

PLAINSBORO TOWNSHIP PLANNING BOARD

APRIL 15, 2019

MINUTES

MEETING HELD:

April 15, 2019 in the Court Room of the Municipal Complex.

PLANNING BOARD MEMBER ATTENDANCE:

Arthur Lehrhaupt, Joseph Greer, Peter Cantu, Ed Yates, Greta Kiernan, Pankaj Kumar were present.

Richard Keevey, Lavinia Kumar, Prakash Sachdev, Sanjeev Agarwal (Alt #1) and Jetal Doshi (Alt #2) were absent.

TOWNSHIP/CONSULTANT ATTENDANCE:

Les Varga, Director of Planning and Zoning; Ron Yake, Township Planner/Zoning Officer; Lou Ploskonka, CME Associates, Board Engineer; Deborah Dudek, Board Secretary and Trishka Cecil, Board Attorney.

MEMBERS OF THE PUBLIC:

There were 17 members of the public present which included the applicants and their representatives.

MEETING CALLED TO ORDER:

Arthur Lehrhaupt called the meeting to order at 7:31 p.m. and read the certification of meeting notices.

It was MOVED by YATES and seconded by KUMAR to approve the January 22, 2019 Planning Board Minutes.

ROLL CALL:

Keevey - absent	Cantu – yes	Agarwal (Alt #1) - absent
Kiernan - abstain	Sachdev - absent	Doshi (Alt#2) - absent
Yates - yes	Lehrhaupt - yes	Kumar P - yes
Greer - abstain	Kumar L - absent	

P14-12 – Forrestal Road South – Beacon 2 Building 3 Time Extension – Preliminary Site Plan and Subdivision, Block 701, Lot 33.01

The applicant, Forrestal Road South Associates, LLC, were represented by Aaron Brotman, Esq., of Sills Cummis & Gross. Mr. Brotman noted that on January 20, 2015 the Plainsboro Township Planning Board granted preliminary major subdivision and site plan approval with submission waivers to Forrestal Road South Associates, LLC to divide a portion of a 29.072 acre parcel located on Scudders Mill Road, Campus Road and Forrestal Road South into two

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 2

April 15, 2019

parcels. A 8.541 acre new building lot to be purchased and developed by the applicant, and a 20.531 acre remainder parcel to be retained by the Trustees of Princeton University, and to develop the newly created 89.541 acre parcel with a 93,000 square-foot office building and related improvements. The three-year vesting period accorded under the Municipal Land Use Law (MLUL) to preliminary site plan approvals and preliminary subdivision approvals expired on January 20, 2018. Under the MLUL, N.J.S.A. 40:55D-49c authorizes planning boards to “grant extensions on preliminary approvals for additional periods of at least one year but not to exceed a total extension of two years, provided that if the design standards have been revised by ordinance, such revised standards may govern.

Mr. Brotman noted the applicant is requesting the second statutorily authorized one-year extension through January 19, 2020.

Mr. Brotman introduced his witness Samantha Siegel who was sworn in by Board attorney Trishka Cecil. Ms. Siegel noted that this 93,000 square foot building is the third of three buildings being developed in a coordinated manner. The first of these three buildings, a 40,000 square foot professional building has been completed and is fully occupied. The second building known as 8 Forrestal Road South (Lot 33.02) was granted final site plan and subdivision approvals on April 18, 2016 (P15-12) and site work has commenced on that development. Ms. Siegel noted that the applicant are experienced office building developers and their success results from following certain practices such as lining up a certain percentage of tenants before beginning construction. Ms. Siegel noted they have run in to some unexpected additional environmental conditions that required additional cleanup, but remain committed to this development.

There being no comments from the Board or members of the public it was MOVED by YATES and seconded by CANTU to approve the draft resolution as presented by Trishka Cecil.

ROLL CALL:

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

Cantu – yes
Sachdev - absent
Lehrhaupt - yes
Kumar L - absent

Agarwal (Alt #1) - absent
Doshi (Alt#2) - absent
Kumar P - yes

PROPOSED MASTER PLAN RE-EXAMINATION REPORT

Richard Greer, Planning Board member and chair of the Master Plan Subcommittee, noted for the record that every 10 years the MLUL requires a re-examination of the Master Plan and development regulations and asked Ron Yake, Township Planner/Zoning Officer to further explain.

