

WEST WINDSOR TOWNSHIP PLANNING BOARD
REGULAR MEETING
October 3, 2018

The regular meeting of the Planning Board was called to order at 7:07 pm on Wednesday, October 3, 2018 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: Linda Geevers
Curtis Hoberman
Andrea Mandel
Simon Pankove
Anis Baig-Alt 2
Michael Karp
Gene O'Brien

Chair O'Brien requested that in the future the liaison reports be scheduled on the agenda after the committees meet.

Chair O'Brien acknowledged a memo prepared by 22 homeowners of the Glen Acres community concerning the proposal by Princeton University to begin development. The memo was read by Mr. Bob Duncan of 6 Glenview Drive and outlined five major concerns: Traffic, Noise pollution, Light pollution, Appearance and Storm-water runoff.

Councilwoman Geevers suggested a copy of the memo be sent to the Chief of Police to make them aware of the traffic concerns.

Representative from Princeton University, Richard Goldman, addressed the homeowners of Glen Acres and advised them that today's applications are just subdivision applications and no development is proposed. The focus of the university in terms of development in their 20-year plan is within the lands bounded by Washington Road and Harrison Street, away from Glen Acres. It will be quite a long time before the university develops on the Alexander Road land. The plans far exceed state requirements for the issues raised in the memo.

APPLICATIONS:

Application PB18-02

Chair O'Brien said that the deadline date to hear the application was extended from August 1, 2018 to November 1, 2018.

Christopher DeGreza, attorney on behalf of the Trustees of Princeton University said that the Campus plan presents a framework for development and expansion of the university over the next 10-30 years and beyond. The West Windsor property known as the Lake Campus is an important part of the future.

The campus plan was the first major step and next will be the general development plan, which the university hopes to bring before the board in early 2019. After the board approves the general development plan, the next step would be the actual site plan application.

In the meantime, the university is looking at the West Windsor lots, and creating a subdivision on each of three lots that will create a regulatory boundary. The purpose of regulatory zones is to understand where they begin and end and to streamline the process as we move forward. This was done on the Princeton side, and it was helpful in the planning and development process.

In response to Chair O'Brien's request for an explanation of regulatory zones, Mr. DeGreza said that the Delaware & Raritan Canal Commission has different DRCC zones and regulations that apply depending on how far away you are from the canal.

Ms. Mandel asked, if a property is within a certain distance from the canal, will it be in a stricter area for environmental regulations. By breaking up the property with these subdivisions, will you put a piece of that property outside of the stricter environmental zone?

Mr. DeGreza explained that the Canal Commission has different zones and in these different zones measurements vary. For example, Zone A might have a required measurement of 1000 feet from the centerline of the canal. In that zone, there are particular restrictions and those restrictions will not apply outside of the zone.

In a typical type of development, lot lines are more important because they usually designate lines between properties that do not have common ownership. The development scheme in West Windsor, where you have planned educational developments, lot lines are insignificant but they designate the regulatory zones.

Mr. Ron McCoy, University Architect and Mr. Thomas O'Shea, University Civil Engineer, were sworn in.

Mr. McCoy stated that the university bought the land in 1922 that is to be part of the 2026 campus plan. The Campus plan identifies four major priorities, the first three having to do with residential and academic needs on the existing Princeton campus and the fourth identifies a 10 to 30-year plan to develop the Lake Campus. The objective is to create a vibrant university community with venues and programs that appeal to a broader community. Other speculated uses are an athletic facility, space for entrepreneur and ecosystem programs, which currently occupy the space adjacent to the university. We are working with another planning and landscape architectural firm to develop these plans and hope to present a refined vision for the Lake Campus in early 2019.

Councilwoman Geever asked if the use will still be for educational and if it will be just for the university and not sold off to other commercial entities.

Mr. McCoy said that it will remain an educational zone and that any retail will support the university.

Mr. Burgis said that this 109.079 acres between Washington Road and the transit dinky line will be divided into two lots, one being 71 acres and the other 37.9 acres. They are fully conforming in terms of zone requirements and they fall in the education district. There is currently a solar array and maintenance yard on this tract.

