

**EAST WINDSOR TOWNSHIP PLANNING BOARD  
MINUTES OF January 22, 2018**

The meeting of the East Windsor Township Planning Board was held on Monday, January 22, 2018, 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 7:30 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. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Ms. Patel, Mr. Schmidlin, Mr. Shapiro, Mr. Kelley

Members Absent: None

Professionals and Staff Present: Allison Quigley, Planning Board Secretary  
Jolanta Maziarz, Board Attorney  
Joseph Burgis, Township Planner  
A. Maxwell Peters, Township Engineer  
Daniel Dobromilsky, Township Landscape Architect

**NEW AND REAPPOINTED MEMBERS (Class and Term)**

Mayor Janice S. Mironov, Class I, Term Expires: December 31, 2018  
James Brady, Class II, Term Expires: December 31, 2018  
Perry Shapiro, Class III, Term Expires: December 31, 2018  
Edward Kelley, Class IV, Term Expires: December 31, 2020  
Barry Clark, Class IV, Term Expires: December 31, 2021

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

**ELECTION OF OFFICERS:**

**Nomination/Election of Chairperson for 2018**

MOTION TO NOMINATE EDWARD KELLEY AS CHAIRPERSON MADE BY: Mr. Catana

MOTION SECONDED BY: Mayor Mironov

**ROLL CALL**

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

NAYES: None

ABSTAINS: None

**Nomination/Election of Vice-Chairperson for 2018**

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

MOTION SECONDED BY: Mr. Shapiro

**ROLL CALL**

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Ms. Patel, Mr. Schmidlin, 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 2018 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 2018-01 – Approving Annual Meeting Calendar**

MOTION TO APPROVE RESOLUTION 2018-01 MADE BY: Mr. Catana

MOTION SECONDED BY: Ms. Patel

**ROLL CALL**

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

NAYES: None

ABSTAIN: None

**RESOLUTION 2018-02 – Designation of Official Newspaper/Notice of Meetings and Fees for 2018**

Chairperson Kelley opened the floor for a motion of approval for the Designation of the Official Newspaper for 2018, 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 2018-02 MADE BY: Mr. Catana

MOTION SECONDED BY: Mr. Clark

ROLL CALL

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

NAYES: None

ABSTAIN: None

**RESOLUTION 2018-03 – Appointment of Planning Board Administrative Secretary Allison Quigley**

MOTION TO APPROVE RESOLUTION 2018-03 MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Schmidlin

ROLL CALL

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

NAYES: None

ABSTAIN: None

**RESOLUTION 2018-04 – Adoption of By-Laws for 2018**

MOTION TO APPROVE RESOLUTION 2018-04 MADE BY: Mr. Berman

MOTION SECONDED BY: Mr. Clark

ROLL CALL

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

NAYES: None

ABSTAIN: None

**RESOLUTION 2018-05 – Confirmation of Planning Board Landscape Architect Daniel Dobromilsky**

MOTION TO APPROVE RESOLUTION 2018-05 MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Catana

ROLL CALL

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

NAYES: None

ABSTAIN: None

**RESOLUTION 2018-06 – Confirmation of Planning Board Engineer A. Maxwell Peters**

MOTION TO APPROVE RESOLUTION 2018-06 MADE BY: Mr. Catana

MOTION SECONDED BY: Mr. Schmidlin

ROLL CALL

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

NAYES: None

ABSTAIN: None

**MINUTES**

**November 20, 2017**

MOTION TO APPROVE NOVEMBER 20, 2017 MINUTES MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Ms. Patel, Mr. Schmidlin, Mr. Kelley

NAYES: None

ABSTAIN: None

**December 4, 2017**

MOTION TO APPROVE DECEMBER 4, 2017 MINUTES MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Catana

ROLL CALL

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Mr. Schmidlin, Mr. Shapiro, Mr. Kelley

NAYES: None

ABSTAIN: None

**DISCUSSION ITEMS**

1. Shalom Torah Center  
639 Abbington Drive  
Block 20.02, Lot 563

Chairperson Kelley asked Jolanta Maziarz, Board Attorney, to swear in the Board's professionals: Joseph Burgis, Township Planner, Daniel Dobromilsky, Township Landscape Architect, and A. Maxwell Peters, Township Engineer. Ms. Maziarz swore the professionals in.

