

APPROVED: April 20, 2009

WEST WINDSOR TOWNSHIP COUNCIL
SPECIAL REDEVELOPMENT WORK SESSION
February 23, 2009

CALL TO ORDER: President Morgan called the meeting to order at 6:00 p.m.

STATEMENT OF ADEQUATE NOTICE

This is to advise that the notice requirement provided for in the "Open Public Meetings Act" has been satisfied. Notice of this meeting was properly given and transmitted to The Times and Princeton Packet; filed with the Clerk of the Municipality; and posted in the West Windsor Township Municipal Building at North Post and Clarksville Roads on February 3, 2009.

ATTENDEES: President: Morgan; Vice President: Kleinman; Council: Anklowitz, Borek, Geevers; Mayor: Hsueh; Business Administrator: Marion; Township Attorney: Herbert; Planning Board Attorney: Muller; Planning Board Planner: Madden; Planning Board Traffic Engineer: Davies; Township Clerk: Young

FLAG SALUTE

Ms. Young led the salute to the flag.

PUBLIC COMMENT

Mr. Mike Baxter, 6 Landing Lane, voiced his opinion on the Redevelopment Plan, and noted that the plan should be approved in order to protect the citizens versus the developers, and that caps should be put in place to limit the number of residences. He advised that Council needs to make sure the document has clarity.

Mr. Bob Akens, 32 Windsor Drive, noted that the Channel 27 airing schedule is not up to date and that the Township should make sure that notification is made of all meetings.

Ms. Joan McGee, Representative of the Stony Brook-Millstone Watershed Association, advised that the Association has sent letters and attended meetings, and again voiced the Association's concerns about the preservation of the Sarnoff Woods, the Millstone River, and the wildlife habitat surrounded by these areas.

Mr. Al Lerner, 67 Rainflower Lane, voiced his opinion on the Redevelopment Plan and advised that the plan is the best the Township can do. He noted that under this plan the Township will be able to work with developers and apply for Federal, State, and County funding. Mr. Lerner advised that the Council should be commended for this plan and the countless hours they have spent listening to residents.

Ms. Jen Ping Wang, 9 Scott Avenue, thanked everyone for the new roundabout on the Alexander Road Bridge.

Ms. Janet Lerner, 67 Rainflower Lane, voiced her support of the Redevelopment Plan.

Mr. Walter Schmidlin, Sarnoff Representative, advised that the Sarnoff Woods was created by Sarnoff after a fire in the 1960s and that Sarnoff wants to continue to preserve this area.

Mr. John Church, 11 Princeton Place, sent a four-page memo outlining various points he would like to see addressed this evening. He advised that even if the plan is adopted he would like to see a referendum held to see the public's input.

Ms. Alison Miller, 41 Windsor Drive, inquired about the process for this evening's meeting.

Opening Comments by Council President

President Morgan reviewed the Redevelopment Plan process to date and advised that the Council received the zoning ordinance for the Redevelopment Plan on February 19th. He noted that the plan has to be implemented by ordinance and that there will be an introduction with a public hearing date to be determined. President Morgan advised that his objective for this evening is to focus on areas that need clarification. He noted that Mr. Madden and Mr. Muller will go over the major changes, and Mr. Davies will review the West Windsor Bicycle and Pedestrian Alliance requests.

Mr. Muller advised that his memorandum dated February 20, 2009 addresses all the comments received by the Clerk's Office by four o'clock on Friday, February 20th. He advised that the

additional comments received thereafter still have to be reviewed and addressed.

Ms. Kleinman advised that the only additional open issue she has heard of was from Ms. Geevers regarding the affordable housing rental units.

Mr. Muller reviewed the Township's policy with regard to affordable rental and sale units.

President Morgan advised that Mr. Anklowitz just received word that Governor Corzine has made a formal announcement to appoint Mr. Anklowitz as a Superior Court Judge in New Jersey.

Mr. Borek inquired if a component to the plan has been overlooked; he questioned whether Council has the ability to make changes at any time to the Redevelopment Plan.

Mr. Muller advised that the Township has the ability to make changes as the process continues to move forward.

President Morgan advised that the plan is amendable at any stage.

Mayor Hsueh expressed his appreciation for the time Council has taken with the redevelopment process. He noted that the Planning Board work was done within the timeframe and thanked them for their time. Mayor Hsueh noted that his office has submitted the Township's list of requested projects for stimulus funding to Representative Holt this afternoon. Mayor Hsueh advised that the Township needs to continue to work with Federal and State agencies and that he recognizes that there are still many redevelopment issues that need to be resolved. He noted that the developers will be chosen by the Municipality and not by the private landowners.