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 3

April 15, 2019

Ron Yake referred the Board to a document entitled “Township of Plainsboro Re-examination Report” dated February 27, 2019 and part of the packet distributed to the Board.

Mr. Yake gave a detailed presentation noting that the Township of Plainsboro is required to maintain an up-to-date Master Plan and associated land development regulations. New Jersey Municipal Land Use Law (NJSA 49:55D-89) requires that municipalities undertake a re-examination of their Master Plans and development regulations at least every ten (10) years. Mr. Yake noted the Township last undertook a re-examination of the Master Plan and development regulations on August 20, 2018 in association with changes under consideration involving the location and regulation of Necessary Public Utilities and Services in the Township.

Mr. Yake noted this re-examination is being undertaken in anticipation of possible planning and zoning changes to an area of the Township known as the Princeton Forrestal Center. Mr. Yake noted that the pending expiration of the Princeton Forrestal Center (PFC) General Development Plan (GDP) which will expire later this year have triggered questions and issues regarding how remaining undeveloped properties in the PFC should be treated, including the possibility of one or more new GDP approvals to accommodate their future development. In compliance with the prevailing requirements for GDP’s, master plan and zoning ordinance amendments will be needed both to address such possible GDPs as well as to clarify the applicable use and bulk regulations for those portions of the existing PFC that will fall outside of any new General Development Plans.

Mr. Yake noted that it is expected that the results of this re-examination will conclude with changes to the Master Plan pertaining to the PFC, including amendments to the PMUD Zone regulations intended to address the needs of both existing development in the PFC, as well as potential new development (e.g., planned mixed-use development that includes compact, walkable varied residential areas in close proximity to mixed commercial/residential district).

There being no comments from the Board or members of the public the draft resolution was reviewed by Board Attorney, Trishka Cecil.

It was MOVED by CANTU and seconded by GREER to approve the draft resolution.

ROLL CALL:

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

Cantu – yes
Sachdev - absent
Lehrhaupt - yes
Kumar L - absent

Agarwal (Alt #1) - absent
Doshi (Alt#2) - absent
Kumar P - yes

P18-14 – PSE&G Substation at 76 Dey Road, Preliminary and Final Major Site Plan, Block 1304, Lots 6, 7 and 8 and Block 2301, Lot 1

The applicant, Public Service Electric and Gas (PSE&G), was represented by Thomas Letizia, Esq., of Pepper Hamilton LLP. Mr. Letizia noted that notice of the hearing was published in the official newspapers and mailed to all owners within 200 feet as required by law and affidavit was filed with the Township of Plainsboro Community Development Office. Trishka Cecil stated the notices are in order and the Board has jurisdiction.

Mr. Letizia noted that PSE&G is the owner of 4 adjoining lots located at 76 Dey Road Plainsboro NJ and designated as Block 1304, Lots 6, 7 and 8 and Block 2301, Lot 1. The property contains PSE&G'S Plainsboro's substation. The station was constructed in 1970 and has been continuously operated as an electric substation facility. It contains the Dey Road switch rack that serves PSE&G's customer, Princeton Plasma Physics Lab, in Princeton Forrestal Center and overhead high tension power lines that comprise the Metuchen – Trenton – Burlington (MTB) transmission right-of-way.

Mr. Letizia noted this is an application for preliminary and final major site plan approval with variance relief for fence height and submission waivers to upgrade the electric transmission system by replacing 138,000-volt (138kV) circuits with 230,000-volt (230kV) circuits, replace the existing Dey Road Switch Rack with a new Switch Rack that will step the voltage back down from the 230kV to 138kV for continued service to Princeton Plasma Physics Lab and make other improvements to the security fence and an infiltration basin is proposed for stormwater management.

Mr. Letizia noted that although not part of this application, this project is linked to the planned upgrades that PSE&G were currently performing to its MTB overhead transmission system which involves replacing the existing 138kV lattice towers with new monopoles. These monopoles are taller but fewer in number. The existing home on lot 6 will be demolished and PSE&G plans to consolidate the 4 lots into one parcel.

