

**MINUTES
OF THE
CRANBURY TOWNSHIP
PLANNING BOARD
CRANBURY, NEW JERSEY
MIDDLESEX COUNTY**

TIME AND PLACE OF MEETING

The Regularly Scheduled Meeting of the Cranbury Township Planning Board was held on April 4, 2024 at 7:00 pm at Town Hall, 23A North Main Street, Meeting Room.

CALL TO ORDER

Chair Spann called the meeting to order at 7:00 pm 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 18, 2024 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

- Anderson, Deanna
- El-Badawi, Eman - Mayor
- Ferrante, Michael – TC Rep
- Gittings, Bill
- Jones, Dominique – BOE Rep
- Mildenberg, Jason – EC Rep
- Spann, Evelyn - Chairperson
- Stewart, Jason
- Wittman, Wayne - Vice-Chairperson

PROFESSIONALS IN ATTENDANCE

- Andrew Feranda, Traffic Engineer, Shropshire Associates
- David Hoder, Board Engineer, Hoder Associates
- Elizabeth Leheny, Board Planner, Phillips Preiss
- Sharon Dragan, Esquire, Board Attorney, Mason Griffin,
- Robin Tillou, Planning Board Administrative Officer

MINUTES

March 7, 2024

Upon a motion from Mr. Stewart with corrections to the minutes and Mr. Ferrante offering a

second, the March 7, 2024 minutes were unanimously approved with corrections by those eligible to vote.

PUBLIC COMMENT

Chair Spann opened the public forum. With no public comment, Chair Spann closed the public comment portion of the agenda.

RESOLUTION

PB378-23 Army Associates, LLC
322 Half Acre Road & Cranbury Middle Campus
Block 8, Lot(s) 1.02 & 1.03 LI (Light Industrial) Zone
Preliminary and Final Site Plan – Warehouse Redevelopment

Chair Spann announced the PB378-23 Army Associates resolution will be tabled to the May 2, 2024 Planning Board meeting.

APPLICATION

PB387-23 Breakwater Treatment & Wellness Corp.
2 Corporate Drive
Block 2, Lot 3.04 – LI (Light Industrial) Zone
Preliminary and Final Site Plan – Trailer & Generator

REPRESENTATIVES: Frank Brennan III, Esq., Applicant’s Attorney, Brennan Law Firm
Andrew Zeleski, President of Breakwater Treatment
James Froehlich, Vice President of Breakwater Treatment
Jeff Brown, Applicant’s Engineer, Princeton Junction Engineering

EXHIBITS:

- A-1 – Cover Page of Site Plan, 12/6/23
- A-2 – Site Photos, Sheet 3 of 3
- A-3 – Sheet 2 of 3
- A-4 – Air Permit

Ms. Dragan announced notice is sufficient for PB387-23 application and the Planning Board has jurisdiction.

Ms. Dragan swore in the Board professionals and the Applicant’s professionals.

Mr. Brennan introduced the application by stating the applicant is proposing a preliminary and final site plan for the continued use of the temporary trailer and generator located on the site. The Breakwater Treatment & Wellness Corp. is a medicinal cannabis growth and dispensary company. The reason for the trailer is for extra biosecurity implemented on the premises for the

employees. A temporary permit was issued for the trailer due to COVID emergency declaration from the State. That temporary permit has expired, but the applicant would like to keep the trailer where it is on the property due to the need for biosecurity within the facility. The applicant is a tenant and will take the trailer and generator with them once they vacate. The use conforms to the zone and there are no bulk variances requested.

James Froehlich, Vice President of Breakwater Treatment, was introduced. Mr. Froehlich stated Breakwater opened for business in 2015. There are currently 120 employees. Biosecurity was essential to the business with COVID. The entrance was created for proper sanitation to clear of any sickness and/or insects getting inside of the premises. If insects get into the facility, it could mean months to a half a year of the product being affected. After the clearance of insects and sicknesses, the employee is then provided hair nets and gloves before they enter the facility. The trailer is located where it is now because it is a separate entrance for the employees that would not interfere with the patient entrance. The patient entrance is on the front side facing Corporate Drive. They do not receive any deliveries at that loading deck. The deliveries go to another location. They do use that location for storage sometimes but that is temporary. The generator will be used in case of an emergency if there is an outage for an extended period of time. Losing electricity and power for an extended period could affect business for 3 – 4 days to weeks.

Jeff Brown, Applicant's Engineer, advised of his credentials being a professional licensed engineer and land surveyor in New Jersey. He has testified before numerous boards including Cranbury Township PB.

Chair Spann accepted Mr. Brown's qualifications.

Mr. Brown exhibited A-1, last revised 12/6/23 – cover page of site plans submitted.

Mr. Brown advised the Board that the generator that is being proposed is free standing and portable.

Mr. Brown exhibited A-2, Site Photos, Sheet 3 of 3 of site plans submitted.

Mr. Brown stated the generator is 11'x21'x13' and weighs 40,000 lbs. It is powered by diesel fuel. The generator is located 23 ft. away from the building and 285 ft. off Corporate Drive. The generator is 1,000 KW and produces 1,053 amps.

Mr. Brown exhibited A-3, Sheet 2 of 3 of site plans submitted, plan of the location of the trailer and generator.

