

**MERCER COUNTY PLANNING BOARD  
REGULAR MEETING MINUTES  
IN-PERSON MEETING  
April 13, 2022**

**PRESENT:** Michael Shine, Chair  
William S. Agress, Vice-Chair  
Kristin L. McLaughlin, County Commissioner  
Sam Rubino  
Taiwanda Wilson  
Dallas Barr  
Basit Muzaffar County Engineer  
Leslie R. Floyd for Brian Hughes, County Executive

**ALSO PRESENT:** Robert Ridolfi, Planning Board Counsel  
Matthew Zochowski, Planning Board Secretary

Chairman Shine called the meeting of the Mercer County Planning Board to order at 9:17 AM.

**I. STATEMENT OF ADEQUATE NOTICE**

Pursuant to the Sunshine Law, notice of this meeting was sent to the Trenton Times and the Trentonian on March 21<sup>st</sup>, 2022 was posted in the County Administration Building on March 24<sup>th</sup>, 2022 and was published in the Trenton Times on March 24<sup>th</sup>, 2022.

**II. ATTENDENCE ROLL CALL**

All members were present for March Roll Call.

**III. APPROVAL OF MINUTES**

Chairman Shine announced that minutes have been distributed from the March 09<sup>th</sup>, 2022 meeting and asked if there were any comments. There were no comments. Vice-Chairman Agress made a motion to approve the March 09<sup>th</sup>, 2022 Planning Board minutes which was seconded by Commissioner McLaughlin. All members voted in favor.

**IV. PUBLIC COMMENT**

Chairman Shine asked if there are any public comments this morning related to non-agenda items. There were no members of the public requesting to comment.

**VI. OLD BUSINESS**

Status of appeal by OTR East Windsor Investors, LLC (the "Developer") with Mercer County Planning Board's Site Plan decision requiring, Inter alla, the Developer to provide a cross access easement for vehicular traffic from its proposed residential development to a neighboring/adjacent residential development.

Mr. Ridolfi gave an overview of the new appeal to the Supreme Court and where things stand with the developer.

**VII. NEW BUSINESS**

Conover Fields Comfort Station, West Windsor Township

Mr. Andrew Lloyd gave a presentation in reference to the new WQMP Site-Specific Amendment. ACT Engineers, Inc is the submitting agent and West Windsor Township is the applicant. Mr. Lloyd mentioned

that additional amendments are percolating through the pipeline at this moment and will come to the Planning Board in the near future.

**IX. CORRESPONDENCE**

There was no correspondence.

**X. ADJOURNMENT**

Mr. Shine asked for the motion to adjourn the meeting and Mrs. Wilson made the motion. Mr. Rubino seconded the motion. The meeting was adjourned at 9:08 a.m. with the following vote:

Y Michael Shine  
Y Samuel Rubino  
Y Samuel Frisby  
Y Dallas Barr

Y William S. Agress  
Y Basit Muzaffar  
Y Leslie R. Floyd  
Y Taiwanda Wilson

Respectfully Submitted,



Matthew Zochowski, Planning Board Secretary

**MERCER COUNTY PLANNING BOARD**

**RESOLUTION NO. 2022-01**

Subject:

Resolution to Recommend Approval of Proposed Amendment to the Mercer County Water Quality Management Plan titled "Conover Fields Comfort Station" in order to amend the Stony Brook Regional Sewerage Authority River Road Treatment Facility's Sewer Service Area to include a portion of Block 24.14, Lot 24.01 in West Windsor Township

**WHEREAS**, the Mercer County Planning Board has been petitioned by ACT Engineers, Inc., on behalf of landowner West Windsor Township, to amend the Mercer County Water Quality Management Plan (WQMP) to include the lands described below in the Stony Brook Regional Sewerage Authority [SBRSA] River Road Treatment Facility's sewer service area (SSA); and

**WHEREAS**, ACT Engineers, Inc., representing West Windsor Township, prepared an amendment to the Mercer County WQMP titled "Conover Fields Comfort Station" seeking to add 0.045 acres to the SBRSA River Road SSA to accommodate the construction of a comfort station located at an outdoor recreational facility in West Windsor Township, Mercer County, on a portion of Block 24.14, Lot 24.01; and

