

**MINUTES
OF THE
CRANBURY TOWNSHIP
PLANNING BOARD
CRANBURY, NEW JERSEY
MIDDLESEX COUNTY**

**MINUTES APRIL 7, 2016
APPROVED ON NOVEMBER 17, 2016**

TIME AND PLACE OF MEETING

The regular meeting of the Cranbury Township Planning Board was held at the Cranbury Township Hall Municipal Building, 23-A North Main Street, Cranbury, New Jersey, Middlesex County on March 3, 2016 at 7:30 p.m.

CALL TO ORDER

Allan Kehrt, of the Cranbury Township Planning Board, after being duly appointed as Chairman called the meeting to order and acted as the Chairman thereof.

STATEMENT OF ADEQUATE NOTICE

Pursuant with the Sunshine Law, adequate notice in accordance with the Open Public Meeting Act was provided of this meeting's date, time, place and agenda was mailed to the news media, posted on the Township bulletin board, mailed to those requesting personal notice, and filed with the Municipal Clerk.

MEMBERS IN ATTENDANCE

- Karen Callahan
- James Gallagher
- Susan Goetz
- Thomas Harvey
- Arthur Hasselbach
- Glenn Johnson
- Brian Schilling (*left early*)
- Jason Stewart
- Allan Kehrt

PROFESSIONALS IN ATTENDANCE

- Andrew Feranda, Traffic Consultant
- David Hoder, Board Engineer
- Trishka Cecil, Esquire, Board Attorney
- Josette C. Kratz, Secretary
- Richard Preiss, Township Planner

RESOLUTIONS

PB269-15 Molto Bene, LLC (formally known as Blue Rooster Restaurant), Block 23, Lot 109, Zone VC, 17 North Main Street, Amended Site Plan for an exception/waiver to allow additional seating without onsite parking.

Ms. Cecil stated there were still some issues with code compliance. She felt it necessary to hold off on memorializing the resolution until she received verification from the Construction Code Official to see if there is a need to reverse the resolution to reflect the actual code requirements.

INFORMAL DISCUSSION

Cranbury Public Library Foundation, Block 23, Lots 14.03, Zone A-100, 23 North Main Street

Presenters were Marilynn Mullen, Kirstie Venanzi and Mark Berkowsky from the Cranbury Library Foundation

Mr. Berkowsky gave a brief history of the development of the new library location. The proposed plan now shows the location of the library directly opposite of Park Place West as one approaches it from Main Street. The parking lot has been tucked behind the existing vegetation and there was discussion of pedestrian access so the sidewalk goes through the parking lot into town to provide overflow if needed with a physical sidewalk connection to the front entrance of the building. Revision has been set aside for a connection to the sidewalk to the school if needed.

Mr. Schilling asked if there was still anticipation for the storm water basin to be underneath the parking area. Mr. Berkowsky said this was still a discussion with the Township Community as it relates to money and its placement.

Mr. Fernanda asked for turning analysis.

Mr. Preiss felt the location was correct and details must be decided at site plan.

Mr. Hasselbach felt the traffic flow was laborious. Mr. Kehrt said the Master Plan road for the school/library was supposed to be one way only. Mr. Berkowsky said the intent is to assure they are not deviating from what was shown in the Master Plan.

Mr. Kehrt asked the Board if everyone was in agreement that the Library was in the right place or very close. Everyone was in agreement.

APPLICATIONS

PB125-06 Cranbury Station Park
 Block 10, Lot 1, Zone I-LI-S
 Cranbury Station Road
 Amended Final Approval

REPRESENTATIVES: Michael Butler, Esquire
 Ralph Orlando, PE – Partner Engineer
 Carl Pehnke, Traffic Engineer

BOARD PROFESSIONAL REPORTS:

Andrew Feranda, Shropshire Associates, LLC – dated April 4, 2016
David Hoder, Hoder Associates – dated April 4, 2016

EXHIBITS:

EXHIBIT A-1 Drawing with colored location
EXHIBIT A-2 Proposed
EXHIBIT A-3 Table changes in summary form

All professionals sworn.

Mr. Butler, attorney for the applicant, (Ms. Cecil verified the Board had jurisdiction to hear the matter), asking for an amendment to a final approval for property located, Block 10, Lot 1 in the I-L-IS Zone with frontage on Cranbury Station Road and on Route 130. The final approval was received late 2014 early 2015 to allow the applicant to build two large warehouses including parking configuration. They are asking for an amendment to the final approval to accommodate the tenant is needs.

Mr. Hoder said he reviewed everything new verses old, and stated there were a few changes; Building #2 is slightly closer to Station Road than originally approved.

