire parcel is taken into consideration, the intensity of development even with the proposed additional square footage can be

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accommodated on the Property.

- C. c(1) or c(2) Bulk Variances: Under Lang v. Zoning Board of Adjustment, 160 N.J. 41 (1999), the Board can once again take into consideration the particular physical conditions of the Property and the constraints on the Property which require any development to take place within the 2.13 acres of land which can be disturbed and consider granting hardship variances for the landscape buffer and side yard setback being requested by the Applicant. Alternatively, the Board could apply the "flexible" (c) (2) standard articulated under Jacoby v. Englewood Cliffs Zoning Board of Adjustment, 422 N.J. Super. 450 (App. Div. 2015). This would mean that the Board could conclude that the purposes of the New Jersey Municipal Land Use Law and the overall objectives of the zoning for the ROM-4 zone can be achieved by granting the variance relief and that any benefits from deviating slightly from the ROM-4 bulk regulations substantially outweigh any detriment and that the bulk variances sought will not substantially impair the intent and purpose of the ROM-4 zone plan. A similar standard could be applied to the waiver being sought for one of the required loading spaces for the facility.

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