

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Regular Meeting
Wednesday, April 19, 2017

Present: Joseph Blaney
Sheila Grant
William B. Holmes
Christina Hultholm
Jeffrey Johnson
Bruce Kmosko (left at 7:30 p.m.)
Peter F. Kremer, Chairperson
Charles Lavine

Absent: Samuel Pangaldi

Excused Absence: None

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer
Brian Slaugh, Planning Consultant
Edwin Schmierer, Zoning Board Attorney
James Kochenour, Traffic Consultant
Susan Snook, Recording Secretary

Statement of Adequate Notice:

Adequate notice of this meeting of the Lawrence Township Zoning 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

Resolutions:

Resolution of Memorialization 11-17z; Use Variance Application ZB-7/16 and Major Site Plan – Preliminary & Final Approval Application No. SP-11/16; **First Baptist Church**; 121 Hillcrest Avenue; Tax Map Page 23.01, Block 2321, Lots 1 – 5 and Block 2322, Lots 1.01 & 11.01 was approved per unanimous vote.

Applications:

Bulk Variance Application No. ZB-1/17; **Bharat & Shaloo Mital**, 6 Chelsea Court; Tax Map Page 70, Block 7001, Lot 17.

Mr. Mital, applicant testified that he purchased 6 Chelsea Court and would like to build a single family home and is requesting a variance. The applicant stated he is requesting a variance and side yard setback to construct a dwelling.

James Chmielak, PE stated in the overall packet a site plan drawing which shows the existing lot, which is an acre and a half located in the EP-2 Zone. It is an existing vacant lot that the applicant is requesting to construct a single family dwelling. It was approved per a 1986 subdivision where all the lots were created in this development and a majority of which fall within that acre and a half overall lot area. The lot

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 2

is rectangular in shape, it consists of an empty green field and both sides of the property that have substantial evergreen trees in excess of 20', which provides a buffer for the next lot. The applicant is seeking a lot size variance, which is an existing condition of an acre in a half, where three acres is actually in the current zoning for minimum lot area.

The lot frontage is an existing condition, lot frontage is 200' and the existing lot has a 169.8' which is an existing non-conforming condition. There is no feasible way to obtain additional land from the adjacent properties given the more recent change in lot area. In addition, the lot to the rear is an open space lot. The relief for the side yard setback is for 35.1' where 50' is the required setback on the northerly side of the property. The reason for this is the narrowness of the lot. This existing condition and the proposed home the applicant is planning on constructing on the property, is well in keeping the size of the homes and the overall length of the structures in this neighborhood.

The applicant is also seeking a variance for impervious coverage where in this particular case, 12% of impervious coverage is required and the applicant is seeking up to 20%. The lot area is approximately one-half that is required per the zone. An exception is being requested for street trees where five street trees are required and based upon the fact that this neighborhood has been built out over time, there are a substantial number of existing street trees with one gap in front of this property. Per the Planner's letter, what would be appropriate in front of this lot would be more like two street trees as opposed to three street trees and the applicant is willing to provide. The overall length of the house, which is approximately 90', would be seen from the street and the geometric constraints of the lot that necessitates the encroachment to the 35' because it is not possible to comply with the 50' side yard setback on both sides of the lot.

Chairperson Kremer asked that means one side and not the other. Mr. Chmielak stated as indicated on the map, one side it is maximized to the extent possible of 44 ½ and the smaller side is 35.1'. The larger side is located where the driveway is with a side entry garage. Mr. Chmielak testified that the design will be keeping with the existing residences of the neighborhood. Most of the residences have full parallel frontage of the front of the house to the street with the long dimension parallel to the street. They did a comparison of the neighborhood for widths and this is comparable.

The applicant is proposing the residence as well as the driveway, patio at the rear and may in future to have a pool with a pool deck in the rear so not to be over encumbered at the 12% impervious coverage for a three acre lot, it is necessitated for a variance for up to 20% that is being requested. There is no detriment to the neighborhood. The applicant did have several discussions with his neighborhoods about his plans, specifically one neighbor that would be affected immediately to the north for the 35' setback.

