

WEST WINDSOR TOWNSHIP PLANNING BOARD MEETING
REGULAR MEETING
November 9, 2022

The Regular meeting of the Planning Board was called to order at 7:01 pm by Chairman Karp in the Senior Center Building at the Municipal Complex.

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 November 2, 2022.

ROLL CALL AND DECLARATION OF QUORUM

Curtis Hoberman, Vice-Chairman
Hemant Marathe, Mayor
Andrea Mandel, Councilwoman
Anis Baig
Allen Schectel
Robert Loverro, Alt. #1

ABSENT:
Michael Karp, Chairman
Sue Appelget
Jyotika Bahree
Simon Pankove
Vacant, Alt. #2

TOWNSHIP CONSULTANT STAFF PRESENT

Gerald Muller, Esq., Attorney, Law Offices of Gerald Muller, PC
David Novak, PP, Planner, Burgis & Associates
John Taylor, PE, Engineer, Assistant Township Engineer
Quazi Masood, PE, PTOE, Traffic Engineer, Arora & Associates
Dan Dobromilsky, LLA, Township Landscape Architect

Sam Surtees, Land Use Manager and Zoning Officer

APPLICATION:

PB20-08 **Penn's Neck Plaza – CONCEPT PLAN**
Block 39, Lots 4, 5, 7, 16, 27
Block 38, Lots 1, 2,3, 25, 45
SE corner of Washington Road & US Route 1
Property Zoned: RP Penn's Neck District
MLUL: N/A

Concept review application for a small-scale commercial center, brought by the existing Township approved conditional redeveloper for the Penn's Neck Redevelopment Area. The applicant is combining a convenience store/gas station use with several other complimentary uses, and has been working with the Township and its professionals for several years towards a concept that complies with the Township's redevelopment plan. The presented concept is the result of numerous meetings, revisions and input from the Township, including three formal technical review committee (TRC) meetings, as well as Mercer County Planning and Engineering departments.

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Attorney Muller stated how the concept plan presentation differed from an application hearing and that no decisions or votes would be made tonight.

Planner Novak gave a history timeline of what has happened with the property since 2019.

Ryan Kennedy Attorney, with Stevens and Lee, representing the applicant introduced the following speakers:

- Steve Gilbert, Principal, Penn's Neck Associates
- Joe Flint, Civil Engineer, Langan Engineering
- Karl Pehnke, Traffic Consultant, Langan Engineering

There was discussion, questions, and comments by the Planning Board members.

The following Township Planning Board Professionals were present and submitted reports:

- Dan Dobromilsky, LLA, Township Landscape Architect, report dated October 31, 2022
- Quazi Masood, PE, Traffic Engineer, Arora and Associates, report dated October 27, 2022
- John Taylor, PE, Assistant Township Engineer, report dated November 1, 2022 from Francis Guzik
- David Novak, PP, Planner, Burgis Associates, report dated October 31, 2022
- Tim Lynch, Chief, Emergency Services, (not present), report dated November 5, 2022

Vice-Chairman Hoberman opened the meeting for public comment/questions on the application.

FINN O'BRIEN, 241 Varsity Avenue: Mr. O'Brien said his vote is to close both Varsity and Mather Avenues. He distributed documents including the summary of the traffic impact to Penn's Neck from the three adjacent developments: Penn's Neck Plaza, Sarnoff, and Avenue at Princeton Junction. He commented on the amount of traffic it will create in the Penn's Neck neighborhood. Additionally, there are no sidewalks on Varsity and Mather Avenues.

AMY WOODWARD, 262 Varsity Avenue: Ms. Woodward said Penn's Neck is being surrounded by development. She stated no other shopping centers have an entrance into an adjacent neighborhood. Cars will be cutting through their neighborhood to access Route 1 to avoid the traffic light at Washington Road.

BARBARA GANTWERK, 191 Mather Avenue: Ms. Gantwerk stated that she does not believe that this project will enhance the Penn's Neck residential community. She asked that the negative impact be reduced. Of the 18 homes, 17 unanimously agreed to keep Mather a cul de sac. She provided signatures and addresses.