**WHEREAS**, Block 24.14, Lot 24.01 is located in the southern portion of West Windsor Township northeast of the intersection of Conover Road and South Post Road, within a zone proscribed by the West Windsor Township Zoning Code as Rural Residential/Conservation (R-1/C); and

**WHEREAS**, the projected wastewater flow of the project is 3,720 gallons per day, to be conveyed to the SBRSA River Road treatment facility; and

**WHEREAS**, the New Jersey Department of Environmental Protection (NJDEP) and the applicant arranged for a public notice to be published in the New Jersey Register on March 7, 2022, and the Trenton Times and Princeton Packet newspapers on March 8, 2022, and March 4, 2022, respectively, advising of a public hearing and seeking public comment concerning the proposed amendment to the Mercer County Water Quality Management Plan; and

**WHEREAS**, a public hearing was held by the Mercer County Planning Board on April 13, 2022 concerning the amendment; and

**WHEREAS**, a verbatim transcript of the hearing was forwarded to the NJDEP; and

**WHEREAS**, the period for public commentary came to a close on April 28, 2022; and

**WHEREAS**, neither the NJDEP nor the Mercer County Planning Board received any public commentary during the aforementioned period; and

**WHEREAS**, as required by both NJ DEP and Mercer County procedures, the applicant sent letters requesting resolutions of consent with this proposed amendment to the West Windsor Township municipal government, and the Stony Brook Regional Sewerage Authority; which were received by these entities on March 1, 2022, and February 28, 2022, respectively; and

**WHEREAS**, both West Windsor Township and the SBRSA forwarded resolutions of consent to the Mercer County Planning Board within the required 60-day response time, approving of this amendment; and

**WHEREAS**, the Planning Board has found the proposed amendment and sewer service area designation to be consistent with county and local policies for the delineation of sewer service areas; and

**WHEREAS**, the Planning Board recognizes the need to amend the Mercer County Water Quality Management Plan to provide for consistency with the proposed amendment and modification;

**NOW THEREFORE BE IT RESOLVED**, that the Mercer County Planning Board endorses to the County Executive for his consideration an amendment to the Mercer County Water Quality Management Plan titled “Conover Fields Comfort Station.”

\_\_\_\_\_  
Date Adopted

\_\_\_\_\_  
Matthew Zochowski, Planning Board Secretary

DRAFT

**COPY**

**MERCER COUNTY PLANNING BOARD**

***PUBLIC HEARING - MERCER CO.  
WQMP - CONOVER FIELDS  
COMFORT STATION, WEST  
WINDSOR TWP.***

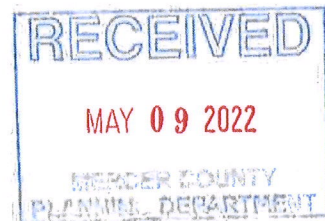
***4/13/2022***

**Condensed Transcript**

**Prepared by:**

**Edwin Silver, CCR  
SILVER REPORTING SERVICES, INC.**

**Thursday, April 28, 2022**



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1 MERCER COUNTY PLANNING BOARD  
 2  
 3 McDade Administration Building  
 4 640 South Broad Street, Room 211  
 5 Trenton, NJ 08611  
 6 Wednesday, April 13, 2022  
 7 9:00 a.m.  
 8  
 9  
 10  
 11 ZOOM PUBLIC HEARING IN RE:  
 12 Mercer County Site-Specific WQMP Amendment:  
 13 Conover Fields Comfort Station, West Windsor  
 14 Township.  
 15  
 16  
 17  
 18  
 19  
 20  
 21 SILVER REPORTING SERVICES, INC.  
 22 634 ARENA DRIVE, SUITE 206  
 23 TRENTON, NJ 08610  
 24 (609) 888-0111  
 25 Email: SRS@silverreporting.com

