

APPROVED: May 4, 2009

WEST WINDSOR TOWNSHIP COUNCIL
SPECIAL REDEVELOPMENT BUSINESS SESSION
March 23, 2009

CALL TO ORDER: President Morgan called the meeting to order at 7:00 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 25, 2009.

ATTENDEES: President: Morgan; Vice President: Kleinman; Council: Borek, Geevers; Mayor: Hsueh; Business Administrator: Marion; Township Attorney: Herbert; Planning Board Attorney: Muller; Planning Board Planner: Madden; Chief Financial Officer: Louth; Township Clerk: Young

Ms. Young announced that per the West Windsor Township Code, Chapter 60 "Cable Television: Programming Policies and Procedures for Governmental Access Channel", Section 8 "Political programming", B. states that "Declared candidates, including their spouses and agents, who are persons who have publicly announced their intention to run for an office are precluded from advocating any cause, viewpoint, or opposed policy of a partisan nature on the channel 100 days before the election."

FLAG SALUTE

Ms. Young led the salute to the flag.

PUBLIC COMMENT

President Morgan announced that public comment on Ordinance 2009-04 should be held until the public hearing portion of this evening's meeting.

RECOMMENDATIONS FROM DEPARTMENT HEADS AND/OR DIVISION MANAGERS

ADMINISTRATION

2009-R068 Authorizing 2009 Emergency Appropriations

Mr. Marion gave a brief explanation of Resolution 2009-R068 and the necessity for approval.

Motion to approve: Borek

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

2009-R069 Authorizing the Transfer of Appropriations within the
2008 Municipal Budget

Mr. Marion gave a brief explanation of Resolution 2009-R069.

Motion to approve: Borek

Second: Geevers

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

OPENING COMMENTS BY COUNCIL PRESIDENT MORGAN

President Morgan gave a summary of the review process to date on Ordinance 2009-04 adopting the Princeton Junction Redevelopment Plan. He noted that if substantial additions/corrections are needed to the Redevelopment Plan then an additional public hearing would be necessary. President Morgan informed residents that they will have the customary three-minutes to speak regarding the Redevelopment Plan and that the professionals, the Mayor, and Council would hold comment until the end of the public comment period. He thanked Mr. Muller and Mr. Madden for all their work on the Redevelopment Plan.

PUBLIC HEARING

2009-04 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

President Morgan opened the public hearing on Ordinance 2009-04.

Mr. Madden noted this is the basis for the Township to move forward and work with other outside agencies to receive funding for this project. He noted that the goals and policies developed by the Township Council will be the measuring rods. Mr. Madden gave a brief overview of how the plan got to where it is today to include an outline of each district.

Mr. Madden advised that traffic congestion will not be "fixed" by the Redevelopment Plan due to roadway decisions made by previous Councils (i.e. not to widen Alexander Road through the Princeton Junction area and secondly that Route 571 can only be widened to three lanes in the Princeton Junction area). He reviewed the housing numbers under the current plan and advised that future housing within the redevelopment area will need to be monitored as time goes on. Mr. Madden advised that environmental issues should be reviewed at the site plan level of the plan.

Mr. Muller reviewed the affordable housing element of the proposed Redevelopment Plan. He spoke of the market units and affordable housing units within each district. Mr. Muller advised that each developer/redeveloper will have to sign an agreement outlining their intention which must then be approved by Council. He noted that because the train station is a regional facility, COAH (Council on Affordable Housing) could grant a waiver for some of New Jersey Transit's housing obligation.

Mr. Madden advised that there are still issues that are not resolved such as a second crossing over the Dinky tracks. He also noted that the number of parking spaces, design, and locations still need to be reviewed with New Jersey Transit and the West Windsor Parking Authority to include the core station

area. Mr. Madden advised that this is a general management plan and that the details will come as developers present their proposals.

Mr. Muller advised that under the as-of-right zoning the affordable housing obligation could be between 270 to 280 units.

Mr. Muller advised that a memorandum prepared by him dated March 12th and revised on March 17th with non-substantial recommendations from staff, needs to be approved by Council this evening. He noted that the New Jersey Transit letter dated February 23, 2009 has been reviewed by the professionals and added to the plan. Mr. Muller reviewed some additional language changes in addition to the amendments recommended by Ms. Geevers.

Mr. Herbert noted that changes implemented to the Redevelopment Plan after the adoption will occur through the developer agreement process. He also advised that the Parking Authority will need a detailed analysis to effectively resolve the parking issues.