Chairperson Kremer asked if they are all clustered. Mr. Chmielak stated the original subdivision was a cluster subdivision that had open space as part of it. Ms. Kraemer asked if it could be verified that the 20% impervious coverage does include anything for the future that may be considered (pool) and was that included in the 20% or would the applicant have to come back for an impervious variance coverage. Mr. Chmielak stated it is included and the initial design of the house includes the patio and pool and would be under that 20% threshold, but this lot does provide ample room for a pool. The remainder of Ms. Kraemer's report, dated March 15, 2017 addresses the requirement to go to building permit, plot plan, septic system, availability of service, copy attached.

Mr. Slauch commented that in addition of making a C1 argument it is also a C2 argument as to fitting into the neighborhood by the existing development that has taken place, some of it when the development was first subdivided. Has the applicant tried to sell the lot or discussed the circumstances when they purchased the lot, did they purchase it from a land owner who was adjacent to them. Did someone purchase two lots and they now purchased one.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 3

Mr. Mital purchased it from his neighbor and they purchased their home first and later on they purchased that piece of property after building their home to the north. M Slauch stated there is also a new home being built to the south and they were able to start without purchasing additional land and would have no interest in purchasing this lot.

Mr. Slauch stated the applicant is willing to install two street trees to fill in the gap and he is not recommending installing sidewalk. Ms. Kraemer stated the street trees should be shown on the plot plan. Chairperson summarized the testimony of the applicant.

There was no public comment.

Use Variance Application No. ZB-8/16; Major Site Plan – Preliminary & Final Approval Application No. SP-10/16; The Bridge Academy; 1958 Lawrence Road; Tax Map Page 30, Block 3004, Lot 154.

Eric Goldberg represents the applicant and stated that this application was in front of the Board a couple of months ago and presented testimony. The purpose of the school is for children with learning disabilities and clearly inheritantly beneficial because they do tremendous work. They have been operating for several years out of Adath Israel. They have a student population currently of 70 students and looking to increase to about 90. At the last hearing there were several comments by the Board and they will be addressed as well the professional staff. The Board should also be aware that at the last hearing there was certainly an objector group, Princeton Historical Society and they have spoken in the last two months and all issued have been resolved.

Mr. Goldberg summarized some of the changes that were made in response from the comments like the size of the building has decreased from 14,571 sf to 12,814 sf. They will be using some of the space that is currently there about 3,600 sf; there is a smaller percentage of a smaller number of the building that is encroaching into the buffer zone; there are traffic concerns that were discussed and will be addressed; there is an 18' wide fire lane and will be satisfied.

Mr. Schmierer stated jurisdiction was at the January 18, 2017 meeting and the applicant asked for continuance and they did not have to re-notice; however Ms. Kraemer stated we did ask them to re-notice because they were originally scheduled for the March meeting; however, that meeting was cancelled. Mr. Goldberg did re-notice.

Witness #1: Keith Hone, Architect testified he was working with The Bridge Academy for the best needs and produced spaces that best needed for kids. The building was originally 14,500 sf; however, the building was reduced and shifted slightly on the site to 13,000 gross square feet. The building has shifted about 18 – 20' towards the west which has reduced the amount of area within the stream encroachment area by about 20%. The building being proposed tonight has the spaces the school needs to fulfill their mission; have made workable spaces and will accommodate their needs within this reduced footprint.

Mr. Hone, using Exhibit A5 – dated April 19, 2017 stated there will be two separate buildings on the property. One was to maintain the existing house, which will be seen from Route 206 and the decision to separate the building into two pieces rather than doing the addition is a less expensive solution. Exhibit A6 – dated April 19, 2017 which shows the existing condition of the house and the demolition items. The house will be primarily used to house the school administration, reception area, nurses' suite, teacher's room and small conference room and small element of the teaching space is the art studio into the existing garage. The changes to the exterior of the house are minimal. The changes involved will be

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 4

providing handicap access to the front door, relocating and expanding doors to allow access from the reception area to the school and will connect back to one of the entrances to the school house building, replace the garage doors with roll-up garage doors with more glass for better lighting into the art studio and allow more access to a landscaped court.

Exhibit A7 – Floor Plans of the Proposed School House, dated April 19, 2017 (basement, first floor plan and second floor plan). The building is about 13, 000 sf on three floors (two are above grade). The footprint above grade is 4,300 sf; overall length is 122'; depth is 42'. Classrooms are on either side of the hallway and at the end are two fire stairs. There is a small entrance lobby; about 12 x 14 adjacent is the required elevator and a shared library. The remainder of the floor are classrooms and can be paired by removing accordion door between two classrooms.

