

West Windsor Township Planning Board

Minutes – Regular Meeting

February 21, 2018

The regular meeting of the Planning Board was called to order at 7:00 p.m. on Wednesday, February 21, 2018 by Chair O'Brien in Meeting Room A of the West Windsor Municipal Building.

ROLL CALL AND DECLARATION OF QUORUM

Present: Anis Baig
Linda Geevers
Curtis Hoberman (9:10)
Michael Huey
Michael Karp
Andrea Mandel
Gene O'Brien

CHAIRMAN'S COMMENTS AND CORRESPONDENCE

No comments were provided.

CONSENT AGENDA

Minutes: a) July 26, 2017 - deferred to the next meeting. b) January 3, 2018 - Motion was made by M. Karp and A. Mandel seconded the motion to approve the minutes of 1/3/18 as amended. The vote was 6-0 of those eligible to vote. Motion carried.

APPOINTMENT

Chair O'Brien announced that the Administrative Secretary Diane Hurlburt has retired. Barbara Watson has been selected as the Administrative Secretary. Sam Surtees, Land Development Manager, stated that Barbara is the Administrative Secretary for the Zoning Board, this appointment is an interim position. Motion was made by M. Huey and L. Geevers seconded the motion for this selection. The vote was 6-0 in favor. Motion carried.

CHAIRMAN'S COMMENTS AND CORRESPONDENCE

Chair O'Brien questioned if an additional meeting should be scheduled on March 14th to discuss the Reexamination Report. Mr. Surtees stated that this can be scheduled for March 7th. He questioned if this is enough time for an updated version 3 of the report, and suggested this be placed on the March 28th agenda to give the Planner and the Board members time to review. Chair O'Brien stated that March 28th is acceptable and he is hopeful that this will be the final version.

MASTER PLAN

Second Draft of the Master Plan Reexamination Report

pursuant to NJSA 40:55D-89

Chair O'Brien stated that comments on the second draft have been provided by L. Geever and Councilwoman Miller and those comments were shared with the planning consultant. M. Karp recommended tracking of all drafts for easy reference. Chair O'Brien noted the chart on page 32 about the school increase numbers should total 100%. Chair O'Brien stated that all observations from Councilwoman Miller will be incorporated into the reexamination report. L. Geever comments were then discussed. L. Geever stated that West Windsor branding should be on the cover sheet. Joseph Burgis, planning consultant for the board, stated that after many discussions about the Master Plan it has been determined that the Recreation Element and the Circulation Element require amendments. Mr. Burgis advised that the last Master Plan was prepared in 2001 and recommended at a minimum all elements should be updated. For the Land Use element, there are recommendations for certain properties that should be included. In particular the intensity of use for large parcels. Chair O'Brien stated that an Economy Element is being considered.

M. Karp questioned if the transit information noted on page 13 is the most up to date information. Two separate calculations involving transit information had taken place, one in 2009 and the second in 2017. He requested the planner quote the year that the information was obtained. Chair O'Brien stated that a source is needed for section 5.1 on page 61; Mr. Burgis stated that he is not sure of the source but the source will be cited once it becomes available.

Thomas Letizia, Esq., legal counsel for Princeton Lands stated that this is one of the largest parcels in the area to be accurate. M. Karp stated that the public was very negative and overwhelmingly against the project. Gerald Muller, Esq., legal counsel to the Board, stated that it is not appropriate to describe what occurred during concept review in the reexamination report. L. Geever stated that the Planning Board is reviewing the current zoning and considering possible options for the Hughes parcel under the existing zoning. Chair O'Brien stated that this plot of land is zoned for research and development and other uses had not been considered in previous master plans; the Planning Board can take a conservative viewpoint and make recommendations.

M. Huey suggested that the specific sites slated for age-restricted housing should be included on page 64. A. Mandel asked about an Economic Element, although the Township is hoping to increase the rates there is no reference about commercial development. Mr. Burgis stated that this will be incorporated in the full Master Plan.

L. Geever asked if a financial impact statement involving development is required. Mr. Burgis stated that this is not required for all development applications but this could be requested for a large project. Mr. Muller stated that the Township cannot rezone based on rates because that would be considered fiscal zoning and the courts say you cannot zone for fiscal reasons. The Planning Board would have to adopt an Economic Development plan which could involve fiscal zoning but there has to be independent justifications for the zoning. Chair O'Brien stated that a fiscal analysis would have to be in an ordinance.

