

**PLAINSBORO TOWNSHIP PLANNING BOARD**  
**JANUARY 31, 2024**  
**MINUTES**

**MEETING HELD:**

January 31, 2024 virtually

**PLANNING BOARD MEMBER ATTENDANCE:**

Peter Cantú, Ed Yates, Cary Spiegel, Arthur Lehrhaupt, Richard Keevey, Jetal Doshi, Joseph Greer and Sharmila Maheshwari were present.

Sanjeev Agarwal and Sanjana Raturi were absent.

**TOWNSHIP/CONSULTANT ATTENDANCE:**

Bonnie N. Flynn, Director of Planning and Community Development; Ron Yake, Township Planner/Zoning Officer; Lou Ploskonka and Abd Elazeem Youssef, CME Associates, Planning Board Engineers; Trishka Cecil, Mason, Griffin & Pierson, P. C., Planning Board Attorney and Josi Easter, Board Secretary.

**MEMBERS OF THE PUBLIC:**

There were 11 members of the public including the applicant.

**MEETING CALLED TO ORDER:**

Bonnie Flynn called the meeting to order at 6:18 p.m. and read the certification of meeting notices.

**ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

Ms. Flynn, noted that this is the 2024 Planning Board reorganization meeting and called for nominations for the Planning Board Chair.

It was MOVED by YATES and seconded by KEEVEY that Arthur Lehrhaupt be nominated Planning Board Chair for 2024.

There being no further nominations, the nominations were closed and it was unanimously passed that Arthur Lehrhaupt be appointed Planning Board Chair for 2024.

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### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

Board Chair, Arthur Lehrhaupt, opened the meeting for nominations for Vice-Chair for 2024.

It was MOVED by YATES and seconded by GREER that Richard Keevey be nominated Planning Board Vice-Chair for 2024.

There being no further nominations, the nominations were closed and it was unanimously passed that Richard Keevey be appointed Planning Board Vice-Chair for 2024.

### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

Board Chair, Arthur Lehrhaupt, opened the meeting for nominations for Planning Board Secretary for 2024.

It was MOVED by KEEVEY and seconded by GREER that Josi Easter be nominated Planning Board Secretary for 2024.

There being no further nominations, the nominations were closed and it was unanimously approved that Josi Easter be appointed Planning Board Secretary for 2024.

### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

It was MOVED by KEEVEY and seconded by GREER to approve the Resolution appointing Trishka Cecil, and Mason, Griffin & Pierson, P.C. as Planning Board Attorney, David J. Samuel and CME Associates as Planning Board Engineer and

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Michael K. Mueller and Mueller Associates as Planning Board Planning Consultant for 2024.

### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

Board Chair, Arthur Lehrhaupt, made the following appointments for 2024:

- Ed Yates, Joseph Greer, and Richard Keevey will serve as representatives to the Development Review Committee.
- The Board representative to the Environmental Advisory Committee will be Ed Yates.
- Joseph Greer will serve as Chair of the Master Plan Sub-Committee. Ed Yates, Arthur Lehrhaupt, and Richard Keevey will also serve as members of that committee.
- The Board representative to the Shade Tree Advisory Committee will remain vacant.

It was MOVED by KEEVEY and seconded by DOSHI to approved the schedule of the Planning Board Meeting Dates for 2024.

### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

It was MOVED by KEEVEY and seconded by GREER to approve designating the Home News Tribune, The Times of Trenton and the Princeton Packet as the official newspapers for the Planning Board for 2024.

### **ROLL CALL:**

Cantu -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

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Chair Lehrhaupt introduced application P23-04 Plainsboro Plaza Owner, LLC. Chase Bank Pad Site, Preliminary and Final Major Site Plan with Bulk Variance Block, 1602, Lot 5.

