

TOWNSHIP COMMITTEE MEETING
December 11, 2017

The Township Committee Meeting of the Township of Cranbury was held at 7:00 p.m. in the Town Hall Meeting Room. Answering present to the roll call were Township Committee members: Susan Goetz, Glenn Johnson, Jay Taylor and Mayor Dave Cook. Mr. Dan Mulligan was absent. Also present were Dan Davidow, Esq., Township Attorney; Richard Preiss, PP, Township Planner; Denise Marabello, Township Administrator/Director of Finance, and Kathleen Cunningham, Municipal Clerk/Assistant Administrator. Mayor Cook led in the salute to the flag, and Ms. Cunningham gave the following Open Public Meetings Act statement:

In accordance with Section 5 of the Open Public Meetings Act, it is hereby announced and shall be entered into the minutes of this meeting that adequate notice of this meeting has been provided:

- (1) Posted on December 5, 2016 on the Bulletin Board of the Municipal Office at 23-A North Main Street, Cranbury, New Jersey and remains posted at that location.
- (2) Communicated to the Cranbury Press, Home News Tribune and Trenton Times on December 5, 2016.
- (3) Filed on December 5, 2016 at the Cranbury Municipal Office, 23-A North Main Street, Cranbury, New Jersey, posted on the Township's web site and remains on file for public inspection.
- (4) Sent to those individuals who have requested personal notice.

Resolution

On motion by Ms. Goetz, seconded by Mr. Johnson and unanimously carried, the following Resolution was adopted by vote:

Ayes: (Goetz
(Johnson Abstain: (None
(Taylor Absent: (Mulligan
(Cook

Nays: (None

Cranbury Township Resolution # R 12-17-134

WHEREAS, David Cook ("Dave") has been a resident of Cranbury Township since 1966; and

WHEREAS, Dave was elected to the Township Committee in 2010 and served on the Township's Planning Board for several terms; and

WHEREAS, he served as Mayor in 2012 and again in 2017; and

WHEREAS, through his great leadership skills, the Township has made great strides in improving both traffic and pedestrian safety; and

WHEREAS, Dave has worked tirelessly on the potential re-design of the Cranbury Circle to help alleviate the traffic problems constantly occurring there; and

WHEREAS, Dave has brought to fruition the classification of the Route 130 Planning Area; and

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Cranbury Township Resolution # R 12-17-134
(Continued)

WHEREAS, the Lake-edge remediation was completed at Village Park due to Dave's diligence; and

WHEREAS, Cranbury residents are richer due to Dave's dedication, years of service and knowledge;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranbury hereby thanks David Cook for his loyalty and conveys its gratitude and appreciation as the Township's Mayor for this past year and in 2012.

Resolution

Mayor Cook acknowledged Ms. Goetz's contributions on the Township Committee and read into the record the following Resolution. Ms. Goetz thanked the Township Committee and Ms. Marabello and Ms. Cunningham for their help during the past six (6) years. She stated serving on the Committee was one of the most exhilarating things she has done and acknowledged that Cranbury is a very special Town. She thanked the public for their support. On motion by Mr. Johnson, seconded by Mr. Taylor and unanimously carried, the following Resolution was adopted by vote:

| | |
|--|-------------------------------------|
| Ayes: (Goetz (Johnson (Taylor (Cook | Abstain: (None Absent: (Mulligan |
|--|-------------------------------------|

Nays: (None

Cranbury Township Resolution # R 12-17-135

WHEREAS, Susan Goetz has been a resident of Cranbury Township for 38 years; and

WHEREAS, Susan served on the Township's Environmental Commission for three (3) years offering her knowledge and expertise on many environmental issues; and

WHEREAS, Susan has been a member of the Township Committee since 2012; and

WHEREAS, Susan was elected by her colleagues as Mayor on January 2, 2014; and

WHEREAS, Susan has contributed many worthwhile ideas and projects for the betterment of the Township; the "Brainerd Lake Dam Project", the "Downtown Beautification Project" (serving on its subcommittee); and the "Holiday Decoration Committee" for the Village area of the Township last year which helped enhance the Holiday Spirit; and

WHEREAS, Susan helped foster better communication between the Township residents and the police by hosting "Coffee with the Mayor and Police Chief" at Teddy's Luncheonette on Saturday mornings as Mayor in 2014; and

WHEREAS, she has supported open space acquisition and farmland preservation in the Township throughout her career lending to the beautiful "vistas" in Cranbury Township; and

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Cranbury Township Resolution # R 12-17-135
(Continued)

WHEREAS, Susan worked with “The Turnpike Tree Subcommittee” for the “New Jersey No Net Loss Reforestation Act” grant which gave the Township many beautiful trees to add to its open space; and

WHEREAS, recently Susan was instrumental, along with Mr. Johnson for the new High Point “Gateway Cranbury” Development town homes presently under construction; and

WHEREAS, Susan writes articles for the Four Seasons at Cranbury newsletter lending good will between the Township and its residents at Four Seasons; and

WHEREAS, she has now decided it is time to retire;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Cranbury hereby thanks Susan Goetz for a “job well done” and conveys its gratitude and appreciation to her for all her years of service to the residents of Cranbury Township;

BE IT FURTHER RESOLVED, a duly authenticated copy of this Resolution be presented to Susan with best wishes for a happy and healthy retirement!

