

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, MAY 7, 2012**

Present: Gregory S. Puliti, Council
Terrence O. Leggett
Doris Weisberg, Chairperson
Christopher Bobbitt
Glenn Collins
Ian J. Dember

Absent: Philip Duran
James Kownacki, Mayor
Richard Krawczun
Kim Y. Taylor
Aaron D. Duff

Also Present: James F. Parvesse, P.E., Municipal Engineer
Philip B. Caton, Planning Consultant, Clarke Caton & Hintz
Neil Yoskin, Attorney
Susan Snook, Acting Recording Secretary

1. **Statement of Proper Notice**

Adequate notice of this meeting of the Lawrence Township Planning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law, and by filing this agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, and the Lawrence Ledger newspapers.

2. **Public Participation** - None

3. **Minutes for Approval**

Monday, December 5, 2011

Mayor Puliti moved and Terrance Leggett seconded to approve the minutes. This carried on the following voice call vote: Ayes (3) Nays (0) Absent (5) Ineligible to Vote (3)

4. **Resolutions** - None

5. **APPLICATIONS**

Major Site Plan Application No. SP-7/11, SAFARI ENERGY, LLC (MERCER MALL), Block 5201, Lot 45

This application was continued from April 2, 2012.

Michael Vitiello, Esquire, represented the applicant. Mr. Vitiello gave a brief overview from the April 2, 2012 meeting. Mr. Vitiello noted that he direct testimony from the previous meeting was completed and he addressed a triangular property, also owned by the Mall and its suitability for solar.

Mr. Towle gave testimony to address fire concerns on a non-combustible structure. He stated these structures are used across the United States as well as New Jersey, see Exhibit A-12 (Partial List of NJ installed and operating Parking Lot Mounted Solar Carports, 2008 – 2012) and meet all codes (fire safety, construction, electrical and building codes). He explained the seven photographs, Exhibit A-13, which shows a number of different structures. Councilman Puliti stated he is aware there are electrical codes and building codes, but the bottom line is what our Fire Officials are worried about. Councilman Puliti asked if there was every a working fire on any of these installations on this list? Mr. Towle explained that these structures are built to code such as building and electrical. Mr. Dember questioned the safety issues from our Public Safety Committee and asked if Mr. Vitiello had something stating they are safe.

Mr. Parvesse stated the concern is not the structure being safe; it is the issue on how would a fire could occur and is it really safe for the fireman trying to put out the fire. Mr. Parvesse further suggested the option for a fire suppression system. Mr. Vitiello noted his understanding of the concerns and expressed the owners concerns with loosing parking and how this could affect the mall expansion. Councilman Puliti stated he is not sure they can give a variance for parking spaces if they ever came in for future expansion or the Mall still has that piece of land on the other side they can expand on. Mr. Caton addressed that is the area most likely for expansion and explained the part of the parking count is derived from the last variance approval for parking. Mr. Vitiello stated the Board could grant a parking variance now or if the Mall came in to expand a store and not have the parking an issue. Mr. Towle testified the issues of the different canopies and submitted a revised layout of Canopy #1 with the Boards concerns while Canopy #2 would not be constructed.

Testimony was given by Michael Thomas, from Innovative Engineering, who is still under oath from previous meeting. He described the previous design and changes (Exhibit 14A, Sheet No. 1 of 7 and Exhibit 14B, Sheet 4 of 7). It will allow fire access to occur on both sides and will allow maintenance activities and fire access to both converters, as well as, striping for fire lanes. The Fire Sub-committee has also recommended all fire hydrants be striped off in yellow (Exhibit A12). Mr. Thomas continued regarding Canopy #1 (Exhibit 14C) which describes the truck loading exhibit and the one change not shown on Exhibit 14C is there will be bollards around the columns for additional safety. He stated that all sheets have been revised, Sheet 1 of 7, Exhibit 14A and Sheet C2, Exhibit 14B for a canopy that went from end to end for the loading area, as well as the canopy being shortened on the side which would allow maintenance activities and fire access. He continued about Exhibit 14C, Canopy #1 which meets all DOT codes. as well as all conditions from the Public Safety memorandums.

There was a brief discussion on landscaping issues on the south side as well as fencing, time restrictions and landscaping. Mr. Caton suggested seeking the permission of the Homeowners Association; if not successful remove some asphalt along edge and extend the landscaping so the homes do not have to look at the structure. Mr. Vitiello stated the parking spaces were previously approved; so to remove the asphalt would mean losing spaces. Mr. Thomas explained the photo simulation, presented tonight as part of Exhibit A15.

Exhibits:

- A-12 Partial list of NJ installed and operating parking lot mounted solar carports, 2008-2012
- A-13 Colored photographs of carports at different locations
- A-14 Cover Sheet, Sheet 1 of 7
- A-14B Site Improvement Plan, Sheet 4 of 7
- A-14C Canopy #1 Truck Loading Exhibit
- A-15 Overall Site Plan & Existing Conditions Map for Landscaping, Sheet 3 of 7; Site improvement Plan, Sheet 4 of 7; Colored Photograph showing landscaping

Witnessed Placed Under Oath:

- John Towle, Safari Energy
- Michael Thomas, Professional Engineer (Innovative Engineering)
- Ron Igneri, Innovative Engineering, Inc.

