

LAWRENCE TOWNSHIP PLANNING BOARD MEETING  
Monday, August 21, 2017

Present: Maria Connolly  
Philip Duran  
James Kownacki, Councilman  
Kevin P. Nerwinski, Municipal Manager  
Terrence Leggett, Vice Chairperson  
David Maffei, Mayor  
Kim Y. Taylor

Absent: None

Excused Absence: Stephanie Pangaldi  
Diego Samuel  
Doris Weisberg  
Edward Wiznitzer, Chairperson

Also Present: James F. Parvesse, Municipal Engineer  
Phil Caton, Planning Consultant  
James Kochenour, Traffic Consultant  
Edwin Schmierer, Planning Board Attorney  
Susan Snook, Recording Secretary

**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 and the Trentonian newspapers.

**Public Participation (for items not on agenda):**

None

**Minutes for Approval:**

None

**Resolutions:**

Resolution No. 19-17 for Major Site Plan – Preliminary & Final Approval Application No. SP-17; **2470 Route 1, LLC**; 2598 & 2470 Brunswick Pike; Tax Map Page 21, Block 2101, Lots 1 & 40.01 was approved per unanimous vote.

Resolution 20-17 for Major Site Plan – Preliminary & Final Approval with Variance Application No. SP-6/17; **Veena Donuts, LLC (Dunkin Donuts)**; 3330 Brunswick Pike; Tax Map Page 42.09, Block 4202.01, Lot 38 was approved per unanimous vote.

Resolution 21-17 for Major Site Plan – Preliminary & Final Approval with Variance Application No. SP-4/17; **3509 Wick, LLC (Shake Shack)**; 3303 Brunswick Pike; Tax Map Page 52.02, Block 5202, Lot 29 was approved per unanimous vote.

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**Public Hearing on:**

Revise Conservation Element to incorporate an Environmental Resource Inventory

Mr. Caton the action that the Board is asked to take is to adopt an appendix to the Conservation Element of the Master Plan. It is a technical document, not a policy document, even though the Board was not involved directly in preparing it. There was a committee of Township people who worked with the Delaware Valley Regional Commission and does not set policy, it is just the foundation for conservation policy.

The Board approved the Master Plan Amendment per unanimous vote.

**Applications:**

Major Site Plan – Preliminary & Final Approval Application No. SP-3/17; **Bristol-Myers Squibb Company (Route 206 Campus)**; 3351 Lawrence-Princeton Road; Tax Map Pages 66.01 to 66.05, Block 6601, Lot 1.01

Christopher Tarr, Esquire represented the applicant and summarized the application for Modules M and N which contain about 260,000 sf of laboratory and office space; in addition there is a cooling tower that is added to the other cooling towers already on the site; for the first time parking garages are being proposed that would be constructed now and a second one, if needed, in the future; new surface parking in the west and the north; minor building additions to Module B1 and G1 in the nature of elevator shaft and access way. There a couple of variances that are required: building height for the east parking garage, it is for the number of stories permitted, which four are being proposed; and exceed by 744 for parking spaces that is allowed. One of the parking lots is within 100' of the property line and that is consistent with the Ordinance; however, in 1993 Bristol-Myers Squibb entered into an agreement with the Governing Body, where parking would be held back 300' from the property line. This would not require any approval because it is consistent with the ordinance. It is being proposed to the Governing Body to show them that there is very little impact from that parking because it abuts dense woods and the homes are very far from the site.

Phase III was approved in 1991 for Building M and for various reasons they were not built right away but it is being proposed to terminate the Hopewell site and to bring that work here. The parking needs to be changed a bit.

Witness #1: Vincent Wiczorek, PE stated was the Module M general development plan back in 1993 and put on hold when BMS expanded into Hopewell and things have changed and need to be more cost conscious and bringing those employees to this site and have to expand to accommodate them. A 260,000 sf of the research buildings; accommodate those two research buildings which and will have to be upgraded the cooling towers and internal work to the buildings; also need to improve circulation within the building and that involves adding a small elevator shaft down to an underground service corridor in Module G and involves an access way to the B Modules through a conference complex on the lower level.

There is also a need to supply parking for both the additional employees as well as the historical crunch on the parking at this site. Parking is very difficult to find and people are parking in the grass area and areas which are generally unsafe. Two parking decks are being proposed, one to the east which is a four-story deck, which will be built first and second deck to the west which is a three-story deck, which will be in a reserved to be built at a later date if needed.

