

PLAINSBORO TOWNSHIP PLANNING BOARD

MAY 16, 2016

MINUTES

MEETING HELD:

May 16, 2016 in the Court Room of the Municipal Complex.

PLANNING BOARD MEMBER ATTENDANCE:

Arthur Lehrhaupt, Ed Yates, Lavinia Kumar, Peter Cantu, Greta Kiernan, Gary Wolinetz, Richard Keevey, Prakash Sachdev, Joseph Greer, and Jetal Doshi (Alt. #2) were present.

Sanjeev Agarwal (Alt. #1) was absent.

TOWNSHIP/CONSULTANT ATTENDANCE:

Les Varga, Director of Planning and Zoning; Ron Yake, Township Planner/Zoning Officer; Deborah Dudek, Board Secretary; Lou Ploskonka, CME Associates; Anthony Abbonizio, CME Associates, Trishka Cecil, Board Board Attorney; and Michael Balint, Zoning Board of Adjustment Attorney (covering Attorney).

MEMBERS OF THE PUBLIC:

There were 15 members of the public in the audience which included the applicants and their representatives.

MEETING CALLED TO ORDER:

The Planning Board Attorney issued the Oath of Office to Planning Board member Gary Wolinetz.

Arthur Lehrhaupt called the meeting to order at 7:34 p.m. and read the certification of meeting notices.

It was MOVED by KEEVEY and seconded by KIERNAN to approve the April 18, 2016 Planning Board Minutes as amended.

ROLL CALL:

Keevey - yes
Kiernan - yes
Yates - yes
Greer - yes

Cantu - yes
Sachdev - yes
Lehrhaupt - yes
Kumar - yes

Agarwal (Alt #1) - absent
Wolinetz - abstain
Doshi (Alt#2) - yes

P00-10 – Scudders Land Holding LLC, 700 Scudders Mill Road, Preliminary Site Plan Office/Research Development, Block 1601, Lot 50 – Request for Ten Year Extension of Vesting Rights

Trishka Cecil, Planning Board Attorney, noted for the record that the notices were in order and the Board can take jurisdiction.

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The applicant was represented by Thomas M. Letizia, Esq. of the law firm of Pepper Hamilton, LLP. Mr. Letizia noted that the application this evening is for a Ten (10) Year Extension of the vested rights of Preliminary Site Plan approval for Office/Research Development at 700 Scudders Mill Road. Mr. Letizia noted the subject property is the remaining undeveloped portion of what was originally the Merrill Lynch campus and is located within the Township's PMUD Planned Unit Development Zone and is designated O/R Office/Research in the Princeton Forrestal Center General Development Plan. Mr. Letizia noted the parcel is approximately 56 acres and designated as Block 1601, Lot 50 on the tax map of Plainsboro Township.

Mr. Letizia briefly described the background of the application, noting the original approval was dated February 21, 1983 in which the Plainsboro Township Planning Board granted Preliminary Site Plan approval to permit development of the property for 723,879 square feet of office space together with a vesting rights period of ten (10) years. Then On January 23, 1991 the Planning Board approved a ten (10) year extension of the vesting rights and then in August of 2000 the Planning Board granted certain modifications to the Preliminary approval and extended the vesting rights under the Preliminary approval for an additional ten (10) years to February 21, 2013. Mr. Letizia noted that pursuant to NJSA 40:55D-49g of the Municipal Land Use Law Scudders Land Holdings, LLC (applicant) is seeking a ten (10) year extension of the vesting rights from July 1, 2016 and running through June 30, 2026. Mr. Letizia noted the applicant feels the requested extension is reasonable considering the large amount of nonresidential floor area permissible under the Preliminary Approval yet to be constructed, the prevailing economic conditions and the comprehensiveness of the development. The Preliminary approval remains consistent with the current zoning of the Township and the GDP of Princeton Forrestal Center.

Ron Yake, Township Planner/Zoning officer noted the applicant is requesting vesting to allow the balance of the Merrill Lynch approval to be continued to be built. The balance is approximately 723,000 square feet of office space. Back in August of 2000 the Planning Board approved a project for office space and a child care center. The applicant is seeking approval for ten (10) years from July 1, 2016 and running through June 30, 2026.

There being no comments from the Board or members of the public it was MOVED by CANTU and seconded by KIERNAN to close the public hearing.