Ms. Geevers inquired if the Township Council has to vote on the sixteen-page memorandum outlining the changes made by the Planning Board during their review.

Mr. Muller advised that the Council has to adopt the report and note why they did not accept certain changes if they do not accept the entire memorandum.

Mr. Muller highlighted the items that Planning Board submitted and Council agreed with their suggestions.

Ms. Geevers motioned to add back into the Redevelopment Plan the section that the Planning Board removed on "flats will be marketed as for sale units":

Second: Anklowitz

RCV: aye Anklowitz

aye Borek

aye Geevers

NAY Kleinman

NAY Morgan

Mr. Herbert voiced his opposition to making this change.

Mr. Muller and Mr. Madden outlined Mr. Andrew Kulley's questions and suggested changes to Mr. Muller's February 20th memorandum as submitted by him.

Mr. Madden reviewed the parcels of land that could be preserved on the Sarnoff Tract to save the woods.

Ms. Joan McGee, Representative of the Stony Brook-Millstone Watershed Association, thanked Mr. Kulley for his input. She noted that the way the Township is preserving open space within the Sarnoff Tract is by fragmenting the woods. Ms. McGee advised that there is an eagle's nest located on this property which is protected and that preservation of these woods is vital.

Ms. Kleinman advised that the transfer of development rights is the first stage in preserving the Sarnoff Woods.

Ms. Alison Miller, 41 Windsor Drive, advised that the Friends of West Windsor Open Space supports the idea of the Township preserving all of the Sarnoff Woods. She noted that FOWWOS would be glad to sit down and discuss this with the proper parties.

Ms. Kleinman suggested that the latest map by Mr. Madden shows the transfer rights of the first section of the Sarnoff Woods. She also requested that the Sarnoff proposed square footage be moved closer to Route 571.

Motion was made by Ms. Kleinman to adjust the map accordingly:

Second: Geevers

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Mr. Anklowitz inquired if this would save the habitat for the bald eagle.

Mr. Schmidlin advised that the eagle's nest is near the Harrison Road area.

Ms. McGee noted that this area should be labeled on the map as a critical habitat for the bald eagle. She advised that once the woods are fragmented the habitats are not protected.

Mr. Anklowitz inquired if this helps maintain the nesting area.

Mr. Kevin Appelget, 135 Conover Road, Vice President, Environmental Commission, advised that the State Department of Environmental Protection maps show the bald eagle habitat by labeling with a yellow line 300 feet in circumference around the nest. He noted that the DEP strictly enforces the "no development within 300 feet" requirement near a habitat. He suggested to also move the areas that are going to be developed on the Sarnoff property closer to Princeton-Hightstown Road.

Ms. Kleinman inquired if the Township is allowed to do this since Sarnoff has an approved General Development Plan (GDP).

Mr. Muller advised that the Township cannot make Sarnoff amend their plan.

Mr. Madden suggested moving the Sarnoff plan closer to Princeton-Hightstown Road and preserve the woods, especially the area near the bald eagles.

Motion to accept the changes submitted by Mr. Kulley as accepted during Mr. Muller's review with Council: Anklowitz

Second: Geevers

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Ms. Kleinman advised that Mr. Muller's February 20, 2009 memorandum with regard to Scott Avenue needs to be strengthened.

Ms. Susan Conlon, 98 Harris Road, representing the West Windsor Bicycle and Pedestrian Alliance, read the proposed changes submitted by the West Windsor Bicycle and Pedestrian Alliance regarding sidewalks and pedestrian connections.

Mr. Davies suggested changing the wordage submitted by the West Windsor Bicycle and Pedestrian Alliance from "should" to "shall" and "pending engineering review" and be added to the Redevelopment Plan.

Ms. Julia Rhodes, President of Berrien City Neighborhood Association, advised that her organization has submitted the same comments as the WWBPA requesting lining of roadways for bike and pedestrian usage, lighting, etc. She voiced her concern about the maps showing the roadway coming directly into Scott Avenue.

President Morgan advised that Council is in consensus with the Scott Avenue changes as noted and that it will be removed from the maps.

Mr. Andy Lupo, Chairman of the West Windsor Parking Authority, voiced his disapproval of the closing of Scott Avenue for the commuter.

Ms. Kleinman advised that Council accept the language from the West Windsor Bicycle and Pedestrian Alliance with regard to Scott Avenue on page 39, Policy 9 of the Plan.