Motion was made by L. Geever to request Council prepare an ordinance requiring a fiscal impact statement. Mr. Surtees stated that a cost estimate to prepare the draft ordinance is needed and this is not included in the money budgeted for Master Plan review. Chair O'Brien stated that the minutes will

reflect the sentiment that the Planning Board expressed that this should be done. He asked the Planning Consultant to review the existing ordinance and recommend the size of the project that would require a fiscal impact statement. Mr. Surtees stated that this could be a requirement in the checklist. Chair O'Brien suggested a work session before review by the Governing Body. Mr. Surtees suggested staff draft something up for the Planning Board to review before sending this to Council. Mr. Burgis stated that this is also the appropriate time to establish an economic goal, the Board should know how the 65:35 split previously quoted by Resident Marshall Lerner had been determined and if this percentage is appropriate. This detail is not needed for the reexamination report but this is needed. Mr. Burgis advised that regarding the school facilities, physical addresses of the schools and the dates that the school came before us with concept plans were requested.

The meeting was opened to the public.

Marshall Lerner, Saphire Drive, provided a copy of his remarks dated 1/17/18 to the Recording Secretary. He stated that the 65:35 ratable mix that he quoted was articulated by Mayor Hsueh and embraced by Mayor Marathe. There are a number of comments about economic development in the report but the calculation should be moved from 5.5 percent to 5.1 percent because this has an impact on the future of the community. Mr. Lerner advised that he will share all the information he has on this topic. In addition, on page 14 there are six minor building projects in the Princeton Junction area that have provided additional parking and are noted as significant but they are not significant. Chair O'Brien agreed that the word significant should be deleted. Regarding the Cranbury Road signal, Mr. Lerner stated that there was concern from the community but the Reexamination Report does not cover this and he noted some inaccuracies in the tables. He stated that he will provide the Chair with the specifics to accurately depict what is going on in town. Chair O'Brien asked that the information be provided to Mr. Surtees.

C. Hoberman arrived to the meeting (9:10 pm).

John Church, resident and Zoning Board member, stated he was glad there was a discussion about fiscal reports and he would like to see the Township adopt an ordinance about the size of the development that would require this report. He quoted Sect. 55B-45.2(j) pertaining to General Development Plans and this requests a fiscal report for the impacts faced by the school district and the municipality. The report does not dictate at what point of development a fiscal report would be required and this should be included in the document. Mr. Church asked the status of ownership for the Clarksville Road Bridge. Mr. Surtees stated that the tax office was conferred and the County owns the bridge. Mr. Muller stated that NJ Transit did not transfer the title for the bridges. Chair O'Brien stated that Mercer County took ownership of the bridge so it should be referred to as a County bridge.

Council liaison Manzari stated that the pro-housing development push that the Township has seen for the past 20 years is not the direction we are headed anymore; residents are not interested in continuing in this direction. She then stated that some of the numbers in the community survey data are not accurate so she did not recommend the ACS data be used. Chair O'Brien asked if this data is critical because there are some numbers that are suspect. Mr. Burgis stated that it provides a current snapshot of data taken from the 2010 census in addition to information from the State dated 2012 but this is not critical to the analysis.

Mr. Lerner stated that the character of the town suggests a more density populated area and he requested that the Board be mindful of the history of the town and include high density development. He stated that 7300 dwelling units in West Windsor are single family and the remaining are multi-family units. Mr. Novak recommended population changes in this document.

Council Liaison Manzari stated that she does not recommend inclusion of the ACS data but did recommend Township data. After review of other reexamination reports from other municipalities they did not have as many charts and commercial development was discouraged. She said that the West Windsor Schools Superintendent advised that there are no lands available for additional schools in West Windsor so Plainsboro lands are being reviewed. Pertaining to the Hughes tract, it was overwhelming the number of residents who were not in favor of the project and not in favor of changing the zoning to permit this. This fact should not be ignored. A balance of housing and commercial development should be included.

Mr. Burgis stated that this is a reexamination of the previous master plan and at the time of review for the new master plan, we can address the specific concerns that are being raised. Policy is to identify all residential developments proposed over the years as an indication of the approach to development, this detail provides a tremendous amount of information for the municipality. L. Geevers recommended eliminating the section detailing the concept plan discussion in the summer of 2017.

Chair O'Brien requested all members provide their edits or comments prior to the next scheduled meeting to discuss the Reexamination Report. Mr. Surtees stated that the tax assessor, Steve Benner, has information about businesses that have moved out of the area but he is unsure how quick this information can be provided. Chair O'Brien stated that there may be other sources that could be used to get this information and asked if there is a way to corroborate the information.

Being that there was no further business the meeting was adjourned at 10:00 p.m.

Respectfully submitted,



Kerry A. Philip
Recording Secretary