

MINUTES OF THE PLANNING BOARD REGULAR MEETING OF PISCATAWAY TOWNSHIP HELD ON NOVEMBER 9, 2022.

The Regular Meeting of the Piscataway Planning Board was called to order at 7:30 P.M. on Zoom (online), Piscataway, New Jersey by Chairperson Brenda Smith.

Chairperson Smith stated: IN COMPLIANCE WITH THE OPEN PUBLIC MEETING ACT, ADEQUATE NOTICE OF THIS MEETING WAS PROVIDED IN THE FOLLOWING WAYS:

- *Posted on the bulletin board of the Municipal Building and made available through the Township Clerk;
- *Notice published in the Courier News;
- *Notice sent to The Star Ledger;
- *Notice made available through the Township Librarians.

Thomas Barlow, Esq., states that he would like to place on the record that we are doing this meeting through an online meeting platform in light of the COVID-19 pandemic. In keeping with the guidelines that have been disseminated by the Department of Community Affairs, the Planning Board has tried it's best to comply with the open public meeting act and the Governor's guidelines in dealing with the current situation. In addition, the applicant whose matter will be heard this evening had the login information for the online meeting platform put forth in their notice; members of the public who wish to be heard will be afforded an opportunity as if we were in an actual, physical space. He believes we have done our absolute best to comply with the DCA guidelines and the open public meetings act.

ROLL CALL: Mayor Brian Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Henry Kenney, Alex Adkin, Mike Foster and Chairperson Brenda Smith. **ABSENT:** Carol Saunders, Dennis Espinosa

Also present: Thomas Barlow, Esq., Ron Reinertsen, CME and Laura Buckley, Board Clerk. It was determined that a quorum was present by roll call.

4. PLEDGE OF ALLEGIANCE

5. SWEARING IN OF PROFESSIONALS: Ron Reinersten, Malvika Apte, James Clarkin, IV

6. DULY AUDITED BILLS TO BE PAID

MOTION was made by Rev. Henry Kenney to pay the bills; seconded by Councilwoman Cahill.

ROLL CALL: Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, , Rev. Kenney, Alex Adkins, Mike Foster and Chairperson Smith.

7. CHANGES TO THE AGENDA: None

8. ADOPTION OF RESOLUTION TO MEMORIALIZE ACTION TAKEN ON OCT. 12, 2022:

- (a) **22-PB-19** **51 Holly Road Associates, LLC**
Preliminary Major Subdivision
Block 6904, Lot 6.01; Zone: R-10
705 Plainfield Avenue
Approved.

MOTION was made by Chairperson Smith to memorialize the resolution for 22-PB-19; seconded by Ms. Corcoran. **ROLL CALL:** Dawn Corcoran, Councilwoman Cahill, Rev. Kenney, Alex Adkins and Chairperson Smith voted yes on the motion.

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(b) Resolution: DiCostanza; 21-PB-39/30V, ext. of time, 90 days; Approved.

MOTION was made by Rev. Kenney to memorialize the ninety (90) extension for 21-PB-29/30V; seconded by Ms. Saunders. **ROLL CALL:** Dawn Corcoran, Councilwoman Cahill, Alex Adkins and Chairperson Smith voted yes on the motion.

9. ADOPTION OF THE MINUTES FROM THE REGULAR MEETING OF OCT. 12, 2022

MOTION was made by Rev. Henry Kenney to memorialize the minutes from the September 14, 2022 meeting; seconded by Mike Foster. **ROLL CALL:** Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Mike Foster and Chairperson Smith voted yes on the motion.

10. DISCUSSION: AREA IN NEED STUDY FOR REDEVELOPMENT FOR BLOCK 6201 LOT 6.02 AND BLOCK 7401, LOTS 2.02 & 2.03. ALSO KNOWN AS 50 KNIGHTSBRIDGE ROAD, 2 SKILES AVENUE & 444 HOES LANE, LOCATED ON MAP PAGES 62 & 74 ON THE PISCATAWAY TOWNSHIP TAX MAP.