Mr. Letizia noted the subject property is partially in the R-300 Residential Zone District and partially in the PCD-Planned Unit Development Zone District. Based on last year's adoption of the Public Utilities Ordinance by the governing body the existing and proposed uses on the property are permitted. Subject to certain standards, two of which are implicated with this current application: 1) Exterior of structures shall be in keeping with the other structures in the immediate residential neighborhood, and 2) Public utility facilities shall not have an "industrial character." Improvements associated with such uses shall present a visual quality that is in keeping with the surrounding area. Mr. Letizia noted that they have been working with Township staff to address these issues such as

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 5

April 15, 2019

enhanced landscaping buffers and painting of control house which will minimize its visual impact.

Mr. Letizia noted for the record that the variance relief being requested is for the height of the security fence that will enclose the equipment at the station. Mr. Letizia noted the existing fence is 8 feet high and contains one foot of barbed wire. Mr. Letizia noted the new enclosure will be an 8 foot tall black decorative fencing which will be partially located within the 75 foot required front yard along Dey Road.

Mr. Letizia noted the applicant has requested a variance to allow the proposed fencing (i.e., a fence over three feet in height in a front yard and a fence over six feet in height outside the front yard per Township Code section 62-4D).

Mr. Letizia noted the applicant has requested 31 site plan review checklist submission waivers and has submitted a list identifying the waivers, along with an explanation and justification for each. Staff has considered the requested waivers and is of the opinion that they are reasonable and support their being granted.

Mr. Letizia noted the application has been reviewed by the Development Review Committee on February 26, 2019 and the current plans do reflect the DRC's comments.

Trishka Cecil, Board Attorney, swore in the applications witnesses as follows:

- Thomas Patterson, Jr., PSE&G (Licensing and Permitting Manager)
- Steven Hanson, PE, Burns & McDonnell (applicant's civil engineer)
- Nicholas Ginter, LLA/PP, DW Smith Associates (applicant's landscape architect)
- Kathy Hering, PE/PP/CME, DW Smith Associates (applicant's planners)
- Peter Chan, PSE&G (project manager for Dey Road Switch Rack project)
- Benjamin Muller, Ostergaard Acoustical Associates (applicant's acoustical expert)

Planning Board Staff were sworn in as follows:

- Lester Varga, AICP/PP, Director of Planning and Zoning
- Ronald Yake, AICP/PP, Township Planner and Zoning Officer
- Lou Ploskonka, PE, CME Associates (Board Engineer)
- Trishka Waterbury Cecil, Esq., Mason, Griffin & Pierson (Board Attorney)

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 6

April 15, 2019

Thomas Patterson, Jr., PSE&G described a plan that was part of the plan submission Sheet 2 of 2 of the site plan drawing of the Plainsboro Substation, Dey Road Switch Rack. Mr. Patterson described the need and benefit of the project and what the improvements will be. Mr. Patterson noted the application proposes upgrading the Plainsboro Substation from 138kV to 230kV and replacing the existing Dey Road Switch Rack to provide more reliable power and capacity to the Plainsboro Plasma Physics Lab. Mr. Patterson stated that these improvements will provide greater capacity and more reliability to the township and surrounding area. Mr. Patterson noted that although not part of this application, the proposed improvements will be linked to planned upgrades involving the MTB transmission lines. The current lattice towers that run through the town have reached the end of their life and need to be replaced. Voltage needs to be increased, currently the lattice towers are at 138kV and will be upgraded with monopoles operated at 230kV.

Mr. Patterson noted that the existing fenced area closest to Dey Road is proposed to be extended to accommodate new equipment. The existing fencing on the property, which includes seven-foot high chain link with barbed wire, will be replaced with new eight feet tall black decorative security fencing that doesn't require barbed wire along the top of the fence.

Mr. Patterson noted that the station will be unmanned and no new access roads from Dey Road are proposed.

Mr. Patterson noted that the eighty-six-foot high A-Frame and the proposed control house will both be removed from the new switch rack area when other planned improvements are completed which will be the subject of a separate site plan application.

Steve Hanson, PE, applicant's civil engineer, stated his credentials for the Board, he was accepted by the Board as an expert witness. Mr. Hanson referred the Board to sheet 1 of 4 of the plan set and to the Grading and Drainage Plan, number 720813. Mr. Hanson noted to mitigate the increase in runoff from the new switch rack, an infiltration basin is proposed for stormwater management. Grading of the new switch rack yard is proposed in a southwesterly direction, where runoff will sheet flow over the loose gravel yard. Mr. Hanson noted that PSE&G will strictly monitor this basin to ensure that infiltration continually occurs.

