

**MINUTES  
OF THE  
CRANBURY TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
CRANBURY, NEW JERSEY  
MIDDLESEX COUNTY  
SEPTEMBER 13, 2023**

**TIME AND PLACE OF MEETING**

The Meeting of the Cranbury Township Zoning Board of Adjustment was held on September 13, 2023 7:00 pm at Town Hall, 23A North Main Street, Meeting Room.

**CALL TO ORDER**

Ms. Meacock, ZBA Chairperson, called the meeting to order and presided over the meeting.

**STATEMENT OF ADEQUATE NOTICE**

Under the Sunshine Law adequate notice in accordance with the open public meetings act was provided on January 11, 2023 of this meeting's date, time, place and the agenda was mailed to the Cranbury Press and Trenton Times, posted on the Township Bulletin Board, mailed to those requesting personal notice and filed with the municipal clerk.

**MEMBERS IN ATTENDANCE**

- ☒ Joseph Buonavolonta
- ☒ Robert Diamond
- ☒ Richard Kallan
- ☒ David Nissen
- ☒ Gwen Parker
- ☒ Steven Schwarz
- ☒ Frank McGovern (Alternate #1)
- ☒ Saras Kothari (Alternate #2)
- ☒ Merilee Meacock

**PROFESSIONALS IN ATTENDANCE**

- ☒ Edwin Schmierer, Board Attorney
- ☒ Robin Tillou, Secretary
- ☒ David Hoder, Board Engineer
- ☒ Elizabeth Leheny, Board Planner
- ☐ Andrew Feranda, Traffic Engineer

**MINUTES**

**August 2, 2023**

Upon a motion from Mr. Kallan and seconded by Mr. Schwarz, the August 2, 2023 minutes were unanimously approved by those members eligible to vote on said dates.

### **APPLICATIONS**

ZBA384-23 Cranbury Housing Associates, Inc.  
1-20 Park Place West  
Block 23, Lot 63.02 – R-ML (Residential-Mount Laurel) Zone  
Minor Subdivision with Bulk Variances

Representatives: Jonathan Mayer, Esq., Stevens & Lee, Applicant's Attorney  
Mark Berkowsky, Cranbury Housing Associates, Inc. (CHA)

### **EXHIBITS:**

A-1 – Color Coded Subdivision Map – Pink/Yellow = Dedication to the Township, Blue = CHA Property to Remain

Mr. Schmierer announced that notice is for ZBA384-23 and the ZBA can take jurisdiction over this application.

Mr. Mayer introduced the application by stating the proposal is a senior housing project with a 50 ft. ingress/egress. The reason for this subdivision is due to the recently built library having an increase in traffic and because of that the easement has increased dramatically in traffic. There are four (4) variances that are being requested. There is a d(5) density use variance due to the maximum gross density permitted being 10 dwelling units per acre and with the subdivision it would be 12.5 units per acre. The bulk variances are the required minimum lot area is two acres and they are proposing 1.60 acres, average lot depth required is 250 ft., and they are proposing 218.66 and the front yard setback requirement is 50 ft., and they are proposing 10.2 feet.

Mr. Schmierer swore in Mr. Berkowsky.

Mr. Berkowsky advised of his credentials explaining that in addition to volunteering at CHA he is also a registered architect and licensed professional planner in New Jersey. He has been a practicing planner for 50 years.

Chair Meacock accepted Mr. Berkowsky's credentials.

Mr. Berkowsky explained that CHA started in 1963. Affordable housing was mandated by the Mt. Laurel case in 1987. The first project in Cranbury for affordable housing was this project in the 1990's. It is for 55+ and handicap affordable housing. This site was made for the Township and that is when the egress was established from that. The zoning was created based on this design. The reason for being before the Board tonight is due to the library being built at the end of that easement and creating more traffic, which will be more liability for CHA. CHA would suffer hardship if forced to use the property as existing due to not being able to be deed to the

Township without the variances for the space being dedicated to the Township with this subdivision. The use and layout advance the municipal land use law by providing sufficient space and an appropriate location of affordable housing by being in the center of town. The granting of the variance outweighs the detriment of the town.

Mr. Diamond asked if the variance would carry if the building is demolished and something else takes over.

Mr. Berkowsky stated CHA owns the property and will stay.

Mr. McGovern asked why this was not thought of when the easement was being built.

Mr. Berkowsky replied it was due to the ordinance written years ago and the Township did have in mind that it would eventually develop and get the dedication.

Mr. Schmierer swore in the Board Professionals, David Hoder, Board Engineer, and Liz Leheny, Board Planner.

Mr. Hoder stated he recommended dedicating the yellow portion of Exhibit A-1 to the Township to ensure that they will be maintaining the walkway during the winter and taking the liability away from CHA for that piece.

Ms. Leheny stated the variances being proposed are technical, meaning no one intended to create variances. The zoning at that time was made so no variances were created. Circumstances have changed 30+ years later and now require variances for this subdivision. There is nothing being changed to the property to impact how the site functions.