Mark Shane of Shane and White is representing Shalom Torah Academy tonight along with Rabbi Aaron Gruman. Mr. Shane stated that they were going to be presenting several proposed changes to the use of the existing school building utilized by Shalom Torah Academy.

Rabbi Gruman stated that Shalom Torah Academy has been in operation for many years in the community as a center for Jewish education. He stated that for the last several years the facility has served as an elementary school. After a recent merger with another school in the area, the Academy has extra space in their current facility that they are hoping to utilize for a new program for a womens' teaching seminary for young women who recently graduated high school. The program would last for one year and at the end of the program students would earn a certificate to teach in Jewish elementary schools. Approximately 50 students would stay in a dormitory that would be built within the existing facility in older unused classrooms. Rabbi Gruman stated that they wanted to appear tonight to share this project with the Planning Board in case there were any issues that needed to be addressed with the new operation. Rabbi Gruman stated that he had submitted a letter to the Board detailing the new program and the dormitory renovations. He stated that while his letter states that they intend to start the program this September, he is unsure if they will meet that deadline, and they may choose to wait and start the program at a later time.

Mr. Shane asked Rabbi Gruman if students would be driving cars to the school and parking them there. Rabbi Gruman stated that schools of the nature do not generally encourage students to have cars with them, so students would typically be bussed in or dropped off by carpool. Mr. Shane asked Rabbi Gruman if students would stay in the dormitories over the weekend. Rabbi Gruman stated that unless there was a special occasion or event taking place, students would go home on Friday after classes and would return to the school on Monday morning. Mr. Shane asked Rabbi Gruman if students would be dropped off to the school throughout the week. Rabbi Gruman stated that they anticipate students staying in the dorms during the week so drop offs would be at a minimum.

Mr. Shapiro asked Rabbi Gruman if students would have family visiting them at the school during the week. Rabbi Gruman stated that because they are going home at the end of the week, he wouldn't anticipate it. Mr. Berman asked Ms. Maziarz if this type of use is permitted in the zoning district. Mr. Shane stated that the property is zoned PUD - Planned Unit Development. Mayor Mironov stated that educational facilities are permitted uses in the PUD zone. Mr. Burgis stated that while the Township ordinances are not specific regarding dormitories as a permitted use in this zone, other Townships have considered dormitories as an accessory use to the educational facility use. Mr. Catana pointed out that the Peddie School has dormitories on its campus for a similar use.

Mayor Mironov asked Rabbi Gruman what type of adult supervision would be taking place during the week at the school. Rabbi Gruman stated that they would be hiring a full time staff member that would be local in the Twin Rivers development and in charge from the time evening classes end until morning classes begin. Mr. Catana asked if the building is sprinklered. Rabbi Gruman stated that the building is sprinklered but after looking at the construction code, there might need to be some modification to the existing sprinkler system once the area is converted to a dormitory use.

Chairperson Kelley asked Ms. Maziarz if the Board had to take any action tonight on this item. Ms. Maziarz stated that Shalom Torah Academy would just have to proceed to the Construction Department to begin the building permit process as this was just an informational presentation.

2. Exeter Property Group  
329/359 Wyckoff Mills Road  
Block 13, Lots 1.01 and 1.02  
Waiver of Site Plan Request

Michael Floyd of Archer and Greiner is representing Exeter Property Group this evening as they are requesting a waiver of site plan to change the color scheme of the approved warehouse facility that is currently under construction at 329-359 Wyckoff Mills Road. The project received site plan approval in December 2015.

