

WEST WINDSOR TOWNSHIP PLANNING BOARD
REGULAR MEETING
November 6, 2019

The regular meeting of the Planning Board was called to order at 7:04 pm on Wednesday, November 6, 2019 by Chairman O'Brien in Meeting Room A of the Municipal Building.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, location and agenda was mailed to the news media, posted on the township bulletin board and filed with the municipal clerk on October 30, 2019.

ROLL CALL AND DECLARATION OF QUORUM

Linda Geevers
Curtis Hoberman
Michael Huey
Andrea Mandel
Michael Karp
Hemant Marathe
Gene O'Brien
Allen Schectel- Alt I
Anis Baig-Alt II

CHAIRMAN'S COMMENTS AND CORRESPONDENCE

Chairman O'Brien advised the Board that the Howard Hughes property in West Windsor was sold to Atlantic Holdings. Atlantic Holdings owns another tract of land on the east side of the Township. Zoning on the former will stay the same.

PUBLIC COMMENTS ON NON-AGENDA ITEMS

Guy Pierson, 241 Fisher Place

Mr. Pierson questioned what is happening with Route 1 South between Harrison and Fisher Place and how will it affect the Penn's Neck Bypass. Mr. Surtees answered that PSE&G is expanding the substation on University property and that it will not affect the bypass or prevent the bypass from going through.

PENN'S NECK REDEVELOPMENT PLAN

David Novak PP, AICP, Burgis Associates, Inc., provided an overview of the area of the redevelopment plan and how it came to be. Mr. Novak explained that a redevelopment study was completed in July for properties located along the Route 1 corridor between Mather Ave and Washington Road. In response to that study, the Planning Board prepared a redevelopment plan. He explained that this is a unique area as it contains the Route 1 corridor and an established residential community, and they are trying to create a balance between the two areas.

Mr. Novak discussed the proposed nine permitted uses in the redevelopment plan. They are convenience stores with a gasoline station, banks or financial institutions, pharmacies, retail sales, urgent care, personal services, medical and professional offices, restaurants with a drive through window and

senior day care. Page 11 of the Redevelopment Plan outlines the permitted and accessory uses. There will be an increased buffer along Route 1 including a 100-foot building setback. Mr. Novak explained that part of the plan includes a community landmark sign with a goal of creating a gateway feature into the Township. Mr. Hoberman stated he felt that the sign could be a distraction to drivers.

Chairman O'Brien asked about the buffer and the 100- foot setback in relation to 6a of Section 3.6, which indicates a minimum distance for drive through as 50 feet. Mr. Novak stated that the 50 feet is an inconsistency and needs to be changed to 100 feet.

Chairman O'Brien asked about 3.5, Item 5, maximum building height of 35 feet but only 1 story. The zoning ordinance for typical business district with 35-foot height permits 2.5 stories. Mr. Novak stated that would allow for decorative features on top of the buildings. Chairman O'Brien stated that, if they are going to allow for 35 feet in height, there should be an option to use the space. Mr. Novak stated he would recommend 2.5 stories.

Ms. Geevers asked if the drive throughs would be 24 hours. Mr. Novak stated there is nothing established right now. Mr. Surtees stated that the hours would be established during the site plan review.

Ms. Mandel asked where the drive through traffic would back up to. Mr. Novak stated that traffic would accumulate on site and not Route 1. Ms. Mandel expressed concern about noise and sound pollution from the drive-throughs and questioned why the Township would want a drive-through in a residential area. Mr. Novak stated that it is along Route 1 and it's an appropriate area for a drive-through.

Mr. Hoberman questioned a restaurant with less than 5,000 square feet and no on-site kitchen. Mr. Surtees stated that they are encouraging a Dunkin' Donuts or a Starbucks, not a fast food establishment. Mr. Novak added that food is just warmed up, not actually cooked.

Mr. Schectel stated that large, 24-hour convenience stores should be discouraged. Mr. Novak stated that the area for a convenience store is about 4,100 square feet of floor area and suggested that the building size be reduced.

Chairman O'Brien stated that the content on pages 11 to 17 will become two ordinances and suggested that they review them to see whether the board is satisfied with provisions.

