

RESOLUTION
PLAINSBORO TOWNSHIP PLANNING BOARD
Middlesex County, New Jersey

POO-19 The Trustees of Princeton University
Mapleton Road and Seminary Drive
Block 2, Lots 6.01, 7 and 8
Block 4, Lots 1.01, 2.01, 3.01, and 3.03

Preliminary and Final Subdivision

WHEREAS, the Applicant, The Trustees of Princeton University, have applied to the Plainsboro Township Planning Board for preliminary and final subdivision approval together with approval; and

WHEREAS, the Board held a formal hearing on the application on December 18, 2000; and

WHEREAS, the Board considered the testimony of the witnesses as set forth on Exhibit A (List of Applicant's Witnesses) and exhibits as set forth on Exhibit B (List of Applicant's Exhibits), presented in support of the application; and

WHEREAS, the Board considered the comments of its staff and members of the public; and

WHEREAS, the Board based its review of this application upon the testimony presented, the exhibits offered, and the comments and reports of its staff, and their own knowledge and expertise of the subject matter, and after due deliberations make the following findings of fact:

1. **The Application.** This is an application for preliminary and final major subdivision approval of the above-listed property into five (5) lots: one lot for an existing single-family home; one lot for open space; one lot created by the

realignment of Mapleton Road and Seminary Drive; one lot for a proposed 220 unit for-rent residential apartment development; and one lot for lands remaining. The application also provides for the right-of-way and improvements for the realignment of Mapleton Road and Seminary Drive. The roadway improvement includes the installation of a traffic signal and a stormwater drainage system.

2. Prior Approvals Within the Planned Multi-Use Development (PMUD) Zone. On May 27, 1975, the Planning Board granted to Princeton University and others what was then known as tentative approval, and which is now known as general development plan approval, for a "planned multi-use development" (PMUD) of a site then consisting of approximately 1,600 acres of land of Princeton Forrestal Center. The tentative approval was granted in accordance with the then existing PMUD ordinance, which was enacted by the Township pursuant to the then applicable State law.

The Planning Board has, since then, approved several variations in the original plan of development in order to accommodate changing circumstances and in keeping with the PMUD purposes of providing flexibility in planning and site plan design.

The approved plan of development, as amended, provides for a variety of land uses, including office/research uses, educational/research uses, hotels and conference centers, business and commercial uses, 820 units of housing, including up to 221 units on the Princeton Nurseries' property, the other 600 units having been constructed at Princeton Landing, and a planned retirement community now known as "Windrows". The Center has over 458 acres of common open space.

By Resolution dated February 16, 1987, the Plainsboro Planning Board approved a request to include the Princeton Nurseries' property, in Plainsboro Township, within the Princeton Forrestal Center. Under the approval received from the Planning Board, the site was designated office, research, commercial and residential uses. As to the residential uses, the 1987 approval permits up to 220 dwelling units to be built at a maximum gross density of four units per acre.

On June 21, 1999, the Plainsboro Planning Board granted to The Trustees of Princeton University and related entities, general development plan ("GDP") with respect to the existing PMUD district. GDP approval was granted

after public hearings, on due notice, as required by the Municipal Land Use Law.

One of the tracts granted general development plan approval is the "Princeton Nurseries" tract. The GDP approval, which provided vesting of rights for a 20-year period, provided that the Applicant be granted general development plan approval for 221 dwelling units. The additional dwelling unit included within the GDP approval relates to an existing house located west of Mapleton Road. The maximum gross density, however, remain the same at four dwelling units per acre. The GDP Resolution provided that this house will be used as a single-family dwelling only. The GDP anticipated a future subdivision to provide a separate lot for the structure. One of the lots to be created by virtue of the within application is the proposed Lot 6.06 to accommodate the existing home.

