

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.**

Present: Philip B. Duran
James S. Kownacki, Council (III)
Kim Y. Taylor
Terrence O. Leggett, ALT. #1
David C. Maffei, Vice Chair
Paul A. Penna, Chair

Absent: Keith Dewey (Absent/excused)
Richard S. Krawczun (Class II) (Absent/excused)
Stacy McCormack (Absent/excused)
Michael S. Powers, Mayor (Class I) (Absent/excused)
Paul M. Palombi (ALT. #2) (Absent)

Also Present: James F. Parvesse, P.E., Municipal Engineer
Philip B. Caton, Planning Consultant, Clark•Caton•Hintz
David M. Roskos, Attorney, Sterns & Weinroth
Sara A. Summiel, Recording Secretary

1. Statement of Adequate 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; by filing the agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, the Trentonian and the Lawrence Ledger newspapers.

2. Public Participation : (None)

**3. Application No. S-1/10 (EDWARD D. BUCCI & EDWARD M. BUCCI)
Preliminary Major Subdivision Plan, 125 Roxboro Road, Block 1901, Lot 6.**

The hearing was recorded. The Board took jurisdiction.

Richard Schatzman, Esq., represented the applicant. Mr. Schatzman gave a brief overview of the application. He stated that the applicant is seeking only preliminary approval to create seven new building lots and one lot is to contain one detention basin. He explained that there are no variances. The applicant's property is located in the R-4 zoning district between Roxboro Road and Fieldboro Drive. He stated that the proposed site is an infill development.

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.**

Application No. S-1/10 – Continued

The applicant's Professional Engineer referred to Exhibit A-1 and described the property to consist of a single family house, detached garage, driveway and several trees. The applicant proceeded to review Exhibit A-2 and explained that the grading slopes are about 15 feet from the highest part of the property. The applicant stated that the ten-foot easement required by PSE&G will be shown on the plan. The applicant addressed the proposed detention basin and explained their attempt to re-shape, but have not been successful because of the high water table. The applicant stated that what is being presented with regard to the shape of the detention basin is acceptable. The applicant explained that two observation wells will be proposed for installation and monitored over the winter until about April 1st. Mr. Roskos questioned the net effect on the subdivision, if the water table is higher. The applicant stated that if the detention basin needs to be bigger, then the site plan would need to be amended to change the lot lines. The applicant stated some hardship, if elevations were to be revised. Mr. Caton addressed the detention basin and questioned whether the height of the wall could be reduced in order to create a distance between the proposed sidewalks on Fieldboro Drive so pedestrians would not have to see a high wall. The applicant proceeded to explain the cross section and proposed landscaping for the detention basin. The applicant stated their willingness to comply with the Township Ordinances with regard to the landscaping and approvals for the detention basin. The applicant proceeded to address some of the comments referred to in Mr. Parvesse's report dated September 22, 2010. The applicant agreed to provide required paving for Fieldboro Drive and for Roxboro Road, if needed. The applicant agreed to provide an adequate landscape berm for Parcel D. The applicant agreed to provide porous pavement driveways and necessary grading for driveway with the maximum slope.

The applicant's Professional Tree Expert gave a detailed overview of the "Tree Assessment with Recommendations" and list of trees. The applicant's testimony from the report included the site observations and the methodology used to establish the health status of each tree. (See Attachment No. 1 – Reports) The applicant proceeded to refer to Exhibit A-10 (Specimen Trees) and recommended that Nos. 10, 17 and 92-b be removed. The applicant stated that a total of nine trees could be pruned and maintained on the site of the 54 trees evaluated. A brief discussion took place by the Board with regard to the total number of trees identified to remain on the site as part of the subdivision. Mr. Caton reviewed the purpose of the Ordinance with regard to the examination of the tree density on a site after a subdivision. He felt that the applicant's approach was thorough, but felt that the results were discouraging since only 20% of the trees were worth saving. He further stated that the construction of a house could be a created hazard to a nearby tree.

