

WEST WINDSOR PLANNING BOARD REGULAR MEETING
MARCH 27, 2019

The regular meeting of the Planning Board was called to order at 7:04 pm on Wednesday, March 27, 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 on March 20, 2019 as required by law.

ROLL CALL AND DECLARATION OF QUORUM

Present: Sue Appelget
Linda Geevers
Curtis Hoberman
Andrea Mandel
Hemant Marathe
Michael Karp
Gene O'Brien

There were no public comments on non-agenda items.

MINUTES: January 16, 2019

Ms. Geevers made a motion to approve the January 16, 2019 Planning Board minutes; seconded by Ms. Mandel. Voice vote; motion approved with three abstentions.

ORDINANCE REVIEW

Chair O'Brien explained that there are two ordinances to consider. They were before the Planning Board when the Housing Element & Fair Share Plan was done. There was a glitch in both of the ordinances concerning the number of units that would be allowed to be built. Council re-introduced these two ordinances last week.

Counsel Muller said that all corrections were made. In addition, Chair O'Brien e-mailed a couple of suggested changes.

Ordinance 2019-07r

- Page 1, Section 2, line 3. The date should be April 1, 2019.
- Page 1, Section 2, line 2, Ms. Appelget questioned the date of the Zoning Map. Mr. Surtees said the Zoning Map was changed on March 18, 2019 for the last set of ordinances. This date will be changed in the ordinance.
- Page 4, Item (7)(b), an "s" needs to be added to "American".
- Page 6, Item (11)(b), replace "surrounding" with "contiguous".

Ms. Geevers asked about the ten (10) foot height for sound barriers on page 5, (9)(b). Mr. Novak said that once the site plan process is complete, that can be changed through a C variance.

- Page 5, Item (4), after discussion about the wording of this paragraph, Mr. Novak suggested the paragraph be changed to "Section 200-91P(6)(d)(4) is amended to allow a solid fence or wall serving as a sound barrier of ten feet high. Such a fence or wall is only required along a portion of the property line between the building or buildings and the railroad tracks. Any fence or fences constructed along the railroad property, Block 5, Lot 14, serving as a sound barrier shall not be considered a structure".

Mr. Hoberman asked about Item (9)(c) on page 5 and Item (10) on page 6 concerning signage. He asked if there are any other signage regulations that pertain to this district other than what is written here.

Mr. Surtees said that every property outside the redevelopment area has a set of sign standards. Every property in the redevelopment area has a set of sign standards, other than District 12. There is a separate set of sign standards for District 12.

Mr. Hoberman asked if an applicant can say that they want to have flashing lights.

Mr. Surtees said that they can and that is what the Zoning Board of Adjustment is for. Also, there is a prohibitive ordinance, so if something is not listed as permitted, it is prohibited.

Ms. Appelget made a motion to recommend approval of Ordinance 2019-07r with Planning Board changes, noting the ordinance is consistent with the Master Plan; seconded by Mr. Karp. Unanimously approved, 7-0, by roll call vote.

Ordinance 2019-08r

- Page 4, Item H (1)(d), should be changed to read, "Section 200-91P(6)(d)(4) is amended to allow a solid fence or wall serving as a sound barrier of ten feet high. Such a fence or wall is only required along a portion of the property line between the apartment building or buildings and the railroad tracks. Any fence or fences constructed along the railroad property, Block 5, Lot 14, serving as a sound barrier shall not be considered a structure".
- Page 4, Item G (2), an "s" needs to be added to "American".
- Page 6, Item K (2), replace "surrounding" with "contiguous".

Ms. Appelget made a motion to recommend approval of Ordinance 2019-08r with Planning Board changes, noting the ordinance is consistent with the Master Plan; seconded by Mr. Karp. Unanimously approved, 7-0, by roll call vote.

Ms. Geevers brought up the topic of legalization of recreational marijuana. She thinks that the township should start a discussion on this subject and become familiar with what is being proposed at the state level.

Mr. Hoberman added that there would be land use implications.

Chair O'Brien said that when the board reviews the Land Use Element of the Master Plan, there will be discussion.

Mr. Novak said that there is a provision in the legislation that would make all existing ordinances null and void; so it is a good thing that no ordinances have been enacted.

Chair O'Brien mentioned that there were seminars on this subject at the recent League of Municipalities conference. They were attended by some of the board members; so the board is gathering some information.

Ms. Geever stated that each township should start having conversation with residents to get a feel for what they are thinking. The township may only get 180 days to opt-in, opt-out, or to prepare ordinances.

Mr. Surtees advised that residents will have an opportunity to come when the board does the Master Plan work this summer and fall.

Ms. Miller, Council President and a member of the public, advised that the League of Municipalities is having three seminars in April on Affordable Housing and Marijuana. One is on April 29, 2019 at the Plainsboro Marriott. This will help in getting the township caught up on the latest information.

With no other business before the board, Chair O'Brien adjourned the meeting at 7:37 pm.

Respectfully submitted,

Terri Jany
Recording Secretary