

LAWRENCE TOWNSHIP PLANNING BOARD MEETING  
Monday, July 16, 2018

Present: Christopher Bobbitt, Mayor  
Maria Connolly  
Ian Dember  
Philip Duran  
James Kownacki, Councilman  
Kevin Nerwinski, Municipal Manager  
Terrence Leggett, Vice Chairperson  
Kim Taylor  
Doris Weisberg (arrived 7:13)

Absent: Edwin Schmierer, Planning Board Attorney

Excused Absence: Stephanie Pangaldi  
Edward Wiznitzer, Chairperson  
Phil Caton, Planning Board Consultant

Also Present: James F. Parvesse, Municipal Engineer  
Andrea Malcolm, Planning Consultant  
Susan Snook, Recording Secretary

Vice-Chairperson Leggett opened the meeting.

**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:**

The June 18, 2018 minutes were approved per unanimous vote. The April 19, 2018 Screening Committee minutes were approved per unanimous vote.

**Resolutions:**

None

**Applications:**

None

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**Public Hearing (Open Space and Recreation Plan):**

Andrea Malcolm of Clarke Caton & Hintz presented the Open Space and Recreation Plan and stated it is part of the Master Plan. It is also required by Green Acres in order for the Township to get funding for open space acquisition. Most Master Plans start with goals and objectives related to open space. In this case we are pulling from the 1995 Master Plan which sets all of the Towns basic goals and objectives and have been refined over the years. She presented a plan and showed how integrated open space is to all different parts of the Master Plan related to land use, where open space helps for community character, much of a well-balanced diverse community which is the overall goal of land use, particularly in a Township such as Lawrence where it is predominantly residential, the open space is a very critical part related to housing needs, etc., both part active and passive recreation. The basic definition for active recreation is an organized recreational sports, passive recreation is any other type of use of open space. Typically it refers to trails, individual use of open space, hiking, bicycling and not necessarily that those activities are passive, but that is how the term has been used.

Goals and objectives and land use obviously ties into that and is very important in relation to conserving natural resources in terms of helping preserve land and streams, other resources and agricultural resources. Very often lands in open space around historic centers help create the character and the understanding on how those areas are in relation to our Towns. There are a few more specific goals that this builds on and are very simply maintaining adequate active recreational facilities and want our open space to be usable to some extent. It is working to conserve and preserve resources, but it also has this recreational component.

A very important component in Lawrence has the Greenway Network and the Open Space plan has been building over the years on trying to create a way not only to preserve lots of land but ways to get to it and connect all of these pieces. That is important to both wildlife and natural resource perspective because corridors help further strengthen both animal habitats and wild habitats by keeping them somehow contiguous. But also from usable standpoint, trying to get from one space to another it helps expand your open space inventory by allowing you to use it in a more general way.

The inventory is the major component of the plan. There is a broad range, Municipal Parks and Recreational Lands, referring to the plan, copy attached and the numbering system was to move north to south in the Town. Municipal Parks and Recreation are the active sites and Municipal Open Space are the two key parts of the Townships holding in terms of open space. Those are the parks that would come to mind when you think of the Towns parks such as Colonial Lake and Maidenhead Meadows. There are the Municipal level parks and Open Space sites and those total over 1,075 acres. But on top of that we have all of these other spaces owned by other entities open space, which includes the Board of Education properties, County and State facilities, there is also farmland parcels (northern end of Township), which has been semi-controversial piece whether farmland should be considered a part of open space or not, which is why we have it in another category because under Green Acres purposes they do not include that. They are counting lands that are active recreation and passive conservation land.

There is another category of five (5) sites that are different types of open space that are preserved in different ways and several of these are owned by non-profits such as the Transco easement, which is a long term 99 year easement on the land that was for open space purposes, there is also very recently, the Golf course property, Green Acres, it is an floating open space easement, deed restriction for maintain open space purposes. All of those total about 1,600 acres and all together both the Townships owned properties and the other open space come up to about 2,700 acres.

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One of the things we try to do for Green Acres purposes and a general rule of thumb, how is our inventory and how does it stack up against other towns and national guidelines. They have some of these general rules of thumb that they are starting to move away from because the feeling is these very gross uses of acres per residences because it is such a broad kind of measurement that it is difficult to use as an evaluation tool but they give you some idea where the town might stand. The two thresholds that are fairly common are the three percent of developed and developable land, which in the Townships case is about 9,000 acres all together, so three percent of that is 270 acres and the town is well above that, as you recall it was over a 1,000 acres. A different acre came out of National Parks and Recreation Association is a threshold of roughly six to ten acres per 1,000 population. In the Townships case it came up to about 6.78 acres per 1,000 population use on the most recent population estimate. There is all of this other open space that does not get counted toward that and that is the municipal holdings and it would be more than doubled if you included the Board of Education sites and other areas of land that are used by the town.

