

**EAST WINDSOR TOWNSHIP PLANNING BOARD  
MINUTES OF July 23, 2018**

The meeting of the East Windsor Township Planning Board was held on Monday, July 23, 2018, in the East Windsor Township Municipal Building, 16 Lanning Boulevard, East Windsor, New Jersey, 08520. Planning Board Chairperson Edward Kelley called the meeting to order at 7:36 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. Brand, Mr. Clark, Mayor Mironov, Ms. Patel, Mr. Schmidlin, Mr. Shapiro, Mr. Kelley

Members Absent: Mr. Berman, Mr. Catana

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

**REPORTS/CORRESPONDENCE/ANNOUNCEMENTS**

Mayor Mironov announced that National Night Out would be taking place on Tuesday, August 7<sup>th</sup> from 6 PM to 9 PM at the PAL fields on Airport Road.

**PUBLIC FORUM**

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

**MINUTES**

**RESOLUTIONS**

**DISCUSSION ITEMS**

**APPLICATIONS/PUBLIC HEARING**

<b>EWT File #PB17-007</b>	<b>33 Lake Drive LLC</b>
	33 Lake Drive
	Block 20.02, Lot 2
	Preliminary and Final Site Plan with Variances

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.

George White of Turp, Coates, Driggers and White is representing the applicant, 33 Lake LLC, this evening. The application is for preliminary and final site plan with variances for the subject property, located at Block 20.02, Lot 2. The applicant is proposing to renovate the existing office building on site and make additional site improvements. Mr. White stated that he has two witnesses present this evening to discuss the application. The first witness is project architect Joseph Primiano of his own firm and he will be discussing the site plans and the proposed improvements. Also present is Stanley Skeba, the owner of the property to answer any questions regarding the operations of the office building or the project.

Chairperson Kelley stated for the record the following reports have been received from East Windsor Professionals and Supervisors: Burgis Associates, dated June 25, 2018, Exhibit B-1; T&M Associates, dated July 13, 2018, Exhibit B-2; Daniel Dobromilsky and Associates, dated July 11, 2018, Exhibit B-3; Fire Official Kevin Brink, dated June 28, 2018, Exhibit B-4; the East Windsor Environmental Commission, dated June 21, 2018, Exhibit B-5; and Chief of Police James A. Geary, dated June 22, 2018, Exhibit B-6. Mr. White stated that the applicant was in receipt of these reports.

Mr. White introduced his first witness, project architect Joseph Primiano of his own firm. Mr. White asked Mr. Primiano to review his education and licensure for the Board. Mr. Primiano stated that his office is located at 26 Old Trenton Road in East Windsor. He graduated NJIT with a bachelor's degree in architecture and a master's degree in management in 2001. He is licensed in New Jersey and several other states and has been accepted as a professional witness before numerous boards in the state. Chairperson Kelley accepted Mr. Primiano's credentials. Ms. Maziarz swore in Mr. Primiano.

Mr. Primiano stated that he prepared a set of drawings consisting of fifteen sheets that include architectural and site drawings that was submitted to the Board in support of this application. Mr. Primiano stated that the applicant is proposing to take the existing office building on site measuring 3,170 square feet and renovate the building with architectural changes. Currently the building faces north toward Abbington Drive and the intent is to move the entry to face Lake Drive to the west. Mr. Primiano stated that the entry of the building is currently facing the rear façade of the existing Shell gas station along Route 33. He stated that relocating the entry would help the building to function better and the proposed architectural changes would give the building a more aesthetically pleasing look.

Mr. Primiano stated that the existing building has a flat roof and the exterior walls are made of brick. The applicant is proposing to install a decorative shingle hip roof with a metal gable roof over the entry. This would cover the entry way and protect visitors to the site from the elements. The applicant would have a stone veneer material across the bottom of the building. Mr. Primiano entered into evidence Exhibit A-1, which is Sheet A-5 of the submitted plans, titled "Existing Aerial Photo and Proposed Exterior Rendering," dated July 23, 2018. He stated the materials would all be earth tones, and would feature a stucco finish with decorative banding and trim work. The new design also features glazed glass for the offices to bring more light into the interior.