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The service parking is being requested for the 300' setback from the previous resolution to a 100' setback per Zoning and that parking lot will provide parking closest to the front entrance located at the main reception area. It is also an uninstructive area which is 1,000' from the closest neighbor and moving it back that 200' makes it 1,020' and the change is not existed between the 100' and the 300' setback proximity from any neighbor, which also very heavily wooded. The west parking lot will be built first and would like to get construction permits as soon as possible, which is 228 spaces. There will also be temporary contractor parking on the east and west and would accommodate about 520 spaces and that is for the peak mode of contractors that will be working on that site and would like to start in 2017. In 2018 the M and N module areas, the site work and B-1 and G-1 construction and in 2019 and in 2020 phase would be the cooling tower while the goal is to move by mid-year of 2020. There is a commitment to meet the noise lighting and the helicopter usage limitations that are in the resolutions and with the cooling tower work that is being proposed is to replace the fans in the existing cooling towers with a new technology, which is must less noisier.

Witness #2: Richard Wilson, Architect and described the plan of the building. There are two buildings divided for chemistry and biology. The right half is Building M and the second is Building N and are separated a small court yard in the middle and a large meeting conference room. Mr. Wilson referred to a rendering of the building and it was designed to fit in with the existing buildings which has white stone and brick accents. The buildings are three-story and the end building is two stories of labs and two-thirds of the third floor is for mechanical space on the roof; to the left is Building M, which is three-stories for labs and the mechanical equipment is in the basement.

Witness #3: Robert Maloney stated there are two garages proposed on site (east and west); the east garage is four stories in height and the west garage is three-stories and are architecturally the same. There is a double row of evergreen trees being proposed that will sit in front so when you drive down the road the garage will not be seen. Mr. Maloney referred to an aerial photograph showing the east and west facades of the garage being brick veneer on pre-cast panels and the north and south facades will be pre-cast concrete and similar to the existing buildings. The cross section shows where the cars sit in relation to the parapet balls which will be 42" high and they will block the lights from the front of the cars.

Witness #4: Brian Perry, PE gave a summary of the site referring to Sheet 10. The site is 270.6 acres and the total improvements for the project is 5.1 of new impervious which represents a 1.9% increase to 19.3% overall. Mr. Perry referred to the Engineer's report dated August 11, 2017, attached and discussed items such as utilities, slopes, turf path to Building L, storm water management, runoff, handicapped parking spaces and off street loading.

Witness #5: Karl Pehnke, Traffic Engineer referred to the Traffic Impact Study dated June 22, 2017 which monitored the campus driveways to determine the traffic flow in and out during a typical week day. The study was comprehensive and ten intersections surrounding the area were look at, Rosedale Road, Carter Road down Route 206, Fackler Road and Route 206, Province Line Road and Route 206 and Rosedale Road as well as Princeton Pike and Province Line Road intersection. The studies was performed in March, April and May of 2017 and data was cross checked and then cross checked with data from New Jersey Department of Transportation to verify that the data is representative and is a solid picture of what is happening on the roadway network.

Back in the late 1980's and 90's when the Campus was redeveloped, it was master planned for build out and Module M and N had previous approvals. Back at that time, BMS had constructed substantial roadway improvements the signals at Province Line Road and Route 206; at Carter Road and Route 206 and left

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turns that had been constructed on roadways, the access drives for interpretation of this Campus. The other aspect is the operation and work place policies that they employee in terms of helping to dissipate traffic flow off of the peak hours. Basically there is a flexible work time policy in place at this facility and employees are coming in over an extended period of times starting at 6:00 a.m. all the way up to 10:00 am and start to leave at 3:00 p.m. and leave throughout the afternoon. This spreads the loads and substantially decreases the consolidation of impact on the roadways.

There are driveways that connect at three different roads on to Route 206, one to Province Line Road and one to Carter Road and this allows for the traffic that does come to and from the Campus to quickly dissipate in six different directions, which reduces the impacts. The project details are construction of Buildings M and N and occupied by 400 employees that are being shifted over from the Hopewell facility. All of the signalized traffic signals are operating at a relatively good operation of service, there are no major break downs in the locations that are signalized that would be changed by the additional traffic that would be generated by the additional employees. There are three areas, referring to Arora & Associates report, dated August 11, 2017, attached. Mr. Pehnke referred to the intersection of Princeton Pike and Province Line Road and stated this intersection operates well and maybe look at it at some other time, but it is balanced at this time. There are two other areas of weakness, the left turn coming out of the Main Campus, which is un-signalized at Route 206 and has experienced some delays, so at the peak hours when exiting the Campus there could be some minor delays. There is no traffic signal to be proposed because it is unwarranted. If the employees are having difficulty getting out of that exit they have the option of going to Province Line Road or go to the exit on Carter Road.