Danielle Kinback from Prime & Tuvel introduced herself as the Attorney representing the applicant. She stated that the applicant, Plainsboro Plaza, is proposing to construct a new Chase Bank with a single drive-up ATM lane and pad site at the existing shopping center on the property. The property is located at 10 Schalks Crossing Road and the shopping center together with the CVS pad site is approximately 28 acres which is located in the Township's General Business (GB) Zone. The Board adopted an ordinance in 2023 amending the GB Zone to permit a secondary pad that can be used for a bank use which can contain a drive-up ATM. The ordinance was adopted pursuant to the 2022 Master Plan Amendment that recommended that a pad site with a bank or other low impact permitted use with drive-up facility be permitted in the Zone. The applicant is seeking one design waiver to provide less than the required parking spaces. They are seeking relief from Township Code Section 85-44, which will require 1,277 parking spaces whereas, 1,030 currently exist and the applicant is proposing 959 spaces.

Ms. Kinback noted that the applicant is in receipt of the Board's December 13, 2023 review letter and agrees to comply with the comments contained therein or work through them with the Board's professionals. Also, they published their public notice in the Home News Tribune and provided notice to those within 200' and the affidavit of service and publication of service was submitted to the Board.

Ms. Cecil swore in the Board professionals.

Ms. Kinback introduced Ralph A. Petrella, P.E., Civil Engineer from Van Note Harvey and Trishka Cecil swore him in.

Mr. Petrella gave an overview of his Educational and Professional background.

Chair Lehrhaupt accepted Mr. Petrella without exception.

Mr. Petrella stated that Exhibit A-1 is a color rendering with an aerial view overlay of the overall site plan sheet OVL. It shows the Plainsboro Plaza property. The white building is how it exists today and the color representation is the proposed Chase Bank.

Mr. Petrella indicated that Exhibit A-3 is a color rendering of the Planting Plan Enlarged sheet L1.2 of the submission. It shows the proposed improvements on the site. The proposal is for a 3,478 sq. ft. Chase Bank. The improvements include a drive-through lane for an ATM along with a bypass lane where they are removing existing pavement surfaces and 75 standard parking and 8 land banked spaces for a

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total of 83. They are proposing 12 new spaces, 2 of which are ADA and 2 EV stations. The overall improvements are an overall reduction of 0.07 acres or roughly 3,100 sq. ft. It is shown on the exhibit by the large landscaping area to the left of the building, where most of the existing pavement is located and that is where the bulk of the reduction in the impervious surface is coming from. The other improvements include the dumpster enclosure area, where a truck turning movement is shown in order to have access to the dumpster location. Another improvement is sidewalks that go around the two sides of the bank and extend out to existing sidewalks that is along the perimeter of the Plainsboro Plaza site. The only other improvements for the project are to bring in the utility services for the building. The services are located along Schalks Crossing Road or are internal to the Plainsboro Plaza site itself.

Ms. Kinback asked Mr. Petrella if he reviewed the Board's review memo, GB Zone Ordinance that is applicable to the property and if he agreed that on page 2 of the memo that the site as designed and presented on these plans meet the standards for the drive-through in the Township Code Section 101-52R 1 through 6 which he confirmed and agreed.

Ms. Kinback called on James Lalli, AIA, LEED AP, Architect from Core States Group, which Ms. Cecil swore in.

Mr. Lalli reviewed his Educational and professional background, which Chair Lehrhaupt accepted as an expert witness without exception.

Mr. Lalli noted that A1.0.0 is the Floor Plan from the site plan set showing the front entrance vestibule with a 24-hour ATM accessible as a walk-up ATM. Once inside the space there is another ATM to the left that will only be accessible during business hours. The space includes a number of customer conference rooms, an open informal area with booths and tables as well as a waiting area with a video screen. The back spaces will be for the tellers, cash room, ATM room, employee lounges and bathrooms. At the very left-hand corner is where the drive-up ATM which is accessible 24 hours and a drive-up night drop for business depository. The bank hours will be Monday through Friday from 9 am to 5pm, Saturdays from 9 am to 2pm and closed on Sundays. Both ATM's will be 24 hours a day. The drive-up ATM is only for ATM because there are no teller windows at this branch. Deliveries will be by typical small box trucks or vans that can park in a standard parking space and Armored car deliveries will be once a week. For trash, there is a trash enclosure for common household trash like lunches. Any sensitive trash will be shredded internally and hauled away by the Chase cleaning crew.

