

**EAST WINDSOR TOWNSHIP PLANNING BOARD
MINUTES OF January 30, 2017**

The meeting of the East Windsor Township Planning Board was held on Monday, January 30, 2017, in the East Windsor Township Municipal Building, 16 Lanning Boulevard, East Windsor, New Jersey, 08520. Planning Board Secretary Allison Quigley called the meeting to order at 7:35 p.m.

STATEMENT OF ADEQUATE NOTICE

Pursuant to the Sunshine Law, a notice of this meeting's date, time, place, and agenda was mailed to the news media, posted on the Township bulletin board, and filed with the Municipal Clerk.

ROLL CALL

Members Present: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley

Members Absent: Mr. Brady, Mr. Schmidlin

Professionals and Staff Present: Allison Quigley, Planning Board Secretary
Jolanta Maziarz, Board Attorney
Richard Preiss, Township Planner
A. Maxwell Peters, Township Engineer

NEW AND REAPPOINTED MEMBERS (Class and Term)

Mayor Janice S. Mironov, Class I, Term Expires: December 31, 2017
Perry Shapiro, Class III, Term Expires: December 31, 2017
Jagruti Patel, Class IV, Term Expires: December 31, 2020
Anthony Katawick, Class IV, Alt. #1, Term Expires: December 31, 2017

Mayor Mironov administered the Oath of Office to all reappointed members.

ELECTION OF OFFICERS:

Nomination/Election of Chairperson for 2017

MOTION TO NOMINATE EDWARD KELLEY AS CHAIRPERSON MADE BY: Mayor Mironov

MOTION SECONDED BY: Mr. Berman

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley

NAYES: None

ABSTAINS: None

Nomination/Election of Vice-Chairperson for 2017

MOTION TO NOMINATE SKIP BERMAN AS VICE-CHAIRPERSON MADE BY: Mr. Clark

MOTION SECONDED BY: Ms. Patel

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley

NAYES: None

ABSTAINS: None

APPOINTMENTS

REPORTS/CORRESPONDENCE/ANNOUNCEMENTS

Chairperson Kelley stated that information regarding the New Jersey Planning Officials' training sessions for 2017 were in everyone's packets.

PUBLIC FORUM

Chairperson Kelley opened the meeting to the public. There being no public comment, the public forum was closed.

RESOLUTION 2017-01 – Approving Annual Meeting Calendar

Chairperson Kelley announced that alternate member Mr. Katawick would be eligible to vote tonight as regular members Mr. Brady and Mr. Schmidlin were absent this evening.

MOTION TO APPROVE RESOLUTION 2017-01 MADE BY: Mr. Catana

MOTION SECONDED BY: Mr. Clark

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley

NAYES: None

ABSTAIN: None

RESOLUTION 2017-02 – Designation of Official Newspaper/Notice of Meetings and Fees for 2017

Chairperson Kelley opened the floor for a motion of approval for the Designation of the Official Newspaper for 2017, stating that the Board had previously designated *The Times of Trenton* as the official newspaper and it is also designated by the Township Council.

MOTION TO APPROVE RESOLUTION 2017-02 MADE BY: Mr. Berman

MOTION SECONDED BY: Mr. Clark

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley
NAYES: None
ABSTAIN: None

RESOLUTION 2017-03 – Appointment of Planning Board Administrative Secretary Allison Quigley

MOTION TO APPROVE RESOLUTION 2017-03 MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Berman

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley
NAYES: None
ABSTAIN: None

RESOLUTION 2017-04 – Appointment of Planning Board Attorney Jolanta Maziarz

Chairperson Kelley announced that everyone received a memorandum from himself, Mr. Berman, and Mayor Mironov, recommending the appointment of Jolanta Maziarz of Woolson Anderson Maziarz as the Planning Board Attorney.

MOTION TO APPROVE RESOLUTION 2017-04 MADE BY: Mr. Berman

MOTION SECONDED BY: Mayor Mironov

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley
NAYES: None
ABSTAIN: None

RESOLUTION 2017-05 – Adoption of By-Laws for 2017

MOTION TO APPROVE RESOLUTION 2017-05 MADE BY: Mr. Berman

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley

NAYES: None
ABSTAIN: None

MINUTES

December 19, 2016

Mayor Mironov asked to hold the minutes until the Fordoz Pharma resolution had been completed so the Board could look at both documents together. Chairperson Kelley agreed and announced the minutes would be held until the next meeting.