Mr. O'Shea said that there are three applications for three parcels of land. Exhibit A-1 for orientation purposes, shows Route One at the bottom of the plan, Harrison Street is on the right side, Washington Street is in the middle and Alexander Road is on the left side.

Exhibit A-2 shows the parcel is bounded by Route 1 to the east, Washington Road to the north, the D&R Canal to the west of the site, along with the dinky track to the south. The current parcel is one lot that is 109.079 acres in size. The subdivision line cuts through the solar field and is located 1,010 feet from the centerline of the canal. This provides regulatory clarity of where to view Zone A and B from the canal.

The total parcel of University property in West Windsor is regulated by the township and the D&R Canal Commission. There are no plans for development at this time on this site, just plans to create a subdivision for three current lots into six.

This application shows the subdivision regulatory line going through the solar field, which, if and when the time comes to develop the solar field will be removed and will not be an issue for development.

Memos from town staff identify certain required waivers. One is a waiver from having to survey all trees five inches in diameter and greater and the other from having to prepare a concept landscape plan again with the application. There is no need for these since there is no plan for development on this lot.

As for the new lot lines going through, there is no concern about setbacks because it is common ownership. Setbacks along the perimeter of the lot will be provided and will follow the town's planned educational development zone ordinance.

The University agrees with Item 1.05 in Mr. Guzik's memo and have some cleanup work to do as far as the zoning table. With this application we have no dedication along Washington Road but we do have county planning board approval for this subdivision since it is a county road.

One of the requests for the application was a future master plan circulation element regarding Millstone bypass, the commuter rail and the bikeway. The applicant takes no objection to any of the requirements in the planner's and engineer's reports and will perfect the subdivision by deed and provide electronic and hard copies.

One element is in regard to NJDOT and dedication along Route One. We asked for a Letter of No Interest from NJDOT. There is no objection to providing dedication along Route One but it is not the right time because no development is planned and NJDOT is in a three-year planning process for the improvements. However, we will work with NJDOT regarding future dedications.

Chair O'Brien asked for clarification of a Letter of No Interest. In response, Mr. O'Shea said that a letter was written to NJDOT asking for such an order to not provide any dedication of land to NJDOT at this time, since there is no development and NJDOT is going through a planning exercise.

Mr. Baig asked about the plan for the area that is 1,010 feet from the centerline of the canal. Mr. O'Shea said that development is permitted on either side of the line. They are showing the line to provide regulatory clarity as to what you can do at this location. Some restrictions such as height are more severe on the canal side. If the height is greater than 40 feet special approval is required.

Mr. Goldman added that there are two agencies that control standards. The E-Zone in West Windsor has its bulk standards and the DRCC has its bulk standards not reflected in West Windsor zoning. By creating lot lines, it becomes clear as to what restriction apply on each side of the line.

Mr. Baig asked if the DRCC only controls to the line; and the response was that in terms of bulk standards that is correct. They do have a right to look at some elements of design in Zone B, which is beyond the 1010 feet but do not have control.

Ms. Mandel asked, when the land is divided into two parcels will there be maximum FAR and impervious coverage for each individual lot. It was explained that FAR goes by total acreage and not by parcel. The university land will be developed into a planned educational development, which looks at the tract area and not each individual lot area. All will be planned in compliance with the ordinances. The subdivision line does not change the total amount of FAR.

Ms. Mandel asked if they are going to look at these lots, whether one or two lots, as an aggregate of the entire area.

Mr. Goldman said that there are three applications and each one represents one large parcel divided into two lots. There were more lots previously that were consolidated by deed to create clear demarcation lines.

Mr. Hoberman wanted to know with the DRCC having its own design standards and West Windsor having their own, which would prevail if there is a conflict. He was told that both standards have to be met.

Councilwoman Geevers asked about conditions of approvals and was told that typically approvals are subject to the applicant obtaining all necessary outside property approvals.

Mr. Hoberman said that with the dividing line of the two properties, it seems that 40 feet on each side of the line has a side yard setback.