Malvika Apte, PP, from CME Associates is here to present the AINOR Study. Ms. Apte shares the screen with the Board and states that this property is an Area in Need of Redevelopment; non-condemnation. The property is located in the TC & BP Zones; report is dated October 27, 2022. Ms. Apte states that there are three properties that are in the study and known as the Ericsson Drive area. The Township Council prepared and adopted a resolution on October 6, 2022 directing the Planning Board to prepare the area in need study.

Ms. Apte states that before the Board is an area map showing the three (3) properties. Two of the properties front on Hoes Lane and the other fronts on Skiles Avenue. Lot 6.02, northern most lot, is currently vacant and it has an Ericsson Drive easement going through the property along the western property line. Between 1995 and 2002 there used to be an existing building on that property that has been demolished; since then, the property has remained essentially vacant.

Lot 2.03 which has the maximum frontage on Hoes Lane, is a corner property and has about 2,000 feet on Hoes Lane and the rest is on Skiles Avenue. This property is currently dead locked with about four buildings between 1-3 story office buildings and an excessive amount of parking; about four parking lots. Block 7401, Lot 2.02 as referred to as the rear property because that only has a 290 foot frontage on Skiles Avenue and most of the property is to the rear of lot 2.03. This property also contains the eleven (11) story currently vacant office building which is one of the tallest buildings in Piscataway. There used to be another building on the property but has recently been demolished. Towards the southern portion of the property there is a one story storage building and electric sub-station. Ms. Apte states that towards the western portion of the property is currently vacant with a helipad.

In reference to the environmental constraints, lot 6.02 there are some presence of wetlands through State mapping. Lot 2.02 has an extensive amount of wetlands along it's western portion of the property. The 2.03 property currently has the NJEMS, environmental monitoring system, other than that there is no known contamination. During the study they also reviewed the Township's tax map, zoning map, violation notices and any other information relevant to the study. They also reviewed the Township's Master Plan done in 2005 and re-examination report that was done in 2020.

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Ms. Apte states that they want to promote efficient land use planning and create adequate community facilities for it's residents and strong sense of community by creating a town center. The property is located in the State's PA-1 Zone. These are the areas identified as already having existing infrastructure and the recommend re-planning and growth in the area. She explains that all of the properties need to meet one of the eight (8) criteria that are listed in the study and can be designated as a non-condemnation area in need of redevelopment. She shares pictures of the property on the screen with the eight criteria. Ms. Apte explains each of the criteria to the Board and what it is looking for. Each property only needs to meet one of the criteria to be deemed as an area in need of redevelopment.

Block 6201, Lot 6.02, is the vacant property on the northern area and has frontage on Hoes Lane and Knightbridge Road. This property is about 28 acres in size and is an irregularly shaped lot. There are several easements noted on the property that has to do with the access easement on Ericsson Drive and drainage easements. The property is in Zone X, flood hazard, the northern area has some wetlands. There was only one violation on the property for clearing trees without a permit; no other violations. This property was designated in 2014 as an area in need of redevelopment however, a plan was never adopted. The property was designated as a TC Zone previously. There has nothing been going on this property for almost 20 years now. The property can meet criteria "C" since nothing has been done. Under criteria "H", the location of the property, existing infrastructure and it is ideal.

Block 7401, Lot 2.03, this is the rear property. The site is currently dead locked with a large parking lot and has the 11 story office building. It also is dead locked on the southern side with one electrical substation and building which has become dilapidated over the years. To the west is mostly vacant with one helipad there. Their review of the property showed that the parking lot, because of the excessive land coverage, seems to have been neglected and in disrepair. The building is currently vacant and has been like that since at least 2016. Maintenance violations, weeds, etc., has been an ongoing issue on the property. It was designated in a TC zone since 2014.

This property can be designated as an area in need of redevelopment under three (3) criteria. The "B" criteria which is basically discontinuance of any commercial/office buildings that has remained vacant and is un-tenantable; the 11 story building is vacant. Under criteria "D", for obsolete layout and the sea of parking areas. Criteria "H" smart growth, when you put all of the properties together and create a more comprehensive plan; more efficient.