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1 A P P E A R A N C E S:  
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 4 ROBERT N. RIDOLFI, ESQ.,  
 5 640 South Broad Street  
 6 Trenton, NJ 08650  
 7 For the Mercer County Planning Board.  
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1 BOARD MEMBERS PRESENT:  
 2 MICHAEL E. SHINE, CHAIRMAN  
 3 WILLIAM S. AGRSS, VICE CHAIRMAN  
 4 KRISTIN McLAUGHLIN, COMMISSIONER  
 5 SAMUEL M. RUBINO  
 6 TAIWANDA WILSON  
 7 DALLAS BARR  
 8  
 9 ALSO PRESENT:  
 10 MATTHEW ZOCHOWSKI, Planning Board Secretary and  
 11 Senior Planner  
 12 LESLIE R. FLOYD, Planning Director  
 13 ANDREW LLOYD, Senior Planner  
 14 BASIT MUZAFFAR, Mercer County Engineer  
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Page 4

1 I N D E X  
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 3 PRESENTER PAGE  
 4 ANDREW LLOYD 7  
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1 CHAIRMAN SHINE: Mr. Secretary, are  
 2 we adequately noticed?  
 3 MR. ZOCHOWSKI: Welcome to the  
 4 April 13, 2022, virtual planning meeting.  
 5 Mr. Chairman, we are adequately  
 6 noticed.  
 7 Pursuant to the Sunshine Law,  
 8 notice of this meeting was sent to the Trenton  
 9 Times and the Trentonian on March 21st, 2022,  
 10 was posted in the County Administration Building  
 11 on March 24th, 2022, and was published in the  
 12 Trenton Times on March 24th, 2022.  
 13 CHAIRMAN SHINE: Thank you.  
 14 Ready for roll call?  
 15 MR. ZOCHOWSKI: I am.  
 16 Chairman Shine.  
 17 CHAIRMAN SHINE: Here.  
 18 MR. ZOCHOWSKI: Vice Chair Agress.  
 19 VICE CHAIR AGRESS: Here.  
 20 MR. ZOCHOWSKI: Commissioner  
 21 McLaughlin.  
 22 COMMISSIONER McLAUGHLIN: Here.  
 23 MR. ZOCHOWSKI: Samuel Rubino.  
 24 MR. RUBINO: Here.  
 25 MR. ZOCHOWSKI: Taiwanda Wilson.

1 anybody from the public in attendees' list, so  
 2 skip that part.  
 3 Old business.  
 4 (Off the record.)  
 5 CHAIRMAN SHINE: Before we get to  
 6 the sewer service amendment, is there any other  
 7 new business, Leslie?  
 8 MS. FLOYD: No. Drew can tell us  
 9 if there are other sewer service hearings coming  
 10 up. But other than that, no new business for  
 11 today.  
 12 CHAIRMAN SHINE: Okay. Great.  
 13 That was one of my questions.  
 14 So, we'll turn it over to Drew for  
 15 the site-specific amendment.  
 16 MR. LLOYD: All right. Thank you.  
 17 So, I guess before I get into this  
 18 one, there potentially could be one in June, and  
 19 then there could be up to like five between the  
 20 summer and early fall. They're all kind of  
 21 percolating through.  
 22 VICE CHAIRMAN AGRESS: No pun  
 23 intended.  
 24 MR. MUZAFFAR: No pun intended.  
 25 MR. LLOYD: Yeah. Some of them are

1 MS. WILSON: Here.  
 2 MR. ZOCHOWSKI: Dallas Barr.  
 3 MR. BARR: Here.  
 4 MR. ZOCHOWSKI: Basit Muzaffar.  
 5 MR. MUZAFFAR: Here.  
 6 MR. ZOCHOWSKI: And Leslie Floyd.  
 7 MS. FLOYD: Here.  
 8 MR. ZOCHOWSKI: Thank you,  
 9 everyone.  
 10 CHAIRMAN SHINE: Minutes from the  
 11 March 9th, 2022, meeting have been previously  
 12 distributed.  
 13 Are there any comments or questions  
 14 on those minutes?  
 15 If not, I'll take a motion for  
 16 approval.  
 17 VICE CHAIRMAN AGRESS: Motion to  
 18 approve.  
 19 COMMISSIONER McLAUGHLIN: Second.  
 20 CHAIRMAN SHINE: Thank you,  
 21 Commissioner.  
 22 All in favor?  
 23 (The Board members vote unanimously  
 24 in favor of the motion.)  
 25 CHAIRMAN SHINE: I don't see