Mr. Burgis said that in a planned educational development the lots are all put together and lot lines are not viewed in terms of setbacks. Therefore, you can have buildings on both sides.

Mr. Novak, Township Planner and Mr. Guzik, Township Engineer were sworn in to review their memos dated July 24, 2018.

Mr. Novak said most of his concerns were addressed. He had a question about common ownership and, since there is no intention to sell individual properties, is there any need for cross access easements for these two properties. He was told there is not a need.

Mr. Guzik has no objection to the waivers being requested.

He advised Mr. O'Shea that after checking with NJDOT Engineer, John Campi, the correct name for Route One is US Route One.

In response to Counsel Muller asking if any conditions should be set if the Letter of No Interest is not received from NJDOT, Mr. Guzik said that dedication is under NJDOT jurisdiction and up to them whether this is a part of the approval.

Mr. Goldman said that they will comply with whatever NJDOT requires.

Mr. Albuero Pelaez of 548 Alexander Road in Princeton was sworn in for public comment. He wanted to know the start date for the 30-year plan and also asked who maintains the oak trees in front of his house.

He was told to reach out to Mr. Dobromilsky, Township Landscape Architect, with concerns about the trees. He was also advised that the start date for both the 10 and 30-year plan was 2016.

Mr. Pankove made a motion to close the public hearing and was seconded by Councilwoman Geevers. Voice vote and motion approved.

Motion made by Mr. Hoberman to approve application PB18-02 subject to conditions and waivers. Mr. Karp seconded the motion. Roll call; motion unanimously approved.

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Application PB18-03

Christopher DeGrezia, attorney on behalf of Trustees of Princeton University said that Block 3 Lot 1.01 extends from Harrison Street on the north to Washington Road on the south and from Route One on the east, to the D&R Canal on the west. The property was 12 lots that were consolidated to create a 207 acre property that will be subdivided into two lots, one roughly 134 acres and the other 72.9 acres.

Key element is to have a pedestrian bridge to the other side of campus in Princeton. Most of this land falls in the E-Zone except two lots that overlap into R2 zone. The property is mostly made up of athletic fields. At this point it is still unknown as to where new improvements and the bridge will be located.

Item 1.08 in Mr. Guzik's report asked about preserving the Greenbelt. Princeton University is asking to put this off until the site plan approval, since plans are not ready and they don't know where the improvements will be. Mr. Goldman added that the shape of the Greenbelt depends on where the pedestrian bridge is located.

Thomas O'Shea was sworn in and talked about the orientation of the land in this application (Exhibit A2). The subdivision line is 1,010 feet from centerline of the canal. Proposed Lot 1.011 toward Route One is 134.123 acres and Lot 1.012 located on the canal is 72.931 acres.

Waivers being requested and outlined in Mr. Guzik's memo include a waiver for the drawing scale to be 1 inch=200 feet instead of the required 1 inch=100 feet. The next two waivers of locating trees greater than five inches in diameter and providing the concept landscape plan are being requested, because there is no development.

In Item 1.02, they are asking for temporary waiver for the metes and bounds description for the wetlands. Currently have a LOI and will provide copies to the township.

In Item 1.03, they are asking for design waiver that is the function of how the line is positioned relative to the D&R Canal. Where the property comes into Harrison Street and Washington Road, you would come in as near as a right angle as possible. Asking for waiver because the plan follows a set distance. From a zoning prospective, there is no issue because when you take the aggregate under a planned educational development, the lot line does not provide any setbacks.

This lot line goes through the lightning shelter located on the field. As the property is developed, the lightning shelter will be viewed as a temporary structure.

Washington Road and Harrison Street are county roads and require Mercer County Planning Board approval. The right of way width of Washington Road is 150 feet toward Alexander Road and 50 feet toward Harrison Street. Dedication was done a long time ago on the Alexander Road side of Washington Road but not on the Harrison Street side. Dedication of 27 ½ feet has to be provided to give proper right of way dedication. That shows on the minor subdivision.

On Harrison Street the county requested that a 39-foot half width from centerline of the road be dedicated and this is a condition of approval.