Nicholas Ginter, applicant's landscape architect, stated his credentials for the Board, he was accepted by the Board as an expert witness. Mr. Ginter introduced the following exhibits into the record:

- **Exhibit A-1** – Color rendering of landscape plan (sheet 4 of 4 the landscaping and reforestation plan set)

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 7

April 15, 2019

- **Exhibit A-2** – Display board with color photographs of existing conditions and proposed conditions entitled “MTB-Plainsboro Substation & Dey Road Switch Rack, View from North
- **Exhibit A-3** – Display board with color photographs of existing condition and proposed conditions entitled “MTB-Plainsboro Substation & Dey Road Switch Rack, View from West
- **Exhibit A-4** – Display board with color photographs of existing conditions and proposed conditions entitled “MTB-Plainsboro Substation & Dey Road Switch Rack, View from Northeast
- **Exhibit A-5** – Display board with color photographs of existing conditions and proposed conditions entitled “MTB-Plainsboro Substation & Dey Road Switch Rack, View from South

Mr. Ginter noted that through meetings with township professionals it was identified that a 50' wide residential buffer along the shared property line along the northwest was needed.

Mr. Ginter noted that in accordance with the Township Code (site plan regulations), a reforestation requirement for a site shall be in addition to any landscaping which would be deemed necessary for a proposed development. Mr. Ginter noted the applicant indicates that 103 evergreen trees and 79 shrubs are to be planted in the proposed landscaped buffer area, in addition to 34 trees associated with the reforestation requirement.

Mr. Ginter noted the adjacent home will be demolished and will be replaced with three islands of mixed plantings, noting that it will not immediately screen the poles, but over time as they grow will provide for better screening.

The applicant has requested to complete the proposed fifty foot wide landscape buffer area in association with the completion of this project, whereby the applicant would intend to preserve and, as necessary, enhance such landscaping in conjunction with the future Hunters Glenn Project.

Kathy Hering, applicant's planner, currently employed by DW Smith Associates stated her credentials for the Board. Ms. Hering was accepted by the Board as an expert witness.

Ms. Hering noted the Township Code section 62-4D regulates the location and height of fences in residential areas. The decorative security fence proposed for this project requires 2 variances from the ordinance, one of which will be for the location of the fence within the front yard of Dey Road, the ordinance requires a minimum of 75 feet, whereas the fence will be located within the front yard and

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 8

April 15, 2019

the second variance will be for the proposed height of 8 feet for the fence. The ordinance requires a maximum permitted height of 3 feet for fences located in the front yard and fences over six feet and up to eight feet in height are allowed in rear yard areas only, and only where said rear yard either abuts a railroad corridor or a hazardous condition necessitating an effective safety barrier. Ms. Hering noted these are the two C2 variances the applicant is seeking from the Board.

Ms. Hering noted special reasons exist for the granting of these variances. Ms. Hering noted the security fence provides three functions: security, safety and aesthetics, all of which promote public welfare. Ms. Hering believes if the variances are granted tonight they can be granted without substantial detriment to the public good.

Ron Yake, Township Planner/Zoning Officer, reviewed the Plainsboro Township Planning Board Review Memo dated 3/28/19. Mr. Yake noted the application is a permitted use, variances have been described by the applicant along with the submission waivers requested.

Lou Ploskonka, Township Engineer, commented on the Stormwater Basin noting when the application was before the DRC there were some concerns regarding this function of the basin, since that time PSE&G has hired Melick-Tully, a geotechnical engineering firm, who has advanced two test pits within the basin, have done field percolation tests and soil analysis, and were able to demonstrate that the basin will function adequately per the DPE regulations. Mr. Ploskonka noted that the test pit report indicates that there is a layer of silt-loam from elevation 9 to elevation 11 below the proposed stormwater infiltration basin. The layer will be removed to allow for infiltration of the stormwater. Mr. Ploskonka stated the applicant has addressed all concerns regarding the basin.

BOARD COMMENTS:

Ed Yates, Board member, asked the applicant what are the height of the existing frames. Mr. Patterson noted there are two existing A frames both of which are 75 feet. The existing station does not have H frames.