Township Committee Minutes of November 27, 2017.

On motion by Mr. Taylor, seconded by Mr. Johnson and unanimously carried, the Township Committee Minutes of November 27, 2017 were adopted.

Agenda Additions/Changes

Mayor Cook requested Ms. Cunningham report on changes to the Agenda. Ms. Cunningham reported the Ordinance will be considered before the last Public Comment. She explained the Ordinance will be considered on Second Reading and Public Comment after “Reports from Township Boards and Commissions.” Mayor Cook further explained the rest of the Agenda is standard procedure and more time could be spent discussing the Ordinance at the end of the meeting.

Reports and Communications

--Mayor

Mayor Cook announced the appointment of Theresa Vaccaro as Second Alternate to the Library Board of Trustees, filling an unexpired term with an expiration date of December 31, 2018. Mayor Cook recognized a holiday season donation to the Diabetes Foundation made in the Township’s name by Kerzner Associates.

Mayor Cook reported he had a mock-up of East Windsor plans that would deal with heavy traffic (primarily truck traffic) that would normally travel on Cranbury Station Hightstown Road and Brickyard Road. He stated the plans show the possibility of having the traffic continue on a by-pass to the Turnpike thus reducing the traffic by the Route 130 Circle. Mayor Cook reported it could be costly if there are a lot of easements, utilities or DEP considerations involved. He stated Cranbury would work on moving this forward in conjunction with East Windsor.

Reports and Communications

--Members of Committee

--Mr. Taylor

Mr. Taylor thanked Ms. Linda Scott in the Public Works Department for her efforts in obtaining the recycling grant of \$97,000. Mr. Taylor stated Ms. Scott works passionately on recycling and wanted to acknowledge her efforts.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Reports and Communications

--Members of Committee

--Mr. Taylor (cont'd.)

Mr. Taylor reported his office received notice from Homefront of Lawrenceville that many children are in need this holiday season and urged anyone who could help to reach out to Homefront. He stated children from infant through 18 years of age were identified as needing assistance, and stated some children's wishes included winter coats, pants and bedding.

--Mr. Johnson

Mr. Johnson reported he attended a Development Review Committee meeting which reviewed an application for a medical office for South Main Street and the Circle. He stated the Project is in concept stage at this point; however, it stated it looked like a good addition to that corner of the Town. He stated he also attended the Planning Board meeting where the subsidized housing project by Ingerman on the Paul's Auto Site received the final approvals. He stated there was also a presentation of the retail portion of the High Point Project. He stated he feels anyone who appreciates architecture will be excited about the Project.

Mr. Johnson stated six (6) years ago when Ms. Goetz ran for Township Committee the Democratic Party was having a problem finding a candidate. He stated he spoke to her the Sunday before the Primary Election and asked her to consider running for office. He stated she asked what was involved, and he told her she would have to attend two (2) meetings a month, and stated he appreciates she has a sense of humor. Ms. Goetz stated she is excited about Mr. Matt Scott coming on the Committee and reported she spent time with him going over some items and procedures before his first time at the dais.

Follow-Up Items

McMansion Ordinance – Mr. Taylor stated it was agreed the McMansion Ordinance would be tabled until next year.

Public Comment (For Items on Agenda)

Mayor Cook opened the meeting to public comment for items on the Agenda, and hearing none, closed the public portion of the meeting.

Resolutions

Consent Agenda

Mayor Cook asked the Township Committee if there were any questions or comments on the Consent Agenda. Hearing no questions or comments, he asked for a motion to approve the Consent Agenda. On a motion by Mr. Taylor, seconded by Ms. Goetz, the following Resolutions were adopted by vote:

| | |
|---|-------------------------------------|
| Ayes: (Goetz Johnson Taylor Cook | Abstain: (None Absent: (Mulligan |
|---|-------------------------------------|

Nays: (None

Cranbury Township Resolution # R 12-17-133

NOW, THEREFORE, BE IT RESOLVED, by the Township of Cranbury that all bills and claims as audited and found to be correct be paid.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Cranbury Township Resolution # R 12-17-136

WHEREAS, The Tax Collector, Tanyika L. Johns has certified that the following taxpayers overpaid their taxes; and

WHEREAS, The Tax Collector is requesting that the overpaid taxes be refunded,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded:

| <u>Taxpayer</u> | <u>Refund</u> |
|--|---------------|
| PREVIOUS OWNER: D&R Greenway Land Trust | \$145.90 |