We also look at other recreational programs and how they interact with the open space and the recreational department has numerous sports organizations that help sponsor those and organize the field space, runs classes, and coordinates with other entities around town including the Board of Education sites, the Armory site, using County lands over in Twin Pines and even private school sites in town that are coordinated through the Recreation Department to provide recreational programming. Even though some of those sites don't end up on your open space inventory they are out there and we recognize them by discussing them in this report. The Recreation Department coordinated on-line surveys of some of its youth organizational sports, to get some idea of what some of their concerns and issues were and those are summarized in the report noting that, not surprisingly there is a need and interest in more field space, which is always a demand, there has been a tremendous growth in these sports and age range of people playing these sports keeps increasing so that puts a demand on the fields.

Related to that there is an interest in trying to get the fields better lighting, parking, etc. trying to maximize the use of those fields so some of those issues were indicated in the surveys and some specific requests related to particular sports such as batting cages, nets to keep lacrosse balls from crossing into other fields, which is called active recreation side but on the passive recreation side, not necessarily passively in terms of how you take part in these activities but the trails and bikeways are a very big component of recreational use in the town. The plan discusses some trolley lines, the Lawrence Hopewell Trail and the Greenway Network which includes both of those trails but also picks up a number of informal smaller paths and trails that go along the stream corridors and pedestrian and bicycle improvements that have been going on the city streets and in parks that help connect these trails together, which has been a real success in town.

A circulation element will be the next piece of the Master Plan that will be worked on and will dig into that aspect looking how that provides circulation around town. This is acknowledging the fact that it is connecting the open spaces and providing a recreational resource. In terms of the open space needs there were basically two categories of lands that were identified, which focuses on potential acquisition of several sites such as Colonial Bowling site because the existing path goes all the way around the lake but for that last little piece. If that is able to be acquired, there is certainly potential support from Green Acres that would complete the trail and also that certainly would be helpful in terms of natural resource preservation along that stream corridor and wetlands area next to the lake.

Both sites that have a history of contamination and are in a deed remediation, the first site is the Pit Stop Service has been mostly remediated but there still is another step that will need to be completed in order for that to be fully remediated which is a very expensive process and placing it on the open space acquisition list would allow some potentially funding from the State to help the remediation process because that would be a necessary step to use it for any type of open space purposes, Page 18 of report.

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The Saturn Chemical facility is along the D & R Canal and has been vacant for a number of years and it would potentially be a field use or something along those lines but again it has significant work that would have to be done to be remediated, Page 19 of report.

They are on the list and there are no particular plans for how they might occur with the exception of the Colonial Bowling and there has been some interaction. There are a number of areas in town, there are sort of large open space holdings, but they are held by other entities and appear to be fairly stable and the Township is hopeful and would help to encourage those to be continued as open space but it does not appear at this time that it requires any funding on the part of the Township and not the less the town would support any type of preservation action that would permanently deed restrict these types of properties if they were available.

There is the Van Kirk Road site which is a large agricultural area and is not in the preservation program but there is a hope it would be and appears to be an on-going funds at this time. There is the Route 206/Princeton Pike site which is held by the Lawrenceville School and is largely open space, there is a solar development but is not necessarily a use that is there permanently for the foreseeable future, but an area that most people associate it, very much part of the character of the Lawrenceville area and the Town would be interested in helping to keep that as open space and supporting that use. The remaining parcels are essentially collections of open space where that has not been development and essentially because they are largely wetlands, so that probably would not develop on that land. The Town might be able to maybe help to get an easement or something to allow a trail, but nothing in the foreseeable future.

The plan has a listing of some of the typical conservation techniques where the Township does not have to put forth the money, necessary but encourages deed restriction, farmland preservation is a way to keep open space in a preserve form. There is a summary at the end of the report pertaining to the steps. In some extent the Township has been already doing and simply to reiterate that keeping that up would be very important and hopefully expend and strengthen the open space network in Town. To get this document done quickly is to help the Town participate in the Green Acres Planning Incentive Grant Program, which is a good way to be able to leverage State resources in order to keep preserve open space in the Town.