Mr. Muller noted that he just received additional amendments from the Stony Brook Millstone Watershed Association dated March 23, 2009 and that he and Mr. Madden have not had time to review for comment. He did advise that the key concepts that Sarnoff Corporation supports are already addressed in the plan.

Mr. Herbert advised that the Stony Brook Millstone Watershed Association comments need to be reviewed by staff and the professionals and can be added at a future time.

Mr. Muller advised that the following text changes need to be made to Ordinance 2009-04 due to page and map changes: in Section 5 of the ordinance change the last sentence to read ".....200 attachment 13 through 23: Maps and Tables I and L through U".

President Morgan advised that the Vaughn Connector does not show pedestrian and bicycle paths through to Washington Road and that the wording "multi-use trails" needs to be corrected on several maps.

PUBLIC COMMENT

Mr. Nitin Shah, 57 Zaitz Farm Road, voiced his opinion that everyone was elected to represent all the residents of the township and not just a few.

Joseph D. Priory, Esq., Representing Far Sighted Investment, LLC owners of Block 6 Lot 78, 70 Washington Road, voiced concerns regarding the process and specific issues with the RP 5 designation of his client's property. He submitted a letter dated March 23, 2009 from his firm expressing his clients' concerns.

Ms. Ina Marx, 101 Claridge Court, stated how crucial a sense of place is for communities and noted her support of the Redevelopment Plan.

Mr. Al Lerner, 67 Rainflower Lane, urged support for the Redevelopment Plan. He noted that this will allow the Township to pursue Federal and State funding for improvements to the area.

Ms. Janet Lerner, 67 Rainflower Lane, voiced her support of the Redevelopment Plan and noted how glad she is to see that it is moving forward.

Mr. Kamal Khanna, 15 Millbrook Drive, commended everyone who worked on this plan. He voiced his support of the Redevelopment Plan. Mr. Khanna advised that with the approved Redevelopment Plan the Township will be able to receive State and Federal funding for the project.

Mr. Ed O'Mara, 28 Grande Blvd, voiced his support of the Redevelopment Plan and thanked the Planning Board, Council, and Professionals for the time they have spent on this plan. He noted that the train station adds to the housing values of residents of West Windsor.

William F. Harrison, Esq., Representing Sarnoff Corporation, commended the members of Council and Professionals for the work they have done to date. He noted his client is committed to working with the Township.

Mr. Ken Carlson, 8 Wilson Way, thanked Township Council for the opportunity to present the West Windsor Bicycle and Pedestrian Alliance's recommendations at the February 23, 2009 Special Meeting. He noted they have reviewed the plan and are happy to see that their concerns have been adopted in the plan. Mr. Carlson noted some additional language corrections.

Mr. Hemi Nae, 11 Wycombe Way, requested that the Council wait before voting on the Redevelopment Plan. He asked how a plan can be voted on without any analyses done and advised that State and Federal funding is not currently available. Mr. Nae noted there are many missing pieces that need to be completed before the plan can be voted on.

Ms. Meg Chicco, 6 Lancashire Drive, advised that this is not the final version of the Redevelopment Plan. She voiced her opposition to the plan and noted that voting on it tonight could have the Township facing problems in the future.

Ms. Lindsay Diehl-Lott, 3 Grovers Court, noted she is strongly in favor of the plan, which is a master plan for this area. She noted that she is disappointed that Mr. Morgan has stated in the newspapers that he is going to vote against the plan.

Mr. Debabrata Mitra, 4 Sherbrook Drive, voiced his concern about the increased traffic on Route 571 and that this should be reviewed more thoroughly. He asked whether there will need to be any acquisition of properties to implement the plan.

Mr. Mike Donnelly, 1 Benford Drive, voiced his support of the plan and noted that it will allow for additional parking and a town center for the Township that residents have requested. He noted that this plan should allow the Township to receive Federal and State funding to help pay for the plan.

Mr. Mike Baxter, 6 Landing Lane, voiced his opinion on the plan and the number of residential units, school children projected, and requested that notification to residents be made when changing the plan. He offered some additional language for the plan and asked the Mayor to address some of his concerns.

Mr. Dan Fabrizio, 8 Exeter Court, voiced his opposition to the Redevelopment Plan, and asked that this not be voted on. He advised that currently parking at the train station is easily accessible and non-expensive and that the Township needs additional parking not a redevelopment area.