Mayor Mironov asked Mr. Primiano if he had a colored rendering of the site looking straight onto the building from Lake Drive. Mr. Primiano entered into evidence Exhibit A-2, which is Sheet A-6 of the submitted plans, titled "Exterior Rendering View from Lake Drive," dated July 23, 2018. Mr. Primiano stated that a photo of the existing building is featured in the lower left hand corner of the sheet. He stated that it is currently a dark brown color with a flat roof and windows only on the north and south façade. The applicant would be adding windows to all facades to make the building more inviting. The exterior materials would include a stucco finish with stone veneer across the bottom of the building and decorative trim work all in complimentary earth toned colors, such as beige stucco finish and a brick tone red accents. The asphalt shingle roof would be brown with a metal roof over the gable entry. Mr. Primiano stated that there is an existing brick monument sign identifying the property that would also be redone to match the new colors and materials of the renovated building. The new sign would be two monument signs coming together in a V-shape made with cultured stone materials to match the stone veneer on the building and capped with limestone caps. The stone face would be a stucco finish to match the building with the text inside. The existing sign is on a 45 degree angle to the building facing the corner of Abbington Drive and Lake Drive. Mr. Primiano stated that the text of the sign isn't visible to traffic travelling northbound on Lake Drive. He stated that the double sign would make the building easily identifiable to traffic travelling either direction on Lake Drive. Mr. Primiano stated that the only addition to the building would be the 149 square foot vestibule for the covered entryway but the addition had generated comments about the parking requirement increasing from 16 parking spaces to 17 parking spaces. The building currently houses several offices and that use would not change. Mr. Primiano referenced Sheet A-2 in the submitted plan set and stated that the sheet shows the existing floorplan and the proposed floorplan. The existing floorplan shows a variety of offices and restrooms and small lounge. Mr. Primiano stated that the applicant would be moving some of the walls around to open up the space and improve the interior layout.

Mayor Mironov asked Mr. Primiano to go back to the renderings and explain the exterior changes and where the entry was originally located versus its new location and what the building would look like from Route 33. Mr. Primiano referenced Exhibit A-1 and stated that the current entrance is on the top-left side of the building facing Abbington Road and the rear façade of the existing Shell Gas Station. He stated that most of the traffic coming to the site was travelling from Lake Drive so it seemed logical to move the entry to that facade so it was visible from Lake Drive and it was closer to the site parking. Mr. Primiano stated that he did not have a rendering of the building from Route 33 but stated that there were two dimensional elevations provided in the submitted plans of all four facades and each facade would be similar to the west façade with decorative features and new materials. He acknowledged that the building is highly visible so he stated that they would make sure that all four sides would look nice and the building would be attractive from all views and roadways. Mayor Mironov asked Mr. Primiano if he thought this was an improvement to the existing look of the site. He stated that he did.

Mr. Primiano stated that for site parking, there is a two way drive aisle along Lake Drive that serves as the only access point for the site with a linear parking area. Mr. Primiano stated that the applicant would be restriping the parking area, adding a proper barrier free parking space with a depressed curb and proper signage to bring the parking lot up to code but they would be adding any parking spaces. Mr. Primiano stated that they considered adding parking spaces to the west or east sides of the building, but decided against it because they didn't want to lose the green space in front of the building and due to a transformer located in the east end of the parking lot, extending

the pavement to the east side of the building would cause them to lose existing parking spaces for circulation.

Mayor Mironov asked Mr. Primiano if the building was being fully utilized. Mr. Primiano stated that it is not. Mayor Mironov asked Mr. Primiano to address the adequacy of the parking if the building were fully occupied and any alternatives if additional parking was required. Mr. Primiano stated that parking is permitted along Lake Drive starting about 200 feet from the property and continues about a quarter of a mile down the street to the next intersection. There is sidewalk that runs along Lake Drive to the property that would allow access to the site for anyone parking along Lake Drive. Chairperson Kelley asked if parking could be added in front of the building. Mr. Primiano stated that they could look into adding parking in front of the building and estimated they could potentially add two parking spaces in that area without creating too many issues on the site. Mr. Primiano referenced Sheet A-6 and stated the first existing parking stall is set about 33 feet back from the sidewalk, so there is a possibility of adding two parking stalls in that area and bringing the parking lot closer to the sidewalk. Chairperson Kelley asked if parallel parking could be permitted along the south side of the existing parking lot. Mr. Primiano stated that the parking area is not big enough to permit parallel parking on the south edge of the parking lot without blocking in cars that are parking in the existing stalls. Mayor Mironov asked Mr. Burgis for his opinion on the two additional parking spaces being discussed. Mr. Burgis stated that he reviewed the Institute of Transportation Engineers Trip and Parking Generation Manual and he finds their analysis for small office parking lots was 13.4 parking spaces at peak hour on average. If the applicant adds the two parking spaces as suggested by Chairman Kelley, they would be closer to that figure. Mayor Mironov stated that adding those two parking stalls did not seem to have a negative effect on the site. Mr. Primiano stated that it was a good suggestion.