Mr. Lalli stated that exhibit A2.1.0 is the elevation page from the plan set. The bottom elevation is the main entrance which faces Schalks Crossing Road. The materials are chiseled limestone masonry material on the endcap, two colors of

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Nichiha fiber cement architectural panels that are high quality manmade materials which are low maintenance installed in a horizontal orientation with an impressed wood grain finish. The typical aluminum storefront and windows in black will match the canopies in the front and at the side for the drive-up ATM. The side elevation that faces east and the Shopping Center will use the same materials. The end cap pops out of the building as an architectural element that is an ACM panel that is clear ionized aluminum panel that wraps around to where the conference rooms are located inside the branch. There are various heights to the building to give it some architectural interest **and breaks up the horizontal façade.**

Mr. Lalli noted that A2.2.0 is the rear elevation which faces the shopping center parking lot and showing the conference room material and design being carried around the back with the same Nichiha fiber cement panels and the chiseled limestone. The side of the building facing the PNC Bank where the drive-through ATM is located with the canopy is Nichiha material at the bump out and the chiseled limestone. The electrical panels and meters, gas meter and a door that is painted to match the limestone is there as well. There are 3 signs on the building that are 36.9 sq. ft. each and are halo light which is backlit. The size of the signs is 14' long with letters that are 24" tall and the octagon logo is 2' by 7.5".

Mr. Lalli indicated that the last exhibit A0.6 is the trash enclosure. The materials used are chiseled limestone with steel gates painted to match the limestone. The HVAC units are located on the roof and are screened from any view on the site.

Ms. Kinback asked Mr. Lalli if he reviewed the Board's review memo and the GB Zone Ordinance and if in his opinion the design meets the requirements in that **ordinance for certain materials on the façade and the design of the building, to** which he replied that yes, they are using high quality masonry materials and manmade materials.

Ms. Kinback introduced Thomas Stearns, AICP, PP, CLA, LEED AP of Stearns Associates, LLC. the Landscape Architect for the project who was sworn in by Ms. Cecil and gave an overview of his educational and professional background which was accepted by Chair Lehrhaupt without exception.

Mr. Stearns noted that exhibit A-3 is the Landscape Plan for the project where they will be removing 6 trees in the existing islands in the parking lot. There was no way to avoid removing those trees. They are providing 15 replacement shade trees, an additional 13 ornamental trees, numerous shrubs for screening the dumpster area and screening the perimeter of the property as well as for foundation planting. Most of the trees and shrubs are native to the area.

Mr. Stearns indicated that exhibit A-4 is the lighting plan. They will be using all LED fixtures of which 2 are 25' tall poles on the backside to light up the parking. They

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are also providing 3 traditional Hadco light fixtures on 14' tall poles that are located in the front as well as building mounted lights under the canopies which project downward. There are two wall pack lights on the side entrance and 5 down lights on the face of the building, two in the front and 3 in the back corner.

**Mr. Stearns noted that all the lighting meets requirements of the ½' candle** minimum and all the fixtures are black to match the architecture and tie in with the light fixtures in the building center. All the wiring is underground and the lights will be on dusk to dawn on photo cell. There were some minor comments on the lighting in the staff memo and they will revise the plans as per the staff comments.

Ms. Kinback introduced Eric Keller, P.E., P.P., of Bowman the Traffic Engineer for the project who was sworn in by Ms. Cecil and gave an overview of his educational and professional background which was accepted by Chair Lehrhaupt without exception.