KRAPESH NAYAK, 255 Mather Avenue: Mr. Nayak also does not want an opening on Mather and Varsity Avenue to access the plaza. He is concerned that trash and emergency vehicles will be able to turn around if the cul de sac is removed. He also commented on the height and length of the berm. Mr. Nayak asked that the dumpster locations be relocated away from the residential area.

JEROME KEELER, 252 Varsity Avenue: Mr. Keeler said he visited 20 different strip malls and there were no cut-throughs to the adjoining neighborhoods. He said he is a school crossing guard and Varsity Avenue is part of the bus route. He also commented on the size of the berm vs. the side of the wall.

ISABELLA PALOWITCH, 198 Mather Avenue: Ms. Palowitch commented on the unified voice of her neighbors in regard to the proposed "drive-thru strip mall". It is not a "Plaza" like the developer calls it. She submitted to the Planning Board a list of signatures to oppose the plaza. She asked that if the plaza is built, they would like to remain out of it. They (the residents) also request that the berm be lengthened.

CHARMI PATEL-PENA, 232 Washington Road: Ms. Penna stated the traffic and driving behavior on Washington Road is very bad, and will be increasing with Avalon and new developments being constructed. Her community does not have sidewalks. She asked the Planning Board to help protect their children and neighborhood.

LEE GOLDBERG, 202 Mather Avenue: Mr. Goldberg says he agrees with the other residents, but the opening of Mather and Varsity Avenue might help getting to Washington Road. He said the road can be blocked off in the future if it becomes a problem.

CHITRA PENA, 229 Mather Avenue: Ms. Pena explained what drew them to the Penn's Neck neighborhood and said opening up the cul de sac would not be safe because the neighborhood lacks sidewalks. There is a crime risk with the increased foot traffic coming from the plaza; she asked that the berm be extended to the full 12 feet in height.

GUY PIERSON, 241 Fisher Place: Mr. Pierson said he concurs with the comments previously made. He suggested proceeding with the EIS Penn's Neck By-Pass which would alleviate most of the traffic concerns.

ATTILA MIHALYI, 235 Washington Road: Mr. Mihalyi said they are also affected on Washington Road. He agreed that the EIS Penn's Neck By-Pass would be a good solution. He also commented on the traffic and said visually it will also be better. Mr. Mihalyi invited the Mayor to knock on their doors on Washington Road to discuss this. Mayor Marathe responded that all the residents were invited to the meeting.

BETSY FERRER, 254 Washington Road: Mr. Frerer asked if the developer will maintain the trees that are planted to create the berm. She asked about the widening of Washington Road. She said it is impossible to turn left out of her driveway because of the traffic. She asked to eliminate the left turn coming out of the redevelopment area. Ms. Ferrer also asked that Varsity and Mather Avenues be closed off.

WARREN MITLAK, 5 Stonelea Drive: Mr. Mitrak asked the Planning Board to consider the projects that haven't been built yet and how it will affect the traffic in the entire Township.

HOWARD ANDERSON, 205 Mather Avenue: Mr. Anderson asked about stormwater drainage. The studies have not yet been done. Mr. Anderson commented on the fuel truck delivery and the traffic circulation plan.

STACY FOX, 29 Berrien Avenue: Ms. Fox asked the Planning Board to pay close attention to Stormwater Management and make sure the developer use current flood regulations and maps.

BRAD SOLTOFF, 18 Wallingford Drive: Mr. Soltoff asked for a pretty sculpture or fountain to be added on the green lawn in front of the project.

TIRZA WAHRMAN, 5 Stonelea Drive: Ms. Wahrman commended the Planning Board for presenting the concept plan. She said she is in support of the residents' comments. In regard to Bridgepoint 8, she asked for the memorialization be placed on the Township's website. Mr. Surtees responded that it was sent to the webmaster to place on the website.