Ms. Rimma Usab, 5 Newport Court, voiced her support of the plan before the Council today as a resident, business owner, and a parent. She noted that the Township needs to offer a downtown area if it is going to survive.

Mr. Bill Usab, 5 Newport Court, voiced his support of the plan and that it sets a direction for where the Township is going. He noted that future generations are going to need less expensive housing.

Mr. Joseph Burns, 15 Fieldston Road, noted he supports some type of redevelopment and that residents need a social area to meet. Mr. Burns voiced his concerns about the increase in traffic and how this will be addressed in the future.

Mr. David Hepler, 10 Dean Court, voiced his opposition to the Redevelopment Plan because it needs additional work before it moves forward. He moved to West Windsor for what it is now and asked why we would want to have a transit village. Mr. Hepler advised that additional time is needed before the plan should be accepted.

Ms. Kathy Stratton, 23 Berkshire Drive, noted her opposition to the plan as it stands currently. She requested that the Township wait before approving the plan. Ms. Stratton advised that she would like a downtown area, but the traffic issues should be addressed first. She suggested addressing some of the ambiguities before moving ahead.

Mr. Andy Bromberg, 24 Providence Drive, thanked everyone for the progress that the Township has made over the years to include the Alexander Road Bridge and the Triple AAA bond rating. He noted he is strongly in favor of the plan.

Mr. Guy Pierson, 241 Fisher Place, inquired about the shift of the Sarnoff Development closer to Route 1 as noted on page 65,

Policy 10 of the plan and requested clarification of this section. He urged Council not to vote on the plan this evening.

Mr. Farrell Delman, 102 Bear Brook Road, aligned himself with everyone who wants a sense of place and managed growth. He addressed several questions to the Council and Mayor.

Mr. Victor Fedorov, 68 Laurel Road, Princeton, voiced his opinion on the redevelopment process and how change should be made by the people not just a select few.

Ms. Nancy Kieling, 116 Fisher Place, thanked Council for their hard work and allowing additional public comment this evening. She reminded Council of the socioeconomic value this redevelopment area would bring to the Township. Ms. Kieling voiced her support of the plan.

Ms. Susan Abbey, 5 Scott Avenue, questioned one change to the plan that she does not see on the map on page 24 showing the pedestrian access through the Acme Woods to Borosko Place and not through EMR.

Ms. Rimma Jakobovic, 46 Saratoga Drive, voiced the need for parking for commuters such as parking garages and parking lots. She also noted that the town center should not be around the train station.

Mr. John Church, 11 Princeton Place, noted that District 1 is a cul-de-sac and the only access is from Washington Road. He advised that New Jersey Transit objected to a second crossing and the retail within the parking garages. Mr. Church noted his disappointment that a financial analysis has not been done to date in addition to other analyses. He requested that Council not vote on the plan this evening.

Mr. Kikkeri Srinivas, 42 Honeyflower Lane, advised he is a new resident to the Township and has attended several of the redevelopment meetings. He urged Council to vote on the project today.

Ms. Beth Feehan, 429 Clarksville Road, advised that she has not commented on the process due to her affiliation with the Farmers Market. She voiced her support of the plan in order to move forward.

Ms. Joan McGee, Stony Brook Millstone Watershed Association, noted that her organization sent additional comments and inquired if Council would review them and add to the Redevelopment Plan. She again voiced their support to preserve the Sarnoff Woods and the water quality of the Little Bear Brook and the Millstone River. She asked about the status of the road in District 10 that goes nowhere and inquired if the Township Council supports the D2A roadway approved by the New Jersey Department of Transportation. Ms. McGee again voiced her concern regarding stormwater being dispersed throughout the redevelopment area and to keep the Millstone and Little Bear Brook waterways clean.

Mayor Hsueh urged Council to support the Redevelopment Plan. He gave a brief overview of why the redevelopment area is needed and the true purpose of the Redevelopment Plan. Mayor Hsueh advised that funding from State and Federal agencies will be able to be applied for once the Township has an approved Redevelopment Plan.

James Britt, Esq., Representing GH Adventures, addressed a few questions on how the plan affects his client's site (Polychrome) on Alexander Road.

Mr. Bob Akens, 32 Windsor Drive, noted his concerns about the Township taking risks that are not necessary. Mr. Akens voiced his opinion on various parts of the plan that do not allow it to be a solid plan at this time.

Mr. Michael Perciali, 114 Washington Road, voiced his support of the plan and asked that it not be delayed any longer.