Motion to accept the proposed language on page 39, Policy 9 as submitted by the West Windsor Bicycle and Pedestrian Alliance:

Kleinman

Second: Geevers

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Mr. David Siegel, 17 Berrien Avenue, suggested using the words "shall", "may" or "must" in the zoning ordinance.

Ms. Kleinman advised that additional discussion is needed before she can approve the closing of Scott Avenue.

President Morgan noted that the map should also be changed to reflect the text changes.

Motion to amend the map to show the removal of the direct connection of Station Drive to Scott Avenue: Anklowitz

Second: Borek

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Mr. Kevin Appelget, Vice Chairman, Environmental Commission, recommended a change to Goal 8, Policy 2 to change the wording to read "as otherwise specified by the New Jersey Department of Environmental Protection wetlands permit".

Motion to use the Environmental Commission's language: Geevers

Second: Anklowitz

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Ms. Kleinman advised that on page 42, Policy 4 of the Redevelopment Plan, 50% of constrained and developable land should be maintained as open space.

Mr. Herbert voiced his concerns that the Council should stay with Mr. Muller and Mr. Madden's suggested language. He advised that these are not statements that should be placed in an ordinance.

President Morgan voiced his agreement with Mr. Herbert and that the language stated is correct.

Mr. Anklowitz noted that public policy should be that as much developable land as possible be preserved as open space.

Mr. Muller advised that this discussion should take place at a SPRAB meeting or during the creation of a developer's agreement and not at this time.

Motion to amend the plan to add amendments on Page 42, Policy 4 as written in Mr. Muller's memorandum: Kleinman

Second: Borek

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Ms. Alison Miller, 41 Windsor Drive, voiced her concern that not all of her suggestions were incorporated into Mr. Muller's memorandum.

Mr. Muller explained why all of Ms. Miller's comments were not incorporated into the plan.

Motion to approve Ms. Miller's language changes to Policy 26 found on page 48 of the Redevelopment Plan: Anklowitz

Second: Borek

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Mr. Jerry Foster, 15 Suffolk Lane, suggested several additional word changes.

Mr. David Siegel, 17 Berrien Avenue, voiced his concern with the wording and suggested additional wording to Mr. Muller's outline.

Motion to approve a revision to the language on Page 48, Goal 12, Policy #1 to include "the general public" and to approve Mr. Muller's memorandum of February 20, 2009 but not to preclude possible additional revisions as the meeting progresses:

Anklowitz

Second: Borek

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Report in Response to the West Windsor Bicycle and Pedestrian Alliance Comments

Mr. Davies advised that he agrees with the executive summary and the goals provided by the West Windsor Bicycle and Pedestrian Alliance. He noted the following issue with the summary:

- The Main Street Promenade roadway is 40 feet wide and the promenade is 75 feet wide.
- Furthermore, one of the strategic things is the State will pay for the street.
- Need to keep a consistent two-lane roadway throughout with traffic calming devices.
- The one thing heard over and over from retailers involved in many projects that two-way flow works more efficiently for retail viability.

Mr. Ken Carlson, West Windsor Bicycle and Pedestrian Alliance Representative, explained that the Alliance is proposing a one-way street similar to Palmer Square in Princeton. He advised that this would include: one lane with parking on both sides of the road, and traffic calming devices that will make it better for pedestrians to cross the roadway. Mr. Carlson also

suggested making roads on the perimeter go one way and this would make it more viable for pedestrian and bicyclists.

Mr. Jerry Foster, 15 Suffolk Lane, commented on the widths of the promenade.

Mr. Davies explained why what the West Windsor Bicycle and Pedestrian Alliance is proposing is not practical for the redevelopment area. He noted that this is a site plan issue and should not be addressed at this time.

Mr. Carlson advised that design guidelines are important to design now and not later.

Discussion ensued regarding establishing pedestrian and bicycle goals for the Redevelopment Plan.

President Morgan suggested making the West Windsor Bicycle and Pedestrian Alliance memorandum an appendix in the Redevelopment Plan.

Ms. Kleinman advised that the Council is asking the developer to build the promenade, design the green space and area for the farmers market, and these areas need a level of pedestrian comfort. She suggested that a map be created or text be included to describe the roads around the promenade to be one way.

Discussion again continued regarding the West Windsor Bicycle and Pedestrian Alliance submittals.

Motion to take a five minute break at 9:30 p.m.: GeEVERS

Second: AnKLOWITZ

VV: All approved

Meeting resumed at 9:35 p.m.

Mr. Muller reviewed issues on what they agreed and disagreed with as submitted by the West Windsor Bicycle and Pedestrian Alliance.

