

TOWNSHIP OF EAST BRUNSWICK PLANNING BOARD

RESOLUTION

**Application No. 23-28
469 Cranbury Road LLC
Preliminary and Final Major Site Plan and Bulk Variance**

WHEREAS, pursuant to the applicable provisions of the Ordinance (herein defined as the East Brunswick Township Land Use Procedure Ordinance (Chapter 132), Zoning Ordinance (Chapter 228), and Design Guidelines and Standards Ordinance (Chapter 192), as the context so requires, Application No. 23-28 has been submitted to the East Brunswick Township Planning Board (the "Board") by 469 Cranbury Road, LLC (the "Applicant") for Preliminary and Final Major Site Plan and Bulk Variance approval for an expansion of an existing building with associated site improvements for property located at 469 Cranbury Road, being known as Block 87.31 , Lot 14.03 in the Township of East Brunswick. The property is located on the Tax Map of the Township of East Brunswick and situated in the OP-2 (Office Professional) Zone District in the central portion of the Township of East Brunswick; and

WHEREAS, the application reviewed by the Board consisted of those plans and documents as identified in Pages 1-2 in the September 20, 2024 Memorandum prepared by CME Associates; and

WHEREAS, the application was certified as complete and a public hearing with respect to the Application was held by the Board on October 30, 2024 as per public

notice and personal notice pursuant to NJSA 40:55D-12 and the relevant Section of the Ordinance; and

WHEREAS, as part of the instant application and based upon the initial plans submitted and reviewed by the professional staff, the Applicant required the following Bulk Yard and Design Variances from the zoning requirements as set forth in the ordinance;

<u>Standard</u>	<u>Required/ Permitted</u>	<u>Existing</u>	<u>Proposed</u>
Max. Bldg. Ht.			
Feet	35'	Not Provided	25'6"
Stories	2.5	1.5* (per survey)	2
Max. Lot Size Undertaking Establishments (acres)	1.5		
All other uses (Square Feet)	20,000	138,653	138,653
Max lot coverage:			
Buildings & Structures (%)	30	3.1	6
Total lot Coverage (%)	65	18.3	26.4
Min. Lot Width (ft.)			
Corner Lot	160		
All others	120	304	304

Off Street Parking
spaces provided at
the side or rear of
the building 20

Off Street Parking
spaces provided at
the front of the
building 60 148.8 116.2

Min. Side Yard
Setback: each (ft.)

NE	20	35.6	28
SW	20	220.7	203

Min Rear Yard
Setback (ft.) 60 213.8 212.8

Min. Landscape
Buffer (ft.)
Land on the
opposite side of
the street of a rear
property line is in
a residential
district 20

103 50

Zone line
immediately
contiguous or
adjacent to any
residential zone 50

103 50

Between residential
uses and all non-
residential uses other
than industrial and
railroad uses 15

103 50

Nonresidential use abuts a residential zone or use	Designed in a residential character	Not Applicable: 213.8 feet from residential zone	Not Applicable: 212.8 feet from residential zone
Screening of rooftop equipment	Architecturally screened from the view of adjacent [properties and Streets	Not provided	Screening of Air Handlers proposed

WHEREAS, at the aforesaid public hearing, the following Township reports were entered into the record:

Code Enforcement	August 2, 2024
Collector of Revenue	July 29, 2024 – Taxes, Water And Sewer Delinquent
Construction Official	August 7, 2024 No Comments
Environmental Commission	August 16, 2024
Fire District	September 9, 2024
Public Safety	September 12, 2024 No Comments
Public Works	September 17, 2024
Recycling & Solid Waste	September 17, 2024
Sewerage & Water Resources	September 17, 2024

WHEREAS, The Board, after carefully considering the evidence presented to it by or on behalf of the Applicant and upon the advice and recommendations of the advisory municipal personnel, agencies and consultants (including, without limitation, those set

forth in the aforesaid staff reports), makes the following findings of facts:

FINDINGS OF FACTS

1. The Applicant agreed that it would comply with all of the staff recommendations set forth in the CME Associates report dated September 20, 2024, subject to the terms herein.
2. Mr. Brent Papi, PE provided professional engineering testimony on behalf of the Applicant. Mr. Papi described the site as containing 3.18 acres (178,653 square feet) with 304' of frontage on Cranbury Road. A 100' wide gas pipeline easement is located at the southern portion of the lot. Said pipeline is operated by Williams Pipeline who has provided a letter of no objection to the proposed development project. According to Mr. Papi, there is an existing one story 4,263 square foot office building on site with a total of 35 existing parking spaces, the majority of which are unstriped. The property is located in the OP-2 Zone and surrounded by a variety of commercial, office and residential uses. Mr. Papi indicated that the Applicant proposes to develop the project in two phases. Phase 1 includes a renovation and expansion of the existing office building which will result in a first floor with 8,250 square feet. Phase 2 includes a second floor addition of 5,816 square feet for a total building size of 14,066 square feet.

During Phase 1, all site improvements will be constructed including the new parking lot and bollards in lieu of concrete stops where noted on the plans which will have a total of 60 parking spaces, with a new porte cochere at the front of the building for patient drop off and all other associated site improvements. In the event the Applicant constructs Phase 2 of the project, the Applicant will be required to seek final site plan approval of same which will include a detailed analysis and review of parking usage and demand on site for any potential use of the second floor of the office building. Mr. Papi noted that there will be 21 proposed employees for the office use which will provide medical, chiropractic and physical therapy services and the hours of operation will be Monday through Friday, 8:00AM to 7:00 PM and Saturday, 7:00 PM to 12 Noon. In addition, Mr. Papi stated that a new sidewalk will be constructed along the site frontage and the exit on Cranbury Road will be right out only with appropriate signage posted. In terms of drainage, Mr. Papi testified that the sheet flow is from north to south on site with usage of separate bio-retention swales and an underground infiltration system. All utility connections are available which will be installed underground. Mr. Papi noted that additional landscaping will be provided, a new fire hydrant will be constructed at the driveway entrance and no generator is proposed at the present time. Mr. Papi

testified that all lighting will have LED fixtures and will satisfy all foot candle levels at property lines. In terms of signage, three signs are proposed with one freestanding sign and two façade signs. Mr. Papi noted that a snow removal plan will be provided.

3. Mr. Joseph Hyland, a licensed architect provided professional architectural testimony on behalf of the Applicant. Mr. Hyland described the site layout which includes a 13'6" high porte cochere for patient drop of, a lobby, reception area, administrative offices, storage room, break room, restrooms, 3 massage therapy rooms, quiet rehabilitation room, 2 exam rooms and 4 adjustment rooms. Mr. Hyland stated that there will be a total of 5 chiropractors, 3 physical therapists, 2 physical therapy assistants and 1 acupuncturist on site who will see a maximum of 11 patients on a thirty minute turnover (22/hour). According to Mr. Hyland, the building will be fully sprinklered and the specific layout of the second floor will be finalized during Phase 2 of the project and subject to final site plan approval to address parking supply and demand for said use.
4. Ms. Colleen McGurk, PP, provided professional planning testimony on behalf of the Applicant. Ms. McGurk testified as to the several variances required which she described as de minimus nature and can be granted under a flexible C-2 analysis as the benefits outweigh any detriment and

promotes sound planning. In terms parking demand, Ms. McGurk indicated that under ITE standards, 44 parking spaces would be required where 60 are proposed. Moreover, based upon patient turnover of 22 patients per hour and 21 proposed employees, a total of 43 spaces will be utilized.

5. Mr. Nathan Mosely, PE provided professional traffic engineering testimony on behalf of the Applicant. According to Mr. Mosely, the proposed use will generate 44 trips during the AM peak (7:00 AM – 9:00 AM) and 55 trips during the PM peak (4:00 PM – 6:00 PM). According to Mr. Mosely, level of service during both AM and PM peaks will remain at a level of service of B. Mr. Mosely agreed to provide a supplemental traffic report to address the fact that traffic counts were conducted during the Summer when school was not in session. Notwithstanding, Mr. Mosely opined that accounting for school traffic, traffic levels of service will remain unchanged.
6. There was no public opposition to the Application as the time of the hearing.