The third property which is Block 7401, Lot 2.03, is the property with the largest frontage on Hoes Lane and Skiles Avenue. This property has four parking lots and a couple of buildings ranging from 1 to 3 stories. Building #6 was the only one that has a tenant; the other three (3) buildings on the property are vacant. Over the years the property has received various violations starting with fence, site plan needed, etc. There were several minor Police activity on the property as well; 29 calls. This property falls under the "D" criteria and the "H" criteria.

Ms. Apte states that in conclusion, they studied each property on its own and they believe it meets at least two of the criteria to be deemed an area in need of redevelopment. She would recommend that the Planning Board recommend to Council that these three (3) properties be designated as an area in need of redevelopment. Councilwoman Cahill asks when the one building was demolished; 2014. Rev. Kenney states that most of the buildings are in disarray and need to be redeveloped. Chairperson Smith asks if there are any more questions from the Board; hearing none. Public portion open/closed.

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MOTION was made by Dawn Corcoran to approve the AINOR Study; seconded by Rev. Henry Kenney. **ROLL CALL:** Mayor Wahler, Dawn Corcoran, Councilwoman Cahill, Mike Foster, Rev. Kenney, and Chairperson Smith voted yes on the motion.

Mr. Barlow states that in anticipation of the approve, all Board members have received a copy of the resolution. A vote is asked for to adopt said resolution:

MOTION was made by Chairwoman Cahill to memorialize the resolution for the AINOR Study; seconded by Alex Adkins. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Mike Foster and Chairperson Smith voted yes on the motion.

11. DISCUSSION: REDEVELOPMENT PLAN FOR BLOCK 1701, LOT 2.03; ALSO KNOWN AS 4100 NEW BRUNSWICK AVENUE. PROPERTY IS LOCATED ON MAP PAGE 17 ON THE PISCATAWAY TOWNSHIP TAX MAP.

James Clarkin, IV, PP, 4Site Planning, is here for the presentation. Mr. Clarkin states that the property is located at 4100 New Brunswick Avenue, Block 1701, Lot 2.03. The property is south of Stelton Road and South Plainfield is across the street of the property. To the South is Stelton Road with a Stop-n-Shop and Route 287 is less than a mile away. This is in the M-5 industrial zone and is approximately 11.72 acres. There is currently a use on the property that is light manufacturing/warehouse; a 100,000 square foot building and is surrounding by a parking lot.

Mr. Clarkin states that in August of this year, Township Council adopted by resolution that the property does in fact meet the criteria for a redevelopment area. On page 7 of the plan, planning goals and objectives, are read into record. The use for the property is envisioned to be a warehouse, the last goal is to provide modern and industrial warehousing uses and facilities. The land use plan is one (1) warehouse structure with permitted accessory uses; guard housing, offices, signs, etc. Electric charging stations as required by the State and solar energy systems are permitted. Prohibited uses will be anything not listed in the plan, no outside storage will be allowed.

The property is in the M-5 zone so the use does fit in with the surrounding area. The bulk standards listed in the plan were specifically for this property to make sure the building fits on this particular property. Mr. Clarkin reads into record all of the bulk yard requirements; impervious coverage is 75% and the building itself has to have a minimum floor area of 100,000 square feet. The parking stalls and loading spaces must be adequately sized to fit today's tractor trailers and cars.

Mr. Clarkin states on page 8 it states it shows traffic and calculations. One space per 3,000 square feet of gross floor area. Must account for any office space within the building; that is 1 space per 200 square feet of floor area. One loading space per 5,000 square feet; make sure that there are enough tractor trailer spaces provided. A minimum of three (3) electric charging stations will be required. There are signage requirements on page 10; two monument signs will be allowed. Wall signs can't exceed 150 square feet. Most of the details will be on the site plan once they come back to the Board. He believes this plan allows the Township to properly redevelop the site with a modern warehouse facility.

