

Lawrence Township Planning Board  
Regular Meeting  
Monday, September 10, 2012

Present: Christopher B. Bobbitt  
Ian J. Dember  
Philip Duran  
Richard Krawczun  
Terrence O. Leggett  
James Kownacki, Mayor  
Aaron Duff  
Glenn Collins  
Kim Taylor  
Doris Weisberg, Chairperson

Absent: Gregory Puliti, Councilman

Also Present: James F. Parvesse, Municipal Engineer  
Philip B. Caton, Clarke Caton & Hintz, Planning Consultant  
Neil Yoskin, Planning Board Attorney  
Susan Snook, 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** (for items not on the agenda) – None

3. **Minutes for Approval:**

Monday, August 6, 2012

The minutes were unanimously approved.

4. **Resolutions of Memorialization:**

Resolution of Memorialization 20-12 approving Major Subdivision Preliminary & Final Approval Application No. S-1/12 and Major Site Plan Preliminary & Final Approval with Variances and Waivers Application No. SP-3/12 and Consolidation of Lots, **Muller Automotive Group (Lawrence Toyota)**, 2871 Brunswick Pike, Block 3507, Lots 20 - 22

Resolution 20-12 was approved.

5. **Public Hearing:**

Mr. Caton described his memorandum dated August 22, 2012 and the purpose of the amendment to change the land use designation of Block 4202, Lot 1 from Planned Redevelopment to Highway Commercial. This area of the Township is developed as a mixed use and the businesses were described in the surrounding area.

Mr. Caton continued to state there are two issues in the memorandum; one is the need to buffer the two sides of the property (south and west) which are adjacent to the residential units in Avalon Run; the second issue is to take advance of the site plan of the opportunity to connect the various

residential developments that are in place with one another and this commercial facility, when the Mall puts in its path system across Route 1 to the Lawrence Hopewell Trail. This designation will affect the Land Use Element and the Housing Element. The housing element is because this area was changed in its land use designation for Planned Residential Development because it seemed like age restricted housing, which would of included affordable housing, however, age restricted housing has disappeared for affordable housing and the Township has met its fair share.

Chairperson Weisberg stated for the record that a buffer on the two sides should be required and we are in compliance with our fair share for affordable housing. Mr. Caton stated the buffer will be determined; however, there are standards in the Land Use Ordinance, and there is a difference between commercial and residential buffers.

6. **Applications:**

**Minor Site Plan Application No. SP-8/12; Princeton Junior School; 90 Fackler Road, Block 6703, Lot 2.02.1**

Mr. Richard Schatzman, Attorney for the applicant.

Mr. Schatzman stated this is a request for the release of a condition on the resolution of Memorialization 30-03 adopted by the Planning Board on July 21, 2003 memorialized on June 16, 2003 for a modular classroom space that had a limited term for five-years. This application is asking for the 5 years to unlimited for a school in the EP-2 district on Fackler Road.

Mr. Schatzman introduced Ms. Liz Charbonneau, President of the Board of Trustees as a witness. Ms. Charbonneau described this independent school located on Fackler Road which was founded 28 years then in 1998 moved permanently in the school house that was built on Fackler Road. The school educates children from age 2 (pre-school) through grade 5; then move on to independent school or local schools.

Ms. Charbonneau described the mod pod classroom when in 2003 it was needed because "bubble" which requires more than one classroom for the kindergarten which was a large group that registered. The modular classroom was used for the "specials" that were being taught such as a landscaping program, foreign language program and technology program. Ms. Charbonneau continued to state that the need was for additional classroom space and then it would not be needed after the five years.

However, the classroom is still needed because the school is using it for the specials and since then moved two subjects into the Main School House. The science lab was being taught in the modular classroom and since that time a more permanent classroom space was needed which required plumbing and typical things used in a science room.

All the conditions of the resolution approved back in 2003 have been met, such as the screening of the Province Hill Homeowners Association, utilities underground, and the affordable housing contribution. No additional parking was needed because the staff has been reduced. The resolution approved 46 parking spaces and because of the modular classroom it went to 38 parking spaces.

Ms. Charbonneau stated Princeton Junior School is exploring a multi purpose flex space and exploring the option of building a permanent structure where the modular classroom is today; so in the long term, in the next several years, is to build a permanent structure. Mr. Krawczun asked if the plan to expand the school house the intention to eliminate the temporary structure. Ms. Charbonneau stated the goal is to eliminate the temporary structure and there is no date set, it still is in the planning process to take a look at the needs of the entire school.

A brief discussion regarding the temporary classroom on inspections and how a temporary structure is by nature not designed to last long. Mr. Schatzman stated that the Municipal Land Use Law provides, as far as residential buildings, that a municipality can not discriminate between what is known as a stick building and a modular building. The building is also screened from the road and was a condition of the approval.

Mr. Duff stated it is not an ideal type of construction in the Township. Chairperson Weisberg stated it is permitted in the Land Use Ordinance. Mayor Kownacki stated this applicant came volunteering and the Board accepted and there was no requirement for them to ask us to remove it where it meets all the requirements and meets all codes.

Minor Site Plan Application No. SP-9/12; 3175 Princeton Pike, 3175 Princeton Pike, Block 3801, Lot 1

Dino Spadaccini attorney for the applicant.

Mr. Spadaccini described the property at 3175 Princeton Pike being in the "office" zoning district and requesting approval for a site plan and waivers exceptions for existing conditions and improvements; seeking for approval to remove 12 parking spaces and replace with 24 parking spaces, basically increasing the size of the parking space area. There are currently 104 spaces on site and proposing to have a total of 116 spaces. The applicant is asking for relief from the landscaping buffer, location of parking areas which is in the front yard; sign variances for existing signs, minimum illumination exception and lighting pole height.

Daniel Caruso, Grybowski Group is the Project Engineer. Mr. Caruso explained the Minor Site Plan, Sheet 2 of 4, revision dated July 2, 2012, Exhibit A1, which described the location and the building. Exhibit A2, Sheet 1 of 4, proposing to maintain the existing entrance off of the driveway, with constructing 24 parking stalls. Mr. Caruso described the storm water management and how the runoff will reach the storm sewer. The current parking lot and the layout are increasing the setback from the front part which will be pushed back 15' toward the existing building. Additional parking is required because there are two new tenants that are located in the facility and their customer parking.

Mr. Caton stated the key issues involve landscaping and has no problem because the building is set back on Princeton Pike and the parking is in the front yard and a generous lawn in front and proposed to be slightly bermed about 1' in front of the parking lot and the ordinance requires a landscaping screen in front of a parking lot like this. The applicant is proposing to provide new landscaping on the other side of the parking lot adjacent to the building; particularly the elevation is high and looking down on the parking lot, so screening is recommended.

The new lighting fixture proposed of 25' in respect to the height of the building; however, the fixture closest to the intersection of the driveway and Princeton Pike be moved closer to that intersection, the street light to the south which lights the intersection and driveway; which would not create a gap of coverage. Two handicap parking spaces are being proposed in front of the building.

Mr. Spadaccini stated since there are no public improvements, all are private, and his applicant is requesting a waiver for bonding or reducing the bonding. Mr. Parvesse stated bonding has never been waived or eliminated and he would not recommend this request and continued to explain what the bonding would cover. The applicant asked if they could proceed with the work without the resolution being memorialized because of the weather approaching. Mr. Krawczun stated for the record that they will be proceeding at their own risk.

7. Old Business/New Business/Correspondence: None

8. Adjournment

There being no further to come before the Board, the meeting was adjourned at 7:55 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook  
Recording Secretary

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Minutes Approved: \_\_\_\_\_