Chairperson Kelley asked Jolanta Maziarz, Board Attorney, to swear in the Board's professionals: Joseph Burgis, Township Planner, Daniel Dobromilsky, Township Landscape Architect, and A. Maxwell Peters, Township Engineer. Ms. Maziarz swore the professionals in.

Mr. Floyd stated that the original request that was submitted by letter to the Board from Arco Design Build also included renderings with proposed signage for the building's tenant, Modway Furniture. Mr. Floyd stated that they are not seeking any approval for the signage at this time as they recognize that the original resolution of memorialization stated that all signage must comport with the applicable ordinance regulations and they will return to the Board with a proper signage package and all of the necessary details at a later date.

Mr. Floyd entered into evidence Exhibit A-1 titled "Revised Rendering with Proposed Color Scheme," dated January 22, 2018.

Mr. Floyd introduced his first witness Alex Edgar of Arco Design Build. Mr. Edgar stated that he is the project manager for this facility at Arco Design Build, the general contracting company that is completing construction on site. Ms. Maziarz swore in Mr. Edgar.

Mr. Edgar stated that the original facility was approved with an exterior color scheme of blue and white. He stated that they are proposing to change the exterior colors to Commodore Blue, Repost Gray, Acier Gray, and Blackfox Gray. Mr. Edgar stated that these shades are all from Sherwin Williams. Mr. Edgar entered into evidence Exhibit A-2 titled "Sherwin Williams Color Swatches," dated January 22, 2018.

Mayor Mironov asked if the applicant had an elevation showing the original approved color scheme. Mr. Floyd apologized and stated that they did not have an elevation with the original color scheme available as Exeter Property Group was not the applicant when the project was approved by the Board in 2015. Chairperson Kelley asked which corner of the building was shown in Exhibit A-1. Mr. Edgar stated that the southwest corner of the building was shown in the exhibit. Mayor Mironov asked what the projected timeline for the project is currently. Mr. Edgar stated that the facility should be fully operational in May 2018.

Chairperson Kelley asked Mr. Floyd if they needed a letter sent to the Construction Department reflecting tonight's decision prior to the resolution of memorialization. Mr. Floyd stated that would help them stay on their projected timeline.

MOTION TO APPROVE THE APPLICATION MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Catana

ROLL CALL

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

NAYES: None

ABSTAINS: None

**APPLICATIONS/PUBLIC HEARING**

**EWT File #PB17-003                    269 Wyckoff Mills Road EW3 LLC**  
269 Wyckoff Mills Road  
Block 12, Lot 2  
Preliminary and Final Major Site Plan  
**FOR SCHEDULING PURPOSES ONLY**

Chairperson Kelley announced the application would be carried until the meeting of February 5, 2018 with no further notice required.

**EWT File #PB17-004                    Windsor Castle Associates**  
226 Dorchester Drive  
Block 87, Lot 11  
Preliminary and Final Site Plan

Chairperson Kelley asked Jolanta Maziarz, Board Attorney, to swear in the Board's professionals: Joseph Burgis, Township Planner, Daniel Dobromilsky, Township Landscape Architect, and A. Maxwell Peters, Township Engineer. Ms. Maziarz swore the professionals in.

Chairperson Kelley stated for the record the following reports have been received from East Windsor Professionals and Supervisors: Chief of Police James A. Geary, dated December 12, 2017, Exhibit B-4; Fire Official Kevin Brink, dated January 3, 2018, Exhibit B-5; and the East Windsor Environmental Commission, dated December 21, 2017, Exhibit B-6. Mr. Pape stated that the applicant was in receipt of these reports.

Ken Pape of Heilbrunn Pape is representing the applicant, Windsor Castle Associates, this evening. He stated that this is the second public hearing for their application, as at their last hearing on December 4, 2017 the Board requested additional information that they have since provided. The application is to convert 28 existing apartment units to affordable housing units, and also to construct 28 additional market rate units, a new clubhouse, and a storage shed in the rear of the property.