ROLL CALL:

Keevey - yes
Kiernan - yes
Yates - yes
Greer - yes

Cantu - yes
Sachdev - yes
Lehrhaupt - yes
Kumar - yes

Agarwal (Alt #1) - absent
Wolinetz - yes
Doshi (Alt#2) - yes

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Trishka Cecil, Board Attorney, reviewed the draft resolution. It was MOVED by GREER and seconded by YATES to approve the application and the draft resolution.

ROLL CALL:

Keevey - yes

Kiernan - yes

Yates - yes

Greer - yes

Cantu - yes

Sachdev - yes

Lehrhaupt - yes

Kumar - yes

Agarwal (Alt #1) - absent

Wolinetz - yes

Doshi (Alt#2) - yes

**P16-02 – IVC PFV LLC., Building C Conversion – Amended
Preliminary/Final Site Plan, Block 104, Lot 1.05**

Trishka Cecil, Board Attorney, noted for the record that the notices were in order and the Board can take jurisdiction.

The applicant was represented by Richard S. Goldman, Esq. of the law firm of Drinker Biddle & Reath, LLP. Mr. Goldman briefly described the application. He noted the applicant is proposing to convert the fitness center use to office center use. The Koi Spa will be remaining. Mr. Goldman noted that office use is a permitted use in the Princeton Forrestal Village. Mr. Goldman noted the applicant seeks approval to amend the "Permitted Use Mix and Building Locations" table (Table 4) to add two categories – "commercial offices and professional business" and "corporate and administrative offices" to the uses permitted in Building C. Mr. Goldman noted there will be no increase in square footage associated with this change. Mr. Goldman noted that due to changing market conditions over the last few years for health and fitness centers in the area, the operators of the health and fitness center (Can Do Fitness, followed by Forrestal Village Fitness) have struggled to grow and maintain membership.

Mr. Goldman noted that given the current financial situation involving such facility, which is now operating on a month to month basis, the owner of the Princeton Forrestal Village are proposing the possible reuse of such space for corporate, commercial and professional offices, the existing retail portion of the building which includes Koi Spa, would remain unchanged.

Trishka Cecil swore in all the applicants witness as follows:

- Fran Consoli, JRS Architect, P.C. (applicant's architect)
- Richard Orth, Burns Engineering, Inc. (applicant's traffic engineer)
- Richard K. Wizeman, Van Note Harvey, Inc. (applicant's civil engineer)
- Robert Schenkel, Lincoln Equities Group, LLC

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Trishka Cecil, Board Attorney, swore in the Township Staff as follows:

- Les Varga, Director of Planning and Zoning
- Ron Yake, Township Planner/Zoning Officer
- Lou Ploskonka, CME Associates, Township Engineer

Fran Consoli, noted she is a professional architect in the State of New Jersey since 1991. She was accepted by the Board as an expert witness.

Ms. Consoli noted the proposed conversion will consist primarily of interior modifications. The only exterior changes will consist of adding windows to the currently blank south building elevation and a new rear entrance door to the west building elevation. The east and north elevations will remain unchanged, the retail portions of the building (including the Koi Spa) will remain in their existing space along Main Street and the exterior will continue to include the design elements that maintain the "main street" pedestrian character of the Village.

Richard Orth, Professional Planner, was accepted by the Board as an expert in traffic conditions. Mr. Orth noted that with regard to traffic, the report dated April 5, 2016, submitted to the Board as part of the Planning Board package indicates that the volume of traffic added to access points and the internal road system serving the Village will be negligible, with no significant impact on intersection levels of service. Mr. Orth noted that with regard to parking the analysis projects a potential increase in anticipated peak parking demand of 30 parking spaces or less and noted the increase is insignificant given the significant parking supply that presently exists in the Village and the cross-easements already in place with the adjacent Westin Hotel, whereby 100 parking spaces can be used when needed.

Richard Wizeman, Civil Engineer, was accepted by the Board as an expert witness. Mr. Wizeman noted that the proposed office use of the building will utilize the existing loading/delivery and solid waste disposal facilities, located below grade along the south side of the building; and that such facilities are more than adequate to support the proposed uses of the building. Mr. Wizeman noted that with regard to the impact of the proposed use change on sanitary sewerage and water usage at the building, the proposed office use will result in reduced demand on both of these utilities. Mr. Wizeman noted that fire protection system shall be provided and/or modified if deemed necessary by the Fire Code Official.

Richard Goldman, applicant's attorney, noted for the record that the applicant takes no exception to any of the items contained in the Planning Board Project Review Memo dated April 28, 2016.