Make check payable to: D&R Greenway Land Trust

LOCATION: Old Trenton Road

BLOCK: 20.17 **LOT:** 1 **QUALIFIER:**

Cranbury Township Resolution # R 12-17-137

WHEREAS, The Tax Collector, Tanyika L. Johns has certified that the following taxpayers overpaid their taxes; and

WHEREAS, The Tax Collector is requesting that the overpaid taxes be refunded,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following overpayment be refunded:

| <u>Taxpayer</u> | <u>Refund</u> |
|----------------------------|---------------|
| OWNER: Goetz, Susan | \$1,969.61 |

Make check payable to: East Coast Title Agency

LOCATION: 22 Brainerd Drive

BLOCK: 34 **LOT:** 20 **QUALIFIER:**

Cranbury Township Resolution # R 12-17-138

A RESOLUTION AUTHORIZING THE RELEASE OF ESCROW

WHEREAS, Alfieri has deposited engineering escrow with Cranbury Township for Cranbury Station Park; and

WHEREAS, Alfieri has requested the release of the balance of said escrow in the amount of \$13,402.75.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Cranbury authorizes the release of the above escrow deposit.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy and forwarded to each of the following:

- (a) Township Engineer
- (b) Township Director of Finance
- (c) Paul Jedzinak, Alfieri

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Cranbury Township Resolution # R 12-17-139

A RESOLUTION AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEE
FOR CRANBURY BRICKYARD-VERTICAL PHASE BUILDING 1

WHEREAS, by letter dated October 27, 2017 Cranbury Brickyard has requested the release of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated November 22, 2017 (attached hereto as "Exhibit A") recommended that the following performance guarantee be released:

| | |
|--------------|---------------|
| Cash Deposit | \$ 99,139.00 |
| Bond | \$ 892,253.00 |

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury as follows:

It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".

2. It hereby authorizes the release of performance guarantees set forth in the Township Engineer's letter referenced above.
3. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy and forwarded to each of the following:

- (a) T&M Associates, Glenn Gerken
- (b) Township Chief Financial Officer
- (c) Cranbury Brickyard

Cranbury Township Resolution # R 12-17-140

RESOLUTION AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE
FOR CRANBURY BRICKYARD – BUILDING 3

WHEREAS, by an e-mail dated October 27, 2017, Cranbury Brickyard has requested the reduction of their performance guarantee previously posted with the Township in accordance with Planning Board approval and

WHEREAS, the Township Engineer has, in a letter dated November 22, 2017 (attached hereto as "Exhibit A") recommended that the performance guarantee be reduced and the amount that shall be **released** is as follows:

| | |
|------------------|---------------|
| Cash Deposit | \$ 20,926.00 |
| Performance Bond | \$ 188,331.00 |

WHEREAS, the amount that shall be **retained** until all bonded items are complete as follows:

| | |
|------------------|--------------|
| Cash Deposit | \$ 8,968.00 |
| Performance Bond | \$ 80,713.00 |

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Cranbury Township Resolution # R 12-17-140
(Continued)

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Cranbury as follows:

1. It has reviewed, agrees with and hereby accepts all recommendations of the Township Engineer as set forth in "Exhibit A".
2. It hereby authorizes the reduction of performance guarantees set forth in the Township Engineer's letter referenced above.
3. The Township hereby accepts the public improvements, if any so designated pursuant to the Planning Board's approval.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy and forwarded to each of the following:

- (a) Township Engineer-Glenn Gerken
- (b) Township Chief Financial Officer
- (c) Cranbury Brickyard LLC

Cranbury Township Resolution # R 12-17-141

WHEREAS, it is necessary to make the following appointments,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Cranbury that the following individuals are appointed to the positions and terms noted effective December 11, 2017:

| NAME | APPOINTMENT | TERM ENDING |
|-------------------------|--------------------------|--------------------------------|
| Daniel A. Notterman, MD | Board of Health | 12/31/18 Unexpired Term |
| Hannah Lovaglio, Pastor | Municipal Alliance Comm. | 12/31/17 Unexpired Term |

Cranbury Township Resolution # R 12-17-142

A Resolution of the Township of Cranbury entering into a Contract of Employment between the Township of Cranbury and the Township Administrator and Approving the Terms Therein.

WHEREAS, an agreement between the Township of Cranbury and the Township Administrator is hereby approved. The terms contained in said Contract are hereby adopted for the Township Administrator, Denise Marabello, effective January 1, 2018; and

WHEREAS, a duly authenticated copy of this Resolution shall be provided to Township Administrator Marabello.

Reports from Township Staff and Professionals

--Administrator's Report

Ms. Marabello stated she had nothing to report.