ALISON MILLER, 41 Windsor Drive: Ms. Miller said that Planning Board should take into consideration everything that was discussed. She thinks the cul de sac should remain and hopes to keep the neighborhood protected.

NIMESH PATEL, 11 Wallingford Drive: Mr. Patel inquired if the number of parking spaces was sufficient. The equations were explained to Mr. Patel.

10:05 pm – At this time, Mr. Baig left the meeting.

SARAH KAMPEL, 13 Wallingford Drive: Ms. Kampel said she attended the meeting with the Mayor and her neighbors who did a great job of doing exactly what the Mayor asked. Ms. Kampel asked that the Township prioritize the people who are closest to this development.

RYAN KELLY, 17 Fieldston Road: Mr. Kelly said there was no talk of mitigation by the developer. He suggested that maybe 3 businesses instead of 4 should be considered.

AMY WOODWARD, 262 Varsity Avenue: Ms. Woodward asked if the gas station has been sold and who owns it. She also asked how the infrastructure on Washington Road was going to be addressed.

JEROME KEELER, 252 Varsity Avenue: Mr. Keeler stated that if the cul de sac was removed, the trucks would have to turn in his neighbor's driveway.

CHARMI PATEL-PENA, 232 Washington Road: Ms. Pena echoed that the EIS Penn's Neck By-Pass would be a great idea. She also stated that using up-to-date floodwater maps would be beneficial.

BARBARA GANTWERK, 196 Mather Avenue: Ms. commented on the redevelopment plan. She asked if the applicant owns all the properties and can the applicant go forward. Attorney Kennedy responded the applicant owns 7 of the 10 properties and they are currently working on this with the Township.

CHITRA PENA, 229 Mather Avenue: Ms. Pena asked who owns the cul de sac. Mayor Marathe responded the Township currently owns it and it is being used for stormwater management. Ms. Pena said the second café was not in the initial proposal in 2019. Mayor Marathe responded that this is fully compliant with the ordinance and the footprint of the store was reduced to add the second café. Ms. Pena was in agreement to eliminate the second café to keep the cul de sac.

BRAD SOLTOFF, 18 Wallingford Drive: To deflect as much traffic coming from Avalon, Mr. Soltoff suggested diverting traffic to Alexander Road rather than to Washington Road. He also reminded the Planning Board of the possibility of the bypass to Vaughn Drive.

ISABELLA PALOWITCH, 198 Mather Avenue: Ms. Palowitch stated there is a dirt access road used by the NJ DOT utility vehicles. Mr. Anderson gave a brief history of the access road and said it is not being used by NJ Transit anymore.

Traffic Engineer Penke stated that Mercer County has asked the developer to dedicate a right-of-way along their frontage and provide a shoulder for the widening of Washington Road. A left turn lane into the site will also be introduced by re-striping. The applicant will also look into alternate stormwater treatment to keep the existing cul de sac. Attorney Kennedy confirmed that the applicant is responsible for the maintenance of the berm. The applicant stated they are in negotiation with the owners of the unmaintained properties.

There was no further comment from the public or planning board members. Attorney Kennedy and Mr. Gilbert thanked everyone and said all the comments would be taken into consideration.

Mr. Surtees stated that another Technical Review Committee meeting will be needed, as well as a revised plan.

CHAIRMAN'S COMMENTS AND CORRESPONDENCE

Vice-Chairman Hoberman opened the meeting to public comment on non-agenda and non-pending application items.

John Church, 11 Princeton Place: Mr. Church said he attended the Mercer County Planning Board Zoom meeting. They are aware the Planning Board memorialized the Bridge Point application and there is a 45-day waiting period where the applicant can raise objections.

ADJOURNMENT

With no further business, Mr. Schectel made a motion to adjourn the meeting at approximately 10:35 pm; seconded by Mayor Marathe. Voice Vote: All Aye.

The next Regular meeting is scheduled for December 14, 2022.

Respectfully submitted,

Cynthia Dziura, RMC/CMR
Recording Secretary