Mr. Keller indicated that they prepared a parking evaluation report dated December 11, 2023. They examined the current occupancy of the site and took the observed data to reflect full occupancy. The center is not fully occupied it is about 85% occupied. They then evaluated what the bank will generate for parking demand and the reduction of parking spaces. They originally wrote the report in support of the 2022 Master Plan Reexamination Report associated with the Amendment to the GB Zone. The parking occupancy counts were conducted on Friday, November 4, 2022 from 12pm to 5:30pm and on Saturday, November 5, 2022 from 11am to 2pm which represent the times of peak usage for the shopping center. The data is presented in table 1 & 2 of their report.

Mr. Keller stated that they previously conducted a parking occupancy study in 2019 and this data updates what they found previously. Based upon their observations and adjustments for full occupancy they have calculated that a fully occupied center would require 479 spaces on a Friday and 471 spaces on a Saturday. The peak parking demand between the two days that they studied is fairly consistent. This compares to the existing parking supply of 984 parking spaces which does not count the land bank spaces that make up the overall parking supply. The proposed bank increases the requirement under the code by 14 spaces. Which when you add it to the 1,256 spaces that are required for the existing shopping center the total required becomes 1,270. The construction of the bank will result in a loss of 75 spaces and 8 land banked spaces but 12 are added back. With the reduction of parking to accommodate the bank pad, any increase of parking demand shown on table 3 of their report, there will still be more than 400 spaces available on site at the peak times. Therefore, they conclude that the shopping center will provide more than adequate parking to meet the needs of this shopping center.

Mr. Stearns noted that the applicant is requesting a waiver from the parking requirements. The Township Ordinance set forth in section 85-44A to permit 907

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spaces to serve the shopping center including the proposed bank that requires 1,270 spaces and 1,030 spaces currently exists. Those include the land banked spaces but do not take the 2-space provided for EV parking as per State Legislation that counts each EV space as 2 spaces. Under the regulation and the law, 940 spaces are provided when you add the two EV spaces to the 947, which is a shortfall from the Township Code of 321 spaces. The criteria for waiver relief for design exception is that the board can grant the relief if there is undo hardship. The site, based on the tenant mix and the uses of the center, is overparked. To provide 321 spaces is not necessary but would require the addition of 3 acres of additional impervious to accommodate the parking spaces which will be an 11% increase in the impervious coverage that currently exists. This will create issues with circulation and storm water management which will cause undo hardship. It will also remove landscaping that already exists on the site. Although the professionals and the Board have identified this as a waiver not a variance, he believes it is warranted under the C2 provisions in the under the Municipal Land Use Law (MLUL) as a proposal to grant this deviation of the parking advances several purposes of the MLUL specifically E, G, J & M which promote the establishment of appropriate population densities and concentrations that will contribute to the wellbeing of persons, neighborhoods, communities and regions, preservation of the environment and provide a sufficient space in an appropriate location for a variety of commercial uses, open spaces and environmental preservation while encouraging procedures to lessen the cost of land development. He finds no detriment to the public good because the shopping provides adequate parking based upon the most recent parking evaluation and the grant of the relief does not impair the intent of the Zone plan and Zoning Ordinance.

Ms. Kinback asked Mr. Stearns if the Ordinance provides for a limitation of the floor area of the second pad and this proposal is less than the maximum permitted, which he confirmed that it is correct.

Ron Yake, Township Planner/Zoning Officer gave an overview of the review memo dated December 12, 2023 which included the applicant's submission of the preliminary and final site plan check list waivers. 12 were identified and they provided a description and justification for each which were reviewed by the DRC and staff and were found to be reasonable and recommend that they be granted. As far as the compliance with the GB Zone standards it has been noted that the applicant is fully compliant with the requirements for a 2<sup>nd</sup> pad site. The bulk standards applicable to the proposed bank have been satisfied as well as the design standards for building. DRC and Staff are satisfied with the applicant's response to the landscaping, lighting, public storage as well as signage.

Mr. Yake asked when they anticipate commencing construction activity on the proposed bank.



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Ms. Kinback stated that as soon they receive all the approvals.

Jim Lalli noted that he believed they would start in 2024.

Chair Lehrhaupt opened the meeting for questions and comments from the Board.