--Assistant Administrator's Report

Ms. Cunningham stated she had nothing to report.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Reports from Township Boards and Commissions

Mr. David Szabo, Chairperson, and Ms. Sue Ryan, Vice Chairperson, reported on the completion of the "Historic District Intensive Level Survey, Phase 1" for the Historic Preservation Commission. Mr. Szabo stated HPC was excited about presenting the Historic Resource Survey, which was completed by RGA, for 109 properties in the Historic District. Mr. Szabo stated written descriptions of the properties completed in 1989 were very short compared to the new descriptions done in 2017. He stated the Survey now contains photos of the properties, enhanced descriptions about the homes, setting of the house as well as additional reference information. He stated HPC is very happy with the survey, which give additional details on the historic properties. He reported the information is available on the Cranbury Township website as a reference for HPC, Committee members, homeowners and the general public. Mr. Szabo stated the Survey was made possible by a grant from the State, and the data was uploaded into the State's Historic Preservation Office and is included with the GIS data map. He stated the Survey is very valuable to the HPC and stated a grant was received in 2017, which will complete the other 109 properties in 2018.

Ms. Ryan reported RGA had a few recommendations upon the completion of this phase of the survey, including extending period of significance for the Historic District. She explained that means the time period the buildings are included in the District. She stated they found seven (7) homes that ranged from 78 to 117 years that were not included in the original District nomination that should be considered now. She reported the nomination happened in 1980 and stated the typical rule is that buildings 50 years and older are standardly eligible. She stated there are many buildings 50 years and older in Cranbury. The other recommendation was to look at adjusting the District boundary and stated there are also several properties that are contributing or non-contributing status which can be included in the Historic District. She stated the HPC will be looking at these recommendations.

Mr. Szabo stated for all the work that was done to complete Phase I of the Survey, HPC would like to take the opportunity to thank Ms. Linda Scott, HPC Coordinator, for all of her efforts and attention to completing all of the 2016 CLG Grant requirements. Mr. Szabo also thanked RGA and the New Jersey Historic Preservation Office for their assistance in meeting the Project deadlines. He also thanked Susan Goetz, the HPC Liaison, who attended many meetings and wished her well in her future endeavors.

Ms. Ryan reported that Cranbury Township received a letter from the National Parks Service Department of Interior acknowledging Cranbury's 50th Anniversary as a CLG and thanking communities who continue to make commitments to historic preservation on a local. Ms. Ryan stated Cranbury Township is a Certified Local Government, and stated there are only 45 CLGs in the State. Ms. Goetz stated although HPC received a Grant, there were many volunteer hours involved, including Mr. Szabo taking the beautiful photos of the homes (twice, due to an incorrect number of pixels). Mr. Szabo reported HPC had to hold two (2) extra meetings in order to meet the deadlines. He stated when the first Grant was received, it was determined they could really only do half of the 218 properties and initially it was thought they would do the most significant properties within the Historic District. When HPC received the second Grant, they knew they could divide the District in two (2) phases.

Mayor Cook asked if there was a timetable for the second phase. Mr. Szabo stated since they have already had the kick-off meeting for Phase II, it is hoped they can get the photos done in early spring before the leaves are on the trees. The deadline for the Phase II Grant submission is in September and the Survey should be uploaded in fall 2018. The Township Committee thanked Mr. Szabo and Ms. Ryan for their report.

Ordinance
Second Reading

CRANBURY TOWNSHIP ORDINANCE # 11-17-17

A motion to enter an Ordinance entitled, #11-17-17, "CRANBURY TOWNSHIP ORDINANCE – AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY AMENDING

TOWNSHIP COMMITTEE MEETING
December 11, 2017

CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Continued)

THE REDEVELOPMENT PLAN FOR A REDEVELOPMENT AREA DESIGNATED AS "HIGH POINT REDEVELOPMENT AREA," was presented for second reading and final adoption. The Ordinance was published in the Trenton Times, posted on the Township's website, posted on the Township Bulletin Board and copies were available to the public. Ms. Cunningham stated the Ordinance was also referred to the Cranbury Township Planning Board and the County Planning Board. Ms. Cunningham read into record the unanimously approved recommendations made by the Cranbury Township Planning Board at their December 7, 2017 meeting: "The Cranbury Township Planning Board reviewed Ordinance #11-17-17 and the proposed amended High Point redevelopment plan, and finds both documents to be CONSISTENT with the Cranbury Township Master Plan. A few Board members, however, were concerned that the re-design of the mixed-use sub-district as shown in the amended plan has taken on a 'strip mall' appearance. The Board therefore recommends the adoption of Ordinance # 11-17-17 approving the amended redevelopment plan, but requests that any ensuing application for site plan approval take care to respect the architectural integrity of the originally-designed building and layout of the site for the mixed-use sub-district." The Mayor asked Mr. Richard Preiss, Township Planner to give a summary on the Ordinance.