There is a brief discussion of the public participation program and typically a Master Plan element simply has one public hearing, sometime multiple hearings, but with the Open Space plan, you are required by Green Acres to have two public hearings. This is the initial one where we gather additional input, we have the draft plan is based on a lot of input from staff and a lot of community over the years, is where we developed the Greenway Network.

**Comments from Board:**

Mr. Dember asked how specific we are at this point in the process because this is wonderful work that has been done, obviously Lawrence tries to stay very green, but there is one item that he runs into that he has been dissatisfied. When we go to do organized group athletic events, like a 5-K run or a bike ride, there is no location you can do them in Lawrence and stated he was helping to arrange a non-profit fund raiser for a particular organization and there were about 15 members who wanted to do a bicycle ride and you cannot do that in Lawrence. Anything over six people is very discouraged on the Lawrence-Hopewell Trail, it is not built for that and there is not a good place to start and stop. He would love to see some way to take that activity off the public street because when Rider does events they close down parts of Route 206 and some thought put into getting that off the street and into the beautiful spaces we have here.

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Ms. Connolly questioned the Pit Stop, is there a reason why Lot 1, an acquisition for open space in the future, is not included and just Lots 2 to 4 is it because it is used for just parking right now. Mr. Nerwinski stated the Pit Stop location is privately owned by an LLC, that is now defunct and that piece you are talking about is privately owned by someone that is not a defunct business. It is definitely targeted as part of the overall plan and met with the owner and explained what our intentions are, that is why it was included, and it will have no other use. Ms. Connolly would not want to limit our ability there to acquire it as open space if it not in the element. Mr. Nerwinski stated if it can be included, it should be included, but it is not really a passive thing we intend to grab onto afterwards, it is privately owned. It may not have been included because it is just not a target for cleaning at this point. There was a phase one remediation years ago and equally as expensive. Ms. Malcolm stated it could be added and the Chairman sent in comments for different interests in that property in the past. Mr. Nerwinski stated that the reason Pit Stop is in our plan because the Township has active liens and we have the ability to foreclose upon it, if we wanted to, but we are not going to foreclose on an environmentally compromised thing, but Lot 1 does not have a lien.

Mr. Duran questioned Saturn Chemical and has the contamination been defined on the status of that property. Mr. Parvesse stated it has not been defined and before we would take it we would have it cleaned up and add language about that and would not want to take on a property that is committed to be cleaned up. Mr. Nerwinski stated he cannot foresee the Township moving like it is moving with the Pit Stop, because we can see the end on the Pit Stop, it should be included but that is on or off.

Mayor Bobbitt asked if the Goals and Objectives for the Open Space, are these reiterated in the 1995 goals or have we modified them at all. Ms. Malcolm stated they are from 1995 because they are still guiding and directing the Open Space and could certainly be refined. Mayor Bobbitt stated it seems a few of the goals have been reflected in our Land Use Ordinance in terms under Conservation and Natural Features and preserving and enhancing stream corridors, greenway we talk about networks and things like that, and we haven't really addressed those and complete streets that Business Route 1 development might have been a missed opportunity and that was long in the making because he tried talking at a Slackwood presentation and everyone from NJDOT and Township it was before their time and things have a long window. One of things that needs to be addressed is the under the visual character of Lawrence Township, under the objectives it seems very specific to North Lawrence and in terms of farmland and rural character and rural development and things like that. He has a feeling that people in the audience might talk about some of the characteristics of south Lawrence that might be preserving. We should make note of the Saturn site and D&R Canal and possibly Colonial Lake as a visual character of Lawrence Township since it is on the calendar. He continued that we should be figuring out bike ways and complete streets and how we find opportunities along wetland buffer zones and how we can add more trails there.

Ms. Malcolm stated some of that is in the Greenway network and we could expand on that and explain what some of those pieces would be. Mayor Bobbitt stated one of his ideas, don't know if it would happen because it is on private property, is using the stream buffer along the Shabakunk, by the Shopping Center, to connect sort of the Lakelands area with the Princeton Pike route. Ms. Malcolm stated it could be on the Greenway Map and it was referenced but needs more detail.

Mr. Nerwinski stated a part of this process involves us engaging the local sports groups and has that part been considered yet. Ms. Malcolm stated it is summarized in the findings and leading to more field space and lighting but we did not go into a deep dive on how it would be designed.