Mayor Wahler states that the property does not have any sidewalks at the moment. We need to make sure that it is in the plan for pedestrian movement. Mr. Clarkin states that it will be required to have 5' wide sidewalks on New Brunswick Avenue (page 8). Councilwoman Cahill asks if there is anything else in there for the Board to be aware of besides the typical requirements. Like anything with ROW, so that

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the developer will have to put in for the residents. Dawn Corcoran states that we will be getting the half width on New Brunswick Avenue. Once a developer has been designated, they have to come back to this Board with a site plan application. It is at that time we will pick up any necessary ROW to bring New Brunswick Avenue in compliance with the circulation element of the Master Plan.

Mr. Clarkin states that there is an existing access easement to lot 1.01 which is the Buckeye easement. Any site plan application shall honor that access easement. Ms. Corcoran states that it was a condition of approval through the Zoning Board last year. Mayor Wahler states that the access easement is also to get to the back of the other property.

Public portion open: Brian Rak, 1247 Brookside Road, sworn in. Mr. Rak states that exit 5 is a disaster around rush hour. There will be more traffic and back up 287. Mr. Clarkin states that there will be a traffic study during the site plan application. Public portion closed.

MOTION was made by Rev. Kenney to approve the Redevelopment Plan for Block 1701, Lot 2.03; seconded by Rev. Henry Kenney. **ROLL CALL:** Mayor Wahler, Dawn Corcoran, Councilwoman Cahill, Mike Foster, Rev. Kenney, and Chairperson Smith voted yes on the motion.

Mr. Barlow states that in anticipation of the approve, all Board members have received a copy of the resolution. A vote is asked for to adopt said resolution:

MOTION was made by Chairwoman Cahill to memorialize the resolution for the Redevelopment Plan; seconded by Dawn Corcoran. **ROLL CALL:** Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Mike Foster and Chairperson Smith voted yes on the motion.

12. 22-PB-16/17V **Tanglewood Terrace, LLC**
 Preliminary & Final Site Plan; Bulk Variance
 Block 2201, Lot 23.01/24; Zone: R-M
 32 & 50 Old New Brunswick Road
 Applicant would like to install a free-standing sign.

VARIANCES REQUIRED:

21-1201.4 Required – a free-standing sign shall not exceed 32 square feet in area
 Proposed – two free-standing signs, 54.7 square feet in area

 Required – a free-standing sign shall be located 25 feet from the property line
 Proposed – two free-standing signs located 10 feet from the property line

Action to be taken prior to November 30, 2022
Attorney: Debra Shulski

Debra Shulski, Attorney, is here to represent the applicant. Ms. Shulski states that the complex has been there for a number of years and her client is giving it a facelift. The proposed sign is part of the updates being made to the property. Currently there is a double sided freestanding sign which they are proposing to remove and slightly relocate approximately 9 feet closer to the roadway and replace with two (2) single face signs. There are bulk variances required for the signs that are proposed for the size of the sign and the setbacks.

They share the screen with the Board. Mr. Barlow states that they don't need to share the entire exhibit, most of it is part of the application. They can mark them as they are submitted and shown to the Board if it was not already submitted. First witness, Lauren Werkiser, Design Director for Morgan Properties;

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sworn in to testify. Ms. Werkiser states that she oversees all of the interior and architectural designs on behalf of the company along with the signs. The company was established in 1985, real estate investment and management company. They currently own 345 apartment communities which is about 94,000 units across 19 states. They are one of the top three (3) largest owners and operators in the Country. They have about 2,300 employees nationwide and they have been doing this for a while. The company has owned this particular property for just over 15 years.

A-1 which is an aerial photo of the property is shown on the screen. The property has approximately 13.5 acres, 214 dwelling units with three (3) separate entrances to the property. There are two off of Tangelwood Drive and one off of Old New Brunswick Road which connects to Lenox Court. Lenox Court is where they would like the location of the new signs. There are predominately more complexes surrounding this property but there are some single family homes in the area.

Ms. Werkiser states that they have recently refinanced this property so they were able to get funding to make general enhancements and improvements so as part of this, they would like to replace the sign. They are an older community and would like to compete with all of the new development in the area. She states that they want to enhance the overall appeal of the property and general look of the area. They are looking to create more of a grand entrance when people come to the complex. Chairperson Smith asks the Board if they have any questions of the witness; none. Public open/closed.