Mr. Preiss requested to be sworn since this was a public meeting, and was subsequently sworn in by Mr. Dan Davidow, Esq. Mr. Preiss introduced himself to the public and stated he has been the Township Planner since 2004. Mr. Preiss stated the Redevelopment Plan for the Hagerty/Cheney/Kushner property was adopted in October 2016. He stated there was application for preliminary and final site plan approval for the residential piece, which was the 54 townhouses and a preliminary site plan approval for the mixed-use sub-district, which was a combination of retail development and apartments. Mr. Preiss stated what has presently been introduced and deemed to be consistent with the Master Plan is an amended document which was introduced at the last Township Committee meeting on November 27, 2017. He stated there was a hearing by the Planning Board Resolution which recommended the adoption.

He stated there have been some Plan changes, specifically to the mixed-used portion in the north area adjacent to Old Trenton Road. He stated there are no proposed changes to the townhouses. Mr. Preiss stated the final site approval was granted with four (4) townhomes on the site nearing completion and the infrastructure into the site has been constructed. Mr. Preiss stated the original plan contained three (3) mixed-use buildings, including a full-retail building with residential apartments above; the second building was anticipated to be a drive-through bank, and the third building was to be a drive-through pharmacy. Mr. Preiss explained the total square footage of the retail area within this sub-district was just under 30,000 square feet with 12 apartments with seven (7) being affordable units. Mr. Preiss further explained now there will be two (2) buildings in place of three (3) buildings, with the first building being retail and office use (in the original plan no office space was permitted in the front of the building), and there will be 16 instead of 12 apartments. There will still be seven (7) affordable apartments, with the other nine (9) will be market-rate apartments with one (1) or two (2) bedrooms. On the end would be a two-story office building with 15,000 square feet for either an office or medical office. He stated the parking available is more than adequate.

Mr. Preiss stated a traffic study was conducted. He stated it was determined there will be a decrease in the peak traffic and reviewed the numbers from the study to support that determination. Mr. Preiss stated consideration was given about how the project would look from Old Trenton Road as well as the access to the business/retail space. He stated the plan has not changed conceptually as to how it will be laid out. He stated there is space for outdoor dining at either end as well as an outdoor plaza to encourage the kind of retail uses people can take advantage of.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Continued)

Mr. Preiss stated these are the main changes that have been proposed and stated the Developer would have to get an amended site plan approval as an application going before the Planning Board. There would be public notice and witnesses (Engineer, Architect, Landscape Architect and Traffic Engineer) to give their approvals. He stated it would be another opportunity for the public to review the plan and give their input.

Mr. Preiss explained the change came about because when the Development was originally approved there was a strong sense that there was sufficient retail demand to support the drug store, drive-through bank and retail space. However, when the Developer went out to test the market, neither the drug store nor bank were realistic, and there was even question whether the retail space could be sustained at this location. He stated there was the feeling that office space, particularly medical office space, could be successful. He further explained the increase in square footage was because office development on a square foot basis is not as valuable as retail development, and in order to provide an equivalent rate of return and attract a retail developer, the square footage was increased as permitted.

Mayor Cook stated the Township Committee and public were concerned that there would be a large commercial building sitting vacant or had perpetual "out of business" signs in the windows. He stated there would be less evening activity on the west side of the development which is more desirable for the Four Seasons residents.

The Mayor opened the public hearing on the Ordinance. Mrs. Kathy Lehr, Liedtke Drive, inquired if the store fronts will still face inward or was that changed, and Mr. Preiss stated the original plan is not changing. She asked Mr. Preiss to clarify the entry and exit on both ends, and Mr. Preiss explained the two driveways remain in the same location and subject to County approval since it is a County road, it may be possible to make lefts and rights in and out of the Development. Ms. Goetz asked Mr. Preiss if he thought the County would approve the driveways, and he stated from preliminary conversations, they probably would approve it.

Dr. John Battles, Labaw Drive, inquired about Page 25 of the Redevelopment Plan which addresses "Massing and Articulation" and stated he has difficulty understanding how the Development will be laid out. Mr. Preiss stated conceptual plans show the architecture and show the buildings' setbacks being forward and back, thus breaking up the solid mass of wall construction. Mr. Preiss used the plans to explain the construction. Dr. Battles stated the plans were to maintain the historic character of the Township, and Mr. Preiss agreed the construction was to match the character. Mr. Preiss stated that he, as the Township Planner, would have to monitor the construction to make sure it is in compliance. He stated the construction is not in the downtown and they are not trying to replicate the downtown; however, they are aiming to have something that is compatible and harmonious to the Village. Dr. Battles stated he understands now that new studies (traffic, demographic) would have to be done given the changes to the plan, and the process would be through the Planning Board. Mr. Preiss stated the original studies were done, and with the increase of four (4) apartments, there may be a slight increase in the projected population, and the impact on the school will be very small. He stated it is not required to do a demographic study, but a traffic study will be done.

