

# **West Windsor Township Planning Board**

## **Minutes – Regular Meeting**

**December 18, 2019**

The regular meeting of the Planning Board was called to order at 7:06 p.m. on Wednesday, December 18, 2019 by Chair 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 as required by law.

### **ROLL CALL AND DECLARATION OF QUORUM**

Present: Sue Appelget  
Linda Geevers  
Curtis Hoberman  
Michael Huey  
Michael Karp  
Andrea Mandel  
Hemant Marathe  
Gene O'Brien  
Simon Pankove  
Allen Schectel (Alt I)  
Anis Baig (Alt II)

### **CHAIRMAN'S COMMENTS AND CORRESPONDENCE**

Chair O'Brien stated that there was a public comment at the last meeting about Board action not being proper. He had asked the Board attorney to review the documents provided by that individual. A response from Messrs. Muller and Kevin McManimon, who was the attorney at the subject meeting, has been prepared.

Mr. Muller referenced the memorandum dated December 18, 2019. The redevelopment area had been delineated, and a study took place, so he concluded the resolution was valid. In addition, the Board felt that the egress for the gas station was unsafe; there is no 45 day requirement for minutes; and the property has common ownership; so all points presented to the Board are considered invalid.

### **PUBLIC PORTION**

The meeting was opened to the public. No comments were provided. Motion was made and seconded to close the public portion of the meeting. The vote was 9-0 in favor. Motion carried.

### **LIAISON REPORTS:**

#### Affordable Housing

A. Schectel stated that there was no meeting.

### Environmental Commission

A. Mandel stated that it has been a privilege to serve on the Planning Board, as representative of the Environmental Commission. She opined that the Planning Board is doing a good job and moving in the right direction. Ms. Mandel advised that a student is working on their website since the current version is very outdated. Ongoing work on educating the public about the use of plastics and plastic bags and encouraging using reusable bags is taking place; and volunteers for this program are being sought.

Chair O'Brien thanked Members Mandel and Schectel for their reports, he stated that we are looking for volunteers for each committee for 2020.

### RESOLUTION

- a) **PB19-18**  
**Nassau Park - Target Store**  
Minor Site Plan & Sign Waiver  
Block 7, Lot 78.03  
500 Nassau Park Boulevard

Counsel Muller reviewed the highlights of the proposed resolution. Motion was made by S. Pankove to approve the resolution for PB19-18, seconded by A. Mandel. The vote was 9-0 in favor. Motion carried.

For: Appelget, Baig, Geevers, Hoberman, Mandel, Marathe, Pankove, Schectel, O'Brien  
Against: No one  
Abstain: No one

### MASTER PLAN WORK SESSION

- a) Draft Land Use Element of Master Plan
- b) Relationship to Other Plans  
(continued from 12/11/19)

Chair O'Brien stated that he received a document undated from a resident that was forwarded to the Mayor and Council member relating to opportunities to improve pedestrian and bicycle circulation. Because this document pertains to the circulation element of the Master Plan, he recommended the traffic engineer get a copy for consideration when discussing the circulation element in the future. Mr. Surtees stated that the traffic consultant and the Zoning Board members received the document on November 13th.

Chair O'Brien stated that it is the goal of the Planning Board to make changes to our land use ordinances so uses that are presently non-conforming could become conforming, thereby precluding need for property owners to go to Zoning Board for improvements; there is also the goal to encourage new and expanded commercial development by which to improve ratio of commercial to residential ratables.

### Section 3.4 Redevelopment Land Use Categories

Mr. Novak stated that the land use categories have not changed since adoption of the Princeton Junction Redevelopment Plan; but the Land Use Element was not revised and adopted to incorporate those categories. He stated that provisions are needed relating to the Route 1 Penns Neck Redevelopment Area.

Chair O'Brien recommended that two personal services not included on page 92 need to be included in the draft document; they are medical & professional offices and personal services. M. Huey noted that some of the permitted uses in the RP-11 district are missing. Mr. Novak stated that there is not a long list of permitted uses. Medical offices and urgent care are not included and will be added. M. Huey recommended that some recreational uses can be considered as a permitted use including wine and paint stores or an artist center. Mr. Novak stated that there could be an indoor recreation classification that could include wine and paint stores. Mr. Surtees stated that he would agree with that classification.

C. Hoberman recommended the section on the RP-5 (page 88) district be revised. In addition, on page 89 the sentence pertaining to the mechanisms for the RP-7 district should be made clearer to describe the objectives of the district.

