

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017

Present: Joseph Blaney
Sheila Grant
William B. Holmes
Christina Hultholm
Jeffrey Johnson
Bruce Kmosko
Peter Kremer, Chairperson
Charles Lavine, Vice Chairperson
Samuel Pangaldi

Absent: None

Excused Absence: James Kochenour, Traffic Consultant

Also Present: Brian Slauch, Planning Consultant
Brenda Kraemer, Municipal Engineer
Edward Schmierer, Zoning Board Attorney
Michael Wright, 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.

Oath of Office:

Mr. Kremer, Mr. Holmes and Ms. Grant were placed under oath. Mr. Schmierer, Esquire administered the oath.

Elections:

Chairperson:

Charles Lavine moved and Mr. Holmes seconded to appoint Peter Kremer as Chairperson. Nominations were closed and was unanimously approved.

Vice Chairperson:

Peter Kremer moved and Charles Lavine seconded to appoint Christine Hultholm as Vice-Chairperson. Nominations were closed and was unanimously approved.

Appointments:

Charles Lavine moved and Christine Hultholm seconded to approve the Resolutions of Appointments in a Block (Resolutions 1-17z thru 7-17z) and was unanimously approved.

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 2

Committee Appointments:

Growth and Redevelopment Committee (1): Charles Lavine

Appointment of Annual Report:

Christine Hultholm moved and Charles Lavine second to approve Resolution 8-17z and was approved per a unanimous vote.

Public Participation (for items not on agenda):

None

Adoption of 2017 Meeting Schedule:

Samuel Pangaldi moved and Sheila Grant seconded to approve the 2017 meeting schedule and was approved per a unanimous vote.

Public Participation:

None

Resolutions:

Resolution of Memorialization 9-17z; Bulk Variance Application No. ZB-5/16; **David & Doreen Misiolek**; 134 Hoover Avenue; Tax Map Page 25, Block 2501, Lots 19 – 22 was approved per unanimous vote.

Applications:

Bulk Application No. ZB-8/16; **Robert Mason**; 2800 Princeton Pike; Tax Map Page 35.02, Block 3508, Lot 13.

Mr. Mason represented himself and testified that he is requesting a front yard setback variance for the addition of a garage to accommodate access to the house for accessibility for his special needs daughter.

Mr. Schmierer stated Mr. Mason submitted in a complete application; however, he suggested that the applicant explain how it relates the existing house and the location for the record. Mr. Mason continued that there is an existing garage which was closed off and is looking to add an additional two-car garage to the space. The lot is also a corner lot which has two front yards and is on one corner of the garage, about eight feet over the setback line diagonally, the right corner will be within the setback; however, the left corner would be eight-feet over the setback line.

Mr. Kremer stated that where the house is situated that there is no other location to put the garage and cannot make the garage smaller or in another place and Mr. Mason agreed. Ms. Kraemer stated that you would have to construct another driveway and this would not be feasible and it is a wedge of the garage that would encroach into the setback. Mr. Kremer asked Mr. Mason if he contacted his neighbors to purchase some land. Ms. Kraemer stated it is technically the right-of-way and it would be impossible.

Public Comment: Michael Duffy of 2 Rita Road testified that he abuts the property and he has spoken with Mr. Mason regarding this variance and is something that is necessary and supports this application and has no concerns. The application was approved per unanimous vote.

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 3

Use Variance Application No. ZB-6/16; Major Site Plan – Preliminary & Final Application No. SP-10/16; **The Bridge Academy**; 1958 Lawrence Road; Tax Map Page 30, Block 3004, Lot 154

Mr. Goldberg of Stark & Stark represented the applicant and stated The Bridge Academy's goal is to educate and empower students with educational learning disabilities. They have students from elementary school through high school age. It helps them to develop their potential and does great work. The last 13 years the Academy has been on the Adath Israel property and is leasing space. Currently there are about 60 students at the facility and the goal with the new location is to have about 90 students. It will not change the staffing and/or the number of trips generated.

The building will be approximately 14,500 sf and will keep the existing home on the property, which is about 3,200 sf and it will be used. Thirty-two parking spaces are being proposed and thirty is required; the property has significant environment constraints which will limit any ability to increase the facility in the future. One of the requirements for the use variance is that it requires a 50' setback from the parking area and being proposed is 25'. The bulk variance is from the stream corridor and several exceptions.

Witness #1: Susan Morris, Principal and Director of Education testified that they service children from 8 to 18 years of age; all the students have a language base disabilities; they are designed to do two things to close the gap and where their skills are (reading, writing, math, organizational skills) and the second goal is for them to become independent learners to understand what their challenges are. They have children that come from several different counties; very effective school for this population and helping the children to become very successful and have careers that are no bound that the fact they might not be literate.