The Trustees have agreed to preserve the land west of Mapleton Road as permanent open space provided that there was no reduction in the number of dwelling units or the amount of square footage of non-residential development otherwise permitted on the Princeton Nurseries property. At the public hearing, the Applicant agreed to permanently restrict these lands to open space, regardless of the uses to which the office/commercial remainder of the Princeton Nurseries Properties may be put. As a result, the GDP approval requires that the lands remaining to the west of Mapleton Road be preserved and protected by adequate legal declarations to assure that the premises remain in their natural state, except that present agricultural use, necessary utility crossings, and approved pathways shall be permitted.

3. Traffic Responsibility of Developers of Princeton Nurseries' Property. To obtain GDP approval in 1999, the Applicant, Princeton University and others, were required to demonstrate the ability to effect a workable and comprehensive roadway improvement plan to support their build-out program. In this connection, they presented a traffic management plan, which led to the "1999 Traffic Agreement". The parties to that Agreement are The Trustees of Princeton University, the Township of Plainsboro, and the Planning Board of the Township of Plainsboro. Traffic management, with respect to PMUD properties, has a lengthy history. A traffic management plan for the Forrestal Center has been in existence since August of 1980. It has been modified several times between that date and August of 1990. In August of 1990, a traffic study was completed at the initiative of Middlesex County, Princeton University, and the Township. The study has come to be known as the "Task Force Traffic Study".

The June 1995 filing of the GDP application contained an updated traffic report. The Applicants replaced this 1995 report with a traffic study referred to as the "1998 Traffic Study". The findings of that study, together with negotiations since its submission with Township staff, resulted in an agreement entitled "1999 Traffic Agreement". This Agreement requires that the within Applicant make substantial roadway and traffic improvements within the PMUD area including the improvements that are shown on the within application. The 1999 Traffic Agreement is recognized as the "Traffic Management Plan" for the entire Princeton Forrestal Center, thus defining and limiting the roadway and traffic improvement responsibilities of the Applicant. One of the numerous traffic improvements identified in the 1999 Traffic Agreement as a Princeton University requirement is found at Pages 12 and 13, subparagraph F entitled "Seminary Drive and Mapleton Road". This section of the Agreement provides for a series of improvements that are to be made at the identified intersection including the realignment of Seminary Drive at its intersection with Mapleton Road, making northbound Mapleton Road a minor street approach. The Agreement also requires that the Applicant provide one lane on northbound Mapleton Road and a separate left turn lane and shared right turn/through lane on westbound Seminary Drive and provision for a separate left-turn deceleration lane and a shared right-turn/through lane on southbound Mapleton Road. A traffic signal is also required by the Agreement. These improvements are required to be installed prior to the issuance of the first certificate of occupancy for residential development within the Princeton Nurseries tract.

Two additional roadway improvements have been suggested by the Township Engineer and agreed to by the Applicant. One addition is of a separate right turn lane onto southbound Mapleton Road. A second addition is a separate right turn deceleration lane to be added to northbound Seminary Drive to provide for motorists turning right into the apartment site.

4. Additional Right-of-Way Improvements. The new realignment of Mapleton Road and Seminary Drive will have a larger road cross section to provide turn lanes at the intersection of the two roads. There is also shown the addition of sidewalks including an 8-foot wide path to the Delaware and Raritan Canal. With the improvements, the new impervious area will be 2.15 acres. The run-off from Seminary Drive and part of Mapleton Road will be collected by a series of inlets that will convey runoff to a detention basin to be constructed by the developer of the residential, for-rent project. The area of impervious surfaces to the basin is 1.53 acres. The basin was designed to accommodate this stormwater

runoff. The remaining impervious surface of .62 acres will be collected and piped to a water quality swale. This swale has been designed in accordance with the New Jersey Department of Environmental Protection criteria. The water quality storm used for design purposes is the one-year frequency, 24-hour, Type III distribution event. Construction of roadway improvements shall be closely coordinated with ongoing or proposed County and Township projects and private development in the area.