Dr. Battles inquired about a pathway through the community, which he stated came during the hearings for the site plan approval of the original project. Dr. Battles stated it is spelled out in all of the original documents like all other communities of the Township, that there would be a way in which residents can move from one community to another by means of paths. He stated it was brought up at the last Planning

TOWNSHIP COMMITTEE MEETING
December 11, 2017

CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Public Comment Continued)

Board meeting and it was added to the plan; however, he does not see it on the current plans. Mr. Preiss described the linkages that connect the development to the community. He assured Dr. Battles when it comes to site plan approval, that access will be carefully scrutinized by the Planning Board. Dr. Battles explained the final Resolution of the original site plan approval does not include the pathways. Mayor Cook stated there was no conscious decision to remove the path, and what was described by Mr. Preiss did allow access, but is not a path just a labyrinth of connections. Dr. Battles stated there is no walking path through the residential part of the Development. Mr. Johnson pointed out the townhomes have sidewalks which could be used as the walking path, and Mr. Preiss stated the sidewalks could be accessed from other developments. There was additional discussion about the many paths for pedestrian connectivity.

Mr. Sean Deverin, Prospect Street, inquired if the Amended Redevelopment Plan was posted on the web post, and Ms. Marabello stated it would not be posted until after the Ordinance was adopted. Mr. Deverin stated he did not see the Ordinance posted on the website, and Mr. Preiss stated legally the Ordinance did not have to be posted on the website. Ms. Marabello stated it was an oversight that the Ordinance was not posted. Mr. Deverin stated he stopped by the Sales Office for Gateway of Cranbury. He stated he and others were concerned about the density and the quality of the assumptions that were used in the studies mentioned by Mr. Preiss. Mr. Deverin stated the multiplier from Montvale, Saddle River and the like are not representative as those in Montgomery Ridge. He stated they were dismissed even though they knew the local market. Mr. Deverin shared his conversation with the Sales Associate at Gateway, who stated of the nine (9) units that were sold, all nine were young families, many that had or planned to have children. Mr. Deverin urged the Township Committee to be cautious of any assumptions used. Mr. Deverin inquired if Ordinance 11-17-17 allowed for any changes to the site or just the changes in the Amended Redevelopment Plan. Mr. Preiss stated the Ordinance applies only the Amended Redevelopment Plan and the changes discussed this evening. He stated there have been no changes to the bulk regulations except for the addition of four (4) apartments. Mr. Preiss stated there have also been some "tweaks" to allow more flexibility in that part of the development.

Mr. Deverin stated he wanted to share that the assumptions used in the original redevelopment plan which were shared at the final Planning Board meeting were reviewed by a Development Subcommittee of three people, (two of which were Township Committee members representing 40% of the Township Committee and three of nine members of the Planning Board representing 30% of the Planning Board). Mr. Deverin stated he wanted that on record as well as that he is a member of the Zoning Board and the Development Review Committee, and none of these plans were ever presented at a DRC meeting.

Mr. Richard Weiss, Hagerty Lane, inquired if the change in retail and commercial to more residential resulted in a mutual impact to the Township and ultimately to the taxpayers. Ms. Marabello confirmed the change was mutual.

Mr. Richard Kallan, Wynnewood Drive, stated he is concerned adding the four (4) apartments could increase the number of school children, and he felt the cost of educating those students would not be covered by the taxes generated by those units. Mr. Preiss cited some New Jersey studies and stated it was unlikely the apartments would have children. Mr. Kallan disagreed and there was discussion concerning the costs of education and the number of possible additional children in the apartments. Mr. Preiss stated studies involving Plainsboro, West Windsor and Princeton were also used. Mayor Cook stated the four (4) apartments were added to make the Project financially viable.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Public Comment Continued)

Mr. Brian Barry, Wynnewood Drive, stated a few months ago he questioned the financial viability of the retail on Old Trenton Road and still questions it today. He inquired about the "age-targeted" term and the studies used. Mr. Preiss confirmed the number of units in the redevelopment has not changed. Mr. Barry stated he objects to the additional four (4) apartments because he believes Cranbury is a desirable school district which will attract families to the apartments, and he believes the numbers will exceed what had been anticipated and urged the apartments be reconsidered.

Mr. Robert Kramer, Hagerty Lane, stated he the Project, when completed, will improve the area. He asked when the Township can address the loss of trees in Shadow Oaks. Mayor Cook explained comments on the Ordinance will be entertained first and the ash trees can be discussed during the Public Comment.

Mr. Craig Vachris, Wynnewood Drive, agreed with Mr. Kallan's comments about not needing the additional four (4) apartments. Mr. Vachris stated the studies of the municipalities Mr. Preiss were not used to determine the projected number of children, because they were specifically requested and were not used. Mr. Vachris stated the development on Route 130 with no park and no amenities is filled with children. He stated he agreed with Mr. Deverin's comments and feels Gateway at Cranbury will bring in many students. Therefore, he stated the four (4) apartments were not necessary. Mr. Vachris reported he previously stated the bank and drug store were not viable in that location. Mr. Vachris stated he does not understand why the Township is accommodating the Developer, who will not build unless he has tenants. He stated the Developer does not have tenants because there is not enough demand. Mr. Vachris stated 35,000 square feet is a lot of retail space, and the Township should consider who will be occupying the space before it is built. He suggested perhaps doing the construction in sections. He stated medical office space is now being considered for that space, and pointed out that Mr. Johnson stated earlier that medical office space was being considered for South Main Street. Mr. Vachris emphasized the Township does not need more medical office space. He stated the Township was sold on this Project because it was emphasized there would not be a lot of children and there would be retail in the commercial space. He suggested a discussion be re-opened about the Project to avoid empty space.