Mayor Mironov asked Mr. Primiano to go over the other site improvements being proposed. Mayor Mironov stated that it is important the applicant go over the entire site plan and any proposed site improvements for the Board's review and approval. She asked if the HVAC system would be updated for the building. Mr. Primiano stated that the HVAC units are currently located on the roof of the building due to the flat roof structure. The addition of the hip roof will hide the mechanical systems for the HVAC systems. Mr. Primiano stated that the only exterior mechanical equipment will be two pad mounted condensers on the south east corner of the building measuring approximately 36 feet by 36 feet in size and about three feet in height. The condensers will be set back 80 feet from the property line and will be screened from view. Mr. Primiano stated that he has revised the plans to add additional screening as well. Mr. Primiano stated that he had revised plans to provide to the Board with some updates based on comments made by the Board's professionals and consultants. Mayor Mironov asked Mr. Primiano to present the revised plans in full to the Board as they had not received them to review prior to tonight and that any presentations are to be made to the Board as the Board would be the ones taking action on the application. Mr. Primiano entered into evidence Exhibit A-3, titled "Sheet S-4, Landscaping Plan," dated September 15, 2017, revised July 23, 2018. Mayor Mironov asked Mr. Primiano if the plan had extensive changes and he stated that it did. Mayor Mironov asked him to go through the changes in detail for the Board. Mr. Primiano also displayed the original landscaping plan that was submitted to the Board. Mr. Primiano stated that the original plans show the condensers would be screened by two inkberry hollies and one leatherleaf viburnum. Mr. White asked Mr. Primiano if anything were changed or added to the landscaping that would screen the condensers from view.

Mayor Mironov asked Mr. Primiano to revisit the questions asked about the HVAC system and any updates being made. Chairperson Kelley clarified to the applicant that the review letters from the Board's professionals and consultants were directed to the Board for their advisement and the applicant should be addressing the Board during the hearing. Mr. Primiano stated that he understood.

Mr. White asked Mr. Primiano to go through the revised landscaping plan. Mr. Primiano stated that the applicant originally proposed two shade trees and twenty one shrubs with three arborvitaes, eight inkberry hollies, and ten junipers. In the revised plans shown in Exhibit A-3, the landscaping was increased significantly in quantity. Additional landscaping was added around the condensers to further screen them from view. The original plan proposed three shrubs to screen the condensers while the revised plan proposes to screen the condensers with seven shrubs, including two junipers, two inkberry hollies, two arborvitaes and one leather leaf tree. There is an existing pad mounted transformer and electrical box at the east end of the site that is currently not screened at all and the original submitted plans did not propose any screening in that area. Mr. Primiano stated that the new plans propose screening the electrical box and transformer with five shrubs. Additional shrubs were added to the corners of the building. The original landscaping plan proposed seven shrubs at the northwest corner of the building and the new landscaping plan proposes ten shrubs in that area. On the southwest corner of the building, five shrubs were originally proposed by the new plans show seven shrubs in that area.

Mr. Primiano stated that a dumpster and dumpster enclosure were added the new plans. Mayor Mironov asked Mr. Primiano why that was added. Mr. Primiano stated that it was suggested in one of the review letters and it was thought to be a good idea by the applicant. Mayor Mironov asked Mr. Primiano how trash and recycling is handled on site currently and Mr. Primiano stated that it occurs internally with trash cans inside of the building. Mr. White stated that historically the building had a dumpster sitting in the parking lot without any enclosure. Mayor Mironov stated that was not suggested by the Board so she just wanted to clarify where the suggestion came from. Mr. Primiano stated that a six foot by six foot dumpster and a wood board on board batten fence enclosure with gate were added to the east end of the parking lot. In addition to the wood enclosure, shrubs were added to all three sides of the enclosure to further screen the area. Mayor Mironov asked if the enclosure would match the building. Mr. Primiano stated that they could add stone veneer across the bottom and a stucco finish to the enclosure to match the building. Mayor Mironov stated that is the normal requirement of the Board.