Ms. Corcoran asks Ms. Shulski which witness will be addressing the reports; Mr. Crawford. Richard Crawford, 302 N. Washington St, PA, 17961, is sworn in to testify; he is employed by Bartush Signs since 1998. He is the project manager and a sign designer for the company. Mr. Crawford states that the existing sign is a man-made monument sign, double sided, not internally illuminated. The sign area is 29.32 square feet, the entire monument is 43.64 square feet which is the entire structure. The sign is about 28 feet from the curb. The view of the sign is obstructed by trees on the lawn and vegetation. The replacement signs would be two single sided signs at what would be the main entrance instead of one double sided sign.

Mr. Crawford states that they are trying to beautify the entrance. The new signs will be internally illuminated however, only the letters light up. It will be made out of trex instead of real wood, since it lasts a lot longer. He shares his screen with the Board to show the proposed two signs. The face of the sign will be below what the ordinance requires in the zone (28 square feet). If you count the monument, they're at 54.64 square feet. The design was to be placed at Lenox Court; shows site plan of proposed signs (A-4). A-5 are two pictures showing where the signs would be and the obstruction of a utility pole.

Ms. Shulski states that the sign is proposed to be 21 feet from the curb line and 10 feet from the property line; Mr. Crawford agrees. In reference to other signage in the area, if you go to Grove in Piscataway, it has a V shape which is essentially what they are doing; they are putting their V together. Carlton Club has two single sided signs and right across the street is Avalon property which has one double sided sign; pictures shown, A-6. The Avalon sign is closer to the road than the sign that they are proposing.

Mr. Crawford states that the proposed signs will give drivers better visibility to the complex, easier for people to see and read the signs. Residents, new residents and delivery people will have a better chance to see the sign. It promotes visual and safety, signs can cause inappropriate driving by slowing down looking for something, missing a turn, etc. If the sign is visible and legible, you can help eliminate some of the issues. Ms. Shulski asks Mr. Crawford that under the "C" variance, some of what he has said falls under that. Is there anything else falling under positive criteria? Mr. Barlow states that Mr. Crawford is not a Planner and not a licensed Traffic Engineer, he is a sign expert. He states that he does not believe it

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is appropriate that Mr. Crawford comment on the positive and the negative criteria for the granting of a variance; it is not within the scope of his expertise. Ms. Shulski states that he is licensed Attorney as well. Mr. Barlow states that they are both licensed Attorneys but can't put on planning or engineering testimony. Mr. Crawford states that this is a classic bulk variance application. Mr. Barlow states that he can't put on positive or negative criteria. Mr. Crawford states that the sign would be in the best placement possible.

Ms. Shulski asks Mr. Crawford if he has reviewed the reports from the Board professionals; he has. Ms. Shulski states that the applicant will agree with three (3), fixing the broken sidewalk and five (5) removal of certain signage; Mr. Crawford agrees. Mr. Crawford states that if they reduce the sign height, low mounted signs are harder for drivers to see. The view is compromised by other drivers and vehicles as per the study. NJDOT has a traffic audit available online from 2019 that they have reviewed, the numbers show a high degree of blockage; he believes it should stay the height it is proposed. The higher the sign, the easier it is for motorist to see.

In reference to #1, the Township is requesting 19 feet of ROW of the entire frontage of the applicant's property to be dedicated; Mr. Crawford agrees. Ms. Shulski states that if the applicant were to agree to the 19 feet of ROW, the proposed sign would then be in the ROW. Mr. Crawford states that that would make some issues for the owner, they would not be able to see the signs. Chairperson Smith asks the size of the proposed size of the new sign; new letters are larger.