5, Open Space and Buffer Areas. To the west of Mapleton Road, a new lot, Lot 6.07 is proposed to be created. This lot will consist of 29.745 acres and will be deed restricted by a Declaration of Open Space, to be reviewed and approved by the Planning Board Attorney. These restrictions will run in favor of the Township. The only allowable uses of the premises will be passive open space, except present agricultural use, necessary utility crossings, and approved pathways shall be permitted. The restrictions shall be permanent and irrevocable.

Pedestrian access to the open space lot and to the D&R Canal path will be along the southerly lot line of new Lot 6.07. Restrictions with respect to the improvement and expansion of the dwelling on Lot 6.06 shall be reviewed and approved by the Planning Board Attorney. The Applicant shall rehabilitate the D&R Canal pathway, to its specification, off-tract, to the west of the westerly lot line of new Lot 6.07.

To the east side of the within subdivision, there will be a variable width easement in favor of new Lot 3.04 in which will be constructed a berm and associated landscape buffering materials. This variable width easement shall be maintained jointly by the within Applicant and the owner of the for-rent residential project which will be constructed between the berm and Mapleton Road. A Berm Maintenance Easement Agreement shall be prepared and submitted to the Township Planning Board Attorney for his review and approval with respect to such landscape easement.

The berm will be fully in place either before or simultaneous with the start of construction of the residential complex. The top layer, 12 to 24 inches of the residential development tract will be scraped and the material will be transported to the berm. The berm will be of variable width but in no case will it be wider than 100 feet. At the completion of the construction, the area of the berm will be surveyed. The Trustees, as owner of the property, will then place a

N.J.D.E.P. approved "Deed Notice" on the surveyed area. The owner of the residential development will be responsible for the western half of the berm, from the center line of the top to the property line between Lot 304 and Lot 305. Princeton will grant a berm maintenance easement as referred to above to accommodate this arrangement.

6. Residential Lots 6.04 and 6.05 - Mapleton Road. The realignment of Mapleton Road will affect the frontages of two "out parcels", existing Lots 6.04 and 6.05, both currently used as single-family dwelling lots. Currently, each lot has frontage on Mapleton Road. These frontages, however, will be eliminated by virtue of anticipated vacations, by the municipality, of redundant portions of the old right-of-way of Mapleton Road, all as shown on the subdivision plan submitted with this application. The subdivision plan, however, shows an improved access easement to the new westerly sideline of realigned Mapleton Road, which will serve both Lots 6.04 and 6.05. This access provides both lots with the requisite legal means of egress and ingress. A future subdivision application may provide Lot 6.04 with actual frontage by the addition to Lot 6.04 of a portion of Lot 6.07 that now separates the west sideline of Mapleton Road from Lot 6.04. On the southwesterly quadrant of the realigned intersection of Mapleton Road and Seminary Road, a triangular tract consisting of 1.412 acres may be offered, by the Applicant to the Seminary and it is anticipated that the existing Seminary Road right-of-way in this area will be vacated and may become part of the Seminary holdings. A small triangular tract of approximately 1,165 square feet will be needed from Seminary lands, Block 3, Lot 2.01, to complete the Mapleton Road right-of-way improvement. A condition of this approval is that the premises needed for such improvement, from Block 3, Lot 2.01, be caused to be dedicated to the Township by the Applicant for that purpose.

The Declaration of Open Space shall apply to any land transfers with respect to Lot 2.01 or 6.04.

7. Area Pathway System. The plans submitted with this application and the companion application for the construction of the residential dwelling project provide for a comprehensive pathway system in the area. Fieldstone Associates will be responsible for all pathway construction that is depicted on their site plan. This includes a section of 8-foot wide bituminous path that will connect two other pieces that Princeton will construct. One of these pieces will run east on the north side of Seminary Drive to the intersection of College Road West. The other section will go to the Delaware and Raritan Canal Park.