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**Public Comment:**

Tom Ritter, 747 Lake Drive: Back in February they went to the Township Council and presented a vision for Colonial Lake Park and preserving the natural gem stones in the southern part of Lawrence Township. The vision for Colonial Park was to in fact purchase the property surrounding the Colonial Bowling Lanes property, surrounding the parking lot and building as well as piece of that property and incorporating that into Colonial Lake Park. It would give you an increased acreage for open space and would give us the opportunity to continue the trail and complete the trail all around the park, which should include a foot bridge instead of walking on Route 1. Also preserving the natural gem stones in the south portion of Lawrence Township as an extension of purchasing this property, see attached dated February 20, 2018 (Exhibit A1).

Jim Hooker, 713 Bunker Hill Avenue: He suggests to please look seriously and respectfully at the report that Mr. Ritter put together which really sets things out nicely in terms of corridors. In fact this corridor goes over to the D&R Canal which is one of the great strip parks in the State of New Jersey, which runs 60 – 70 miles and this connects. According to the report, these 5 to 6 acres are really important acreage, 1,600 acres preserved and many more, like the schools, but they are not this kind of acreage, which is attached to a park. Let's take the next step and talk about the importance of this woodland to the lake, which goes to the other things you talk about, natural resources, wild life, corridors, sustainability, livability, mental health of the residents, sole of the community.

This winter, spring and into the summer, we were visited, several times a day, the bald eagles and other species (which are not endangered) but the tremendous variety. The importance of this sanctuary, this preserve to the southern end of the Township is really beyond words. Dip into the 20 years and plus of open space taxes that were paid.

Mr. Hintz, Princeton Avenue: Stated he has been to all the parks and Colonial Lake is one, if not the only one, that is very easily accessible for public transportation. The others one you need a car and trying to open up these spaces to people who don't have a car and don't have the means to get all the way up to the northern part. There is a little piece social responsibility to keep this area accessible to everyone, not for those who just can drive up there and watch birds or come by foot or bus to hang out and enjoy nature.

Jim Weber, 114 Copperfield Drive: This strip of land that is proposed along the lake for purchase is very significant and it is not just significant now because we thought it was going to become a hotel. Look back at the Township calendars, look at the Township mailings over the last five years and you will find this display of trees, which 80% will be removed, it is the cover of the 2017 Lawrence Township calendar. This is the epitome of the most beautiful place in Lawrence.

Steve Howell, 138 Villa Nova Drive: He runs around the lake and runs the length of the towpath, which are very special places. The towpath in the fall is filled with people, but running around the lake, you get conversations, and about public transportation and diversity, we have this community that has just blossomed and fears the idea that if we don't purchase this land we are going to crush the community and sole of the neighborhood. This park represents Lawrence beautifully and how proud that the Township is taking steps to make this purchase. Thanks for representing for what you are trying and thanks for being a good example.

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Mr. Nerwinski stated he is getting sensitive to the fact on what this is supposed to be and want to reaffirm that this Planning Board will always meet its fiduciary obligation to vote on a pending application by the law. There is an appeal from everyone, because you been patient and you ceased this opportunity to make your pitch for the Town to acquire this property, but he is speaking for himself, any application that comes before him, he will decide based upon the confines of the law and as a private citizen, wanting a certain end result will not affect his vote on any pending application. Every resident can connect on how important Colonial Lake is. Township officials and elected officials cannot comment publicly with regard to it. This Board is going to do what it is supposed to do, but there are two things at play. These are not the people that you convince to utilize open space money to acquire a piece of property to better preserve what everybody considers a gem in our Township and appreciates everybody coming and taking the opportunity to get out what they needed to get out, and speaking on behalf of the Board. He wants to caution everyone this is not the Board that decides to buy or not buy.

Jim Hooker: I thought this was a recommendation that would be adopted by Planning Board, maybe at the next meeting. Mr. Hooker was informed by this contractor that the dumpster is going to spoil the lake and stuff. Hopefully there are things in the code about health and well-being. Mr. Nerwinski responded words are important and he did not utilize words that we decided anything on this point, only that we are going to follow the law. When anyone takes an act that would be defiance of the law to get litigation to cause tax payers to pay for litigation, so as long as he is there, any application will be flushed out completely that it is compliance with the law and will never participate in voting in a way he knows that could jeopardize the Town in terms of litigation and cost the tax payers. Words are important and he did not indicate which way this Board was going.