Mr. Chuck Chang, 47 Saratoga Drive, noted that when he ran during the last Municipal election he did not support the 1,000 housing units as RMJM Hillier recommended for the Redevelopment Plan.

Ms. Kathy Stratton, 23 Berkshire Drive, questioned whether the school projections were based on 2004 or 2009 figures.

Motion to take a five-minute break at 9:57 p.m.: Geevers

Second: Kleinman

VV: All approved

Meeting resumed at 10:02 p.m.

President Morgan noted that he is going to have Mr. Muller and Mr. Madden answer residents' questions as proposed, and requested that Council members acknowledge whether they agree or disagree with the proposed non-substantive changes as the process moves forward.

Mr. Muller addressed Mr. Priory's concerns for District 5 and noted his clients can continue their current use and that they would be compensated if a portion of their property was needed. He addressed Mr. Carlson's two issues: the promenade be centered and one-way, the plan says it should; the bicycle lane located between the curb and the parked cars along the street would be considered as well.

Ms. Kleinman advised that the bike and pedestrian standards should be placed within the plan as stated by the West Windsor Bicycle and Pedestrian Alliance. She noted that the Council voted on it to be a one-way street around the promenade.

President Morgan asked the Clerk's Office to confirm if the record of the February 23rd meeting reflects the proposed changes and if so then it will be incorporated within the plan.

Mr. Madden addressed the widening of Route 571 to three lanes. He noted that this roadway has been previously approved by the Township and the County. He noted on the subject of property acquisitions of land, the widening of the roadway falls within the right-of-way.

Mr. Muller advised that Mr. Baxter inquired about safeguards for housing to not reach 1,000 units. He noted the proposed plan is for 486 housing units.

President Morgan noted that he is concerned that housing is not controlled by the current language within the Redevelopment Plan.

Mr. Muller addressed President Morgan's question and advised that it is noted within the current plan.

Discussion ensued regarding the housing element and language within the plan and how defensible it will be.

Mr. Madden advised that Mr. Pierson's concern with the Sarnoff Development moving closer to Route One was in response to the Stony Brook Millstone Watershed Association's desire to preserve the Sarnoff Woods. He noted that within the policy there are several options that could be evaluated. Mr. Madden advised that this is in conflict with the General Development Plan (GDP) previously approved with Sarnoff. He also noted that Sarnoff's Attorney, Mr. Harrison, advised that Sarnoff is willing to work with the Township.

Ms. Kleinman suggested editing the wording in this section to reflect all the options to preserve the Sarnoff Woods.

Mr. Madden answered the question regarding the number of homes and the tax revenues that would be generated. He noted that once the plan is adopted there should be an economic analysis performed.

Ms. Geevers noted that the Financial Committee advised that financial analysis reports should be submitted at the Site Plan Review Advisory Board level.

President Morgan advised that the best time to have a fiscal analysis completed is when the project moves forward. He noted that "best case" and "worst case" scenarios should be done. President Morgan advised that some members of the Finance Committee felt very strongly that a financial analysis should have been done prior to acceptance of the plan.

Ms. Geevers advised that currently there are not enough funds left within the redevelopment budget to conduct a financial analysis.

Mr. Muller addressed the phasing of the plan and offered various scenarios. He advised that phasing can be addressed when the first technical changes to the plan are implemented. Mr. Muller advised that the path through the Acme Woods be revised and noted that this is not a substantive change. He addressed Mr. Church's comment regarding New Jersey Transit and reaffirmed that the current owners in District 5 would not lose their property for a detention basin.

Mr. Madden answered Ms. Joan McGee's question regarding Sarnoff Drive. He noted that the road design was adopted as part of the GDP in 2001 and the Township Circulation Plan in 2002. Mr. Madden explained that the issues regarding road design and its effect on the environmental constraints will be addressed when Sarnoff begins to move forward. He advised that disbursement of stormwater will be done in accordance with New Jersey Department of Environmental Protection guidelines.

Mr. Madden addressed the concerns with the Polychrome site on Alexander Road.

President Morgan advised that .28 assumption of school children was acceptable. He noted that Mr. Katz suggested using the Windsor Haven .28 as a base line. President Morgan noted that if phasing is used the Township can control the growth of the effect on the school population and noted that the numbers seem reliable.

Motion to move the clock one hour to midnight: Morgan
Second: Borek
VV: All approved.

Mr. Muller addressed the West Windsor Bicycle and Pedestrian Alliance with regard to Wallace Road on page 62, Policy 9: bike lane from Vaughn Drive to Washington Road should be there and it is not a substantial change; add bike lanes in the funding section and change the color to one of the maps for consistency; and Bike paths on page 24 should be changed to Multi-use paths.