The school provides reading, writing, math, art, health and physical education and in the new facility to add a music component and add additional classrooms for a science lab. Adath Israel has been their landlord for the past 13 years. The ability to have the property next door is an asset for so many reasons because if they moved in another location would be prohibited for the students. There are 18 to 20 buses (little buses or vans) and there are also variable drop off and pick up times because students take advantage of the Mercer County Technical School. The increase will be enrollment from certain districts which will increase the number of students but not the number of buses. There will be additional staff added and currently have 24 to 25 currently.

There are special programs that occur in the evening. They will be hiring someone internal for garbage and recycling and are environmentally sound school (a lot of recycling). The facility at Adath Israel will make anything work for the children and they are currently in the original house on the property which allows for a small group instruction; however, it is tight and do not have a lot of storage, so to have a music room and science lab would be great. There are 18 – 20 buses that pick-up and drop off at 15 minute intervals and will continue to use the space at Adath Israel with an internal walkway for safety of the children.

Ms. Kraemer asked about the outdoor recreation. Ms. Morris commented there is recess every day and the plan is for an interior all purpose room. Ms. Kraemer asked how the School would be using the Adath Israel facility and the parking lot for special programs or events. Ms. Morris stated not sure it will be needed as well as the parking facility. Ms. Kraemer asked about the handling of the trash because the Township does not pick up at commercial properties and is normally trash enclosure. Ms. Morris stated it would be some type of private trash service and a private recycle service.

Mr. Slauch continued with regard to the trash and it being a tight site and the location of the trash enclosure is not obvious. Ms. Morris referred the answer to the Engineer. Ms. Morris state there is no after school program, only on occasion there is a school dance. Mr. Holmes asked about many hours are spent at the

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 4

school; Ms. Morris stated from 8:00 a.m. to 2:45, about 6 ½ hours a day. Most children are on a full day and some will take classes at other schools. Mr. Lavine asked about the temporary classrooms on the Adath Israel property. Ms. Morris stated they will remain during the duration and will eventually they will no longer be needed.

Mr. Pangaldi asked about the influx of the additional parking be when there is an after school program such as a dance. Ms. Morris stated parents do not stay, they drop off and then pick up. There are about 25 – 28 children that attend. The semi-formals are at the Legion and parents are very good at carpooling. There are day time activities for graduation or annual review meetings throughout the day; however, there are no day time programs.

Public Questions:

Bruce Afran, Esquire is representing the Princeton Area Battlefield Preservation Society and has two witnesses to present with some questions. Mr. Afran wanted to know what has been done by examining by using Adath Israel's facility of sharing the parking because the synagogue activities are often evening or weekend based to avoid the intrusion into the setback area into the parking lot. Ms. Morris was not sure how to answer so Mr. Afran asked that the school has been at the Adath Israel facility and what has been done talking to Adath about using their parking facilities instead of building a parking lot in the setback area.

Ms. Morris commented that she did not discuss that with them. Mr. Kremer told Mr. Afran that she is to explain the purpose of the application and the more technical witnesses, like the Engineer might be able to answer that question.

Witness #2: Stephanie Loesberg, President of Adath Israel Congregation commented that she is in 100% in support of this project and have been wonderful tenants and have seen them grow for the last 13 years.

Mr. Goldberg stated that one of the last question was is why are they there and what type of variances are needed, why is this a conditional use variance and the conditional use variance because of the parking lot setback. The property that is in that 25' area is Adath Israel.

Witness #3: (Parents)

Lea Viera stated her child has been at the school for 3 years and his path to the school was not an easy one. His self-image was not of boy who was not going to learn anything. He felt defeated and isolated and eventually his self-doubt was peeled away by attending the school. There are social houses, which are divided into three and they are connected with Homefront, the Trenton Soup Kitchen and Apaw. Each year they do projects and coordinate with these charities (making sandwiches, collecting food, help with animals) and which helps with self-esteem. The school has reached out to Broadway Dance and engage the students do some of the social dances which is an important part of their development as they go out into the real world. On Friday's the school has pizza lunches which comes from a local pizzeria which shows how the Bridge is respectful of the community and reaches out to be a part of the greater community. Ms. Viera went onto the Bridge Academy website and on the first page it states "About Us" and was amazed by the wording. Mr. Viera continued that her son had little hope and incentive to go to College and now he can't wait to go. There is no higher use that respectfully serving the needs of some of the most vulnerable students that they may realize their full potential and go onto become leaders in their community.