Paul Larson, 170 Darrah Lane: He is going to discuss something besides Colonial Lake from the plan that was distributed tonight. He agrees with everything the speakers had said tonight. The theme since last year has been "Making Connections to our Trails and History" and that is what the focus is on. He spoke about the Colonial Hand Historic Park; Twin Oaks Historic Highway Park and Greater Brunswick Circle Gateway Park and spent a lot of money re-doing Business 1 but forgot about the circle and DOT wants to build a concrete bridge across the Shabakunk and replace it. One of things, don't know what it is going to be called "First Responders Memorial Park" at Pilla Avenue and there are six new parks proposed. Two lots have been donated to build this new park. The Colonial Hand Historic Park has four parcels right now that remain Battle Ground Park and none of it fronts Route 206. The Township owns no property outside of the Municipal Building that fronts Route 206. There are two parcels that Transco owns between Darrah Lane and the creek that is wooded and we should acquire them, about 2.5 acres and combine those in with the existing battleground and rename it.

There is a trail that goes from Route 206 to Turtle Back Park and can continue to Ben Franklin Elementary School. The Twin Oaks, proposed to Council back in 2016 and it was tabled until the new entrance in the golf course was completed, it is now completed and it should be renamed and put up some signs.

There is Colonial Heights Park which is 3.29 acres on Rossi and the Township owns 18 contiguous acres totaling 90 parcels. The only problem is the Public Works maintenance yard and could be used for playing fields. There is the Eggert Crossing, across from the Lawrence Intermediate School, 5.5 acre Mercer County owned open space parcel and could purchase it for next to nothing. The Greater Brunswick Circle Gateway Park has a lot of green acres around there and a few pocket parks, next to the American Legion. He mentioned where the Lottery Building, the site used to the Dunfield and has been there a long time. A little cemetery on Allen Lane and put it on Rossi.

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Mr. Nerwinski stated did the previous Manager ask how we are going to maintain all of these things that we acquire and what the impact on Public Works would be and the cost it would take and the depreciation and loss of the superior services that the Public Works does with very few employees. We had these conversations before and there has to be more than just acquiring, there has to be a thought what happens afterwards, what's the cost to the Town, to all the tax payers when the Public Works gets to be so over strained that the two percent cap that we live with on a yearly basis is going to go Public Works as a opposed to Police or opposed to our Fire Department, that currently has five employees and in the future will need more. You have come to Council and have said you have to look at the big picture, your big picture is this, my big picture is much bigger and he worries about what the costs to the tax payer, what is the strain because everybody can agree we all want open space and preserve but there is a cost to it, a real cost to it. A cost in man power that is qualifiable, so the reality of thinking big is much bigger and long term than that. So taking over a Mercer County property or a property that is being maintained but not developed and saying lets acquire that and now we have to maintain it.

Mr. Larson stated the Department of Military Veterans Affairs takes care of that parcel now. Mr. Nerwinski stated so what happens when we own it. You are a valuable asset to the community because you fight for what you believe in, in history and open space it is just when you keep adding on all of this stuff we intent to get paralyzed and not do anything. The thought has to go beyond acquiring, beyond what we see in a graph with the greens, there is a cost and we have other things we have to worry about, providing safety to our school kids, not from the Board of Ed it is from the Police Department; so the strain on our budget, to such a great degree, that these things you talk about, they are all good and maybe we can capture them over time, but your big picture is much smaller than the big picture.

Mr. Larson stated some of them you already have the property or acquiring target properties to make better use of the existing land we already have. If we made a list of parcels are named parks, they have not done anything with them since they acquired them in the 1960's. He looks at it financially and at the impact. The other three areas is the jug handle at Colonial Lake, south of the creek; there are two parcels on Rossi that are land locked on the other side of the creek, they need to be offset; Meadow Road and the area next to the Brearley House and passed out detailed maps, copies attached. The last plans approved by the Planning Board, it was marked off 301' from the corner of the Brearley House to the corner of the parking lot and the nearest building was probably at 650' away and preserved the out buildings and designated on that map. He also spoke about the Loveless Tract, Central Park and Rider campus are still the same and are historically significant based on an author names Leopold.

Public comment was closed.

Vice Chairperson Leggett announced the Open Space will be at the next meeting.

**Old Business / New Business / Correspondence:**

None

**Closed Session Resolution:**

None



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**Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 8:35 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,

  
Susan J. Snook  
Recording Secretary

Minutes approved: September 17, 2018