Mr. Primiano stated that encompassed the changes made to the landscaping plan. Mr. Primiano went on to present the lighting plan to the Board. He stated that the lighting plan had also been updated for the hearing tonight. The applicant originally proposed a spotlight on the ground that would face up at the entry, two pole lights measuring ten feet in height at the east and west ends of the parking area, and one facade mounted light over the rear exit door. Mr. White asked Mr. Primiano if the lighting plan meets the Township's requirements. Mr. Primiano stated that he believes it meets the requirements for the proper foot candles on the parking spaces but he's unsure if it meets the requirements for covering the entire parking area, but that could be adjusted. Mayor Mironov asked Mr. Primiano to expand on that. Mr. Primiano stated that the pole lights cover the parking stalls and pathways but it does not cover the entire drive aisle. He stated that a simple solution to the issue would be to raise the pole mounted lights which would cast a larger beam spread and cover more of the paved areas. Mayor Mironov pointed out that there are homes near

the property so she would have to see if there were good cause to do that. Mr. White asked Mr. Primiano if the lighting as proposed was adequate for people visiting the site to park their car and walk to the building or to walk to their cars to leave the building. Mr. Primiano stated that it is adequate. Mr. Peters stated that based on the information provided by the applicant, it is difficult to tell if the lighting plan meets the Township ordinance requirements. He stated that generally the Board receives a computer generated point by point analysis of the lighting levels on site and the average lighting levels for the site. Chairperson Kelley agreed with Mr. Peters and stated that the submitted lighting plans do not indicate the average lighting levels for the site. Mr. Primiano stated the lighting plans shows the beam spreads for the specific model lights that have been chosen for the site. He stated that a point by point lighting plan could be provided for the Board. Mr. Peters stated that it would be appropriate for the applicant to provide additional information on the lighting plan to the Board. Mayor Mironov agreed and stated that the additional information would enable the Board to make an evaluation as to whether any changes are required for the lighting as discussed. Chairperson Kelley stated that he would like information on any security lighting that would remain on through the night. Mr. Primiano stated that the intent of the application is to limit the site lighting to 11:00 PM. Some light fixtures for the ground sign and facade mounted lights would remain on for security purposes by the rest of the site lighting would turn off. Mayor Mironov asked if the lights would be on a timer. Mr. Primiano stated that they would be on a timer to turn off at 11:00 PM and a sensor to come back on at dusk. Mr. Dobromilsky asked if the spotlight illuminating the new entrance was ground mounted. Mr. Primiano stated that it would be pole mounted.

Mayor Mironov asked Mr. Primiano to review the signage for the site. Mr. Primiano stated that the applicant is proposing a new v-shaped ground sign on the corner of Abbington Drive and Lake Drive. Each face surface measures 30 square feet. The materials of the sign will match the building materials with stone veneer, stucco finish, and matching colors. The sign measures 6'3" in height to the top of the piers. The piers is ten foot wide and the actual sign face is 7'4" wide. Mr. Dobromilsky stated that the plans show two existing pole mounted lights along the concrete walkway and asked if they would remain as shown. Mr. Primiano stated that there are four existing light fixtures on the north end of the property. Two lights are for two existing flagpoles on the site. The other two closer to the building light the face of the building up currently and they will be removed. Chairperson Kelley asked if there would be any facility for recycling on site. Mr. Primiano stated that the dumpster enclosure is only proposed to hold a trash dumpster but if the Board wanted, the enclosure could be widened to include a dumpster for recycling or cans for recycling. Mr. Dobromilsky asked Mr. Primiano to compare the proposed pole mounted lights to the existing pole mounted lights in the parking lot on the adjacent property to the south. Mr. Primiano stated that they are proposing ten foot high pole mounted lights, which are on the low side for a commercial property because the applicant wanted to make sure there was no light spilling onto any adjacent properties. Mr. Dobromilsky stated he understood the intent but because they were mounted at a shorter height, they would have brighter spots directly underneath the lights and it was important to strike a balance to prevent light spillage but also to blend into the existing area. Mr. Primiano stated that the existing pole mounted lights in the adjacent parking lot and along Lake Drive are about 12 feet tall. Chairperson Kelley asked if the proposed lights would have shields to prevent spillage and Mr. Primiano stated that they would.