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 5

Tom Hunt stated he lives in Stockton, NJ and has a 16 year old son in the 10th grade and is his third year at The Bridge and cannot explain what the school has done for the students. Bridge gives confidence to kids, not just academic like reading, writing, math but confidence in the social sphere, confidence in the world to advocate for themselves and to overcome a lot of shyness and feelings of inadequacy. This comes from the faculty who are fully trained and dedicated. He also spoke about the efficiency of the school and handling of the traffic flow.

Witness #3: Joseph Mester of Trenton Engineering Co. presented Exhibit A1- Plan of Survey, Sheet 7, revision dated July 2, 2015 which summarizes the site on a total lot area of 6.24 acres; the existing site has a one-story residential dwelling; a U-shaped paved driveway with a parking area on the northerly side; drainage area of the site is a north / south property lines; the drainage runs into a detention basin along the northerly property line; there are a few easements and a stream encroachment line.

Exhibit A2 – Site Plan, Sheet 2, revision dated September 15, 2016 which shows the proposal of the application and it shows the Transco Pipeline easement across the property and shows the environmental constraints.

Exhibit A3 – Enlarged Plotting of the Northwesterly Corner and depicts the usable area of the property which is constrained by the pipeline easement and the 100 year stream corridor. Usable area is over 31,000 sf and the usable area is 11.2% of the property to work with.

It is a 6 acre site and spoke with regard to the minimum setbacks of the residence that is located on the site. Minimum parking lot setback is 50' and 25' from the northerly line and the right-of-way; the two variances presented tonight is for the 50' parking lot setback and the 100' encroachment upon the stream corridor; the necessity of the parking lot setback is because of the constraints of the pipeline; there is no other area to put parking because of the building and the stream corridor; the project building consists of two story above ground and one story below ground; the existing building is 14,571 sf (footprint of the building is 4,587 sf of the existing building) 3,454 sf of the building will be in the corridor; the building is 15' off the northerly line and the fire marshal and fire company commented they could not access the rear of the building as originally proposed because there is a line of trees, the detention basin and they need an access to the rear of the building; a comment was to extend Adath Israel's driveway and redesign the basins to get enough room for the fire trucks; however, Adath Israel did not want the building that close to the line so it was moved toward the stream corridor. A relocated exit is being proposed onto Route 206 because of the new location of the thru lane and drainage pattern will remain the same.

Exhibit A4 – Site Plan Enlargement which shows the parking spaces and two handicap parking spaces; landscaping comments and lighting will be worked out with the Planning Consultant; trash will be handled internally so there is no need for a trash enclosure and there is no area to place a trash enclosure without losing two parking spaces; drainage is to the stream and a proposal for a underground detention system; roof drains go into the underground detention basin; down spouts run into the ground and connect to the stream; impervious area is 13,500 sf and there will be a one-way circulation.

The Board took a break from 8:29 p.m. to 8:51 p.m.

Mr. Mester commented he is replying to some comments on reports he needs to address regarding the extra pavement for the fire turning radius and is correct as shown on the plan and the detail was from the original submission and the location of Shelmet Lane and make the correct entrance and submit a revised site plan for the errors.

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 6

Ms. Kraemer stated she is not sure we are going to resolve all the issues tonight and it might better to have a technical meeting for some of the engineering items. Ms. Kraemer felt it was not realistic that the trash would be taken home from school lunches and offices so there needs to be more information about the trash. Mr. Goldberg commented that there is a future witness that will testify as to what is proposed for that and we can go out of order and have that now and it will be addressed.

The applicant did meet with the Township regarding the location and it was proposed closer to the Adath Israel property line, but the concern was the Public Safety and the Fire Marshal and with a use like this they want to be sure they have access to as many sides of the building as possible, so we originally tried to work out the access from Adath Israel for emergency purposes and have that building 15' away from the line but that did not work so they went back to the 50' required setback, so now how you providing the fire access because she sees no fire lanes or a way for a fire truck to get back to that building.

Mr. Mester stated he has no answer. Ms. Kraemer stated this is one issue that has to be resolved and she thinks the applicant is going to have some stabilized access lanes to get back to that building. Mr. Mester feels the fire truck could go the other way but it has to be stabilized and would have to find a way to stabilize it for fire trucks without pavement or stones. Ms. Kraemer asked if the applicant's professionals had met with Delaware & Raritan Canal Commission yet and if any feedback was given by them; Mr. Goldberg stated they have and they were informed that they had to come to the Township first to see what the decision was and then return to them.