Mr. Pape introduced his first witness, project engineer Kurt Otto of Maser Consulting. Mr. Pape stated that Mr. Otto was accepted as a professional witness and sworn in front of the Board at the December 4, 2017 hearing on this matter. Chairperson Kelley accepted Mr. Otto's credentials.

Mr. Otto entered into evidence Exhibit A-9 titled “Colored Rendering of Windsor Castle Apartments Development,” dated January 22, 2018. Mr. Otto entered into evidence Exhibit A-10 titled “Rendering of Building N and Clubhouse Building” dated January 22, 2018. Mr. Otto entered into evidence Exhibit A-11 titled “Rendering of Building O and Building P,” dated January 22, 2018.

Mr. Otto referenced Exhibit A-9. He stated that at the last hearing there were comments that the proposed connection of Building N to Building M would eliminate an existing sidewalk on site that connects the site to the adjacent Krauser's store. Mr. Otto stated that a site visit was conducted to confirm the existence of the sidewalk, and he testified that the sidewalk was confirmed in that area and they would maintain that connection to the Krauser's convenience store. Mr. Otto stated that they are also proposing a new sidewalk around Building O that connects Dorchester Drive to Building O. Regarding landscaping, Mr. Otto stated that previous exhibits did not adequately show the existing street trees on site and the proposed additional street trees that they would be adding. He stated that along Dorchester Drive, existing street trees are located between the curb line and the sidewalk, putting the trees directly under overhead power lines. Mr. Otto stated that there are about six trees in that area and they would not be removing those trees. Along Devonshire Drive, the applicant would be adding trees along Building O. There are also mature deciduous trees in the area between the sidewalk and the building that would be maintained by the applicant.

Mr. Otto referenced Exhibit A-10. He stated that the Board had requested additional landscaping at the building ends, so the applicant is providing lower level mulch beds and low level evergreens at the ends of Buildings N, P, and O. Mr. Otto referenced Exhibit A-11. Mr. Otto stated that foundation plantings would be added around Buildings O and P. Chairperson Kelley asked Mr. Dobromilsky for any comments. Mr. Dobromilsky stated that the submitted drawings were more of an illustration rather than a formal landscaping plan so prior to Mr. Otto's testimony the submission was unclear. Mr. Dobromilsky question how enforceable the submitted landscaping illustrations would be by the Board if an approval was granted, as it is not a formal landscaping plan. He also stated that he is unsure of the condition of the existing trees on site, so a site visit would have to be conducted to see if those trees could remain after construction. Mr. Dobromilsky stated that he made comments about adding eight shade trees in the new parking areas but he did not see any changes to that effect on the latest submission. He would also suggest shrubs to screen the new parking areas from Dorchester Drive and Devonshire Drive. Mr. Otto stated that it was their intention to submit a formal landscaping plan for approval during the resolution compliance review. Mayor Mironov stated that typically the Board would receive the landscaping plan as part of the application so the Board could know the specifics of the landscaping proposal. Mr. Pape stated that he could suggest that if the application received approval this evening from the Board, they would provide a landscaping plan prior to any resolution of memorialization.

Mr. Pape stated that at the previous hearing, the Board has asked the applicant about the complex's recycling program. Mr. Pape stated that since that meeting, they had done their research and found that the existing Township ordinances were silent on residential recycling requirements and that currently the apartment complex does not recycle. Mr. Pape stated that beginning February 1, 2018 the entire apartment complex would begin recycling and the applicant had already taken the necessary steps to update their contract with their existing waste management company to include recycling pickup. Mayor Mironov asked Chairperson Kelley to have the Environmental Commission look into the recycling ordinances and report back to the Township Council.



Mr. Pape introduced his next witness, project traffic engineer Betsey Dolan of Dolan and Dean Consulting Engineers. Mr. Pape stated that Ms. Dolan had been accepted as a professional witness and sworn in at the December 4, 2017 meeting. Chairperson Kelley accepted Ms. Dolan's credentials.