Ms. Kathleen Argiriou, Stockton Drive, stated she was concerned about the ever-rising taxes in New Jersey and questioned whether the taxes were part of the research for this Project. Ms. Argiriou stated she was also concerned about the intersection of Old Trenton Road and South Main Street. She stated trucks are supposed to use Old Trenton Road, and with the increased amount of traffic, the area will be very dangerous with additional children and retail traffic. Mayor Cook reported the truck traffic on Station Road has been addressed with the County, and "no truck traffic" signage has been added. He stated there is still an issue with GPS directing trucks and that process is being worked on. Ms. Argiriou stated the added warehouse truck traffic and new construction will make the area very dangerous. Mr. Preiss stated the development will not add truck traffic, and the improvements to the Old Trenton Road and South Main Street intersection should make the area safer. He requested Mr. Sean Delaney, the Development's Engineer to explain the improvements to the public. Mr. Delaney was sworn in. He stated extensive improvements were proposed on the County roads, including widening South Main Street to have a consistent shoulder; a full widening of 14 feet along Old Trenton Road; and some additional improvements by the intersection to have three (3) lanes instead of the previous two (2) lanes. He stated restriping on Old Cranbury Road to allow cars to make lefts and rights to alleviate any backing up of traffic that may occur was also proposed. He stated he viewed the area this evening before the meeting and reported the striping on Old Cranbury Road has been improved, all the new curb lines are in, the widening on Old Trenton Road and the striping of

TOWNSHIP COMMITTEE MEETING
December 11, 2017

CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Public Comment Continued)

the three (3) lanes has been completed. He reported the widening on South Main Street has also been completed. Mr. Delaney stated this work, along with the sidewalks, was done in accordance with the approved site plans of last year, which were also reviewed and approved by the County since Old Trenton Road and South Main Street are both County roads. Mr. Delaney stated what is being proposed in the amendment is not changing any of the improvements that have already been and the driveways are in the same location has before. He stated they are working with the County to expand the driveways to be full-access driveways. Ms. Argiriou inquired is what exists today is how it will stay, and Mr. Delaney confirmed there are no more proposed improvements. Ms. Argiriou asked Mr. Delaney thought trucks would be able to stop because there is a curve in the road by the intersection. Mr. Delaney stated the sight distances have been addressed as the curve line has been pulled back and the proposed building is outside of the sight triangles. He stated they have made a lot of improvements to make the area safer for all vehicles, not just trucks.

A resident in the audience asked Mr. Delaney if the residential and commercial areas would be connected to provide another way to exit the development, and Mr. Delaney stated as part of the original approval, the Board did not want an interconnection between the residential and commercial areas for traffic reasons. He explained the driveway for the 54 residential units was enough to handle the traffic from the development. He stated the Board did not want a cut-through for people trying to avoid the lights coming down Old Cranbury Road.

Ms. Janet Frady, Hagerty Lane, stated she thought there would be a lot of traffic on Labaw Drive because people will cut through Four Seasons to get to Gateway. Mr. Johnson stated Labaw Drive does not line up with the entrance to Gateway. He stated Four Seasons residents requested the driveways not line up between the two communities.

Mr. Richard Kallan, Wynnewood Drive, requested that the four (4) additional units be age-restricted apartments. Mr. Preiss explained that cannot be done because you cannot have a portion of a project be age-restricted and not the other. Mr. Kallan inquired if it was illegal, and Mr. Preiss stated either the whole project is age-restricted or it is not. It is not possible to do. Mr. Kallan asked the Committee why the Township is so willing to do what the Developer wants, and Mayor Cook stated there are a lot of components involved, and the Township wants to make the best use of what is there. Mr. Preiss explained the concept and architecture of the Development are a result of negotiations between the Developer and the Township Committee with a lot of input from the public. He further explained there was a lot of "give and take" on both sides. Mr. Preiss stated it was felt this plan provided the most reasonable opportunity for this Project to be viable and that it would not have a detrimental impact on Cranbury.