Mayor Mironov asked Mr. Primiano to go through the tests regarding any non-conforming conditions on the site. Mr. White stated that one of the non-conforming conditions is for the front

yard setback. He asked Mr. Primiano to go through the benefits of the non-conforming condition. Mr. Primiano stated that the front yard setback as measured on the site survey is 32.9 feet whereas 50 feet is required. As part of the existing building, there are several projections that stick out into that setback and bring it down to about 30 feet. As part of the application, the entry will be moved to the west facade and the setback will be brought back to 32.9 feet, reducing the encroachment into the setback on the north side of the property. On the west side of the property, which will become the new front yard, with the addition of the vestibule will have a setback of 81.42 feet where only 50 feet is required. Mr. Primiano stated that Abbington Drive wraps around the east side of the property so that side can also be considered a front yard and has an existing setback of 88.3 feet. There would be no change to the setback on the east side of the building. Mr. White asked Mr. Primiano if there were substantial detriment if the Board were to approve the variance for the front yard setback. Mr. Primiano stated that nothing proposed would be a detriment as there wouldn't be anything blocking visibility or impeding the front yard.

Mr. White stated that the applicant is requesting a variance for the parking requirement. He stated that adding the two spaces as discussed this evening would bring the site parking to 14 parking stalls where seventeen are required. Mr. White asked Mr. Primiano to go through the potential benefits of allowing this variance. Mr. Primiano stated that that as the building stands now, there are twelve parking spaces on site where sixteen are required. With the increase in square footage of the building as part of this application, seventeen parking stalls are now required for the site. Mr. Primiano stated that they will add two additional parking spaces as discussed to provide fourteen spaces on site. Mr. Primiano stated that these spaces would cover the additional parking stall that is now required by the increase in building size. He stated this is a smaller, less intense building so fourteen parking spaces combined with a bus stop on the north side of the property and adjacent parking along Lake Drive would be suitable for the site. Mr. White asked Mr. Primiano to address any negative effects of the variance. Mr. Primiano stated that the detriment would be that some of the overflow parking would have to park along Lake Drive, but there is ample parking along Lake Drive. However, because the office building's primary hours of operation are during the day, it would not negatively coincide with the parking demand of the adjacent apartments that would be primarily utilized at the end of the day when people are returning home from work. Chairperson Kelley stated that the additional two parking stalls is definitely a step in the right direction.

Mr. Dobromilsky stated that the Township code requires more buffering than the applicant is providing for the parking lot. He stated that the applicant did provide additional landscaping along the parking area but mainly to buffer the trash enclosure and condensers from view. The ordinance would require filtered buffering, which is more continuous buffering of the parking area and two shade trees in the area. Mayor Mironov asked Mr. Dobromilsky what the practicality of adding that landscaping is on the site. Mr. Dobromilsky stated that there is room to add the required landscaping. Mr. Primiano stated that they could add the additional required landscaping to further buffer the parking area.

Mr. Schmidlin asked Mr. Primiano if the lighting plan could be updated to reflect the additional parking stalls discussed this evening. Mr. Primiano stated that the plan would be updated. Mayor Mironov stated that if any action is taken on the application tonight, the lighting plan would be considered an open issue that would have to come back to the Board for review and approval prior

to any resolution being approved. The revised plans as discussed this evening would also have to be provided to the Board.

Mayor Mironov stated that this is a visible, prominent property in the Township and that this is a positive upgrade of the site and surrounding area. Mr. White asked if the Board would consider taking action on the application tonight under the condition the open issues are addressed by the applicant prior to the adoption of a resolution. Mayor Mironov stated that she would be comfortable with that. Chairperson Kelley agreed. Mr. Clark stated that he also thought this was a positive improvement to the site.

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

MOTION TO APPROVE THE APPLICATION MADE BY: Mr. Clark

MOTION SECONDED BY: Mr. Schmidlin

**ROLL CALL**

AYES: Mr. Brand, Mr. Clark, Mayor Mironov, Ms. Patel, 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 July 23, 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 24<sup>th</sup> day of September, 2018.

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Allison Quigley, Board Administrative Secretary  
East Windsor Township