Ms. Kraemer asked about buffer averaging the stream corridor; any alternate site plans considered for the parking, common parking with Adath Israel and just the building on the site or any other concept plans. Ms. Kraemer stated they will be asking for a deed restriction for the stream corridor area and an easement line for the average buffering plan. She continued with more information is needed for storm water management. Mr. Mester stated this was something that had to be discussed and might not be an alternative because there is not much room and no consideration. Ms. Kraemer questioned the infiltration system and stated there are further discussions that need to be done.

Mr. Slaugh questioned the soil borings for the location of the school building; the ground water has not been addressed because the lot is flat; connections between this property and Adath for pedestrian access; comments on the lighting per his report and the color temperature and the fixtures that are proposed.

Mr. Mester responded he does not think they were done; at ten-feet they hit no ground water and one was in the parking lot and one between the parking lot and building; do not know if there were discussions; Dave Stratton prepared the lighting plan and he was not present at the meeting. Mr. Slaugh asked Mr. Goldberg if someone will be testifying on the conditional use standards and will hold his testimony until then. Mr. Goldberg stated yes the Planner.

Mr. Wright stated that Shelmet Lane will be re-surveyed to line it up to the access driveway. Mr. Mester stated no because the exit has to be where it is because the parking lot cannot be moved and wants it to maintain a 25' off the northerly line and need the 60' for the parking lot. Ms. Kraemer and Mr. Wright would like to see it lined up with Shelmet Lane so there are no conflicting movements. Mr. Goldberg stated it will be something to look at.

LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 7

Public Comments:

Mr. Afran referred to Exhibit A4 regarding the fire access; when the school is built this is intended at present as access corridor to the building; what will the surface be; questioned the trees; the fire access; what would it be pavers and would not be a buffer averaging for D&RCC; yellow squares; foundations and further intrusion to D&RCC; walking paths locations; students walking on the grass area; has Trenton Engineering performed a study on the parking usage by the school at its location at Adath; on this site are more than one space be allocated for the students; total of 32 spaces for this plan; how many staff and how many parents park and meet with staff; if there are actually enough spaces for parents and staff; does the configuration of the site allow for expansion of parking; more variances in the future if the school expands for parking; what percent of the structure would be in the stream corridor; easement for the gas pipe line (dotted line) and prevents parking expansion because you would be over the pipe; difference between the parking lot not going over the easement but the driveway can; structure over existing pipeline; site is constrained by the stream corridor, by setback rules and by the pipe line easement; without the variance how many parking spaces are available and how do you know the number of spaces and did you do an analysis to come up with the figures or anyone else in the firm; outfall pipe and confirms that it is connected.

Mr. Mester answered he is not familiar with the fire access and stability; no they would go through the parking lot if they had to; the area will be grass; trees will stay; issue will have to be addressed; it is the stream corridor and cannot go into it and explained what would have to be done; 10 x 10 double doors; no it was based on the one space per three students and for the staff of the school; maxed out the number of spaces for that area and needed 31 spaces for their use; they state that parents do not stay; two additional staff persons for the expansion of 90 students and maybe able to adjust the parking with the access with Shelmet Lane; they would have to come back to the Board; the plan is based on the 90 students and parking for the additional students; 60%; the driveway exists; nothing can go over existing easement; he does not know how to reconfigure it; he can't answer for another person; no information on this pipe.

Laura Lynch, Lumar Road stated she is a cyclist and will they have significant site lines and shoulder access improvements. Mr. Mester responded at this time there is no change in the road configuration; site lines will be put in for drivers. She also wanted to know if permeable surfaces instead of porous surfaces for the entire length of the driveway access and the parking lot to mitigate flooding. Mr. Mester stated there is no problem with flooding and the runoff will be reduced. Ms. Lynch wanted to know if there was any discussion on the reduction of the size of the building or reduce the size to get it out of the floodplain. Mr. Mester stated this is what they need to adequately house the 90 students and have one story underground. Ms. Lynch would like to know if this protection could be part of the approval; Ms. Kraemer responded that she is requesting an easement.

Ms. Kraemer stated this application will be heard at the March 15, 2017 meeting. Mr. Schmierer advised the audience that there will be no further noticing of this application because the Board made an announcement that it is being scheduled for the March 15, 2017.

Minutes:

September 21, 2016 and October 19, 2016 minutes were approved per unanimous vote.

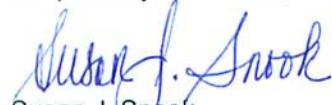
LAWRENCE TOWNSHIP ZONING BOARD MEETING
Wednesday, January 18, 2017
Page 8

Adjournment:

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

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: 4/19/17