Mr. Hoder suggested extinguishing the easement since the property is going to the Township, they will no longer need the easement.

After asking the applicant if they need the easement, Mr. Schmierer agreed to extinguish the easement.

Chair Meacock opened the meeting to the public. With no public comment the public forum was closed.

MOTIONED TO APPROVE: Mr. Kallan

SECONDED: Mr. Diamond

ROLL CALL:

AYES: Mr. Buonavolonta, Mr. Diamond, Mr. Kallan, Mr. Nissan, Ms. Parker,  
Mr. Schwarz and Ms. Meacock.

NAYS: None.  
ABSTAIN: None.

**ZBA372-23    Link Logistics Real Estate, LLC  
Block 3, Lot 1.01, LI (Light Industrial) Zone  
257 Prospect Plains Road  
Bulk Variances – Signage**

Representatives:        Armen McOmber, Esq., McOmber, McOmber and Luber,  
                                 Applicant's Attorney  
                                 Patrick Ward, Insite Engineering, Applicant's Engineer and Planner  
                                 Frank Alesso, Regional Manager of Link Logistics

**EXHIBITS:**

**A-1 - Proposed Wall Sign Location Exhibit**

**A-2 – Existing West Elevation and Proposed West Elevation**

Mr. McOmber introduced the application by stating the sign being proposed would be on the western façade and the proposed 240 sq. ft. sign will replace the 100 sq. ft. sign that exists. The existing sign is too small to see, and the proposed sign will improve visibility of the signage. Link Logistics is open 24 hours a day, 6 days a week, so they would like to have the signage illuminated. The Petco sign is to the north. The signage being proposed is facing the turnpike.

Mr. Schmierer swore in Mr. Ward, the applicant's engineer and planner, and Mr. Alesso of Link Logistics.

Mr. Ward advised of his credentials being a degree in science and civil engineering from Drexel and he is a licensed engineer in New Jersey for 11 years and a licensed planner in New Jersey for 9 years.

Chair Meacock accepted Mr. Ward's credentials.

Mr. Ward stated the western elevation is 1,600 ft. long. This is a 1,000,000 sq. ft. warehouse. The signage will have letters lit inside and the link logo will be halo lit. There will be a glow behind it. Exhibit A-2 shows what the sign will look like in the evening. The requirement is the combined area cannot exceed 5% of the wall and there is a 100 sq. ft. cap. The proposed sign will be taking up 2% of the façade, but it will be over the 100 sq. ft. requirement. There are two (2) signs existing on the western elevation. The Petco sign and the Link sign. Due to this another variance is required for the two (2) signs. The lighting being proposed is within the code. The applicant has agreed to comply with the Fire Department's review regarding numbering with 24" numbers of contrasting colors in the uppermost section of the building.

Mr. Kallan asked if they will be taking up 2% of the wall or the floor.

Mr. Ward replied the wall.

Mr. Kallan explained by his calculations by separating the logo and the word Link, it came out to be 182 sq. ft., which is less than the 240 ft. being proposed. That works out to be .56% of the façade. The sign area works out to be 1/500 of the area.

Mr. Schwarz asked if Petco still occupies the building.

Mr. Alesso replied yes.

Ms. Parker stated the Township adopted the signage ordinance 2 years ago. The 100 sq. ft. was put in the sign ordinance for a reason in the industrial district. Is there a good reason to go against what the Township Committee approved in the ordinance?

Mr. Ward replied that the orientation and size of the building is unique to the zone. This is a truly large warehouse with a big façade along a major highway. A 100 sq. ft. sign along a 1,600 sq. ft. building cannot be viewed easily.

Chair Meacock opened the meeting to the public. With no public comments the public forum was closed.

MOTIONED TO APPROVE: Mr. Kallan

SECONDED: Mr. Nissan

ROLL CALL:

AYES: Mr. Buonavolonta, Mr. Diamond, Mr. Kallan, Mr. Nissan, Ms. Parker, Mr. Schwarz and Ms. Meacock.

NAYS: None.

ABSTAIN: None.

### **ADJOURNMENT OF MEETING**

There being no further business, on motion by Mr. McGovern and seconded by Mr. Kallan, and unanimous vote, the meeting was thereupon adjourned at 8:00 pm.

### **CERTIFICATE OF SECRETARY**

I, the undersigned, do at this moment certify;

That I am duly elected and acting secretary of the Cranbury Township Zoning Board of Adjustment and, that the preceding minutes of the Zoning Board of Adjustment, held

on September 13, 2023, consisting of six (6) pages, constitute a true and correct copy of the minutes of the said meeting.

IN WITNESS of which, I have hereunto subscribed my name of said Zoning Board of Adjustment this October 5, 2023.

*Robin Tillou*  
Robin Tillou, Administrative Officer