Ms. Geevers questioned Section 3.3, item 9 regarding relation of residents and the facility's governing body. Mr. Novak stated that sentence starting with "The participants at such a facility are not..." will be deleted.

Mr. Schectel stated that regarding Section 3.3, item 1, he feels that the size of the convenience store and the number of gas pumps should be limited.

Ms. Mandel and Ms. Geevers discussed the service station having chargers for electric vehicles and they would like to see those included in the Redevelopment Plan. Mr. Novak stated it would be considered an accessory use.

Mr. Hoberman asked if diesel fuel service can be limited as he doesn't think big semi-trucks should be using the gas station. Chairman O'Brien stated that there are vehicles other than trucks that use diesel fuel.

Chairman O'Brien asked Steve Gilbert, the representative for the redeveloper, about the gas station's number of pumps. Mr. Gilbert stated that at this point they are not the designated redeveloper, but the property owner. Mr. Gilbert stated that the plan contains the minimum requirements and that combination gas stations with convenience stores, such as Wawa, Quick Check or Royal Farms, are very specific with what they require as per number of pumps, ability for diesel, and the size of the convenience store. If size of gas pump islands and number of pumps were reduced, operators may not be interested.

Regarding Section 3.4, Mr. Hoberman stated that he sees the community sign as a major distraction to drivers. Mayor Marathe stated that the sign should be where the people are and that it would be useful to get information out. Mr. Huey questioned as to whether there is enough time to actually read the information and that he also considers it a distraction. Mr. Surtees stated that if there would be a traffic safety issue, the sign wouldn't be approved by the Board and the Traffic Engineer wouldn't recommend it.

After Board discussion, Chairman O'Brien suggested that section 3.4, item 5 be deleted while reserving the opportunity to have a static sign welcoming people to West Windsor.

Regarding Section 3.7, page 14, Chairman O'Brien asked about letter heights. Mr. Novak stated that the Board can establish letter heights after the building footprint has been established.

Mr. Karp asked about the number of signs. Mr. Novak stated that a stand-alone business can have four signs, one sign for each façade.

Regarding Page 16, Item 10, Chairman O'Brien asked why there is a limit of one flagpole. Mr. Novak stated there can be additional flag poles if the Board thinks it's appropriate. The size of the flag is limited to 15 square feet. Chairman O'Brien suggested changing "one freestanding flagpole" to "freestanding flag poles." Mr. Karp asked if a flag could become another sign. Chairman O'Brien stated to add to 10a, "excluding commercial messages." Mr. Schetel stated that if there is an American Flag, proper flag protocol needs to be followed.

Regarding Section 4, Chairman O'Brien asked why Mr. Novak used Plainsboro as a comparison as opposed to Princeton. Mr. Novak stated that Plainsboro is along the Route 1 corridor and a commercially used zone.

Regarding Section 4.1, page 19, Chairman O'Brien suggested that it should be mentioned that the existing Land Use Plan had been modified earlier this year. Mr. Novak agreed.

Regarding Section 6, Item 1, Chairman O'Brien asked Mr. Novak to explain it further. Mr. Novak stated that they focused on land use plan and the Route 1 corridor improvements. The redevelopment plan is not done in a vacuum, and it is compared to Master Plan. Regarding Item 3, Chairman O'Brien asked if there are any provisions or plans to relocate residents. Mr. Novak stated there are no plans to relocate residents and that any relocations are caused by condemnation.

Counselor McManimon stated that the 2nd paragraph of Item 3 is left over from previous plans and conflicts with the redevelopment plan and should be deleted. Mr. Novak agreed that that sentence should be deleted.

PUBLIC COMMENTS:

Chair O'Brien indicated he was imposing a 3-minute limit for each speaker. After each person, who wants to speak, has done so a person may speak again with the same 3-minute limit.

Sandra Shapiro, 15 Wycombe Way

Ms. Shapiro stated that she agrees with Mr. Hoberman about the sign being a distraction. She feels that the redevelopment plan being proposed is too much for traffic. Turning in and out of Varsity Avenue is already a problem and adding more to that is going to be worse. She added that the area is very dangerous and that she is appalled by the glibness of some of the board members.