Dawn Corcoran states that item #1 in the report, the Board would not grant permission to have a sign in the ROW. Anytime a plan comes in before the Board, they look at the circulation element of the Master Plan. In this case, the requirement along Old New Brunswick Road is 52 feet and that is why the staff has made the recommendation that there should be a 19 foot dedication. If they were to make that dedication, it would be up to the Board to see where the sign should be placed outside of the ROW; 5 or 10 feet. She states that Mr. Crawford had stated that the other developments, Avalon, etc., have signs closer; they were also required to give the ROW dedication to bring this road to the 104 foot overall right-of-way.

Those signs are slightly closer due to the roads dedication. Ms. Corcoran states that this is not something unique, we ask this from all applicants that come in front of the Board. They will try to work with the applicant with the size of the sign, but waiving this requirement is not something this Board is willing to do in reference to the ROW dedication.

Ms. Shulski states that from a legal perspective, she understands what Ms. Corcoran was saying, and appreciates that they are keeping everyone the same. The complex across the street is new, it's easier to give something like that. She believes this is a different situation with the relief that they are seeking tonight; there has to be a reasonable relationship. They want to work with the Township, but 19 feet is a lot to ask for; they are just here for a sign. Ms. Werkiser states that she went to their Council and explained this, but they would have to go to the lender to explain about the dedication. She would like a plan or proposal to show the lender.

Mayor Wahler states that if they don't give the ROW, they will not be approved; they treat everyone the same and ask for this. Mr. Barlow states that if they were just going to reface the sign you didn't need to come in front of the Board, you are changing the size and the location of the sign; which is within the 25 foot setback requirement. He wants the record to be clear, they are not just changing the sign, they are moving the signs and changing the size. Ms. Corcoran states that only directional signs can only be 10 feet from the property line.

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Councilwoman Cahill states that in reference to the ROW dedication, the Township tries to save the tax payers dollars by having their corporate business partners agree to this. Telling the Board that the client should be paid money for the ROW, doesn't do anything. At the end of the time, the road will need improvements and may need to be widened. Ms. Cahill states that she has a 20 foot ROW in front of her house that she had no say in when her half width was changed. It is for the betterment of the community. If the client is agreeable with the dedication, table this for tonight, and go back to the lender and explain the proposal. They try to do right by their residents; the Mayor has heard this for 30 years and understands the process of the dedication.

Ms. Werkiser states that they are willing to go to the lender, but she isn't sure of what they are asking. Ms. Shulski states that the applicant would have to hire an engineer to do the dedication. Ms. Werkiser is not sure what the dedication is for; widening, sidewalks, etc. Mr. Barlow states that it is a 19 foot dedication, it says it right in the report. The sign would have to start at the 19' dedication and then move the sign back; 5 foot, 10 foot, etc. Ms. Shulski states that the sign would be too far from the road.

Mayor Wahler states that they were aware of what was requested of them. Ms. Shulski states that they have been working on this since we were aware of it. Chairperson Smith opens is up to the public/closed.

MOTION was made by Mayor Wahler to DENY the application; seconded by Councilwoman Cahill.

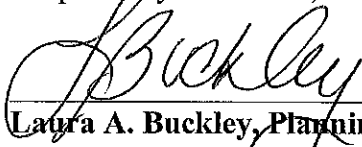
ROLL CALL: Mayor Wahler, Councilwoman Cahill, Dawn Corcoran, Rev. Kenney, Alex Adkins, Mike Foster and Chairperson Smith voted yes on the motion.

13. **ADJOURNMENT: MOTION** made by Dawn Corcoran to adjourn; seconded by Ms. Saunders; All in favor. The meeting was adjourned at 9:15 P.M.

NEXT SITE PLAN WORKSHOP MEETING – NOVEMBER 23, 2022 AT 2:30 P.M.

NEXT PLANNING BOARD REGULAR MEETING – DECEMBER 7, 2022 AT 7:30 P.M.

Respectfully Submitted,



Laura A. Buckley, Planning Board Clerk for Carol A. Saunders, Secretary

I certify that the foregoing is a true and correct copy of the Minutes of the Regular Meeting of November 9, 2022, same having been fully adopted by the Planning Board of Piscataway December 7, 2022.



CAROL SAUNDERS, SECRETARY
PISCATAWAY PLANNING BOARD