RESOLUTIONS

Resolution 2017-09 Fordoz Pharma
PB16-006
Block 63.01, Lot 1
Minor Site Plan

Chairperson Kelley asked Jolanta Maziarz, Board Attorney, to swear in the Board's professionals: Richard Preiss, Township Planner; and A. Maxwell Peters. Ms. Maziarz swore the professionals in.

Henry Kent-Smith, Esq. of Fox Rothschild LP is representing the applicant Fordoz Pharma this evening. Mr. Kent-Smith stated that on December 19, 2016, they presented an application for a minor site plan for the property located at 69 Princeton Hightstown Road, Block 63.01, Lot 1. The applicant proposed to demolish the rear portion of the existing building measuring approximately 6,000 square feet and rebuild the area within the existing footprint but with an increased building height to enable the construction of an ISO Level V Cleanliness production center. Mr. Kent-Smith stated that this facility would be a pilot that would be fully reviewed by the federal government before production begins. Mr. Kent-Smith stated at the last meeting, several questions arose that the applicant was asked to address tonight. He stated that the applicant brought a revised site plan to the meeting for distribution to the Board, dated January 19, 2017. Mr. Kent-Smith stated that the only revision on this plan that was not included on the submitted site plans dated January 18, 2017 were the species changes in the landscaping plan. The new set of plans includes the modifications.

Mr. Kent-Smith introduced his next witness, project engineer Thomas Donahue of Donahue Engineering. Ms. Maziarz swore in Mr. Donahue. Mr. Kent-Smith stated that Mr. Donahue was sworn in before the Board on December 19, 2017 in conjunction with this application.

Mr. Donahue entered into evidence Exhibit A-11, titled "Revised Site Plan Sheet 2 of 4," dated January 19, 2017.

Mr. Donahue stated that he would go through the modifications made to the site plan since the last hearing. Mr. Donahue stated that the existing chain link fence around the dumpster area would be removed and a new PVC vinyl fence would be installed. The fence would be color matched to the façade of the building. He stated that the existing eight foot high chain link fence enclosing the

existing mechanical equipment located on the exterior of the building would also be replaced with an eight foot high PVC vinyl fence in a similar color to the building façade. Mr. Donahue stated that the Fire Marshall Kevin Brink had requested that fire lanes be added in two areas on site, one to the rear of the building and the other on the eastern side of the proposed addition. Mr. Donahue stated that two four foot wide fire lanes would be striped in those areas. Mr. Donahue stated that wheel stops had been added to eight parking stalls in the rear parking area.

Mr. Donahue entered into evidence Exhibit A-12, titled “Revised Lighting Plan Sheet 3 of 4,” dated January 19, 2017.

Mr. Donahue stated the overall lighting intensity has been reviewed. Mr. Donahue stated that the lighting calculations had been redone and the area that was measured was only the paved areas on site near the project area. He stated that the average lighting intensity for the paved areas was 0.97 foot candles, which was in compliance with the Township ordinances. Mr. Donahue stated that there would be two security light fixtures, one at each driveway entrance, and one security light fixture in the area adjacent to the renovated area. These security lights would remain on 24 hours a day. Mayor Mironov stated that there was some discussion at the last hearing regarding the lighting intensity averages. She stated that the discussion generated questions regarding what areas were taken into account in the lighting calculations, and she asked the Board’s professionals for their thoughts on the revised lighting plan. Mr. Donahue stated that in the previous lighting plan, the lighting intensity calculations included areas that were adjacent to the paved areas. He stated that this proposal calculated the averages using only the paved areas on site. He stated that the overall lighting intensity was reduced to 0.97 foot candles by reducing the intensity of each light fixture and the redistribution of the light fixtures throughout the site for a more even distribution. Mr. Berman asked Mr. Donahue what the significance was of the circled numbers on the lighting plan shown near the parking stalls. Mr. Donahue stated those numbers indicated the number of parking stalls in each row. Mr. Peters stated that on the previous lighting proposal, there were two averages, one average for the overall lighting intensity for the entire site, and one average lighting intensity for the paved areas within the project. He stated that in the revised lighting plan, the applicant reduced the lighting intensity for the paved areas below the 1.0 foot candle ordinance requirement. Mayor Mironov asked Mr. Peters if he was satisfied that the revised lighting plan was compliant with the Township ordinance standards and Mr. Peters stated that he was.