Mayor Cook asked for any comments from the Committee. Mr. Taylor offered some comments on how years ago many residents were upset when the Wynnewood development was being built and how the construction would affect the Town and the School, and stated both were not affected. He stated the Township is not in a position where adding four (4) units to the existing number of apartments as well as the 54 townhomes will affect the Township. He stated he does believe there will be more children, although he also believes the sales associate can be looking at who comes in and makes comments the buyers want to hear. He stated he believes the Development will be a better option than a drive through coffee establishment.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

CRANBURY TOWNSHIP ORDINANCE # 11-17-17
(Public Comment Continued)

Mr. Johnson offered the Developer is practicing risk management, stating he does not know how successful the retail will be. He stated the market-rate apartments will be a revenue stream, which he can count on while he continues to rent the retail. Mr. Johnson stated there were items the Developer asked for which the Planning Board denied. He stated the four (4) additional units were a compromise.

Ms. Goetz stated she agreed with Mr. Taylor and stated only the commercial piece was being changed and not the residential. She stated she does not see the four additional units as a problem and believes Cranbury needs the marketable apartments in the Township. Ms. Goetz stated her concern, which is something that has been addressed even years ago, is that the Development should look very attractive from the street. She stated she knows the front of the commercial is on the parking lot, and stated it is very important that the part that faces the street maintains the architectural integrity that was committed to in the original plan.

Mr. Taylor stated that the Township must look at the Development as an investment, and it does not want to have empty storefronts. That would be a bad investment since the Township would not be receiving tax dollars. It is in the Township's best interest to have occupied spaces.

No one present further wished to speak, so the hearing was declared closed. On motion by Mr. Johnson, seconded by Mr. Taylor, the Ordinance was adopted by a vote with Ms. Goetz, Mr. Taylor and Mayor Cook voicing their concerns about maintaining the architectural integrity:

| | | | |
|-------|--|----------|-----------|
| Ayes: | (Goetz (Johnson (Taylor (Cook | Abstain: | (None |
| | | Absent: | (Mulligan |

Nays: (None

Mayor's Notes

Mayor Cook thanked the public for being part of the process, and stated the Township Committee cannot do its job without input from the public.

Public Comment

Mayor Cook opened the meeting to public comment.

Dr. John Battles, Four Seasons, provided an update to the Township Committee concerning the ash tree issue in Four Seasons. He reported he is meeting with two (2) master gardeners from Four Seasons as well as Ms. Kathy Easton, Chairperson of the Shade Tree Commission to determine how to choose trees to replace the ash trees that were removed.

Ms. Rosalie Pisane, Labaw Drive, stated Four Seasons no longer looks beautiful because there are no trees. She reported half of the trees are gone and some streets have no trees at all. Ms. Pisane stated Four Seasons is an asset to Cranbury. It does not have children to drain the education system, and the residents support and contribute to the Township. She stated she feels Four Seasons is not getting anywhere with the tree situation. She stated Cranbury is considered a "Tree City," and requested the Committee's assistance in getting trees planted.

TOWNSHIP COMMITTEE MEETING
December 11, 2017

Public Comment (cont'd.)

Mr. Robert Kramer, Hagerty Lane, stated they bought their home in 2006 and there was a beautiful canopy from the trees. Now there are no trees and he stated that is a problem from an environmental perspective. He stated he would like to see some progress made with trees being planted.

Mr. Hal Rourke, Labaw Drive, stated he has lived in Four Seasons since the beginning and has always walked the community. It was always beautiful and now is like a "nightmare." Mayor Cook stated he understands the issue of not having trees and there have been ongoing discussions about the problem. He stated the first step was to remove the diseased and dead trees, and now it is important to work together with Four Seasons to come up with a plan to replace them. Mayor Cook stated both sides will have to come up with funding and stated there may have to be a phasing of plantings. Mayor Cook said some of the decisions will be based on monetary restrictions. He reported it cost \$30,000 to remove the trees and it will probably cost at least that much to plant trees. Consideration is being given to the types of trees used and the layout of the landscaping before moving forward.

Ms. Janet Frady, Hagerty Lane, stated she has lived at her home for 12 years and had beautiful trees. She stated it is a dramatic change on the street without trees. She stated she hopes the Township will assist in replacing the trees in Four Seasons.

Mr. Bob Briggs, Hagerty Lane, stated they have lived in Four Seasons for 12 years also. He stated he understands why the trees were removed and appreciates that the Township removed the diseased trees quickly and appropriately. He stated he would like the Township to meet its responsibilities by now replacing the trees. He stated Four Seasons will be happy to work with the Township as Dr. Battles indicated. He stated they will research what will be the best trees to be planted. He understands money is always an issue; however, Four Seasons is an important asset to the community. He urged the Township Committee to make planting the trees a priority and be innovative about finding the money.

Mayor Cook stated he understands how the lack of trees affects the look of the community. He stated the Township Committee wants to remedy the issue and will continue to look at options.

There being no further comments, Mayor Cook closed the public comment portion of the meeting.

Mayor Cook requested a motion to adjourn. On motion by Ms. Goetz, seconded by Mr. Taylor and unanimously carried, the meeting adjourned at 9:13 p.m.

Kathleen R. Cunningham, RMC
Municipal Clerk