NOW, THEREFORE, BE IT RESOLVED that the East Brunswick Township Planning Board hereby **grants** Application # 23-28 for Preliminary and Final Major Site Plan and Bulk Variance approval to for an expansion of an existing building and associated site improvements for property located at 469 Cranbury Road, being known as Block 87.31 ,

Lot 14.03 in the Township of East Brunswick. The property is and located on the Tax Map of the Township of East Brunswick and situated in the OP-2 (Office Professional) Zone District in the central portion of the Township of East Brunswick; subject to the following;

1. As to the Planning comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 2,3,4,5,6,7 & 8.
2. As to the Site Plan comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 2,3,5,6,9,10,11 & 12. As to Paragraph 5, the Applicant agreed to provide bollards in lieu of concrete wheel stops at the ADA parking spaces. As to Paragraph 7, the Applicant agreed to provide a snow removal plan for the review and approval of the professional staff. As to Paragraph 8, the Applicant indicated that no generators are proposed at the present time.
3. As to Stormwater Management, Grading and Drainage comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 1,2,3,4,5,6,7,8,9,10,11,12,13,& 14a-i.
4. As to Water Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 1,2,3 & 4.
5. As to Sanitary Sewer Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 1,2 & 3.

6. As to Traffic Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 4,5,6,7,8,9,11,12 & 13. As to Paragraphs 1 & 2, the Applicant agreed to provide a supplemental traffic report addressing the concerns of the professional staff subject to the review and approval by the professional staff.
7. As to the Landscaping Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 1,2,3,4,5,6,7,8,9,10,11, 12,13,14 & 15.
8. As to Lighting Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 2 & 3. As to Paragraph 1, the Applicant agree to reduce the average footcandles level to .80 footcandles.
9. As to the Miscellaneous Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraph 1.
9. As to Other Agency Approval Comments of the CME Associates report dated September 20, 2024, the Applicant agreed to comply with Paragraphs 1a-g & 2.
10. The Applicant agreed as additional conditions of approval as follows:
 - a. The Applicant shall be required to obtain Final Site Plan approval in the event Applicant decides to proceed forward with the second floor addition as represented as Phase 2 of the project.

- b. The Applicant agreed to submit a supplemental traffic report for the review and approval of the professional staff.
 - c. The Applicant agreed to provide a letter of no objection from Williams Pipeline for the review and approval of the professional staff.
11. The Applicant shall comply with all other agency recommendations referenced in this Resolution.
 12. The Applicant shall comply with the requirements of Town Code Section 192-31 (as-built drawings) prior to bond release.
 13. In the event that, during the course of obtaining such approvals as may be necessary in order to develop the property, the property is found to contain freshwater wetlands that adversely affects the development herein approved or are delineated incorrectly thereon, and such finding requires the amendment of the approved site plan, the Applicant shall request and obtain the approval of the Board to an amendment of the within approval.
 14. The Applicant shall obtain such other governmental or quasi-governmental approvals as may be legally required in order for it to develop the property in the manner herein approved.
 15. In the event that the Applicant disturbs any of the existing trees on the site, it shall do so only in accordance with a valid Township-issued tree removal permit and, prior to the disturbance of any trees, shall meet with an authorized representative

of the Township Planning staff to ascertaining which of the existing trees on the site shall be preserved and not destroyed during the further development of this project, including without limitation the construction process. The determination of which trees on site shall be preserved shall be in the sole discretion of said Township representative, which discretion shall be exercised in a manner consistent with the development plan herein approved.

16. Except as specifically varied or waived herein, this approval does not in any way relieve the Applicant from constructing all improvements, as herein provided, in accordance with good and acceptable engineering and construction standards and all construction and engineering requirements of the Township.
17. The Township Construction Code Official shall ensure that all structures and improvements are properly located in the field in compliance with the approved plans and bulk zoning requirements (except to the extent of variances and waivers approved therefrom) at the time the footing/foundation is inspected. No additional work shall be commenced until said Construction Code Official has determined that the structures and improvements, in fact, comply with the approved plan and bulk zoning requirements (except to the extent of variances and waivers approved therefrom).
18. Prior to the commencement of any site work, all professional escrow fees due to the Township Engineer and Planning Board Attorney shall be paid in full.

19. Pursuant to Township Code Section 132-32.1, Applicant shall pay a development fee for each non-residential development prior to the issuance of any Certificate of Occupancy.

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of East Brunswick at its public meeting held on December 11, 2024.



Muhammad Hashmi, Planning Board Secretary