The second floor has a secondary lobby which overlooks the view to the stream and is primarily math and science. There is a science classroom, a larger science lab, six math classrooms and social sciences classroom.

The basement level services a large room for specials for larger teaching groups, gatherings and recreation. At the easterly end of the building is the music room. The building is not a single 4,500 ft. recantangle; it is broken into two pieces which is to achieve two things: allows for large windows at either end of the hallway for daylight and appears to be less massive.

Exhibit A8 – Rendering of Building, undated which is the southeast section of the site and shows a portion the house. The rendering is of the previous scheme and is reduced (not entirely accurate of the dimension n). The materials will be the same as on the house (stone and clabbered) and other materials being used. Exhibit A9 – Elevations, dated April 19, 2017 shows the northerly house being the garage. The existing clabbered will be painted to be the same color as the house.

Mr. Kochenour stated the rooms could be separated; how many classrooms or in structural areas are available on all three floors because the when the parking analysis was performed it was based on the number of students which basically the number of students if generally, per Township code, was based on a secondary school and on the number of classrooms and this is what is was based on. Mr. Hone stated it is closer to a middle school, the way they teach is in small groups, three kids with one teacher. With that said these individual modules are really more like conference rooms. The pair would count as one and there are 14 classrooms and in addition four specials (library, special room in basement, music room and the tutoring lab) and the house has the art room.

Mr. Hone went over Clarke Caton & Hintz's report; Page 10 of 11 (Comments 7.1 thru 7.3). Mr. Slauch stated there is no reason to buffer the enclosure; trash enclosure should match the clapboard of the house because it would be the closest structure and it would retain the more residential look in front of the site as opposed to being masonry like the school building. Ms. Kraemer stated they are in the 100' floodplain.

Witness #2: Joseph Mester, P.E. stated there have been some changes to the plans per the last meeting and a meeting with the professionals. They include changes to the impervious coverage maps, showing the location and size of the swimming pool and the pool house and the walking path to the school house and revision to the storm water management report. The other changes are also with regarding the storm water; grate at the north (open) and the other three will be solid; added a 18' fire lane and provided a turning radius to make right hand turn; the swale at the northerly boundary line with a slope of 0.75 can be achieved; and Page 3 of Clarke Caton & Hintz's report (Comment 3). All others are exceptions. Comment 3.15 still requesting an exception as discussed earlier.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 5

Mr. Mester went over the Assistant Municipal Engineer's report dated March 22, 2017, copy attached. Comment 1.01 up to 33 parking spaces; Comment 1.03 – it will be a grassed area with a plastic grid and Ms. Kraemer stated it should be made very clear along the lane and be reviewed by the Fire Marshal; Comment 1.08 sign will be out of the sight triangle; Comment 1.09 & 1.10 approvals will be obtained; Comment 1.01 sign will be removed from Adath Israel; Comment 2.02 it is still required that a summary be provided for the pre and post development flow and the 100 year storms; Comment 2.03 & 2.04 Ms. Kraemer will be review calculations and if out letting into the street a NJDEP permit might be required; Comment 3.02 any information will be provided regarding the lighting; Comment 3.04 the roots have to be watched of the existing trees that will remain.

Mr. Slaugh asked about the location of the additional stacking now proposed at the entrance to the site and that effectively is in the stream buffer area and whether on the north side or the south side does not make a difference. Mr. Mester stated he does not know what the reasoning was and if they are coming in at that direction, normally people like to pull over to the right and park. Mr. Slaugh stated it would be less costly to put it in the other side. The 54" tree because the parking lot ends at the trunk that means that tree will not be saved. The applicant has to construct the walkway on the Adath property and Adath Israel has to agree and if they do not agree they would have to come back to the Board.

Witness #3 – Elizabeth Dolan, Traffic Engineer testified did an initial study back in beginning of 2016 and issued a report dated March 1, 2016. The report focused on traffic counts at the existing Adath driveway to collect the existing school activity and based on the proposed enrollment increase from about 70 up to 90 students. A letter was issued dated April 6, 2017 and this addressed the Traffic Consultant's report and the plan has been modified. The most significant traffic issue is not the mechanics of the entering and exiting out of Adath but also how that traffic quees up on the Adath property now and what that means for the new Bridge Academy site. On March of 2017 revisited the site to recount to see how the vehicles are queuing on site for the dismissal time and school ends at 2:45. Mr. Kockenour had a que of 23 vehicles on site and at the revisit they counted 22 on one day and 24 on another day. This is the routine activity and is queuing up on the Adath site and we now need to manage that que on this new property which does not have the depth in terms of circulation that this new site has.