There are two locations on the property where R2 zone exists. One is a residential house occupied by university staff. Also, there were a series of houses located along Harrison Street on the west side that were demolished. Zoning table will be provided as requested by professional staff.

Technical comments in Item 1.10 of Mr. Guzik's memo will be addressed in regard to legibility relative to topography, correct the name of US Route One, certified property owner list, dedications, scale and subtract dedication from lot area.

With the development project, the riparian zone information required by the zoning ordinance will be provided and the master plan circulation element relative to the Millstone bypass, bikeway and trails and historical sites on the property will be addressed. Subdivision will be perfected by deed and electronic and hard copies will be provided.

In response to Mr. Novak's request for clarification on some of the easements on the property, particularly the DRCC stream corridor, we will show the easement for the Sun Oil pipeline that runs along the canal and the Stony Brook Regional trunk sewer line that runs along the canal from Alexander Road to Harrison Street.

Mr. Guzik and Mr. Novak were sworn in.

Mr. Guzik asked about Item 1.06, the cemetery property and was told that based on the title work it is owned by Princeton University and has been maintained by the university for 30 years. It is not part of the current application and is being kept as a separate lot with no intention of merging it. Properties around the cemetery were previously consolidated. They are looking at a minor subdivision but the operation and access to the property will not change. This will show in the general development plan.

Mr. Hoberman asked if the property is subject to two setbacks since it is separate from the property around it and Mr. Surtees said that the cemetery is non-conforming use within the Education zone.

Ms. Mandel asked about the certified list of owners within 200 feet and was told everyone on the list was notified.

Mr. Novak asked about the consolidation of the lots and was told the consolidation occurred on May 10, 2018 and there is a lag time between the consolidation and update of the website.

Mr. Novak asked if there are any short or long - term plans for a zoning change to the R2 district. Mr. Goldman responded that the two residential corners at the subdivision line do not affect them but it makes sense to include them in the E-Zone as part of the larger lot. So more than likely this change will occur in the future.

Mr. Novak was advised that no additional cross-access easements are required for Tiger Lane or Nursery Drive.

The garage mentioned in Item J of Mr. Novak's memo is part of staff housing. There is no guardhouse.

As for the Greenbelt dedication on the future development application, when the zoning table is updated, the Education zone requirements will be used.

In response to a question from Counsel Muller, Mr Guzik said that the sewer trunk and the Sun Oil pipeline that runs within an easement along the canal are existing easements.

Mr. Guzik asked about the cemetery property and Baptist church claiming ownership. Mr. DeGrezia said that the cemetery is not part of the lots, meaning no impact on this application. He said that Princeton University always provided access and the subdivision line does not go anywhere near it.

Counsel Muller suggests getting some information on the ownership of the cemetery property.

Mr. Pankove expressed concern about saving the elms and forsythia on the Washington Road property. The total width of the right of way is 100 feet. On the Alexander Road side, it is already 50 feet. On the other side it is 22 ½

feet to bring it to 100 feet total, 27 ½ feet still has to be dedicated on the Harrison Street side. This is a condition of county approval so Princeton University has no say in the matter.

Mr. Pankove also asked if the cemetery lot includes access to Washington Road and was advised that there is not a formal easement but access has always been through the property from Washington Road and a pathway system will be defined on the site plan.

Ms. Mandel suggested that something be added to say that the Greenbelt will be included as part of the plan.

Mr. Guzik felt that there was no risk in deferring this since a site plan approval is not being granted at this time. The Greenbelt will be included on the site plan.

They were no public comments. Mr. Pankove moved and Ms. Geevers seconded to close the public hearing. Motion was approved.

Mr. Karp made a motion to approve application PB18-03 into two new lots subject to waiver approval and conditions. Motion seconded by Councilwoman Geevers. Roll call, motion unanimously approved.

Application PB18-04

Attorney Christopher DeGrezia said this is a minor subdivision application to subdivide Block 4, Lot 3.01. The lot extends from Alexander Road on the south to NJ Transit Line on the north and from the D&R Canal on the west to Route One on the east. It is 56.710 acres and the proposed lots will be 40.827 and 15.844 acres. The entire property falls within the Educational district. There are a number of big easements, such as a 50-foot sanitary sewer easement and a one two-story dwelling that is part of the university.