Amy Woodward, 262 Varsity Ave

Ms. Woodward's property is adjacent to redevelopment; and she feels that the redevelopment is dangerous to Varsity Avenue and that it should be changed to a dead end or a cul-de-sac.

Betsy Ferrer, 254 Washington Road

Ms. Ferrer lives next to the redevelopment area and wishes to protect the character of the community. Tearing down the existing five buildings and mature trees will take away the barrier that blocks the sounds and views of highway. She sees a problem with light and noise pollution and has safety concerns as strangers come within 40 feet of their homes. She feels that the plantings are not sufficient to block noise, light and attention from strangers. Ms. Ferrer is requesting a berm be put in place to show the division between residences and businesses as was done behind McCaffrey's and Lowes.

Finn O'Brien – 241 Varsity Ave

Mr. O'Brien feels that Varsity Avenue should be closed off and turned into cul-de-sac. He wants a berm put up like the one behind McCaffrey's. He stated that gas stations, convenience stores and late- night businesses are prone to crime, and this puts the neighborhood at risk. He wants security provisions put into the redevelopment and he would also like to create a community oversight committee.

Laura Halderman, 17 Fieldstone Road

Ms. Halderman is concerned about traffic, which she describes as already a nightmare. She would like to see a pedestrian bridge to make ingress/egress to the canal and foot traffic to Princeton easier. She is interested to know what the next steps are and thought that residents would be questioned before plans were made.

Chairman O'Brien replied that the Planning Board met in July and recommended that the entire study area be designated as the redevelopment area. The Township Council adopted its resolution on September 3rd and confirmed the whole area as a redevelopment area. Items in Section 3 of plan document will become ordinances. Also, an informal meeting was conducted with some of the residents prior to tonight's hearing.

Guy Pierson – 241 Fischer Place

Mr. Pierson asked if there is an Affordable Housing aspect to this plan. Mr. Novak stated that there is no Affordable Housing envisioned in this plan.

Mr. Pierson also questioned changing zoning from residential to commercial and whether the plans were subject to NJ DOT approval. Mr. Novak advised that there would need to be some DOT approvals.

Mr. Pierson also asked why they are allowing for 35-foot building and why the heights of the flag poles are limited to 25 feet meaning the buildings would be higher than the flag poles.

Mr. Pierson also provided an example of the Wawa in Lawrence Township which has limited hours because it is adjacent to a residential community.

Lee Goldberg – 202 Mather Avenue

Mr. Goldberg stated that neighborhood residents had conducted a meeting, and they would like to see an oversight committee. The ordinances and regulations are going to affect the neighborhood and they would like to see some kind of partnership to work together. He would also like to see a lighting modification plan and would like the back of the new buildings to be pleasing to the eye. Mr. Novak responded by pointing out paragraph regarding lighting, 231d of site plan review.

Mr. Karp added that the Planning Board has been very good at putting things in to help residents, like berming, shielding, and mature trees. Chairman O'Brien stated that the Planning Board can require that more mature landscaping be planted.

Jerome Keeler, 252 Varsity Avenue

Mr. Keeler stated that between Mather and Varsity, there are 27 children. He requests that, if Varsity doesn't get closed, it get changed to a one-way street. There should be serious efforts to address adding speed bumps, signs, and possibly the presence of a police officer.

Attila Mihali, 235 Washington Road

Mr. Mihali stated that he is against closing Varsity Road as it would create more traffic on Washington. He is not against redevelopment as there are a lot of properties abutting Route 1 that need repair/replacement. Mr. Mihali questioned what is happening with the residential properties that are getting taken over.

Martin Kahn, 463 Jefferson Road in Princeton

Mr. Kahn, the potential redeveloper, stated that a 100-foot setback is substantial. The FAR is 13 percent. Regarding Varsity closure, he understands residents want to access Route 1 without going to Washington road. Mr. Kahn stated that he would want to make the redevelopment accessible while meeting the community needs. He feels that a convenience store would be useful for the community.