Public Comment: None

Councilman Puliti moved and Terrace Leggett seconded to approved application; subject to all appropriate conditions with regard to Landscape Plan and the recommendations contained in the Township Professionals reports.

Vote:

AYES: Bobbitt, Dember, Leggett, Puliti, Collins, Weisberg

NAYS: None

ABSENT: Duran, Krawczun, Kownacki, Duff, Taylor

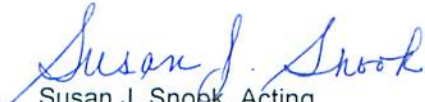
6. Old Business/New Business/Correspondence: None

7. Adjournment:

There being no further to come before the Board, the meeting was adjourned at 8:45 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,


Susan J. Snook, Acting
Recording Secretary

Minutes Approved:  c/18/12

Applicant Safari Energy, LLC Appl. No. SP-7/11
 (Mercer Mall) 3357 Brunswick Pike rec'd. 12/9/11
 (3393 ?)


REFERRALS

	Date Referred	Comments Dated	Date Referred	Comments Dated	Additional Reports
a. Municipal Engineer	1/31/12	2/3/12			
b. Professional Planner	1/31/12	2/27/12			
c. Traffic Consultant	~				
d. Construction Official	1/31/12	2/9/12			
e. Shade Tree Advisory Comm.	1/31/12	2/27/12			
f. Health Officer	1/31/12	2/3/12			
g. Tax Collector		9/15/11	12/19/11	12/19/11	
h. Public Safety	1/31/12	2/24/12			
i. Environ. Res. Committee	1/31/12				
j. Mercer County Planning Bd.					
k. Ewing-Law. Sewer Auth.					
l. _____ Water Co.					
m. D & R Canal Commission					
n. U.S. Post Office					
o. NJDOT					
p. PSE&G Co.					
q. Board of Education					
r. Historic Preserv. Comm.					
s. NJDEPE/Wetlands					
t. NJDEPE/Stream Encroach.					
u. _____					
v. _____					
w. _____					
x. _____					
y. _____					
z. _____					

Distributed for Meeting _____
 Meeting Date March 5, 2012

Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM: James F. Parvesse, Municipal Engineer 

SUBJECT: Major Site Plan – Preliminary & Final Approval with Variances & Waivers
Application No. SP-7/11
Safari Energy, LLC (Mercer Mall), 3357 Brunswick Pike
Tax Map Page 52.03, block 5201, Lot 45

DATE: February 3, 2012

GENERAL:

The applicant has requested site plan approval for installation of two (2) solar array canopies behind Mercer Mall. Canopy 1 will be located adjacent to the building, in an alcove area behind the Heavenly Ham and Cold Stone Creamer area. Canopy 2 will be a freestanding structure, located over the existing parking area behind TJMaxx. The applicant has received Administrative Zoning approval for roof top solar installation throughout Mercer Mall.

We will defer to the Planning Consultant regarding the buffer to the adjacent residential units in Yorkshire Village. Our engineering report consists of minor technical items.

DETAILED REPORT:

1. Testimony shall be provided regarding any impacts on loading areas, trash removal, truck turning areas and employee parking.
2. A note shall be added to the plan stating that the contractor is required to install soil disturbance measures during construction if required by the Engineering Department. A separate permit will not be required.
3. There are two (2) storage trailers in the employee parking spaces behind the building. These trailers should be removed. Note that the current work area being used for the roof top solar installation shall be removed (including the associated trailer, fence, pallets, etc.) upon completion.
4. A comprehensive solid waste and recycling management plan is recommended for review with a time frame for implementation. Per a recent site inspection, there are several dumpsters in parking areas that should be relocated to proper enclosures.
5. Bonding and inspection fees are required to insure installation of the landscaping.
6. Other permits/approvals:
 - a. Mercer County Planning Board
 - b. Lawrence Township Public Safety

BK/sjs

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DOCUMENTS REVIEWED:

- Letter Giordano Halleran & Ciesla, PP, dated December 8, 2012
- Letter Innovative Engineering, Inc., dated January 18, 2012
- Application No. SP-7/11
- Contribution Disclosure Statements
- Environmental & Development Impact Statement, dated December 5, 2011
- Colored aerial of Existing Conditions, undated
- Colored aerial of Proposed Conditions, undated
- Cover Sheet, Sheet 1/7, revision dated January 18, 2012
- 200 Ft. Radius Map and Owners List, Sheet 2/7, revision dated January 18, 2012
- Overall Site Plan & Existing Conditions Map. Sheet 3/7, revision dated January 18, 2012
- Site Improvement Plan, Sheet 4/7, revision dated January 18, 2012
- Lighting Plan, Sheet 5/7, revision dated January 18, 2012
- Landscaping & Lighting Details, Sheet 6/7, revision dated January 18, 2012
- Equipment Cut Sheet and Details, Sheet 7/7, revision dated January 18, 2012