Mr. Donahue entered into evidence Exhibit A-13, titled “Revised Landscaping Plan Sheet 4 of 4,” dated January 19, 2017.

Mr. Donahue stated that the landscaping plan was revised in response to some concerns brought up by the Board and Mr. Dobromilsky at the last hearing. He stated that the applicant changed the proposed planting species in accordance with those suggestions. The arborvitae that was proposed to surround the dumpster area had been changed to a giant arborvitae. The trees in the front of the building had been changed to a winterberry species. Mayor Mironov stated that Mr. Dobromilsky was running late this evening as he had another meeting to attend. She stated that because the revised landscaping plan had not been submitted prior to the meeting and Mr. Dobromilsky was not present to discuss the proposed changes, the Board would not grant approval on the landscaping plan for the project and a review of the revised plan by Mr. Dobromilsky would be a condition of the approval. Mr. Kent-Smith agreed.

Mr. Kent-Smith stated that the applicant also submitted an operational statement with details as to how Fordoz Pharma would be operating the facility as a pilot facility to obtain federal review and approval on their production center. He stated that during that process, there would be a limited number of employees on site and the business would have limited hours of operation. He stated that once the federal government approves the facility and the applicant begins production, there was a very high likelihood that the applicant would return to the Planning Board with an expansion of the facility.

Mr. Peters stated that he had mentioned at the previous meeting that the Township ordinances require either curbing or wheel stops in the parking areas. He stated that the applicant proposed eight wheel stops in several stalls in the center of the parking area. He stated that he would suggest the wheel stops be relocated to the five parking stalls adjacent to the volleyball court because the wheel stops create a hazard in their current location. Chairperson Kelley agreed with Mr. Peter's comments. Mr. Kent-Smith asked Mr. Donahue if the applicant would object to relocating the wheel stops to the five parking stalls next to the volleyball court and Mr. Donahue stated that they did not, and they would relocate them.

Mr. Kent-Smith stated that they reviewed all of the items that the applicant had modify after the last hearing. He stated that the applicant understood that the landscaping plan was subject to review before final approval. Mr. Kent-Smith stated that the applicant would like the ability to file their construction permits with the Building Department for review if that were possible. Mayor Mironov stated that the applicant addressed all the open matters this evening but stated that there needed to be an understanding that the resolution had not been finalized and a complete approval had not been given yet. She asked Mr. Kent-Smith when the applicant would want to begin construction. Mr. Kent-Smith stated that the applicant would just ask for the Board's permission to have the ability to file the building permit plans with the Building Department for review with the understanding that no construction permits would be issued until the resolution is finalized and the landscaping had been approved. Mayor Mironov stated that would be agreeable, and added that the proposal is a beneficial project and the Township is happy to see Fordoz Pharma occupy the building. Chairperson Kelley stated that the Board Secretary would draft a letter to the Building Department regarding this. Mr. Kent-Smith stated the applicant would be happy to return on February 23, 2017 to address any additional questions of the Board.

DISCUSSION ITEMS

EWT File #PB11-021

Berkshire Bank
18 Princeton Hightstown Road
Block 6.07, Lot 15
Waiver of Site Plan

Chairperson Kelley asked Jolanta Maziarz, Board Attorney, to swear in the Board's professionals: Richard Preiss, Township Planner; and A. Maxwell Peters. Ms. Maziarz swore the professionals in.

Eric Goldberg, Esq. of Stark and Stark is representing the applicant Berkshire Bank this evening. Mr. Goldberg stated that the subject property is located at 18 Princeton-Hightstown Road. The applicant, Berkshire Bank, recently purchased First Choice Bank, and will be taking over the existing bank building on the subject property. Mr. Goldberg stated that the applicant is present this evening to request approval for a signage waiver for new façade and pylon signs with the new company branding. He stated that the applicant is not proposing an increase in signage, they are just seeking to replace the existing First Choice Bank signage with Berkshire Bank signage. Mr. Goldberg stated that there would be two additional signs, one clearance sign over the drive through area and a standalone sign for veterans only parking.

Mr. Goldberg introduced his first witness, John Renzi of Graphic Impact Signs. Mr. Goldberg stated that Mr. Renzi's company designed the proposed signage and will be in charge of production and installation. Ms. Maziarz swore Mr. Renzi in.