Ms. Geever's questioned the second Dinky crossing and noted that New Jersey Transit has not formally said that they were not in

favor of the second crossing. She noted, however, that the Township would redesign the plan as needed if not approved.

President Morgan asked where the Mack-Cali and Polychrome affordable units will be located within the Redevelopment Plan.

Discussion ensued regarding affordable housing and how it affects the redevelopment area.

Motion to close the public hearing: Borek

Second: Kleinman

RCV: aye Borek

aye Geevers

aye Kleinman

aye Morgan

Mayor Hsueh voiced his support for approving the Redevelopment Plan, and that once approved he can start working with New Jersey Department of Transportation, New Jersey Transit, the Interagency Task Force, and property owners. He advised that he will work to retrieve back the Vaughn Drive funding taken away by the State.

Mr. Borek noted that it is not the perfect plan but it gives the Township a tool to approach New Jersey Department of Transportation and New Jersey Transit for funding for improvements. Mr. Borek advised that changes can continually be made to the plan as needed.

Ms. Geevers thanked everyone for their input over the years. She noted that changes were approved and added to the plan during the February 23rd meeting along with the recommendations approved by the Planning Board. Ms. Geevers advised that all items will be reviewed in detail and resolved at the SPRAB review level. She suggested that the developers pay for all analyses that are needed. She advised that this project will not be developer driven.

Ms. Kleinman advised that she has been working on this project for five years. She noted that she had to compromise on some of the items within the plan and spoke of the adjustments made to the plan over the past six months. Ms. Kleinman advised that

the Redevelopment Plan is a gem as a transportation project. Ms. Kleinman noted that this is the kind of project, with the full support of Council that the State will help fund. Ms. Kleinman commented that this is a key way of keeping the costs down for residents by receiving Federal and State funding. She advised that this is a Township driven project and not driven by developers.

President Morgan thanked the professionals, the Mayor for driving this process, and thanked Mr. Muller, Mr. Madden, and Mr. Davies for their tremendous work. He noted that Ms. Kleinman worked tirelessly on this project with him and thanked Ms. Geevers for engaging in the many hours of workshops. President Morgan thanked Mr. Borek and Mr. Anklowitz, as well as the many residents who have engaged in the process over the years. He advised that most residents want redevelopment and that it's the scale and scope of the project that is the issue.

President Morgan noted that he has supported redevelopment from the beginning until the introduction of the ordinance. He also noted that he does not believe in giving away the Township's bargaining power and getting nothing in return for it. He voiced his concern with the number of housing units that will be constructed at full buildout. President Morgan advised that the vast majority of residents he has spoken to are not in support of the current plan. He noted that passage of the plan will have the residents paying for improvements to roadways instead of the State or Federal governments.

Motion to adopt Ordinance 2009-04 to include the amendments per Mr. Muller's memorandum of March 12th and revised March 17, 2009, the Planning Board Report dated January 29, 2009, and the minor amendments approved tonight: Kleinman

Second: Geevers

RCV: aye Borek

aye Geevers

aye Kleinman

NAY Morgan

Mr. Marion advised that the previously scheduled budget meeting for this evening has been rescheduled to the March 30th Agenda Session meeting.

ADJOURNMENT

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

The meeting was adjourned at 11:53 p.m.

Sharon L. Young
Township Clerk
West Windsor Township

List of backup documents and documents distributed at meeting

1. Letter dated March 19, 2009 to Council President and Council, re. Redevelopment Plan for Princeton Junction from Jim Waltman, Executive Director, Stony Brook Millstone Watershed Association.
2. Letter dated March 18, 2009 to Mayor and Council, re. Sarnoff Corporation property within the Township of West Windsor Redevelopment Plan for Princeton Junction, from William F. Harrison, Genova, Burns & Vernoia.
3. Letter dated March 23, 2009 to the Mayor, re. Redevelopment Plan for Princeton Junction, 70 Washington Road, Block 6 Lot 48, from Joseph D. Priory, Attorney at Law. (Distributed at meeting)
4. Mayor's Statement in Support of the Redevelopment Plan - Mayor Shing-Fu Hsueh, dated March 23, 2009. (Distributed at meeting)
5. Memo from G. Muller dated March 12, 2009; revised March 17, 2009 to Council re. Redevelopment Plan - Plan Amendments for Council to Consider.