Exhibit A10 – Rendered Version of the Site Plan, revision dated September 15, 2016 which shows the looping road configuration on site with a widening to accommodate 18 vehicles in que in front of the building back towards Route 206. The existing operation consists of 30 vehicles coming from various school districts throughout the state and about 15 parent vehicles that are picking up and dropping off and coming over a long period of time. They are arriving before 2:00 and the longest que that develops lasts about 5 minutes. The entire dismissal is happening in about 10 minutes and it is pretty efficient. How do we accommodate the que on the new site that does not have a depth in property in queuing that we have in the existing facility. The first option is to stagger dismissal at 2:45 and a second dismissal at 3:05 or 3:10 to spread out the concentration. The easiest thing to manage is the staff to leave at 4:00 and have the buses to come first and then the parents. This could be contained with staggered dismissals and can manage on the site.

The school is not expecting an increase in vehicles but the theory and present operation is that if someone is already coming from another community would be also in that vehicle. The vehicles are not showing up at all once, 20 to 24 vehicles are occurring from 1:45 to 2:40 and at 2:42 the que started to move. What the Bridge Academy is doing now if very efficient.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 6

Mr. Kockenour stated he made a visit a half hour before dismissal and there were about 8 to 9 vehicles already in the queue. The concern is how you manage the arrival, is the 15 minute separation in the times sufficient, how you control when these vehicles arrive. Ms. Dolan stated the parents are easy to control because you can just say you can't arrive before 2:45 or whatever the designated time is. The school can work with these various districts, but it is easier if you allow them to gradually arrive and depart.

Mr. Kockenour asked when a deminimis increase in the number of vehicles that would be there and if you from 70 to 90 students, it is anticipated that a lot of the districts could increase their enrollment and could put more students into a vehicle, how can you in sure that. It seems there is still a little uncertainty that these are going to fall in place. A question Mr. Kockenour had to the school was to produce an operations manual dealing specifically with the departure times. There are still some things that need to be looked at.

Mr. Caton asked how many vehicles are in the stacking area. Ms. Dolan stated in the northern portion of the building back to the widened area, probably 26 total on site. Mr. Kockenour concern was the circulating part of the driveway, when you come in off of Route 206, it is about 13' wide and doing some piece meal widening at the driveway, two areas of widening in on the inside to accommodate a fire truck and now being moved to the south side, but it seems the circulation plan has not been thought out real well because even with however many vehicles you have stacked in the isle, 12 or 15, maybe it can accommodate that number of vehicles, suppose someone else wants to come into the site, a parent or visitor, and wants to get to the general parking area, there is no provision for them to bypass those vehicles; and what happens if you need to get a fire truck onto this site when the drive isle is full of stacked vehicles.

Ms. Dolan stated the edge of pavement line at the Shelmet Lane intersection and no it does not align and the pipe line is part of the problem. The applicant is initiating NJDOT application process and they are going to provide a 500' survey beyond the property line and south of the property line and include all of the striping and all of the features and all of the signs and all of the poles and whatever is in their right-of-way and that level of detail is coming in terms of showing a little bit more and will be an interest to NJDOT when they have the application for their access permit. The pipe line is part of the problem. Mr. Kockenour stated they show a curve line with Shelmet Lane and are those right-of-way lines and curb lines been surveyed. Mr. Mester commented the location of the entrance and that is the curb line is and that the survey is correct.

The Board took a break from 9:01 p.m. to 9:20.

Mr. Goldberg reviewed the comments from the Board and the professionals and ultimately will be coming back in May and wants to make sure any issues that the Board may have get fleshed out tonight to the best of their ability and having the Traffic Engineer present if there were any more questions.

Mr. Kochenour stated there was a comment that apparently it is the school's intention to continue to use the Adath site for a number of years yet because they still have a lease and that may be one way to help address this issue of the stacking and the circulation. Using both sites may decide what is a realistic number of students would be to put on the new site, keeping other students at the Synagogue and it can see how the departure function works on this site.