Mr. Brown advised there will be two (2) dumpsters, one at the end of the trailer and one at the end of the generator. The dumpsters are located there due to it being mandatory for this business

to have the dumpsters under surveillance by the cameras. There are no dumpster enclosures, and the dumpster areas will be striped.

Mr. Brennan advised that there are eight (8) CO2 tanks located south of the entrance trailer. The tanks help with the plants growing. The generator is temporary and has no permanent connection for fuel or electricity from the generator to the building itself.

Mr. Brown advised that the parking complies. The loading spaces have no issues either. The trailer and generator are screened well by the L shape of the building from Corporate Drive. The DEP permit has been approved. There is no drainage or noise impact. There is no need for bollards on the sides of the generator due to not using the loading docks for deliveries, but they will install them if conditioned to install bollards.

Ms. Spann asked about the testing frequency for the generator.

Andrew Zelenski, President of Breakwater Treatment, was introduced.

Mr. Zelenski responded that the generator is tested quarterly for 5 – 10 minutes.

Mr. Zelenski stated the 2,000-gallon gas tank is protected by a double wall tank. The gas tank is protected.

Mr. Zelenski explained to service and fuel the generator a truck pulls up next to the tank, goes through the door on the generator to access the generator. The first time the generator was fueled was in 2020.

Vice-Chair Wittman advised that the tank must have a spill prevention plan.

Mr. Brown stated the CO2 tanks are located at the edge of the trailer.

Mr. Brown stated the generator sits directly on the pavement. The pavement in that area was built to sustain tractor trailers and should not be a problem with the generator sitting on that pavement.

Mr. Zelenski stated Breakwater will be vacating the premises after their lease has ended.

Mr. Hoder referenced his March 27, 2024 review letter. Mr. Hoder advised a stormwater management plan is not required for this application. The screening is up to the Board. The dumpsters should be moved with the cameras. The dumpsters should be off the pavement in grass and a fence should be put around it. Mr. Hoder would like the air permit.

Mr. Froehlich provided the air permit, and it was submitted as Exhibit A-4, Air Permit.

Mr. Zelinski advised that the generator has a silencer and passed the sound test. The Caterpillar dealer the generator was purchased from gave them a report of the diagnostics when it was purchased. A local dealer does the testing. It passed the testing due to being under 70-80 dB from the property line. He will send via email the pdf for the noise testing to Mr. Hoder.

Mr. Hoder stated the generator does comply. He feels there should be three (3) bollards in front of the tank.

Ms. Leheny asked what the procedure was prior to COVID for the employees to prevent contamination of the crops.

Mr. Zelinski replied the employees entered from the front when it was a smaller business with a lot less employees. Currently there are 25-30 employees that go through the trailer during business hours.

Chair Spann asked if there was any striping or path for the employees to get to the trailer.

Mr. Brown stated there is a grass strip for them to walk on.

Mr. Gittings stated when he visited the site, he saw the current conditions have trucks everywhere. The plans should show the turning radius and address the screening. The dumpsters should not be in a driving lane. The construction official should be inspecting the building.

Mr. Brennan advised the applicant would be willing to get permits from the building department as recommended by the construction official's review letter.

Chair Spann stated she would like the trailer to be removed. The CO2 tanks are a concern due to being tucked right by where the employees enter. And she would not want the trailer to be located on the other site either due to safety concerns.

The Board agrees about the safety concerns for the employees having to enter an area that has no walkway and having tanks out in the open near where the employee entrance is.

Mayor El-Badawi asked for confirmation if the trailer should be moved to the other site once Breakwater vacates this site.

Chair Spann stated the trailer should not be moved to another site.

Vice-Chair Wittman agreed that the trailer should not be moved to the other site.

Mr. Ferrante understands why the trailer and generator were tucked behind the site to try and buffer. He would like the application to be tabled at another PB meeting to rework the plans addressing the concerns of the Board.

Mr. Stewart agrees to table the application and would like to see the revised plans that may include moving where the entrance is so the employees are not crossing dangerous areas, or it may include moving the dumpsters.

Mr. Gittings advised the CO2 tanks need to be inspected immediately.

Chair Spann announced the application will be tabled to the June 6, 2024 PB Meeting with a new site plan for the trailer definitive to this site.

**PB386-23 Shriji Estates
 2 Brickyard Road
 Block 16, Lot 1 – GC (General Commercial) Zone
 Preliminary and Final Site Plan – Parking Lot Reconfiguration**

Ms. Dragan announced notice is sufficient for PB386-23 application and the Planning Board has jurisdiction.

Chair Spann announced PB386-23 Shriji Estates will be tabled to the May 2, 2024 PB meeting with no new notice as requested by the applicant.

ADJOURNMENT OF MEETING

There being no further business, Mr. Wittman made a motion to adjourn the meeting with Mr. Stewart, offering a second. By unanimous vote, the meeting was thereupon adjourned at 9:05 pm.

CERTIFICATE OF SECRETARY

I, the undersigned, do at this moment certify;

That I am duly elected and secretary of the Cranbury Township Planning Board and that the minutes of the Planning Board, held on April 4, 2024, 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 to said Planning Board this May 3, 2024.

Robin Tillou
Robin Tillou, Administrative Officer

/rst