Mr. Feranda added the changes were minor and discussed the real changes were in parking and loading as follows: 1.) A cleanup on the front page of the future office. 2.) Building #1 parking moved to north side of building and useable office space is on NW corner. The new parking area is on east side of the building so there is a distance between the useable office and the new parking area for the 48 additional parking spaces are on the other side of the building. He asked if there was an entrance on that side of the building to walk through.

Mr. Orland answered yes.

Mr. Feranda asked about the future office space for Building #1. He stated the south side future office spaces is still noted without the parking provided so connection would have to be made internally to the warehouse or in the future the applicant would have to return for an amendment for parking in those

areas.

Mr. Orlando stated the representation of those areas is for placeholders and is not indicative for space availability. He stated he would come back for an amendment if this became a multiple tenant.

Mr. Pehnke stated there are staged and detailed traffic control plans associated with the project construction that control the hours the lanes can and cannot be closed, maintaining full lane openings during the course of the day. Single lanes will be maintained and in full operation with some poles going up around it, and there should not be too much disruption.

Mr. Stewart asked if this was affecting Route 130 and Station Road or just Route 130.

Mr. Pehnke noted that most of Station Road has already been widened and will be paved soon.

Mr. Stewart inquired if would this work create additional congestion.

Mr. Pehnke stated no; the signal would be maintained and in operation at all times. The left turn signal would be at a later stage and would be a short duration when that will occur. The left turn lane from Station Road opposing the other lane that would eliminate the jockeying that presently occurs and will be an addition to a right turning lane on northbound side of Route 130.

Ms. Goetz asked if the Police Department had any concerns with disruption of their operations.

Mr. Pehnke said the Police were represented at the pre-construction meeting and are fully aware.

Mr. Hasselbach noted he has seen the Police involved with many of the road closings during construction and never noticed congestion or issues.

Mr. Feranda asked about future widening of Station Road if necessary.

Mr. Orlando stated they noted on the plan and with the assistance of Mr. Pehnke's office, he (Mr. Pehnke) developed the plan to (in case needed) a double left turn lane going southbound into Station Road to accommodate that with a future widening of the road. In order to create that, they have provided for an full lane capability easement to be dedicated to the Township, to increase width down to midway between the two new entrances. This would allow for a double left turn lane and merge back. He stated he thought it would be a dedication to the Township because the County has not requested it (yet).

Mr. Kehrt asked if there were any additional comments from the Board or from the public.

MOTION MADE: Mr. Stewart
MOTION SECONDED: Mr. Hasselbach

VOTE ROLL CALL

AYES: Ms. Callahan, Mr. Gallagher, Ms. Goetz, Mr. Harvey,
Mr. Hasselbach, Mr. Johnson, Mr. Schilling, Mr. Stewart,
Mr. Kehrt
NAYS: None
ABSTAIN: None
ABSENT: None

MOTION CARRIED

INFORMAL REDEVELOPMENT PLAN PRESENTATION

Mr. Hasselbach recused himself and vacated the dais.

Informal Redevelopment Plan Presentation Regarding Non-Condemnation Area in Need of Redevelopment Plan for the "Paul's Auto Site" (Block 33, Lot 13.04) situated at 2687 New Jersey State Highway Route 130 pursuant to the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 Et Seq.)

Lara Schwager - Ingerman Development Principal, was present.

Mr. Preiss stated that the first stage was to conduct an investigation to determine whether the site was an area in need of redevelopment. The Planning Board recommended to the Township Committee the designation of such and at the same time the Township Committee authorized the investigation to begin to prepare the redevelopment plan. He presented the plan informally as it stands this evening, and the formal presentation would take place at the Township Committee meeting on the upcoming Monday.

Mr. Hasselbach stressed the importance of having another access from Maplewood (to this site). He felt having only the Route 130 ingress/egress would be dangerous, especially for the seniors.

Tony Alfano (George's Garage) wanted to assure compatibility between these two uses since they both were incompatible uses by way of buffer. He also felt there was an obligation to allow access onto Maplewood Avenue. He offered an easement to make this happen.

Other Board members stressed the importance of including the verbiage of the need for the connection to Maplewood Avenue.

Mr. Berkowsky was asked about ownership of the development, he stated it was Cranbury Housing Authority that owns the development on Bennet Place and not the Township. He felt they could work with the developer to try to make this work; however, it may come down to economics to have physical connections on all of their properties. He reminded everyone that we also live here and the three-story building was a concern. He stated there was a berm in place to isolate the project from Route 130, and now they do not have the same isolation which may help with some "land grab" to provide parking if necessary.

Mr. Kehrt closed public portion.