Mr. Davies suggested the following map changes:

- take the two-way traffic off the map
- show Scott Avenue changes
- add additional pedestrian crossings

Mr. Muller advised of one additional change: to eliminate the one street that goes through the promenade.

Motion to accept the West Windsor Bicycle and Pedestrian Alliance memorandum dated February 20th, 2009 pages 3-6 to include map amendments as submitted and approved by the Council:
Anklowitz

Second: Kleinman

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

West Windsor Parking Authority

Mr. Lupo advised that there is one issue that needs to be addressed and that is the West Windsor Parking Authority feels they should be exempt from all reviews in order to be able to work with New Jersey Transit. He went through the Parking Authority's proposed changes per their memorandum dated February 19, 2009.

Mr. Herbert advised that New Jersey Transit is exempt from the Planning Board process, but usually works with the municipality.

Discussion ensued regarding the exemption of New Jersey Transit and the Parking Authority for board reviews. Discussion also included the Parking Authority's request to remove the height restrictions and retail from the parking garages.

Mr. Tom Kalu, Parking Authority Consultant, gave a brief explanation of the Parking Authority's views regarding parking structures. He noted that stories and heights should not be spelled out in the plan and advised that the seven parking structures suggested should not all be built. He reviewed the standards that the Parking Authority would suggest for parking structures.

Ms. Geevers advised that commuter parking is a goal of the Council.

Mr. Tom Crane, West Windsor Parking Authority Member, reviewed the Planning Board comments and noted that the word "exemption" is not the proper word. He requested Council to approve the changes per the Parking Authority memorandum of February 19, 2009.

Mr. Lupo advised that the New Jersey Transit letter received today indicates their support of the Parking Authority's suggested changes.

President Morgan made suggestions to the wording presented by the Parking Authority to the Council.

Motion to add the following to the Redevelopment Plan:
"Notwithstanding any provisions of this Plan to the contrary, the design standards that shall apply to commuter parking facilities": Anklowitz

Second: Geevers

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Ms. Alison Miller, President, Friends of West Windsor Open Space, advised that most of the members of the Friends of West Windsor Open Space issues have been addressed and thanked the Council for accepting those changes. She noted that the only outstanding issue is stormwater management and requested that this be addressed within the Redevelopment Plan.

Mr. Madden advised that stormwater management is too great of a detail and has not been reviewed at this point. Mr. Madden noted that he understands what FOWWOS is recommending.

Mr. Muller advised that stormwater discussion is certainly essential at the SPRAB level.

Mr. Andrew Kulley, 6 Jill Drive, voiced his support of Ms. Miller's comments with regard to stormwater management and suggested that this be reviewed more thoroughly.

Mayor Hsueh advised that detention basin design should be part of a regional storm water facility versus an individual process. He noted that this would be reviewed in more detail at the SPRAB level.

Ms. Joan McGee, Representative of the Stony Brook-Millstone Watershed Association, supports what others have said and suggested that a policy or goal to maintain water onsite or near the site per State standards be added to the Redevelopment Plan.

Ms. Miller suggested making District 5 a regional facility for stormwater and place it as a goal within the Plan.

Ms. Kleinman inquired if the consultants can place wording in the plan for this.

Motion to add wording for environmental and district standards as follows: "the developers within the districts shall design an overall redevelopment area-wide stormwater design": Kleinman

Second: Geevers

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Motion to move the clock thirty minutes to 11:30 p.m.: Borek

Second: Anklowitz

VV: All approved

Mr. Walter Schmidlin, Sarnoff Corporation, reviewed the reasons for stormwater backups on Washington and Alexander Roads.

ENVIRONMENTAL COMMISSION

Mr. Muller went through the Environmental Commission's letter dated February 20, 2009. He advised that the Environmental Commission's objective is to have the Redevelopment project be environmentally sustainable. Mr. Muller noted that many of the topics should be addressed in the Master Plan and the

Circulation Plan versus placing them in the Redevelopment Plan. He reviewed the Environmental Commission's recommendations and advised what the Professionals agreed with and disagreed with.

Motion to extend the clock thirty minutes to midnight: Geevers
Second: Anklowitz
VV: All approved

Motion to approve the Environmental Commission changes as reviewed and recommended by Mr. Muller: Geevers
Second: Borek
RCV: aye Anklowitz
aye Borek
aye Geevers
aye Kleinman
aye Morgan

Ms. Alison Miller, 41 Windsor Drive, noted concerns with the language that could constrain the Parking Authority with regard to the Kiss and Ride area.