Ron Yake, Township Planning/Zoning Officer, reviewed the Planning Board Project Review Memorandum dated April 28, 2016. Mr. Yake noted the subject property is located in the PMUD, Planned Unit Development Zone District with

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frontage on Route One and College Road West. Building C is located in the southwest corner of the development. The proposed office use is a permitted use within the PMUD zone. No variances are required for this application. Mr. Yake noted the applicant's submittal includes a request for waivers from the submission of the site plan check list items. The applicant believes such waivers are reasonable and appropriate in view of the fact that there are no changes proposed to the building other than the addition of windows on the south elevation and a new door on the west elevation. The DRC, as well as Township staff concur and recommend the requested waivers be granted.

Mr. Yake noted that under the site plan approval for the use of the former Market Hall for the health and fitness center (P05-04) there was a requirement on the approved plans that the rooftop mechanical equipment visible along the south elevation be screened from view. Staff believes the required screening was never installed. Mr. Yake noted the applicant shall install a roof screen to conceal such rooftop equipment to the satisfaction of Township staff.

Mr. Yake noted the former Can Do Fitness center included building mounted signage. The removal of such signage, including any signage related to the current Forrestal Village Fitness center, shall be done in a manner that fully restores the affected building wall areas to the satisfaction of Township staff. Any proposed signage serving the converted fitness center space, shall comply with the applicable tenant sign standards approved for the Princeton Forrestal Village.

Mr. Yake noted the proposed exterior improvements shall be subject to the review and approval of the Princeton Forrestal Center Design Review Committee.

BOARD COMMENTS:

Gary Wolinetz, Board member, asked when the fitness center will close. Robert Schenkel, representing the applicant, noted an official date has not been determined but we anticipate it will be soon.

There being no further comments from the Board and no members of the public wishing to comment it was MOVED by KEEVEY and seconded by GREER to close the public hearing.

ROLL CALL:

Keevey - yes
Kiernan - yes
Yates - yes
Greer - yes

Cantu - yes
Sachdev - yes
Lehrhaupt - yes
Kumar - yes

Agarwal (Alt #1) - absent
Wolinetz - yes
Doshi (Alt#2) - yes

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Trishka Cecil, Board Attorney, reviewed the draft resolution. It was MOVED by KEEVEY and seconded by YATES to approve the application and draft resolution.

ROLL CALL:

Keevey - yes

Kiernan - yes

Yates - yes

Greer - yes

Cantu - yes

Sachdev - yes

Lehrhaupt - yes

Kumar - yes

Agarwal (Alt #1) - absent

Wolinetz - yes

Doshi (Alt#2) - yes

P16-03 - IVC PFV LLC., Residential Building 1 & 3, Preliminary/Final Major Subdivision, Block 104, Lot 1.04

Trishka Cecil, Board Attorney, noted for the record that the notices were in order and the Board can take jurisdiction.

Trishka Cecil noted for the record that the applicant's witnesses and Township staff remain under oath from the previous application.

Richard Goldman, Esq. of the law firm of Drinker Biddle & Reath, LLP, represented the applicant. Mr. Goldman noted the applicant seeks Preliminary and Final Subdivision approval. Mr. Goldman noted the property falls within the Princeton Forrestal Village and recently received approvals for a residential development with three multifamily buildings. The approvals were granted based on a phased plan. The current application this evening is to create a subdivision between Building 1 and Building 3, along the phase line, for purposes of financing construction and implementing the phasing plan.

Richard Wizeman, Van Note-Harvey Associates, briefly described the property. Mr. Wizeman noted the applicant seeks Preliminary and Final subdivision approval to divide Lot 1.04 into two further lots: proposed Lot 1.06, which will front on college Road West, Main Street, and Lionsgate Drive, and will contain approximately 2.079 acres, and proposed Lot 1.07, which will front on College Road West, Lionsgate Drive and Houghton Lane, and will contain approximately 2.778 acres. The purpose of this further subdivision is to create a lot line along the phasing line between Buildings 1 and 3, to allow these two phases of the development, as Mr. Goldman noted, to be financed separately. No changes to the layout of the development or other changes are proposed.

Ron Yake, Township Planner/Zoning Officer, reviewed the Planning Board Project Review Memo dated May 2, 2016. Mr. Yake noted the applicant has requested fourteen preliminary subdivision check list submission waivers and nine final subdivision check list submission waivers, and has submitted a list that identifies the requested waivers with an explanation and justification for each. Mr. Yake

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noted that staff is of the opinion that such waivers are reasonable and recommends that they be granted.

There being no members of the Board or members of the public wishing to comment it was MOVED by KEEVEY and seconded by YATES to close the public hearing.

