

Lawrence Township Planning Board  
Regular Meeting  
Monday, October 6, 2014

Present: Christopher Bobbitt  
Ian J. Dember  
Philip B. Duran  
Richard S. Krawczun, Municipal Manager  
Terrence Leggett  
Stephen Brame, Councilman  
James Kownacki, Councilman  
Glenn Collins  
Kim Y. Taylor, Vice Chair-person  
Doris M. Weisberg, Chairperson

Excused Absence: Aaron D. Duff

Absent: None

Also Present: James F. Parvesse, Municipal Engineer  
Philip B. Caton, 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 no on the agenda)**

None

3. **Minutes for Approval**

Monday, May 19, 2014, June 16, 2014 and June 23, 2014 minutes were unanimously approved.

4. **Applications**

Minor Site Plan Application No. SP-3/14; **Starbucks Coffee Company**, 2673 Main Street, Tax Map Page 57.01, Block 5709, Lot 3

Duncan Prime, Esquire, attorney for the applicant was prepared to make a full site plan application before the Board; however, Mr. Prime spoke with the Council from the Lawrence Prep School and they have some concerns with the potential traffic impact that this application has on the school and since this was a minor site plan application, a traffic study or traffic report was not a requirement to be submitted. The Council for the school is asking that the Board grant some more time for the school to review such traffic report.

Mr. Prime stated they are granting the postponement until November and the applicant is willing to engage a traffic engineer and prepare the traffic report and to share the results with the Board and the school.

Julie Tatoni, Esquire stated she represents the school and spoke with Mr. Yoskin. They are not opposed to the application; however, they would like an opportunity to consider how the retail establishment would affect the traffic at the light, since it is so close to the school and the entrance where the kids cross the street. The school would like an opportunity to consult with an expert with what the impact will be on safety.

Chairperson Weisberg stated that this application is re-scheduled for Monday, November 17, 20and 14. Mr. Collins asked if a traffic study is required and if not why. Mr. Caton stated it is a judgment call this is a permitted use in that location. Traffic studies are not a requirement and are based on the representation of Council.

Ms. Tatoni stated she would like a reasonable time to review the traffic study. A gentleman from the audience questioned if at the next meeting would the public be given the opportunity to ask questions.

5. **Amendment to the Land Use Ordinance (Amend the Regulation of Signs)**

Ms. Taylor asked how is this different than what we did a couple of years ago. Mr. Caton stated the Board did amend the signage section of the ordinance; however, that did not deal with variable message signs which are a more recent phenominum and they are currently in other Townships (Route 1, 295, Ewing). This development of variable message signing is something that has been looked at for a couple of years. Mr. Caton stated the background literature has been looked into and fashioned this ordinance in a way that it is balanced in terms of safe guards to the public safety and welfare and convenience of better signage.

The signs will only be permitted in the MX-2 District, which is the portion of the Township, where 295 has the large billboards. There are a couple of key paragraphs and in order to take advantage of this ordinance the sign owner would have to put a control, which would have to be certified on the level of lighting so that the difference between the illumination of the sign, at whatever time of day, would not exceed a certain ratio.

The ordinance prohibits moving images and restricts the number of times that the image can be changed to once every 15 seconds. The New Jersey Department of Transportation also regulates signage on 295 and they permit the variable message signing. The Township followed the DOT standards such as the image to change once every 10 seconds; DOT also allows the image to move based on the literature, is an unnecessary distraction; so these images can change but they cannot move.

This is an ordinance that is not tailored to create new signage of the New Jersey Department of Transportation limits of proximity of these signs every 3,000'; it is about giving industry the opportunity to change the signs that already exist.

Ms. Taylor stated about prohibiting lite signs in lieu of that to have ground lighting, such as spot lighting coming up. Mr. Caton stated that is in the ordinance already and is not a change. Mr. Collins stated is this pertaining to the huge commercial ones and whoever owns frontage along the highway are they allowed to put up these billboards. Mr. Krawczun stated there are existing signs there (billboards). Mr. Yoskin stated that the owners of billboards came in and at the time, the ordinance prohibited them and a study was taken at the literature for what is safe and unsafe and what other municipalities do. Mr. Krawczun stated they have to have a permit from New Jersey Department of Transportation in addition to our standards. Mr. Duran stated what type of illumination we are allowing. See Section 4, Paragraph 1, attached. Mr. Caton stated the use of LED lighting under this paragraph must permit the kind of LED lite billboards that we see on Route 1 and 295 because it is consistent with the industry utilizes for regulations. Mr. Yoskin stated you cannot use LED tubing.

The ordinance is to eliminate as much glare, brightness and to limit the locations. Mr. Caton stated the Township wants to make sure they are not too distracting. Mr. Krawczun stated when this ordinance was introduced, the Mayor asked to have the Police Department to have accident data for the interchange before and after installation.

Mr. Caton stated the purpose was that Council referred this change to the Board for consistency considerations with the Master Plan and the Master Plan does include, as the first goal and objective the guiding and physical economic development of the Township for the goals of this Master Plan benefitting the public safety and welfare.

6. **Old Business / New Business / Correspondence**

Ms. Taylor stated when we approve a new business to come in (Auto Lenders) is there a Township rule where they take position of the property that they keep up the property until the development starts. Mr. Krawczun stated we have a nuisance ordinance that if any property owner, whether they have title, we can enforce maintenance to the property owner. If they do not have the title, then we cannot.

Mr. Parvesse stated we had a pre-construction meeting with the contractor and will be starting shortly. Ms. Taylor stated that the lot is horrible, the grass is not mowed and debris throughout the lot. Only when the person(s) have title to the property do we enforce the maintenance of the property. Mr. Krawczun stated the property was owned by the bank and if they do not own the lot they do not have to do the maintenance of the lot and do not control their work schedule.

7. **Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 7:35 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook  
Recording Secretary

Minutes Approved: 