C. Hoberman recommended a more accurate geographical description of the lands in the RP-11 district noted on page 91.

The meeting was opened to the public pertaining to Section 3.4 - Land Use.

No one addressed the Board so the public portion was closed.

### Section 3.5 - Institutional / Public Land Use

Mr. Novak stated that this category is located in predominantly residential zones. Mr. Surtees stated that the ordinances will include solar installation as an accessory use. Chair O'Brien stated this can be accurately covered in Section 4.4. He also suggested that municipal lands should be depicted as MU.

Mr. Novak stated that a new district is being considered called the "Educational" district. The area is in the northerly corner of the community including all of the Princeton University lands. There would be two distinct categories, i.e. Educational 1 (E1) and Educational 2 (E2) districts.

The properties involving this new designation would be on Block 2; 3; 6; 7; 8; 9; 10; 11 and they would all be consolidated into one lot called lot 1.01.

The meeting was opened to the public.

Richard Goldman, Esq., legal counsel for Princeton University, stated that he attended the meeting in November and distributed a one page handout dated 11/13/19 with suggestions for two parcels owned by the University.

In Section 2.2 there are a series of goals and the development of the University lands was not included. This land has been zoned for education for decades and the Trustees felt it might be appropriate to develop the land, so a General Development Plan application was submitted, and review is anticipated in January. They felt that a policy should be included to encourage development of University campus facilities within the E-1 zone in order to foster and support educational, research, athletics, campus

housing and other uses customary to the operation of a major university.

The following revision was suggested with additional language in bold:

Educational (Section 3.5.2) - The E-1 land use category is located along Washington Road and Alexander Road and comprises of lands which are owned by Princeton University. It is the intent of this land use category and corresponding zoning district to encourage **development of a comprehensive educational campus which may include a combination of educational, research, collaboration, office and other customary uses and facilities of a modern educational / research university.**

A planned educational development is also established as a permitted use, which may consist of: public and private educational facilities; and residences exclusively for faculty, students, and staff of a higher learning educational facility, including their families, **as well as a collaboration of facilities to promote research and educational opportunities for the University and its faculty and students.** This is agreeable to the Board.

Mr. Goldman stated that collaboration is in part why this language reflects a modern world class university. H. Marathe asked if affordable housing is required from the University. Mr. Muller stated that a 25% set aside is in place for staff housing. Mr. Goldman stated that E1 and E2 districts are compatible and should be included in one category which would be the "E" category. Within the E zone they wish for a campus. The University considers themselves as world class, and they want to encourage development of an exciting campus. The current language for education and research and their associated uses should be expanded to include potential future uses for this land. Housing exclusively for faculty and staff is being considered with a 25% set aside. He stated that other exclusive housing should be clearly identified including graduate and undergraduate housing.

C. Hoberman asked Mr. Goldman about the lands near the Dinky Line and also Washington Road. Mr. Goldman responded that the University is considering solar for several properties including a new solar array field. The dredging project in Lake Carnegie is ongoing and the silt is being pumped and placed into large filter bags. The soil will be retained and can be reused later. He stated that they anticipate development of that land in approximately 50 years.

Chair O'Brien stated that any commercial operation that takes place on educational lands in the E-2 zone would be taxed.

#### Section 4

C. Hoberman recommended a description about "smart growth" so this is clear to the reader. A. Schetel recommended the definition of Smart Growth provided by the American Planning Association (APA).

The meeting was opened to the public.

Jerry Foster, 15 Suffolk Lane, stated that the single largest issue for gas emissions is transportation, and he referenced the 2009 sustainability element. Mini storage facilities are not included but he recommended these be included so the residents do not need to drive to a facility. Chair O'Brien stated that the Township should seek self-contained storage space within each residential development. Mr. Foster also recommended retrofitting and not just new development as a valid goal.

Miguel Vilaro, 216 North Post Road, stated he recommends using the term sustainability because this term involves more than just the environment. Mr. Novak stated a description could be included in Section 4.

Mr. Novak stated that the municipality must review State redevelopment, local development and County development plans. A red line version of the Land Use Element will be forwarded to the Board for the next review.

Mr. Surtees advised that the next meeting is scheduled for January 8, 2020 and February 19th is the anticipated date for adoption of the Land Use Element.

With no further business before the Board the meeting was adjourned by the Chair at 10:10 pm.

Respectfully submitted,

Kerry A. Philip  
Recording Secretary