ROLL CALL:

Keevey - yes	Cantu - yes	Agarwal (Alt #1) - absent
Kiernan - yes	Sachdev - yes	Wolinetz - yes
Yates - yes	Lehrhaupt - yes	Doshi (Alt#2) - yes
Greer - yes	Kumar - yes	

Trishka Cecil, Board Attorney, reviewed the draft resolution. It was MOVED by KEEVEY and seconded by GREER to approve the application and draft resolution.

ROLL CALL:

Keevey - yes	Cantu - yes	Agarwal (Alt #1) - absent
Kiernan - yes	Sachdev - yes	Wolinetz - yes
Yates - yes	Lehrhaupt - yes	Doshi (Alt#2) - yes
Greer - yes	Kumar - yes	

P16-04 - 750 College Road LLC., Parking Improvements, Minor Site Plan, Block 701, Lot 13

Arthur Lehrhaupt, Board Chairman, noted that Trishka Cecil, Board Attorney, has a conflict with this application and Michael Balint will be covering.

Michael Balint, covering Board Attorney, noted for the record that notice of the application was not required under either the Municipal Land Use Law or Plainsboro Township's land use regulations.

The applicant was represented by Daniel V. Madrid, Esq. of the law firm of Fox Rothschild, LLP. Mr. Madrid noted that Interpool, Inc. d/b/a TRAC Intermodal in conjunction with the property owner, 750 College Road, LLC filed this application for Minor Site Plan approval with the Plainsboro Township Planning Board. Mr. Madrid noted the subject property is located at 750 College Road East, Plainsboro Township and designated as Block 701, Lot 13. Mr. Madrid noted the property is the site of an existing 99,636 square foot office building and is located with the PMUD Zone, which permits the principal office use and off-street parking spaces as a permitted accessory use on the Property.

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Mr. Madrid noted that TRAC leases approximately 82,283 Square feet of office space in the building and American List Counsel leases the remainder of the building, approximately 18,000 square feet.

Michael Balint swore in the applicant's witnesses as follows:

- Andrew L. French, PE, French & Parrello Associates, Project Civil Engineer
- Gary W. Dean, PE, PP, Dolan & Dean Consulting Engineers, LLC, Traffic Consultants
- Richard Hediger, TRAC Intermodal, Vice President Human Resources

Michael Balint swore in the Township staff as follows:

- Les Varga, Director of Planning and Zoning
- Ron Yake, Township Planner/Zoning Officer
- Lou Ploskonka, CME Associates, Township Engineer

Richard Hediger, Vice President of Human Resources and head of Facilities for TRAC Intermodal, presented a brief overview of the company. Mr. Hediger noted that TRAC is the largest intermodal chassis pool manager and equipment provider for international and domestic shippers in North America. Mr. Hediger noted that TRAC is headquartered in Plainsboro, NJ and has grown from approximately 190 employees to more than 450 employees since 2013. He noted that their current lease is about 10.5 years.

Mr. Hediger noted that in conjunction with its growth and business strategy to adapt from an intermodal equipment provider to a logistics services company, TRAC is undergoing a substantial IT infrastructure project on the property. This project has resulted in a temporary increase of personnel at the property made up of approximately 50 contractors and outside vendors. This temporary increase has resulted in a shortfall of parking on the property. TRAC expects that the IT infrastructure project will be completed by the fourth quarter of 2016, and that the existing personnel bulge will taper off in 2017.

Mr. Hediger noted that they have explored and exhausted other options to address the shortfall in parking. TRAC has reached out to neighboring property owners at the adjoining Credit Suisse facility, as well as the property managers at 650 College Road to determine whether parking spaces could be leased or licensed. These requests to lease parking have been rejected.

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Andrew French, professional engineer licensed in the State of New Jersey. Mr. French was accepted by the Board as an expert witness.

Mr. French introduced the following exhibit into the record:

- Exhibit A-1 - Color enhanced copy of Sheet 1 of 3 of the plan set submitted with the application, last revised April 25, 2016

Mr. French noted that when the temporary parking demand occurred last year the applicant restriped a portion of the existing parking lot to create compact parking spaces. This resulted in an additional 20 parking spaces for the facility. The compact spots are 8 feet wide by 18 feet long. Since this proposed design standard is inconsistent with the Township Ordinance requirement, which is 9 feet wide by 18 feet long. Mr. French noted the applicant is seeking a design waiver to allow those 20 compact parking spaces to remain on the site. Mr. French noted the applicant in discussions with Township Staff have agreed to restripe each of the compact parking spaces using the hairpin striping detail as described in the Township Code and mark the pavement at the rear of each compact parking space with a large bright yellow colored "C" for compact space should the application be approved.

