

WEST WINDSOR TOWNSHIP PLANNING BOARD MEETING
REGULAR MEETING
February 7, 2024

The Regular meeting of the Planning Board was called to order at 6:32 pm by Chairman Karp in Meeting Room A in 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 January 30, 2024.

ROLL CALL AND DECLARATION OF QUORUM

Michael Karp, Chairman, Class IV
Curtis Hoberman, Vice-Chairman, Class IV
Hemant Marathe, Mayor, Class I
Martin Whitfield, Councilman, Class III
Anis Baig, Class IV
Allen Schectel, Class IV
Robert Loverro, Alt. #1

ABSENT: Jyotika Bahree, Class II
Sue Appelget, Class IV
Simon Pankove, Class IV
Pankaj Patel, Alt. #2

TOWNSHIP CONSULTANT STAFF PRESENT

Gerald Muller, Esq., Attorney, Muller & Baillie, P.C
David Novak, PP, Planner, Burgis & Associates
Quazi Masood, PE, PTOE, Traffic Engineer, Arora & Associates
Dan Dobromilsky, LLA, Township Landscape Architect
Frances Guzik, PE, Township Engineer
Sam Surtees, Land Use Manager and Zoning Officer

CHAIRMAN'S COMMENTS AND CORRESPONDENCE/PUBLIC COMMENTS

There was no correspondence. Chairman Karp opened the meeting for public comment on non-agenda and non-pending application items. There were no comments from the public.

ORDINANCE REFERRAL FROM TOWNSHIP COUNCIL

Ordinance 2024-03 – To amend the use, bulk & area requirements within the ROM-1 District (sections 200-209 & 210)
AN ORDINANCE TO AMEND AND SUPPLEMENT THE CODE OF THE TOWNSHIP OF WEST WINDSOR (1999) CHAPTER 200 OF THE CODE OF THE TOWNSHIP OF WEST WINDSOR ENTITLED LAND USE, PART IV ENTITLED ZONING, ARTICLE XXIX ENTITLED REGULATIONS FOR RESEARCH/OFFICE/MANUFACTURING, RESEARCH/OFFICE, AND RESEARCH AND DEVELOPMENT DISTRICTS, SECTION 200-209 ENTITLED ROM-1 INDUSTRIAL DISTRICT (RESEARCH, OFFICE, LIMITED MANUFACTURING) USE REGULATIONS AND SECTION 200-210 ENTITLED DISTRICT BULK AND AREA REGULATIONS

Planner Novak and Mr. Surtees explained what the proposed amendments to Ordinance 2024-03 were. Planner Novak explained that the Affordable Housing Component of the District was the biggest change. There were also other minor updates.

Chairman Karp opened the hearing to the public. There were no comments from the public. Mr. Pankove made a motion to close the meeting for public comment; seconded by Mr. Schectel. Passed by voice vote.

Mr. Schectel made a motion that Township Ordinance 2024-03, as submitted to the Planning Board, is in compliance with the Master Plan supporting the objectives of the Land Use Law and recommends adoption by the Township Council; seconded by Mr. Baig.

Roll Call:

Aye: Loverro, Schectel, Baig, Whitfield, Marathe, Hoberman, Karp

Nay: None

Abstain: None

Absent: Patel, Pankove, Bahree, Appelget

Not Voting: None

APPLICATION:

PB22-02

ER/UDC West Windsor LLC

Preliminary/Final Major Site Plan & Subdivision w/Sign Waivers -- Phase 1

Preliminary Major Site Plan – Phase 2

332-340 Princeton-Hightstown Road

Block 47; Lots 2, 3, 4, 5, & 6

Property Zoned: B-2A District

MLUL: 12/31/23

(CONTINUED FROM 12/13/23)

The development consists of two uses, each on a separate lot; a 5,869 sf Quick-Chek convenience store with patron seating, eight fuel service pumps, and a proposed 4,541 sf restaurant with drive-thru service. The property is located at the corner of Princeton-Hightstown and Southfield Road and McGetrick Lane. The property is +/- 3,904 acres and zoned B-2A. The proposed buildings will be in a comparable design to the adjoining CVS center across Southfield Road from the property. There are variances requested for signage and loading space and design exceptions for parking, access design and related relief.

Chairman Karp announced that Councilman Whitfield and Mr. Baig watched and listened to the December 13, 2023 hearing, so they may vote on this application.

Henry Kent-Smith, Esq. with Fox Rothschild announced that the hearing is being continued from December 13, 2023 where the testimonies of operations, site plan engineering and architectural and were presented. As a result of the numerous comments received, a resubmission of the site plan application was submitted on January 17, 2024.

The following were present to testify on behalf of the applicant.

Steve Hutchinson, Real Estate Manager with Quick-Chek

Matthew Kunsman, Engineer with Bohler Engineering

Oliver Young, Architect, gk+a Architects

John McDonough, Project Planner

Gary Dean, Traffic Engineer, Dolan & Dean

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Matthew Kunsman, Engineer and Oliver Young, Architect presented the revised plans to the Board. Lighting, noise, building façade, and signage were discussed.

Gary Dean, Traffic Engineer and John McDonough, Planner were both sworn-in by Attorney Muller. They each made a presentation. Mr. McDonough discussed variance and waiver relief.

The Township's Planning Board Professionals were sworn-in by Attorney Muller. Reports were submitted and discussed as follows:

David Novak, PP, Planner, Burgis Associates, report dated January 31, 2024

Dan Dobromilsky, LLA, Township Landscape Architect, reports dated November 29, 2023 and January 31, 2024

Quazi Masood, PE, Traffic Engineer, Arora and Associates, report dated January 23, 2024

Francis Guzik, PE, Township Engineer, report dated November 30, 2023 and January 31, 2024

Tim Lynch, Chief, Emergency Services, report dated November 18, 2023 (Chairman Karp read into record)

Chairman Karp opened up the meeting to the public.

Kevin Moore, Esq. with Stevens and Lee, Objector: Attorney Moore asked Engineer Kunsman questions in regard to the Stormwater Management report. Mr. Moore felt that Mr. Kunsman's calculations were not accurate relating to stormwater management. After much discussion, Mr. Kunsman agreed that he would redo/review his calculations taking into account Mr. Moore's points. Mr. Kunsman stated as a condition of approval, the Stormwater Management report will be revised. Engineer Guzik said the construction of the basins could be deepened/changed without revising the site plan. He asked Planner McDonough questions regarding the exceptions and relief the applicant was seeking. Attorney Moore argued that the Board is considering the granting of a large amount of design waivers.

There were no further comments from the public. Mr. Baig made a motion to close the meeting for public comment; seconded by Mr. Schectel. Passed by voice vote.

Mr. Baig made a motion to approve application PB22-02 for preliminary and final subdivision, preliminary and final on the QuickChek, and preliminary only on the restaurant, with all the conditions and design waivers as discussed and cited by Attorney Muller; seconded by Mr. Schectel.

Roll Call:

Aye: Loverro, Schectel, Baig, Whitfield, Marathe, Hoberman, Karp

Nay: None

Abstain: None

Absent: Patel, Pankove, Bahree, Appelget

Not Voting: None

ADJOURNMENT

The next meeting is scheduled for March 6, 2024.

With no further business, Chairman Karp adjourned the meeting at approximately 9:22 pm to enter into Closed Session.

Respectfully submitted,
Cynthia Dziura, RMC/CMR, Recording Secretary