1 actually being brought to the fore because there  
 2 is no percolation.  
 3 So, today what you have before you  
 4 is the site-specific amendment to the wastewater  
 5 management plan in West Windsor Township. The  
 6 submitting agent is ACT Engineers,  
 7 Incorporated.  
 8 The Conover Fields Comfort Station,  
 9 or a restroom, in other words, it's a new  
 10 construction. The estimated flow is 3,720  
 11 gallons per day. These tend to be a little  
 12 higher using the DEP calculations than they are  
 13 in reality, but that's what you get when you use  
 14 their calculator.  
 15 So, if we could please go to the  
 16 next slide, I'll show you where it is.  
 17 Thank you.  
 18 So, there's Mercer County Park, the  
 19 big Mercer County lake there, and you see South  
 20 Post Road going to the north, and Conover Road  
 21 I've highlighted the parcel in the bright blue,  
 22 and then when we get closer in the next slide  
 23 you'll see that little red dot in the lower  
 24 center part is going to be the restroom.  
 25 So, if you could please go to the

1 next one.  
 2 MR. MUZAFFAR: That's the soccer  
 3 fields?  
 4 MR. LLOYD: Yes, sir. It looks  
 5 like they're updating that a little bit, too. I  
 6 have a site plan on the next slide.  
 7 So, this is the environmental  
 8 sensitive areas analysis. Nothing to contend  
 9 with here. All the landscape project areas and  
 10 wetlands are off the site, not even on the  
 11 parcel. So that was an easy one.  
 12 I will mention, before we get to  
 13 the last slide, that the treatment facility, the  
 14 Stony Brook Regional Sewerage Authority on River  
 15 Road, has provided a Resolution of Consent, as  
 16 well as the West Windsor Township, which you  
 17 would assume, I guess, since they put it forth.  
 18 The amendment has been noticed in  
 19 the Princeton Packet and the Trenton Times. I  
 20 have all the affidavits and paperwork for that.  
 21 So, they're good as far as all their paperwork.  
 22 I'll show one more slide, and then  
 23 I'll see if there's any questions.  
 24 So, if you would please go to the  
 25 last one.

1 little appendage to Mercer County Park once upon  
 2 a time.  
 3 MR. LLOYD: I guess I should  
 4 mention real quick just that the sewer line is  
 5 right along South Post Road, the existing sewer  
 6 line, that they're going to tie into it. It's  
 7 the thick black line going down South Post  
 8 Road. It is a force main, so there's a little  
 9 fancy footwork, but nothing that they can't  
 10 handle.  
 11 MR. MUZAFFAR: So, Mr. Chairman,  
 12 can I ask a question?  
 13 CHAIRMAN SHINE: Yes, sure.  
 14 MR. MUZAFFAR: On the 13th sheet,  
 15 the 12th screen 13th sheet, 13th sheet is more  
 16 problematic for the East Course, there is a lot  
 17 of uh, uh, noise that comes through from the  
 18 other side.  
 19 Um, is there a conversation with  
 20 them, or does the Park Commission know that this  
 21 is happening, there is going to be more noise  
 22 generated with this, uh, with this setup?  
 23 MS. FLOYD: I have no idea if the  
 24 Park Commission knows how intensively West  
 25 Windsor intends to use it. But it's West

1 CHAIRMAN SHINE: Tai has a  
 2 question.  
 3 MR. LLOYD: Oh, hi.  
 4 MS. WILSON: No, I don't have  
 5 anything.  
 6 MR. LLOYD: This is just a quick  
 7 zoom in to show what they're proposing and how  
 8 to update the playing fields there, and that  
 9 pink square is still where the restroom will  
 10 be.  
 11 CHAIRMAN SHINE: Okay.  
 12 MS. FLOYD: If I can just provide  
 13 one more piece of information here.  
 14 This parcel used to be part of  
 15 Mercer County Park. We had it under a long-term  
 16 lease to West Windsor for in excess of 20  
 17 years. Under the Greenacres rules, they  
 18 preferred that we not have a long-time lease.  
 19 So, we went through the process of deeding this  
 20 to West Windsor maybe five or six years ago  
 21 because we did not require it for the park and  
 22 they had active ball fields there. In fact,  
 23 what they're proposing is a more intensive use  
 24 than they had there when it was rented from us.  
 25 But just for context, this was a