Chairman O'Brien asked about the size of convenience store. Mr. Kahn stated that he envisions it being no larger than 5,000 square feet. Chairman O'Brien and Mr. Kahn discussed gas pumps.

Finn O'Brien, 241 Varsity Ave

Mr. O'Brien asked about Section 6, Item 1, and what considerations are being made for improved traffic and transportation. Mr. Novak explained that there would be state and/or county approvals needed; and, because the plan has not been approved yet, nothing has been submitted yet. Mr. O'Brien also discussed lighting options.

Amy Woodward, 262 Varsity Ave

Ms. Woodward stated that there is no need to advertise community events to commuters along Route 1.

She feels this development is not going to improve the residents' quality of life and only commuters along Route 1 are going to benefit.

Jerome Keeler, 252 Varsity Ave

Mr. Keeler stated that he doesn't think a Wawa is an attractive gateway to the Township and he does not see a good solution to traffic problems. He discussed Washington Road issues and ambiguous signs.

Kathleen Russell, 8 Coventry Circle

Ms. Russell spoke about how wonderful the community is and that it's not a gateway to West Windsor. She asked what kinds of businesses are going to be part of the redevelopment. Chairman O'Brien explained permitted uses are in section 3.3 and spoke about the transparency of the process.

Ms. Taylor, 246 Varsity Ave

Ms. Taylor stated that she understands something has to be done, but she doesn't feel a convenience store is needed. She does not like the idea of a sign on Route 1.

With no other members of the public wishing to speak, Mr. Hoberman made a motion to close the public hearing, seconded by Mr. Huey.
Motion carried by voice vote.

Mayor Marathe stated that he and the Council will listen to residents' comments and that the aim of process is to make the area better.

Chairman O'Brien, Mr. Schectel, and Mayor Marathe discussed the number of islands at the gas station and berms. Mayor Marathe suggested the berm issue gets resolved before anything else. Chairman O'Brien pointed out Page 13, section 3.6, item 2.d., stipulates that residential property would be separated by 40-foot wide landscape buffer. He proposes "a part of this landscape buffer shall be a berm of minimum height of 10 feet." Mr. Baig suggested the side slopes of a 10-foot berm would be quite extreme, and a lower height should be considered.

Mayor Marathe made a motion to insert in section 3.6, item 2.d. requires a minimum berm of eight feet height to be included in the landscape buffer area." Mr. Karp seconded. Motion carried by voice vote.

Mayor Marathe made a motion regarding section 3.3, item 1 to stipulate "a maximum of 16 fueling stations not to include electric charging." Mr. Huey seconded. Motion carried by voice vote.

Chairman O'Brien suggested withdrawing item 5 of Section 3.4 on Page 12. Mr. Novak advised they could add a static, landmark sign as a welcome to West Windsor. The words would read, "A static community landmark welcome feature."

Chairman O'Brien asked the Board if they should include traffic concerns in the plan document. Mr. Hoberman stated that 3.9 allows for the Board to act on Varsity as appropriate. Counselor McManimon stated that the Township can address closure of a road when the applicant comes before the Planning Board with a site plan.

Chairman O'Brien stated once the Board receives the application, the TRC (Technical Review Committee) can provide feedback as to what is being contemplated. Mr. Surtees advised that the applicant needs to present a concept plan before the Board under TRC process.

A discussion ensued regarding charging stations in the Redevelopment Plan. Chairman O'Brien stated charging stations will be listed as an accessory use.

Chairman O'Brien confirmed that on Page 12, item 9, the last sentence starting with "Participants at such a facility....," will be deleted.

Ms. Geevers made a motion to recommend to Council the acceptance of the Penn's Neck Redevelopment Plan subject to the agreed upon revisions and the statement that it is consistent with the West Windsor Master Plan, second by Mr. Karp. By a rollcall vote of 9 - 0 motion carried.

Sam Surtees stated that there will be a meeting on 11/13 regarding the new Land Use Element document. Mr. Karp will be chairing the meeting.

With no further business the meeting was adjourned at 10:25 p.m. by the Chair.

Respectfully submitted,

Rita Bergen
Recording Secretary