Joe Greer asked Mr. Keller if there would be a problem with parking if the center had 100% occupancy.

Mr. Keller replied that when they conducted the study the center was at 85% but they took those numbers and adjusted them upwards to reflect full occupancy.

Ed Yates asked regarding the lighting since all the lighting is LED is the temperature of all the lighting the same and does it match the existing parking light lighting and what is the temperature rating of the LED fixtures.

Mr. Stearns replied that the fixtures cut off fixtures are 3,000k and that the light fixtures being used are what staff has requested.

Lou Ploskonka stated that they looked at the temperature but did not do a comparison to the existing fixtures. He believes that a condition of the approval should be included that the light fixtures should be equivalent to the light fixtures onsite.

Mr. Greer asked if the applicant had done a market analysis regarding the necessity for an additional bank in the area since there will be 3 in the center.

Ms. Kinback replied that the applicant believes that the bank will be successful and that the amendment to the GB Zone allows for the addition of bank and that Mr. Keller prepared a Traffic Report that outlines the minimal impact of the additional traffic that will be generated.

There being no further question or comments from the Board or members of the public, it was moved by KEEVEY and seconded by DOSHI to close the public hearing.

### **ROLL CALL:**

Cantú -	yes	Keevey -	Yes	Raturi -	absent
Yates -	yes	Agarwal -	Absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	Yes		

Ms. Cecil gave an overview of the DRAFT Resolution indicating that the findings are

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on the plans and reports that the applicant submitted and the staff review memo. During the testimony she made sure that it is consistent with what was written in the DRAFT Resolution. The resolution describes the property, an overview of what is being proposed and details of the site plan that includes traffic; circulation; parking; landscaping; lighting; signage; storm water management and utilities. She will make some changes to the findings that will include references to the testimony and the information that Mr. Lalli provided regarding the materials being used for the solid waste enclosure. With respect to the compliance with the site plan regulation she will add Mr. Keller's conclusion that the site is overparked and that the impervious coverage would increase by 11% causing an undue hardship as well as that the application satisfies the criteria for a C2 variance. She will also add that it complies with the Zoning requirements. The balance of the resolution contains all the conditions. They are all standard conditions and conditions that were recommended in the review memo with one addition with respect to the temperature of the lighting to keep the LED temperature consistent with each other and to match them as close as possible to the existing lights with a notation that this could result an increase in temperature of the proposed lights than shown on the plans.

It was MOVED by KEEVEY and seconded by CANTÚ to approve the application and adopt the resolution with amendments.

### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	yes	Agarwal -	absent	Maheshwari	yes
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

It was MOVED by KEEVEY and seconded by SPIEGEL to approve the August 21, 2023 Planning Board Minutes.

### **ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	n/a
Yates -	abstain	Agarwal -	n/a	Maheshwari	n/a
Spiegel -	yes	Doshi -	n/a		
Lehrhaupt -	yes	Greer -	yes		

Ms. Flynn noted that the Planning Board updated the Master Plan Land Use Element in October of 2022 and the Circulation Element was suggested as the next element to be updated. We put out an RFP in the fall and received 4 responses of which we

recommend that CME & Associates be hired as the consultants to update the Circulation Element of the Master Plan.

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It was MOVED by KEEVEY and seconded by SPIEGEL to recommend to the Township Committee that they hire CME & Associates as the consultants to update the Circulation Plan Element of the Master Plan.

**ROLL CALL:**

Cantú -	yes	Keevey -	yes	Raturi -	absent
Yates -	abstain	Agarwal -	Absent	Maheshwari	n/a
Spiegel -	yes	Doshi -	yes		
Lehrhaupt -	yes	Greer -	yes		

There being no further business, it was MOVED by KEEVEY and SECONDED by DOSHI to adjourn the meeting at 7:26 p.m.

Respectfully submitted,

\_\_\_\_\_  
Josi Easter, Board Secretary

Board Approval Date: \_\_\_\_\_