Mr. O'Shea was sworn in and went over the orientation of the 56.710 acres of land in Exhibit A2. The canal is at the top, Route One on the bottom, the Dinky track on the right and Alexander Road to the left. There will be a right of way dedication on Alexander Road to the township. It has half width of 35 feet. No development is proposed.

Mr. O'Shea responded to items in Mr. Guzik's report.

- **Item 1.01**, since there is no development, waivers are requested for locating existing trees five inches in diameter and greater and for the concept landscape plan.
- **Item 1.02** is requesting a temporary waiver for wetland Letter of Interpretation.
- **Item 1.03**, is requesting a design waiver for new lot lines being perpendicular to the road. The same condition exists running parallel to the canal where it meets Alexander Road. It is not a radial or a right angle.
- **Item 1.04**, the plans do not show the flood hazard line, DRCC line or Greenbelt line; but they will be shown on the subdivision.
- **Item 1.05**, the right of way dedication to the township is a half width right of way dedication on Alexander Road for 35 feet. Princeton University is asking for a Letter of No Interest from NJDOT for any dedication along Route One at this time.
- **Item 1.06**, the sanitary sewer manhole adjacent to Alexander Road needs to be shown on the survey to ensure that the actual improvements are within the easement (D&R Canal sewer interceptor easement).
- **Item 1.07**, they will show all zoning relative to the E-zone for the property and will update to reflect all information after dedication of land along Alexander road.
- **Item 1.08**, Route One will be corrected to US Route One.
- **Item 1.09**, future applications will show riparian zone and steep slope and circulation & bicycle/pedestrian routes, greenbelts, and housing sites as shown on the township Master Plan

- **Item 1.10**, this subdivision will be perfected by deed.
- **Item 1.11**, hard and electronic copies will be provided to the township.
- **Item 1.12**, the applicant has Mercer County Planning Board approval for this subdivision and will get NJDOT approval.

On this property there is a single-family residence that is occupied by university staff, and there are no plans to change that at this time.

Mr. Guzik and Mr. Novak were sworn in.

Mr. DeGrazia addressed Mr. Novak's memo dated July 24, 2018.

- **Item E**, the zoning table will be updated.
- **Item F**, the lots were consolidated in May of 2018.
- **Item H**, there is no need for any new cross-access easements
- **Item K**, concerning the Greenbelt, this site is different from the last one because there is no site plan in the near future. It is very difficult to figure out where to put the green area without identifying the items that it will be subject to. Nothing is going to happen on this property; so either can be deferred until future site plan or show present green area on a plan that preserves the ability to make changes in the future.

Mr. Goldman added that when the time comes to develop a site plan, they will know exactly what is needed and will be able to show the green area.

Mr. Surtees explained that this segment along the canal is the only piece without a Greenbelt easement along the entire canal. This is the last chance for 30-50 years to get some sort of Greenbelt easement on the property. There are two types of greenbelt easements; i.e. one that excludes any kind of development and another that does allow trails and structure. He is concerned about not getting any protection on this property.

Mr. DeGrazia said they can work out language with Counsel Muller. Chair O'Brien said the board can make it a condition of approval.

Bruce Ellsworth of 7 Glenview Drive was sworn in and asked Mr. O'Shea about the 35 foot easement along Alexander Road which will require dedication to the township. He asked what the total width of the easement is. He also asked if the Greenbelt will go around the entire property or relative to the canal.

Mr. O'Shea said the total width is 70 feet. Width is based on type of road it is according to township definitions and standards. The greenbelt runs parallel to the canal.

Motion made by Mr. Pankove to close the public hearing, seconded by Councilwoman Geever. Motion was approved by voice vote.

Mr. Pankove made a motion to approve application PB18-04 with waivers and conditions. Seconded by Mr. Karp.

Roll call, motion unanimously approved.

With no other business to come before the board the meeting was adjourned by Chair O'Brien at 9:15 pm.

Respectfully submitted,

Terri Jany
Recording Secretary