Mr. Goldberg asked Mr. Renzi to explain his position and relation to the project. Mr. Renzi stated that he is the owner of Graphic Impact Signs in Massachusetts, and his company was asked to coordinate the sign change for the acquisition of eight branches and eighteen loan services centers across the country for Berkshire Bank. Mr. Renzi stated that the bank will go through a conversion day, where the bank will close as First Choice Bank on a Friday and reopen on Monday as Berkshire Bank.

Mr. Renzi entered into evidence Exhibit A-1, titled "Façade Signage," dated January 30, 2017. Mr. Renzi stated that on the rear of the building is an existing façade sign that measures approximately 48 square feet. The applicant is proposing to replace the existing signage with a sign measuring approximately 17 square feet. Mr. Goldberg stated that the colors used throughout the signage presentation of black, gold, and white are the corporate colors for Berkshire Bank. Mr. Renzi stated that on the front of the building, there is an existing façade sign that measures 75 square feet and the applicant is proposing to replace it with a sign measuring 32 square feet. The sign would be similar in nature, with individual channel letters.

Mr. Renzi entered into evidence Exhibit A-2, titled "Monument and Pylon Signs," dated January 30, 2017. Mr. Renzi stated there are two existing freestanding monument signs, one at the rear elevation and one at the front elevation. He stated that the rear sign would be refaced with Berkshire Bank branding and the cabinet and pole cover would be repainted. He stated that the sign is currently fully illuminated, but the proposed signage would reduce the illumination by 45% because the black areas on the sign would be opaque. Mr. Renzi stated for the front elevation sign, the pylon faces would be replaced with Berkshire Bank branding and the cabinet and pole covers would be painted. The sign would also have a 45% reduction in illumination, due to the opaque black color being used.

Mr. Renzi entered into evidence Exhibit A-3, titled "Informational and Directional Signage," dated January 30, 2017. Mr. Renzi stated that the applicant is proposing a clearance sign above the drive through area that would measure two square feet. The applicant would keep the existing handicap parking signage, but they would also add two signs indicating veterans only parking that would measure less than two square feet. Mr. Renzi stated that there is an existing directional signage in the parking lot that would be recovered with an overlay panel with the proper branding.

Mr. Renzi entered into evidence Exhibit A-4, titled "Entrance and Branch Logo," dated January 30, 2017. Mr. Renzi stated that the Berkshire Bank logo and the hours of operation would be displayed on the front entrance doors. He stated that the ordinance does not require permitting for those decals if they do not exceed 25% of the glass area, so they kept the size under that requirement. Mr. Renzi stated that the existing ATM kiosk would be reduced to a smaller unit and would have the appropriate required network affiliation decals and the Berkshire Bank logos.

Mayor Mironov stated that she thinks it is great that the applicant is seeking to include veterans only parking as a way to recognize veterans in the community. She asked Mr. Renzi how the dedicated spaces would work and how they plan on enforcing them. Mr. Renzi stated that Berkshire Bank has veterans only spaces at all of their branches, and they run on the honor system as a courtesy to those who have served.

Chairperson Kelley opened the meeting to the public. There being no public comment, the public forum was closed.

Mr. Goldberg stated that the Conversion Day for the bank was scheduled for February 10. He stated that he was hopeful the Board would consider approving their application tonight but stated that he understood a resolution would not be memorialized until February. He asked the Board if there was a way that if the application was approved that the applicant could apply for building permits prior to the memorialization of the resolution so they could be in compliance on Conversion Day. Chairperson Kelley stated that would not be a problem, assuming the Board votes to approve the application.

MOTION TO APPROVE THE APPLICATION MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Catana, Mr. Clark, Mr. Katawick, Mayor Mironov, Ms. Patel, Mr. Shapiro, Mr. Kelley

NAYES: None

ABSTAINS: None

ADJOURNMENT OF MEETING

There being no further business, the meeting was adjourned.

CERTIFICATION OF SECRETARY

I, undersigned, do hereby certify;

That I am the Planning Board Secretary of the Township of East Windsor Planning Board and that the foregoing minutes of the Planning Board, held on January 30, 2017, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS WHEREOF, I have hereunto subscribed my name of said Planning Board
this 27th day of February, 2017.

Allison Quigley, Board Administrative Secretary
East Windsor Township