1 Windsor park land, and, frankly, there's nothing  
 2 the Park Commission could to change that if they  
 3 wanted to any more than if the situation were  
 4 reversed.  
 5 MR. LLOYD: The public comment  
 6 period does extend for 15 days after the hearing  
 7 today, if there's any parties that wanted to  
 8 weigh in.  
 9 MS. FLOYD: But that would be about  
 10 the use, not about the sewer service amendment.  
 11 MR. LLOYD: Right.  
 12 CHAIRMAN SHINE: Any other  
 13 questions?  
 14 MR. MUZAFFAR: None from me.  
 15 CHAIRMAN SHINE: I don't have any  
 16 questions.  
 17 MS. WILSON: My, yeah, my hand was  
 18 raised because I wasn't seeing the slides, I  
 19 just had the agenda, but that's been reflected.  
 20 Thanks for acknowledging me--  
 21 CHAIRMAN SHINE: Oh, sure.  
 22 MS. WILSON: --acknowledging my--  
 23 CHAIRMAN SHINE: Sorry, yeah,  
 24 Zoom's being fickle today.  
 25 MR. LLOYD: So, then, this



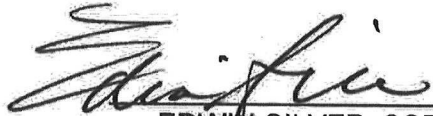
1 amendment would come before you for a vote at  
 2 next month's Planning Board meeting.  
 3 CHAIRMAN SHINE: So the record will  
 4 stay open for 15 days, and then we'll vote in  
 5 May.  
 6 MR. LLOYD: Yes, sir.  
 7 MS. FLOYD: To Sonny's point, we  
 8 can certainly provide a sketch to the Park  
 9 Commission just for their information. But,  
 10 again, that's a discussion about use, not the  
 11 about the sewer service amendment.  
 12 MR. LLOYD: Right.  
 13 MR. ZOCHOWSKI: Drew, if we have a  
 14 bunch of these coming up, we're going to need a  
 15 quorum, essentially, every month over the  
 16 summer; is that correct?  
 17 MR. LLOYD: I mean, I can't really  
 18 say for sure, because there's so much timing  
 19 involved with so many steps, it's not likely  
 20 that there would be one--there can't be one next  
 21 month yet because they didn't get to register in  
 22 time.  
 23 So, the next one could only be in  
 24 June. But, I mean, it's true, there could be  
 25 like two in June, three in July. Like it all

1 going to be Zoom or in person?  
 2 MS. FLOYD: We're going to stay  
 3 Zoom for the time being. I mean, things start  
 4 to loosen up and then numbers start climbing  
 5 again, and it's hard to tell.  
 6 I'd love to see you all in person  
 7 sometime this year. But for right now, I think  
 8 we can safely stay on Zoom, unless there's any  
 9 objections.  
 10 MR. RIDOLFI: Does that decision  
 11 come through the fifth floor?  
 12 MS. FLOYD: They're giving us a bit  
 13 of latitude on that. I mean, we were going to  
 14 have a cabinet meeting today in the conference  
 15 room, and then it was moved to 211.  
 16 MR. RIDOLFI: Yeah.  
 17 MS. FLOYD: So, I think even they  
 18 are feeling a little bit antsy about where we  
 19 are in terms of community spread.  
 20 MR. RUBINO: I brought it up  
 21 because, you know, somebody who's on vacation  
 22 can always maybe Zoom in. It makes it a little  
 23 easier sometimes.  
 24 MS. FLOYD: Yeah. I don't know  
 25 that we'll be Zoom forever, but I think for