The other problem is the left turn from Fackler Road which is used as a cut through from the north on Princeton Pike and Quakerbridge Road. The left turn is very high and will not be adding traffic to that intersection and a traffic light was mentioned to be installed; however, it is under the jurisdiction of New Jersey Department of Transportation, which an eight hour would need warrant to occur. It would have to be signalized with the Carter Road traffic light. The proposed 400 parking spaces increased by lots are full and people are creating spaces where they should not be and that creates a site circulation and safety issue. There would be a need for 3,100 parking spaces on that the site which includes additional employees, contractors and visitors. The east garage would supply 3,164 spaces and will hold construction of the west garage which would give a few more spaces. The parking spaces are justified and appropriate and certainly satisfy the peak parking demand and will improve the site safety and circulation on the site.

Witness #6: D. Thomas Stearns, PP spoke about the landscaping, lighting and the testimony for the variances. An overall tree density calculation for the site and ended up with a surplus of trees. There are 200 trees being removed in the existing parking lot where the garages will be built. There will be 700 new trees will be added and over 10,000 shrubs and 44,000 ground cover plants. The landscape follows the pallet that when the facility was developed in the mid 70's. The same pallet is being followed but doing a little bit different by using a low growth shoe mack. Around the buildings and garages are flowering trees and shrubs and ground covers.

Mr. Stearns spoke about the trees being used on Carter Road there will be a double row of evergreen trees to help screen the garages and stated the site is already heavily buffered. On Province Line Road there will a double row of evergreen trees. There was a comment by the Planning Consultant to develop a buffer which is more naturalized and to diversify the species from the honey locust and they will be mixed up. Mr. Stearns went over the landscape buffer variances for the islands; parking lot screening; 20 spaces in a row and tree removal for any parking lots.

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The parking lot lighting will match the existing lighting which is 25' mounted fixtures 250 watt. The lighting around the sidewalks and buildings will be bollard lighting and building mounted lights around the garage; one waiver for lighting controls for spacing; matching the color of the existing lights will not be able to get a match because of the age of the lamps for color; the north parking lot fixture is to remove an island.

Mr. Stearns went over the variances for an accessory use in a front yard; building height for the east parking garage and for maximum parking amount for the whole site. He continued there will be no public detriment and no negative property value effects.

Mr. Duran had a concern about the new lighting and why going back in time to use the old lighting and instead, using LED for the new and old lighting. Mr. Stearns stated it is a large campus and felt better to match what is existing as well as for the neighbor's. Mr. Wieczorek stated it was also to save the additional new wiring using LED as well as the aesthetics with a partial lot with a different type of light; however, in the future to convert over. Councilman Kownacki stated LED lighting could be adapted so it does not all go one with a timer and if you are doing a new building, put the LED lighting in and then you could see it which is a better lighting and you could control it.

Mr. Schmierer stated the applicant gave a list of 32 slides and exhibits as part of this hearing and the applicant did not go through qualifying each of the experts, but the staff has met with the experts several times and that each one testified is an expert in their profession. Ms. Connolly asked what would trigger the second garage and Mr. Wieczorek stated if the parking became an issue again. Mr. Caton wanted to know how many parking spaces that would add if the west garage was constructed. Mr. Wieczorek stated it would be 320 net.

**Public Comment:**

Robert Hunsicker, 84 Carson Road commented that it had certain approvals to it and certain conditions to it; it had a 300' buffer all the way around, no building outside the loop road, conditions on the sound, lighting conditions, no lighting to be seen from the exterior and the LED color temperature is different, much brighter it is blue light not warm light and the k-level would be way off, it is above daylight, which is 5400 k. Where is the building that is going to be 100' from the property line? Mr. Caton stated it is a parking lot. Why would the east parking lot be built first, which is going to be four-story which is a story already above that has been approved years ago, that was a three story structure on the campus and why would this building be built first and where the newer buildings are going to be on the upper west end of the property and not the west side be built first next to these buildings.

Mr. Wieczorek stated a study of the site were most of the people load where they work and what entrances they use and also tried to site the buildings efficiently where there is not a lot of underground facilities or existing infrastructure in the ground and can put the parking structure somewhere close to where people are and not create a lot of problems while building it. The two sites, along with the parking deck, surface parking on the west side which serves the main entrance and visitors, the north surface parking that serves people in Module M and the two additions and the east parking structure is closest to the J Module is the largest office building on the site.

Mr. Hunsicker asked why it has to be four-stories tall, which is going to be set out in front, so the level of this building is going to be much higher than the buildings themselves. Mr. Wieczorek stated it is going to be lower than the existing buildings on site, it is four stories but because it is not an office or laboratory building, we need the infrastructure space above, it is a parking deck and a much lower floor to floor height requirements and is 47' to the parapits.