Witness #4: James A. Miller, PP referred to Exhibit A11 – Aerial View. The variance requires showing that the site remains appropriate for the use. This application would advance two purposes for municipal land use to encourage municipal action at the appropriate use of development and to provide adequate open space.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 7

Mr. Miller spoke with regard to the setback of the property line and the right-of-way for Route 206. The parking lot on the north edge of the property and provides adequate separation of the parking lot and on the adjoining property being impacted by the parking lot. The parking lot will abut open space affiliated with another institution, the Synagogue. There is nothing on their side of the property line that would be adversely affected by the parking lot. There is a significant benefit moving the parking lot further north is to align the driveways up with Shelmet Lane and utility easements.

The 50' setback from Route 206 and being proposed is 27' for adequate separation for the parking area and the highway. The 27' still give adequate space to install landscaping and buffer elements which will achieve the standard to provide a buffering and separation from the parking area and the highway. The parking bay is aligned on a 90 degree angle with the highway further helps to mitigate the impact to the deviation because there is a small area where the deviation occurs and the balances is basically one area landscaping similar to what is there. The benefit of the deviation also allows the applicant to install two to four additional parking spaces in the front and given the parking situation is tight that is an additional benefit of the deviations.

The deviation involved is the flood hazard and the building will be roughly 50' from the line and there will be additional disturbance which will be within 35'. The hardship basically the flood hazard buffer encroaches so much of the property that basically borderline limits any utilities on the property because it is very difficult to do anything with the site without encroaching on the line. The relief would allow the property to utilize a beneficial use and has impacts that are acceptable to the zone and a permitted use. There is no detriment to the public. There is ample space on the site for the project proposed and is an appropriate location for the adjoining use; backup to open space; there is substantial buffering from this property and the homes and will provide a service to the children.

There is no way to integrate the two parking lots and both uses need to be independent of each other from a parking and circulation perspective. The way this site needs to be laid out there is no practical means of interconnecting from a vehicular standpoint. The pedestrian standpoint that there needs to be a pedestrian connection between the two uses, especially some of the facilities are located on the Adath Israel property. The plan has been amended and this will be connected by the school property with the Adath Israel property by a pedestrian linkage. The path connects the school with a low volume driveway on the Adath Israel side that connects to the pedestrian circulation system around the Adath complex, which will form a link between them.

The proposal is to do this with a pervious system as possible with filter fabric to hold the gravel in place and will be temporary. There are site constraints because they do not have another viable location for the parking lot. Unfortunately some of the trees on the site are located within the area that is going to be the future parking lot and there is nowhere else that it can be moved without interfering with the easements and the other features on the property. The trash enclosure will be a fiber exterior to match the house. The street tree locations between the curb line and the sidewalk and there is a better option to locate the trees on the site side of the right-of-way. It allows the street trees a little more room, there will be little encroachment on the utility lines on Route 206 and get the same benefit without conflicts with the sidewalk and the road.

The street trees will be made to be parallel to the curb and to the right-of-way line. The buffer planting density exception that have to do with the 50' landscape buffer, Exhibit A11, per Clarke Caton & Hintz's report, dated April 11, 017, refer to Comment 3.9, copy attached, so there is a conflict between the historic groups which people walk through the site and need to keep the pathway open. There is a large enough wooded area there to provide adequate screening and achieve the purpose of the standard.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Wednesday, April 19, 2017
Page 8

The parking lot needs to be where it is because of the location of the parking lot there will be encroachment on the tree line, Comment 3.10. Mr. Mester stated to keep the parking lot on the north because of the flood hazard line which is eight-feet below the driveway and cuts across the corner and will lose one stacking space. Mr. Slaugh saw the site again and the trees on that side will have to be removed. The building is far enough away and buffered so there is no impact on the rooftop equipment screening, Comment 3.15. Mr. Slaugh asked if the units can be painted a color that is complimentary.

Mr. Miller stated the applicant will comply with the landscaping comments of Clarke Caton & Hintz's report. Mr. Goldberg commented that the applicant will be back on June 21, 2017. Ms. Kraemer asked if the resubmission can be sent to her office within 30-days to have time to review it and have reports.

Minutes:

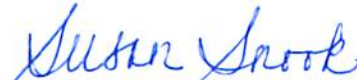
January 18, 2017 and February 15, 2017 minutes were approved per unanimous vote.

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 10:05 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: May 17, 2017