Mr. Yates asked the applicant how much temporary work is required to build another voltage line and keep Princeton Plasma Physics up and running and building another rack for them. There was much discussion between Mr. Yates and the applicant. The applicant noted there will be no customer outages during this time, however there is a lot of planning that is required for this, but was not fully aware of all of the particulars that are required so another witness was sworn in.

Trishka Cecil swore in Peter Chan, Senior Project Manager for PSE&G and responsible for the proposed project. Mr. Chan noted the area where the new switch rack will be built is adjacent to the existing switch rack and we will be

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 9

April 15, 2019

able to build all of the facility except we will have to coordinate a portion of the retention basin which will be completed after we remove the existing switch rack.

Mr. Yates asked Township Engineer if an incomplete basin will be able to handle the flows should we have a major storm during this time. Mr. Ploskonka stated it may be a concern and asked the applicant, as a condition of approval, to provide a staging analysis so this can be reviewed by Township engineer.

Prankaj Kumar, Board member, asked the applicant about the noise impact with the new facility. The applicant responded that according to the noise study that was prepared it was determined that the noise level is within the acceptable limits.

Benjamin Muller, applicant's acoustical expert, was sworn in by Trishka Cecil. Mr. Muller is one of the principals of Ostergaard Acoustical Associates.

Mr. Muller noted that the change in voltage does not contribute to the noise on site. What does contribute to any noise is the existing two power transformers. A new transformer is proposed for the switch rack section of the site. Currently at the switch rack there are no noise producing elements. When this upgrade is completed there will be a new transformer there which will produce a low level humming sound and will have cooling fans that produce noise. The noise will not be discernable to any residences that surround the site. Future noise levels will continue to comply with State noise restrictions by significant margins in all directions, and will remain comparable to the prevailing background ambient noise levels at nearby residences. In summary, the applicant stated there is no major noise impacts from the proposed upgrades.

Ed Yates, Board member, asked the applicant what the DB levels are. The applicant introduced the following exhibits into the record:

- **Exhibit A-6** – Blow-up of Figure 3 from Ostergaard's noise study (3D acoustical model of existing sounds emissions from site)
- **Exhibit A-7** – Blow-up of Figure 4 from Ostergaard's noise study (3D acoustical model of future sounds emissions from site)

Mr. Muller described in detail the various noise levels from all angles of the site. Mr. Muller noted overall the noise levels will not change substantially with the upgrades.

PUBLIC COMMENT:

William Giasi - 71 Dey Road, Plainsboro NJ. Had a question regarding the removal of the 32 trees and how that will affect the screening of the substation. Mr. Ginter, applicant's landscape architect noted the substation is set back far on the site and described the proposed planting. The applicant did note that it will

PLAINSBORO TOWNSHIP PLANNING BOARD – MINUTES

Page 10

April 15, 2019

take several years (approximately 20 years) for the trees to reach maximum height. Mr. Ginter showed the member of the public the proposed landscaping plan (Sheet 3 of 4).

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

ROLL CALL:

Keevey - absent

Kiernan - yes

Yates - yes

Greer - yes

Cantu – yes

Sachdev - absent

Lehrhaupt - yes

Kumar L - absent

Agarwal (Alt #1) - absent

Doshi (Alt#2) - absent

Kumar P - yes

Trishka Cecil, Board Attorney, reviewed the draft resolution noting the addition of a condition requested by Board Engineer, Lou Ploskonka. The condition will be added as follows: The applicant shall submit to the Board Engineer for review and approval a staging plan that addresses in detail the sequence and phasing for decommissioning and removing the existing switch rack, constructing the new switch rack, and constructing the infiltration basin, to ensure that there are no flooding issues in the event of a storm during the changeover.

It was MOVED by YATES and seconded by GREER to approve the draft resolution as amended.

ROLL CALL:

Keevey - absent

Kiernan - yes

Yates - yes

Greer - yes

Cantu – yes

Sachdev - absent

Lehrhaupt - yes

Kumar L - absent

Agarwal (Alt #1) - absent

Doshi (Alt#2) - absent

Kumar P - yes

There being no further business, the meeting was adjourned at 7:55 p.m.

Respectfully submitted,



Deborah A. Dudek
Board Secretary

Unless signed above, these minutes have not been approved.