Starting on the east side of the residential development and on the same side of Seminary Drive, Princeton will construct an 8 foot wide bituminous path from the property line between Block 4, Lot 3.05 and Block 4, Lot 3.04 to the intersection of College Road West and Seminary Drive. A new traffic signal has been installed at this intersection during the summer of 2000 and pedestrian crossing devices are already in place as well as depressed curbs for handicapped access.

The realigned intersection of Mapleton Road and Seminary Drive will have full pedestrian crossing capability. Princeton will construct a continuation of the pathway from the intersection to the existing driveway that serves the home on new Lot 6.06. The driveway will be converted into a path and there will be a new driveway built for the single-family dwelling. Princeton also has agreed to repair the pathway along the Delaware and Raritan Canal in both Plainsboro and South Brunswick. The repair will be to specifications provided by the Delaware and Raritan Canal Commission. The pathway will be maintained by the Commission.

Prior to any conveyance in the future by Princeton of Lot 2.02, located at the southwestern quadrant of the new intersection, Princeton will construct a pathway on the northern edge of this property. It is anticipated that this area of approximately 1.412 acres may be conveyed to the Seminary. Princeton has represented that it will cooperate with Plainsboro Township and the Seminary to establish a pedestrian link between the Windrows at Princeton Forrestal and the Seminary, on the south side of Seminary Drive.

8. Site Environmental Remediation. Proposed 23.64 acre site for the future residential project was investigated in 1998 and found to contain dieldrin exceeding 42 ppb. The results were reported to Plainsboro Township and the New Jersey Department of Environmental Protection. Sadat Associates, Inc., on behalf of Fieldstone Associates and the Trustees, completed a remedial investigation of the property. They retested the soils and found the presence of dieldrin and the absence of any other contaminants in concentrations exceeding residential cleanup criteria. A remediation plan was developed. The plan consists of the removal of dieldrin-contaminated soil exceeding 42 ppb from the residential portion of the property and placement of the soil in a berm to be located on the Princeton University portion of the Nurseries parcel. The berm will be covered with a 6-inch layer of clean soil and vegetated.

By letter dated January 11, 2000, the New Jersey Department of Environmental Protection approved a Memorandum of Agreement (MOA) for the nursery site. The site is now under this MOA with an approved remediation plan. The Applicant testified that all of the remedial activities that Sadat Associates has proposed for the property are consistent with the final report (March 1999) of the Historic Pesticide Contamination Task Force. A condition of this approval is that the remediation plan be filed with the Office of the Township Engineer.

9. Compliance with Subdivision Regulation. The Board finds that the proposed subdivision complies with all regulations applicable hereto in the Township's land use ordinances.

NOW, THEREFORE, BE IT RESOLVED by the Plainsboro Township Planning Board this 18th day of December, 2000 that the Applicant be granted preliminary and final major subdivision approval and major site plan approval, subject to the following conditions:

1. The following additions, amendments and corrections shall be made on the plans and submitted for review and approval:
 - a. Provide computer printouts and metes and bounds descriptions for the original tract and all proposed lots.
 - b. Provide traffic signal maintenance easements in favor of the Township of Plainsboro encompassing all signal improvements outside of the public right-of way, upon final NJDOT approval.
 - c. Provide the location of all striping and striping transition points and radii on the plan.
 - d. Label the lengths of all transition and stacking lane striping on the plan.
 - e. Provide spot elevations, on the grading plan, at all returns and at the gutter line along the centerline of all proposed access drives and review same to prevent bottom scraping of vehicles entering and leaving the site.
 - f. Provide separate plans and profiles for the proposed access drives to Lots 6.04, 6.05 and the entrance drive to the Seminary.
 - g. The proposed contours shown on the overall utility and grading plan for proposed Mapleton Road and Seminary Drive shall be adjusted to the datum of the existing contours and spot elevations shown on same.