Ms. Dolan stated that at the request of the Board, she conducted additional site visits to determine the actual parking demand on site. She stated that the apartment complex is currently at 100% capacity with no vacant units. Parking accumulation counts were performed on Saturday, December 16, 2017 from 9:00 PM to 10:00 PM and on Monday, December 18, 2017 from 9:00 PM to 10:00 PM. Every 15 minutes Ms. Dolan went through the entire parking lot and counted how many spaces were occupied at those times. She stated the maximum figure was 301 spaces occupied during this time with an excess of 100 spaces unoccupied, creating a demand of 1.5 parking spaces per unit. Ms. Dolan stated that the applicant is proposing to add 28 units and increase the parking stall count to 477 parking spaces, resulting in a ratio of 1.9 spaces per unit.

Chairperson Kelley asked Ms. Dolan if, in her experience, these ratios were typical for apartment complexes. Ms. Dolan stated that the typical parking demand is about 1.8 parking spaces for a one bedroom unit and 2 spaces for a two bedroom unit. She stated that she found that the parking demand for this apartment complex is lower than typical but it is in line with other projects that she has worked on recently, as developers are seeing an overall decrease in parking demand for residential apartment complexes. Mr. Berman asked Ms. Dolan if they had considered land banking any of the proposed parking stalls. Ms. Dolan stated that they had not considered land banking any spaces, but they could certainly look into that as an option.

Mr. Pape introduced his next witness, project architect Steven Radosti of Perez and Radosti. Mr. Pape stated that Mr. Radosti had been accepted as a professional witness and had been sworn in at the previous hearing. Chairperson Kelley accepted his credentials.

Mr. Radosti entered into evidence Exhibit A-12 titled "Sheet SK-8," dated January 22, 2018. Mr. Radosti stated that Exhibit A-12 showed an example of the facade mounted building identification signage that would be placed on the new buildings to match the existing buildings on site. Each building would have two letter designation signs measuring 1.5 feet by 1.9 feet to match the existing buildings. The clubhouse would have a single two square foot sign that will read "Leasing Office" on the front facade.

Mr. Pape stated that after discussing the topic of land banked parking with the owner of the site and applicant, Eli Kramer, the applicant would be comfortable reducing the on site parking to a ratio of 1.7 spaces per unit and land banking any additional spaces in the remote areas of the site. Chairperson Kelley stated that if the applicant is comfortable with that it should be fine. Mayor Mironov stated that she would want to make sure that adequate parking is available near the new units that are going to be added to the site.

Mr. Pape introduced his next witness, the applicant Eli Kramer of Windsor Castle Associates. Mr. Pape stated that Mr. Kramer was sworn in as a witness at the previous hearing. Chairperson Kelley accepted Mr. Kramer as a witness.

Mr. Kramer stated that they would like to have additional green space on site, but he had given the project engineers instructions to add as much parking as possible to the site. He stated that additional parking spaces were being proposed in the rear of the site, where parking typically is not utilized. He stated that he would be comfortable with reducing the onsite parking ratio to 1.7 spaces per unit and he would suggest land banking the proposed additional parking spaces in the rear of the site. Chairperson Kelley stated that sounded agreeable. Mr. Dobromilsky agreed.

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

Mayor Mironov stated that as previously discussed, one condition of any approval granted this evening would be the review and approval of the project by the Township Council pursuant to the Ordinance 2017-09.

MOTION TO APPROVE THE APPLICATION MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Berman

**ROLL CALL**

AYES: Mr. Berman, Mr. Brady, Mr. Catana, Mr. Clark, Mayor Mironov, Mr. Schmidlin,  
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 22, 2018, 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 12<sup>th</sup> day of March, 2018.

\_\_\_\_\_  
Allison Quigley, Board Administrative Secretary  
East Windsor Township