Mr. French noted that the applicant is proposing 15 additional permanent parking spaces, which will be created through the reduction of certain parking islands and a superfluous cut through drive aisle. Mr. French noted the applicant is proposing to remove nine (9) trees and replace them with twelve (12) trees.

Mr. French noted the applicant is also requesting approval of 32 temporary stone parking spaces on the grass area along the western portion of the property. The 32 temporary stone parking spaces will be removed, restored and replanted after the conclusion of the IT infrastructure project. Mr. French noted the applicant has agreed to complete this restoration by May of 2017.

Mr. French noted that in total the site plan would result in 436 permanent parking spaces, which include 10 handicap spaces as required under the Plainsboro Township ordinance.

Gary Dean, graduated from Lehigh University with a degree in Civil Engineering. Mr. Dean is a licensed professional engineer in the State of New Jersey and has worked with Orth Rodgers and Associates and has analyzed several traffic patterns in and around Princeton Forrestal Village. Mr. Dean was accepted by the Board as an expert witness.

Mr. Dean referred to two letters that were submitted to the Board as part of the site plan. One of the letters dated March 31, 2016 detail the parking analysis performed by his company and the other letter dated April 21, 2016 detail the traffic patterns. Mr. Dean noted that in his analysis the existing parking available at 750 College Road East is insufficient to accommodate the tenants of the

property and the temporary IT infrastructure contractors. Mr. Dean stated that in conclusion, based on the observations performed at the site and especially considering the minimal parking stall turnover on a work day, our office does not see any negative impacts of having compact parking spaces at a width of 8 feet, uniformly distributed throughout the parking field. Mr. Dean also noted that providing an additional 15 spaces will alleviate parking demand on the site and eliminate the parking that currently does not fall within the striped parking stalls and impedes on-site circulation.

Mr. Dean noted in terms of the traffic analysis performed the findings conclusively demonstrate that even under a "worst-case" assumption of entirely new traffic demands associated with the additional parking spaces, the site driveway and College Road East operating conditions will be unaffected by the nominal traffic increases. Mr. Dean noted there are no negative traffic impacts associated with the proposed increase in site parking.

Ron Yake, Township Planner/Zoning Officer, reviewed the Plainsboro Township Planning Board Project Review Memo dated April 28, 2016. Mr. Yake noted the property is located in the PMUD, Planned Unit Development Zone District. The property for office use is a permitted use in this zone. Mr. Yake noted that no variances are required for this application, but a parking design waiver is being requested to allow for compact parking.

Mr. Yake noted the applicant's submittal includes a request for 32 waivers from the submission of items on the site plan review check list. The DRC and staff have reviewed the requested waivers and found them to be reasonable and appropriate given the plan's objective to increase available on-site parking in a manner that is minimally disruptive to the overall site. Mr. Yake noted the DRC and staff recommend the requested waivers be granted.

Mr. Yake noted that once the temporary parking has been removed and restored/replanted, the applicant shall closely monitor the situation to ensure parking in this area does not occur. If signage is necessary to communicate this message such signage shall comply with the PFC Sign Type B sign detail shown on sheet 3 of 3 of the plan, and shall be subject to the review and approval of Township staff prior to installation.

Mr. Yake noted the applicant is proposing to remove nine (9) trees and replace them with twelve (12) trees minimum of 3.5 to 4 inch caliper at planting time. Species of trees to be determined by Township staff in consultation with Princeton Forrestal and the applicant.

Mr. Yake noted the parking enforcement plan approved for this property by the Township and dated October 2000, shall be amended to include and address the proposed compact parking spaces subject to Township staff review and approval.

BOARD COMMENTS:

Ed Yates, Board member, asked if the contractors will be parking in the 32 temporary parking spots so the permanent employees can park closer to the building. The applicant stated that that has not been discussed.

Peter Cantu, Board member, asked what is the duration of the temporary parking. The applicant stated they have agreed to remove the temporary parking spaces by May of 2017.

There being no further comments from the members of the Board and no members of the public present it was MOVED by KEEVEY and seconded by GREER to close the public hearing.

Michael Balint, covering Board Attorney, reviewed the draft resolution. It was MOVED by CANTU and seconded by GREER to approve the application and draft resolution.

There being no further business, the meeting was adjourned at 8:32 p.m.

Respectfully submitted,



Deborah A. Dudek
Board Secretary

Unless signed above, these minutes have not been approved.