- h. Storm drain system design, analysis, and layout on the plans shall include the proposed piping by others for the Villas for reference purposes. Pipe design calculations for the above shall be added to the engineer's report or referenced to the point of discharge into the detention basin.
- i. Provide a landscaping plan that addresses new street trees and shrubs, earthen berms, lawn areas for Lots 2.02, 6.04, 6.05 and 6.07, and site restoration. The plan shall be implemented as determined during and after intersection improvements are installed, based on field determinations.
- j. New lots created by the realignment of Mapleton Road shall be graded, seeded and landscaped as part of the project entrance theme and/or related to existing open space and natural buffers in the area.
- k. Identify quantity of Dark Arborvitae on Plan Sheet CE-22.
- l. Provide documentation in support of the proposed traffic signal including proposed signal phasing timing and computer analyses supporting the same and certification from a licensed N.J professional engineer indicating that the traffic signal improvements have been designed in compliance with the MUTCD and NJDOT design standards. Submit design of the proposed roadway elements.
- m. Evaluate and confer with the Township Engineer with respect to sight distances for drivers leaving the residential development and traveling on realigned Mapleton Road and Seminary Drive. Evaluate and recommend shape and locations of steepness and height of the banks along northbound Seminary Drive shoulder.
- n. Detailed construction and wiring plans shall be submitted for the traffic signal for review by the Township Engineer, prior to submission to NJDOT.
- o. Mast arm mounted street signs shall be provided at the intersection, subject to review and approval of the Community Development Director.
- p. The applicant shall install speed limit signage for the realigned portions of the roadways at completion of construction, in consultation with NJDOT.
- q. The applicant shall reanalyze the adequacy of the traffic signal timing six months after its activation and provide recommendations for improvements, if any.

- r. The plan shall specify international walk/don't walk signals with light emitting diodes.
- s. No stopping or standing signs shall be provided on the intersection approaches.
- t. Additional arrow and *ONLY* pavement markings shall be provided for each lane on north and south intersection approaches. Delete the left turn arrow from the northbound through lane on Seminary Drive.
- u. Plowable pavement reflectors shall be provided within the limits of construction in accordance with NJDOT standards.
- v. Provide a street lighting plan for the new intersection, showing existing lighting.

- w. Revise Plan Sheet CE-5 to label the unpaved pedestrian/bike path to extend north into South Brunswick and to the aqueduct along the eastern side of the Canal.
- x. Revise the plan to provide a detail and alignment for an eight foot wide paved pathway to be constructed on the north side of Seminary Drive by the applicant between the College road West intersection and the new residential development.
- y. The applicant shall confer with the Township Planning Consultant regarding moving the Seminary Drive pathway farther away from the curb line of new Lot 2.02.
- z. The maximum driveway slope shall not exceed 8% and shall be so noted on the plans.

2. Miscellaneous.

- a. All easements and rights in favor of the Township shall be expressed in deeds and grants suitable for recording, the form of which shall be approved by the Planning Board Attorney and the descriptions approved by the Township Engineer.
- b. The applicant shall pay additional professional review escrow amounts as determined by the Community Development Director, if any.
- c. The applicant shall obtain approval for or waiver from the following:
 - Middlesex County Planning Board
 - N.J. Department of Transportation (traffic signal)

- Delaware and Raritan Canal Commission
- Freehold Soil Conservation District

d. The applicant shall submit inspection fees and performance guarantees in amounts determined by the Township Engineer (based on estimated submitted by the applicant). The form of the performance guarantee shall be reviewed and approved by the Township Attorney.

Roll Call:	Butler -	Schaefer -	
	Lehrhaupt -	Porter-#1	Yates -
	Hullfish -	Cantu -	Holmes-
	Kiernan-	Chopra -	Hall-#2

I hereby certify that the foregoing is a true copy of a Resolution adopted by the Plainsboro Township Planning Board at its regular meeting on February 20, 2001. memorializing approval granted on December 18, 2000.



June W. Merritt, Secretary