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.**

Application No. S-1/10 – Continued

The applicant referred to Exhibit Photographs (A-11 and A-12) and described the existing houses in the neighborhood with retaining walls. The applicant stated that the proposed plan will consist of new homes with garages similar to the houses on Roxboro Road, as shown on the preliminary plan. The applicant further stated that before the final approval, a review of the architectural designs will be addressed with the Township's Professional Planner. Mr. Caton addressed the applicant's comments with regard to the architectural designs and stated that at the final presentation, the applicant is to provide the actual houses to be constructed, in the same scale, and in accordance with the Ordinance. In addition, Mr. Caton requested the garages to be aligned with the façade or recessed from the primary facade. The applicant agreed to comply and work with the Township Professionals. Mr. Roskos referred to the applicant's letter dated August 18, 2010 and questioned whether the detention basin walls in Exhibit A-12 (Federal City and Denow Roads) were visible to the street or below street level.

With regard to the other comments noted in the Professionals' Reports, the applicant stated their willingness to comply with the recommendations and work with the Township Professionals, where required. The applicant addressed their request for an exception from practical site conditions with regard to land development. The applicant proceeded to state that all the proposed houses will have full basements with a sump pump piped into the drainage. Mr. Roskos addressed the construction process and questioned whether a pipe connection would be available for the owner on Lot 12 because of the stated water concerns. With regard to Lot 12, the applicant stated that a pipe will be provided from the structure to property line for his use and the granting of an easement, as part of the homeowner's document.

Mr. Caton briefly explained the exceptions with regard to the subdivision as outlined in his report dated September 23, 2010. He proceeded to state some concern about the detention basin and recommended that the basin not intrude on the front yard setback. Mr. Roskos addressed the Board with regard to the monitoring of the high water levels during the winter and felt uncomfortable about the Board taking a vote on the proposed seven building lots without knowing if the building lot will work subject to the re-design of the detention basin and the negative impact on Lot D. Councilman Kownacki proceeded to address the neighbors' concerns about the detention basin from the April 2010 meeting. He felt that the applicant did not address the request to remove one house and show an overlay of losing one lot. Mr. Roskos questioned whether the basin could be shifted back away from the street. Mr. Parvesse stated that maybe after the required testing is completed, shifting the basin back could be reviewed as an option. The applicant agreed.

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.**

Application No. S-1/10 – Continued

A discussion followed by the Board and Township Professionals with regard to the elevation, character of proposed houses, removal of at least one of the proposed houses, and stated concerns of piping into the storm management system. The Board decided to take no action pending the winter monitoring of the wells and options for the design of detention basin.

Following the Board's discussion, the applicant stated their intention to not seek a vote this evening. The applicant requested an extension to June 30, 2011 and will re-notice. The applicant agreed to return with revised plans to shrink the basin and shift back, along with other naturalistic methods for the stormwater management basin.

No action was taken on this matter. Jurisdiction was carried to the June 30, 2011, meeting.

The following Exhibits were presented:

- A-1 (Sheet C-2) Survey of Lot, dated November 15, 2010
- A-2 (Sheet C-6) Subdivision Plan, dated November 15, 2010
- A-3 (Sheet C-8) Grading Plan, dated November 15, 2010
- A-4 (Sheet C-22) Cross Section
- A-5 (Sheet 1 of 1) Soil Log Profile
- A-6 (Sheet C-17) Proposed Landscape
- A-7 (Photographs) Four (4) Photos – Detention Basin
- A-8 (Photographs) Four (4) Photos – Denow Road
- A-9 (Photographs) Four (4) Photos – Denow Road
- A-10 (Photo) Specimen Trees
- A-11 (Pictures – 12) Roxboro Road
- A-12 (Photograph) Four (4) – Houses/Retaining Walls

Witnesses placed under oath:

- Francis Goeke, Professional Engineer & Expert
- Jan E. Bisco – Werner, NJCTE & Tree Assessment & Expert
- Edward M. Bucci, Owner/Applicant

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.**

Application No. S-1/10 – Continued

Public Comment:

- Scott Shropshire, 284 Fieldboro Drive, was placed under oath. Mr. Shropshire stated that he is the owner of Lot 12 and had not been approached by the applicant with regard to the additional piping. He described his concerns with regard to a severe existing water problem and the detention basin. He stated that he has a total of three pumps that run constantly. He stated that the water table in his rear yard is very high and would not want added water to his property. He stated some concern about the visual impact on his home. Also, he stated that the proposed detention basin will be 15 feet from his home. He requested the Township to re-examine the applicant's proposal for fewer homes to be constructed.
- Arthur W. Bell, 111 Roxboro Road, was placed under oath. Mr. Bell stated concerns about the serious water problems and would like to see the integrity of the lots remain. Also, Mr. Bell stated concerns about the possible construction and noise pollution.
- Julie Meyers, 274 Fieldboro Drive, was placed under oath. Mrs. Meyers stated concerns about the property and its livable conditions. She stated concerns that the property is not being taken care of properly. She stated that she would not want to see the existing house torn down. Also, Mrs. Meyers would like the applicant to consider reducing the number of homes to be constructed.
- James Lalli, 275 Fieldboro Drive, was placed under oath. Mr. Lalli questioned the height of the retaining wall. He addressed the detention basin and felt that a better design is needed for proper drainage. He suggested a more natural design for the basin. He stated concerns about elevations, the garages and roof lines. Also, he stated some concerns about the negative visual impact the proposed garages would have on his property.
- Keith Baicker, 264 Fieldboro Drive, was placed under oath. Mr. Baicker stated concerns about the drainage, design of detention basin and suggested porous materials for the driveways. He stated some concerns about the hardship on the property owners with regard to the water issues. Also, he suggested an expansion of the basin, the removal of at least one building lot and suggested the elimination of some walls.
- Stanley Wilk, 286 Fieldboro Drive, was placed under oath. Mr. Wilk addressed the detention basin and questioned the height of the retaining wall. Also, he stated concerns about the water runoff with regard to the driveway slope and the need for a healthy tree system.

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.**

Application No. S-1/10 – Continued

- Edward Davis, 277 Fieldboro Drive, was placed under oath. Mr. Davis stated concerns about the visual impact and the applicant's proposal to squeeze seven houses onto the lot.
- Patricia Beach, 156 Roxboro Road, was placed under oath. Mrs. Beach stated concerns about the proposed construction changing the character of the neighborhood. Also, she stated concerns about the water runoff and the years of the water problems at both ends of the Road because of the underground streams.
- Claire Hamm, 132 Roxboro Road, was placed under oath. Mrs. Hamm stated concerns about the existing water problem and the need to run their sump pump often. She stated that the subject property is breath taking and would not want to see any of the trees removed. Also, she requested that no more than two houses be proposed for construction.
- Edwin Montgomery, 288 Fieldboro Drive, was placed under oath. Mr. Montgomery questioned whether an underground drainage pipe could be tied into the street.
- Michael Abrams, 147 Roxboro Road, was placed under oath. Mr. Abrams stated that his property is located to the west and stated concerns about the detention basin would meet the requirements of the Ordinance.
- Sophia Davis, 277 Fieldboro Drive, was placed under oath. Mrs. Davis stated concerns about the proposed construction and felt that it would create more cars and people. She stated that seven homes are too many for the lot and felt that the proposal would not fit into the character of the neighborhood. Also, she stated concerns that the detention basin would not be a natural barrier.
- Jared D'Ascoli, 879 Lawrence Road, was placed under oath. Mr. D'Ascoli stated concerns about the inconsistency of the applicant's assessment of the trees. He stated concerns about the removal of trees and felt that some of the trees need pruning. He suggested that the Township hire an Arborist and obtain a more accurate assessment of the trees. Also, he questioned whether the applicant would have the responsibility to compensate for new plantings in place of any removal of specimen trees. He proceeded to express some concern about the number of houses being proposed on the lot and felt that some elimination would help the detention basin.

LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, NOVEMBER 15, 2010, 7:30 P.M.

4. Old Business/New Business/Correspondence: None
5. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:52 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,

Sara A. Summiel -emailed

Sara A. Summiel
Recording Secretary

MINUTES APPROVED: Feb. 11, 2011