

WEST WINDSOR TOWNSHIP PLANNING BOARD MEETING
REGULAR MEETING
March 6, 2024

The Regular meeting of the Planning Board was called to order at 6:30 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 February 23, 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
Jyotika Bahree, Class II
Allen Schectel, Class IV
Robert Loverro, Alt. #1
Pankaj Patel, Alt. #2

ABSENT: Sue Appelget, Class IV
Anis Baig, Class IV
Simon Pankove, Class IV

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

CONSULTANT STAFF APPOINTMENT

Chairman Karp announced that a Notice of Contract was awarded to Burgis & Associates for Planning Board Landscape Architect with Edward Snieckus being the main contact. Approved by voice vote.

PUBLIC COMMENTS

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

MINUTES:

December 20, 2023
Mr. Hoberman made a motion to approve the December 20, 2023 minutes; seconded by Mayor Marathe. Approved by voice vote. Abstention(s) by: Patel, Loverro, Schectel, Bahree, Whitfield

January 17, 2024

Mr. Hoberman made a motion to approve the January 17, 2024 minutes, with amendment cited by Attorney Muller; seconded by Mayor Marathe. Approved by voice vote. Abstention(s) by: Schectel, Bahree

February 7, 2024

Vice-Chairman Hoberman made a motion to approve the February 7, 2024 minutes, with amendment cited by Chairman Karp; seconded by Mr. Schectel. Approved by voice vote. Abstention(s) by: Patel, Bahree

February 7, 2024 Closed Session

Mr. Schectel made a motion to approve the February 7, 2024 Closed Session minutes, with amendment cited by Attorney Muller; seconded by Mayor Marathe. Approved by voice vote. Abstention(s) by: Patel, Bahree

The minutes will be amended by the Recording Secretary and the final version will be forwarded to the Administrative Secretary.

APPLICATION:

PB23-07

Chick-Fil-A

Preliminary/Final Major Site Plan w/Sign Waivers

3499 US Route 1

Block 7; Lots 59.02

Property Zoned: B-2 District

MLUL: 3/31/24

The subject property was originally approved as a Clarion Hotel. The property was granted approval for a 5,585 SF Wawa with fuel sales (Lot 59.01) and a 4-story hotel (Lot 59.02) in November 2021. The proposed development will replace the previously approval hotel (Lot 59.02) to construct a 5,226 SF Chick-fil-A quick service restaurant with 74 interior seats (20 exterior), 73 parking spaces, dual drive-thru lanes, meal order/delivery canopies, sidewalks, landscaping, utilities, and lighting. The proposed Chick-fil-A with drive-thru is a permitted use within the B-2 Neighborhood zoning district.

Attorney Muller announced that publication and service are in order and the Board has jurisdiction to hear the application.

Duncan Prime of Prime and Tuvel, representing the applicant, gave an overview and background of the project. He explained how the change from a previously approved Wawa and hotel a proposed Chick-Fil-A changed the jurisdiction from the Zoning Board to the Planning Board.

The following were present to testify on behalf of the applicant. The Professionals were sworn-in by Attorney Muller and the professionals were qualified as expert witnesses.

John Martinez, Development Manager with Chick-Fil-A

Vincent Kelly, PE, Engineer, Colliers Engineer & Design

Patrick Downey, PE, Traffic Engineer, Dynamic Traffic

Daniel Bloch, Planner, Colliers Engineering & Design

Mr. Martinez explained that his role is to assist in developing the site. He gave a general description of the building, site, and how the business functions daily. Other locations as comparisons were discussed.

Mr. Kelly gave a detailed description of the site plan with the presented exhibits. Circulation was discussed and Mr. Kelly said the Township Fire Marshall is satisfied. Landscaping, lighting, and signage were also discussed. The Planning Board members asked several questions. He said they are also proposing an LED digital community message board monument sign to be installed.

Mr. Downey discussed site access, traffic study, the drive-thru configuration and stacking, parking, deliveries, and NJ D.O.T. input. As a result of discussion, relocation of the transformer hotbox will be explored, the banked parking spaces will be switched, and additional striping will be installed.

Mr. Bloch stated this is a permitted use and there are no variances being requested. He reviewed the design waivers/exceptions being requested.

It was stated that, today, the Architect changed the size of the building to 5332 sq feet. There was additional discussion on the flag and flagpole.

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 February 28, 2024 and February 29, 2024
- Quazi Masood, PE, Traffic Engineer, Arora and Associates, report dated February 27, 2024
- Dan Dobromilsky, LLA, Township Landscape Architect, report dated February 28, 2024
- Francis Guzik, PE, Township Engineer, report dated February 28, 2024
- Tim Lynch, Chief, Emergency Services, report dated January 25, 2024 (Chairman Karp read into record)

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

Ms. Bahree made a motion to approve application PB23-07 with conditions, waivers, comments, changes as discussed and exploratory items to be looked into, and items cited by Attorney Muller; seconded by Mr. Loverro.

Roll Call:

Aye: Patel, Loverro, Schectel, Bahree, Whitfield, Marathe, Hoberman, Karp

Nay: None

Abstain: None

Absent: Pankove, Baig, Appelget

Not Voting: None

ADJOURNMENT

The next meeting is tentatively scheduled for April 3, 2024.

With no further business, Chairman Karp adjourned the meeting at approximately 9:30 pm.

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