1 depends on how DEP goes with their review  
 2 process.  
 3 MS. FLOYD: An important thing for  
 4 Board members to know is it's a two-step  
 5 process. There's a hearing at one meeting and a  
 6 vote at the next. If you miss the hearing, we  
 7 can provide you with the transcript. But if we  
 8 have hearings and votes at the same meeting, we  
 9 still need a quorum for votes.  
 10 So, we appreciate that we have a  
 11 more well populated Board than we did just a few  
 12 months ago, which should make getting a quorum  
 13 easier, but we appreciate your attendance as  
 14 often as you can to make sure these things don't  
 15 get held up.  
 16 CHAIRMAN SHINE: In anticipation of  
 17 this flurry of applications, I know it's only  
 18 mid April, but maybe if our fellow Board members  
 19 and staff could provide their vacation  
 20 schedules, their tentative vacation schedules  
 21 for the summer to Jill, we'll know if we're  
 22 going to be having a problem with a quorum ahead  
 23 of time. So, maybe if we can do that before the  
 24 May 11th meeting, it would be appreciated.  
 25 MR. RUBINO: Do we know if we're

1 right now, unless anyone feels the need to come  
 2 back in person, this is working for everyone.  
 3 CHAIRMAN SHINE: It's working. And  
 4 Sam raises a great point. This is a lot easier.  
 5 MS. FLOYD: I'd like to get to  
 6 hybrid, but that's another technical hurdle.  
 7 COMMISSIONER McLAUGHLIN: Kristin  
 8 McLaughlin would like to get to hybrid as well,  
 9 but I like having the Zoom option for so very  
 10 many reasons.  
 11 MR. RUBINO: Yup, I agree.  
 12 MS. FLOYD: It's also easier for  
 13 our applicants and their consultants.  
 14 COMMISSIONER McLAUGHLIN: Yup.  
 15 It's better access to the public at the end of  
 16 the day, period. It's better access to the  
 17 public.  
 18 CHAIRMAN SHINE: That's a great way  
 19 to put it. Thank you.  
 20 MR. MUZAFFAR: Yeah. But, Kristin,  
 21 see, the problem, Miss McLaughlin, is that  
 22 you're not the one who's ending up missing on  
 23 the bagels and cream cheese and donuts.  
 24 I mean, that is just, I don't  
 25 know--

1 COMMISSIONER McLAUGHLIN: Well,  
 2 having not been a part of this wonderful group  
 3 prior to the change to Zoom, I can't miss what I  
 4 never had. So, we'll have a big bagel breakfast  
 5 at some point when we're all back.  
 6 MS. FLOYD: It's basically the only  
 7 compensation you get for being a Planning Board  
 8 member.  
 9 MR. MUZAFFAR: (Inaudible) because  
 10 I have a contractor working in my house.  
 11 Yesterday, the electric blew, so we couldn't  
 12 cook anything last night, we couldn't do  
 13 breakfast this morning. Running in, I grab my  
 14 coffee and, you know, a croissant and egg and  
 15 cheese omelet and bagel in person.  
 16 CHAIRMAN SHINE: Moving along, as  
 17 we stated, the record will stay open for 15  
 18 days, and we will vote on this at the May 11th  
 19 meeting.  
 20 And unless you have anything else  
 21 to add regarding this application, Drew, we'll  
 22 move to correspondence.  
 23 MR. LLOYD: No. Thank you, Mr.  
 24 Secretary, Mr. Chairman, and thank you to the  
 25 Board.

1  
 2 CERTIFICATE  
 3  
 4 I, EDWIN SILVER (Certificate No. XI00379),  
 5 Certified Court Reporter and Notary Public of  
 6 the State of New Jersey, do hereby certify the  
 7 foregoing to be a true and accurate  
 8 computer-aided stenographic transcript taken via  
 9 Zoom in the above-entitled matter on the date  
 10 and time hereinbefore set forth.  
 11  
 12  
 13  
 14   
 15 EDWIN SILVER, CCR  
 16  
 17 Dated: April 15, 2022  
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1 CHAIRMAN SHINE: Thank you, Drew.  
 2 (This agenda item concluded at 9:15  
 3 a.m.)  
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