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Mr. Hunsicker stated this is going to affect the neighbors and a definite intrusion to the neighborhood. Mr. Wiczorek stated the neighbors' concerns are understood and the view shed around the site and have done the best to place it in a location that is not going to be seen and spoke about the plantings that will be planted. Mr. Stearns stated that they will be 8 or 10' and will be out at the road. Mr. Hunsicker stated to shield the property and creating a wall effect. Mr. Wiczorek stated that Lawrence-Hopewell Trail runs along there which is 25'. Mr. Stearns explained the locations of the new trees that will be planted along Province Line Road to create a solid wall and maybe see it at the drive. Mr. Hunsicker stated you will see this building for a number of years, either way, even with 10' trees because the site line is pretty extensive from Province Line Road and it sits up a little bit above the campus. A photograph was shown showing the trees and the building and Mr. Hunsicker stated this is not correct and if I was standing out there I would not see that building that way from that perspective from Province Line Road and that building back there is going to be twice as tall as the trees.

Mr. Stearns stated the trees there are 30 to 40' tall. Mr. Nerwinski asked if he could see that from his home, from his porch and is he looking at the building. Mr. Hunsicker stated in the winter time. Mr. Nerwinski wanted to know where his concern is. Mr. Hunsicker stated there was never supposed to be a building outside of the loop road and now a building is outside the loop road and tall ones, which will have an impact problem and this was never planned for and now being introduced as something new. Mr. Nerwinski wanted to know what the impact was to him, not about his opinion about the agreement, but from his home, the impact. Mr. Hunsicker stated it is an intrusion into the neighborhood, a visual impact, even the guard shack and wanted that moved back further and now it is forward and that is an intrusion of the neighborhood and now changing the atmosphere and the character of the neighborhood, basically that is what it is. When BMS came in here from the 60's and 70's, it was never to suppose to be this large, it was to be contained. He understands there is growth, but now there is a noise issue, with new towers, and have been going around and around with Squibb, since 1987, when they put in that facility over there and the building that is 300' from his door.

Mr. Caton stated that the cooling fans will be replaced with quieter fans and as a condition of approval we can a request to Mr. Zwerling to confirm that the testimony we heard is accurate. Mr. Hunsicker stated it has been 25 years working with this condition and every quarter taking noise readings and that should not be necessary if everything was in the proper position. There are violations that are taken place time to time. Vice Chairperson Leggett stated coming in front of this Board is going to rectify some of these issues that we heard of. Mr. Hunsicker stated that a study was never done for Carson Road and cars are coming down Carter Road and going to the east side parking lot, it still something to be concerned about, it is 400 in and 400 out.

Mr. Kockenour, Planning Board Traffic Consultant stated he is not convinced that the traffic conditions are not a rosy as stated. There is a lot of traffic in this area and is not going to get better. The traffic report dated August 11, 2017 and of ten of the intersections that Mr. Pehnke studied there are three that deserve a closer look at such as Princeton Pike at Province Line Road; Route 206 and Fackler Road and Route 206 and the BMS driveway. Two of those intersections would be under New Jersey Department of Transportation but he would like to see, as a condition of approval, is some additional traffic work or traffic studies be done at those three intersections to demonstrate that some improvements may be made. As far as Route 206 and the BMS driveway that a gap study be completed. The one that is a concern is Fackler Road, the traffic is very heavy and a traffic signal could be warranted at this intersection. Mr. Pehnke stated there is no objection and can be done late January or February.

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Mr. Caton stated he does not know where the Board stands on the issue of the LED vs. sodium? Mr. Tarr stated it was with new fixtures and LED with the garage. Mr. Nerwinski stated we just heard a resident testify and wants to make sure that the testimony given was to keep it consistent, keep the same lighting so it would have a minimal impact for the residents and we had a resident come up and say this new lighting is not something that is desired and wants to make sure they are on the same page and to meet the neighbor's needs. Councilman Kownacki stated LED is better light for security and leave it up to the professionals. Mr. Tarr stated the applicant gets the issue, it was studied and would like the professionals to work among themselves and do some more neighborhood interaction and see what it looks like at night and see what the impact is.

Mr. Caton summarized the conditions.

Mr. Nerwinski asked if the trees could be higher; Mr. Tarr stated 12' trees can be planted.

There being no further business to come before the Board, the meeting was adjourned at 8:51 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,

  
Susan J. Snook  
Recording Secretary

Minutes approved: November 20, 2017