Mr. John Church, 11 Princeton Place, inquired as to where the school bus depot will be relocated.

Mayor Hsueh advised that once funding is in place this facility will move to West Windsor-Plainsboro High School, North.

Mr. David Siegel, 17 Berrien Avenue, voiced his opinion that the plan is not ready to be voted on this evening, especially in light of the fact that no financial analysis report has been done to date.

Ms. Alison Miller, 41 Windsor Drive, noted that future developers should supply the economic analysis at the time of application.

Mr. Herbert advised that this type of wording is currently under litigation.

Ms. Julia Rhodes, 31 Scott Avenue, spoke about the Berrien City Neighborhood Association's recommended changes to the Redevelopment Plan.

Mr. Muller reviewed and addressed whether the consultants agreed or disagreed with the Berrien City Neighborhood Association's recommendations for the record.

Motion to move the clock ten minutes to 12:10 a.m.: Anklowitz

Second: Kleinman

VV: All approved

Motion to adopt comments as reviewed by Mr. Muller and Mr.

Madden: Anklowitz

Second: Borek

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Motion to not exempt wind turbines within the height restrictions of the Redevelopment Plan: Anklowitz

Second: Kleinman

RCV: aye Anklowitz

aye Borek

aye Geevers

aye Kleinman

aye Morgan

Members of Council requested that the memorandums received from Mr. McGrath, Mr. Redmond and Mr. Baxter be added to the record.

President Morgan requested that Council members review the preface pages for changes and submit them to him prior to the next meeting.

Mr. Muller advised that the New Jersey Transit letter made some good points and staff feels that these suggestions should be added to the plan.

Mr. Herbert advised that New Jersey Transit's issues were addressed.

Motion to extend the clock five minutes to 12:15 a.m.: Borek
Second: Anklowitz
VV: All approved

FOR DISCUSSION

2009-04 AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) AN ORDINANCE ADOPTING THE PRINCETON JUNCTION REDEVELOPMENT PLAN AND AMENDING CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999), "LAND USE," WITH RESPECT THERETO

Motion to introduce Ordinance 2009-04: Kleinman
Second: Geevers
RCV: aye Anklowitz
 aye Borek
 aye Geevers
 aye Kleinman
 NAY Morgan

A special meeting will be scheduled to conduct the Public Hearing on March 23, 2009.

ADJOURNMENT

Motion to adjourn: Anklowitz
Second: Borek
VV: All approved

The meeting was adjourned at 12:11 a.m.

Sharon L. Young
Township Clerk
West Windsor Township

List of communications received and referenced in these minutes:

1. Report of the West Windsor Township Planning Board To West Windsor Township Council on the Princeton Junction Redevelopment Plan dated January 29, 2009.
2. Memo dated February 12, 2009 from Alison Miller to Township Council re. Two suggested amendments to the Redevelopment Plan.
3. Memo dated February 19, 2009 from Trustees of Friends of West Windsor Open Space (FOWWOS) to Township Council re. Township of West Windsor Redevelopment Plan for Princeton Junction.
4. Memo dated February 19, 2009 from West Windsor Parking Authority to Township Council re. Township of West Windsor Redevelopment Plan - Draft dated January 29, 2009 Including Revisions Proposed to Council in a Report of the Township Planning Board.
5. Memo dated February 20, 2009 from Gerald Muller to Township Council re. Redevelopment Plan - Additional Changes to Consider.
6. Mr. Kulley's changes to Mr. Muller's memo dated February 20, 2009 to Township Council.
7. Memo dated February 20, 2009 from West Windsor Township Environmental Commission to Township Council re. Environmental Commission Comments on the Redevelopment Plan for Princeton Junction.
8. Report of the West Windsor Bicycle and Pedestrian Alliance to West Windsor Township Council on the Princeton Junction Redevelopment Plan dated February 20, 2009.
9. Memo dated February 20, 2009 from Julia Rhodes, President, Berrien City Neighborhood Association to Township Council re. Suggested Amendments to the Redevelopment Plan
10. E-mail dated February 21, 2009 received from Robert Redmond to Township Council re. redevelopment-traffic.
11. E-mail dated February 22, 2009 from Mike Baxter to Clerk, Council, Mayor re. Recommendations and Questions Concerning the WW Redevelopment Plan.
12. Letter dated February 23, 2009 from Steven H. Santoro, Assistant Executive Director, Capital Planning & Programs, NJ TRANSIT to Mayor Hsueh re. Princeton Junction Redevelopment Plan.
13. Undated letter received February 23, 2009 from Rita Gunther McGrath to Township Council.