Mr. Stewart asked if the best way to get access to Bennet would be via reconstruction of Bennet. He stated the Township would have temporary position of the property and could the line be changed to conveyed to the new project if needed to adjust the parking for Bennet residence to clear the path to access. He felt it could be reconfigured.

Mr. Kehrt felt there should be some options for the Township Committee to contemplate, but did not know the best way to do that given the time constraints. He understood the objections based on the size of Bennet Place.

Mr. Preiss mentioned the road narrows down to about 18-19/ft. Mr. Stewart confirmed that it does not feel like a two-way road. Mr. Preiss mentioned another constraint was the 90-degree parking, not typical on a public roadway. There are children that play in the area at the cul-de-sac, and the cart-way and right-of-way do narrow to 19-FT. All of the options mentioned would have to be explored.

Ms. Schwager pointed out the basin on Bennet Place would constrict options and would need to be replaced. She added to correct the inaccuracy, it was possible the Township would never own this property and that would go with the tax credits and what the plan would require; presently Ingerman was under contract as the direct purchaser. There may be a hindrance if the Township owned it, the allocation plan would enforce the rules and rank the project and were not if old or new would stick; currently it looks like the new rules would stick and not 100% sure what is in those new rules.

THIRD ROUND AFFORDABLE HOUSING ELEMENT AND FAIR SHARE PLAN

Public hearing and resolution on proposed 2016 Amended Third Round Housing Element and Fair Share Plan of the Cranbury Township Master Plan, prepared by Marybeth Lonergan, P.P. of Clarke Caton and Hintz

Ms. Cecil announced jurisdiction.

Ms. Lonergan was sworn.

Mr. Gallagher recused himself and Mr. Hasselbach remained recused.

Ms. Lonergan introduced herself and briefly explained the changes to Affordable Housing since her last appearance before the Planning Board in 2008 and last adoption during that year. The current draft was amended March 25, 2016. After COAH certified the Township's 2010 Third Round Plan, the courts overturned the "Growth Share" concept. Initially the appellate division overturned COAH's regulation in a decision in October of 2010 and subsequently the Supreme Court upheld that invalidation of COAH's rules in 2013. As part of that Supreme Court decision, the courts told COAH to go back to the drawing board and follow the methodology previously upheld for the first and second round and craft new rules and regulations. In 2014, COAH tried and failed. In March of 2015 the Supreme Court took COAH out of affordable housing plan review and approval process sending the functions of reviewing the towns' plans and granting certification protecting town from builders remedy lawsuits back to the Superior Court. Cranbury had formally filed to be under the Super Court's jurisdiction in a declaratory judgement action July of 2015. A full year after filing there still has been a delay in Super Court providing Townships with their Third Round Fair Share obligation.

Ms. Lonergan felt it made perfect sense for Cranbury Township to have engaged in the settlement discussions and to actually plan for, as we have done in this plan, to address a Third Round obligation because we have access to the regulations of the second round that capped a communities Fair Share obligation to a 20% of existing occupied housing stock. That number for Cranbury was 260 units.

Ms. Lonergan presented the Third Round Plan, stating the Township was planning on addressing the 260 unit obligation with the 66 unit prior round surplus along with additional family affordable rental units from the Old Cranbury Road site, one unit at the Grist Miller House, (recognizing the Ordinance the Township adopted requiring 30 year affordable controls on that Grist Mill Unit). There is also the Route 130D Site, now known as Applewood Court, for 32 credits (2 for 1 bonus). There would also be the Ingerman site, 90 units site (24 family single and 66 senior unit(s) housed in one buildings). In addition

to 100% affordable developments there would be the previously approved inclusionary redevelopment area known as the Hagerty/High Point site producing 7 affordable units with access to rental bonuses. There would be an acknowledgement of tentative settlement with Toll Brothers on the Protinick Site on Dey Road producing moderate age limited housing with anticipation of a \$3 million “in-lieu” payment.

MOTION MADE: Mr. Stewart
MOTION SECONDED: Ms. Goetz

VOTE ROLL CALL

AYES: Ms. Callahan, Ms. Goetz, Mr. Harvey, Mr. Johnson,
Mr. Schilling, Mr. Stewart, Mr. Kehrt
NAYS: None
ABSTAIN: Mr. Gallagher, Mr. Hasselbach (both recused)
ABSENT: None

MOTION CARRIED

ADJOURNMENT OF MEETING

There being no further business, on motion duly made, seconded, and carried, the meeting was thereupon adjourned.

CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify;

That I am duly elected and acting secretary of the Cranbury Township Planning Board and, that the foregoing minutes of the Planning Board, held on April 7, 2016 consisting of 5 pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Planning Board this NOVEMBER 17, 2016.

Josette C. Kratz, Secretary

/jck