

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, April 15, 2019

Present: Christopher Bobbitt, Mayor
Maria Connolly
Philip Duran
James Kownacki, Councilman
Kevin P. Nerwinski, Municipal Manager
Terrence Leggett, Vice Chairperson
John Ryan
Kim Taylor
Edward Wiznitzer, Chairperson

Absent: None

Excused Absence: Ian Dember
Edwin Schmierer, Planning Board Attorney

Also Present: Brian Slaugh, Planning Consultant
James F. Parvesse, Municipal Engineer
Anthony Todaro, Acting 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 Comment:

Paul Larson, 170 Darrah Lane spoke about the Brearley House and Maidenhead Park. There are a few winners for the New Jersey Future Smart Growth Awards for 2019 and one is the Lawrence Hopewell Trail since the Township is a partner with this project. There is a new walking club for LHT which is held on the second Saturday of every month and going to feature a walk in a different part of the trail. Another winner is Clarke Caton Hintz for designing the downtown of Mercer County Community College, see attached article.

He presented a picture taken from the front door of the Municipal Building about 2.5' with regard to the trail at Princeton Pike, copy attached, which shows how close those homes are to the park and that the monument should be where the manhole cover is in the road.

Minutes for Approval:

None

Resolutions:

None

Applications:

Major Subdivision Final Approval Application No. S-2/19; **The Boro's of Lawrenceville, LLC (Edward D. and Edward M. Bucci)**; 125 Roxboro Road; Tax Map Page 19, Block 1901, Lot 6

Richard Schatzman represented the applicant and stated the preliminary application received approval on April 2, 2012 and referred to the reports, copies are attached.

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Witness #1 – Francis Goeke, P.E., stated the sidewalk along Roxboro Road has to be replaced; reference was made to the utility pole. Mr. Parvesse commented that it has determined through Public Service Electric & Gas that they will be servicing it overhead from the existing pole on the other side of the street where a new pole will not be required. Mr. Goeke will supply the final approval from Ewing-Lawrence Sewerage Authority.

Mr. Schatzman referred to Clarke Caton Hintz report dated April 9, 2019, Page 3 and stated the applicant is not looking for any variances and will comply with SFLA. The Stormwater Management Facilities was already approved. Mr. Slauch responded that when preliminary approval occurred, and is not suggesting the basin be changed, the Board did not act on this particular exception.

Mr. Schatzman stated there are 48 trees around the basin. Mr. Slauch stated it is because of the slope so if shade trees are put there it might affect it. Mr. Goeke commented there are no shade trees inside the basin, they are along the wall to break up the wall itself. On top of the slope there 48 various types of trees. Mr. Slauch stated there is a limited amount of room between the edge of the retaining wall that creates the volume of the basin and there is a slope that goes down to the adjacent property; there is a slope that goes down to the cul-de-sac and it does not quite match up because of the ordinance standard design.

Councilman Kownacki referred to the Fire Sub-code Official's report dated March 7, 2019 regarding fire hydrants. Mr. Goeke stated there is none shown on Fieldboro but is shown on Roxboro Road; however, there is one on Fieldboro and it will be shown on the plan.

Mr. Schatzman referred to the resolution of April 2, 2019 approval which referred to the stormwater management under Finds and Facts regarding the basin and the two waivers being sought under Section 522.F.3., attached. He also referred to the conclusion stating the waivers were granted because Mr. Caton wanted all of the trees that were taken down and that more landscaping was to be provided per the ordinance and that was incorporated in the resolution of memorialization. At the meeting in April, the landscape architect testified about the trees that could be saved.

Mr. Todaro referred to the Shade Tree report regarding the change in the species of trees, copy attached. Mr. Schatzman stated they are not going to change the species of the trees.

Councilman Kownacki stated a concern why, at least a minimum amount of trees, be planted instead of looking at a bare lot so it will look decent to beautify the front of the house. Mr. Slauch stated the grass would have to be established and that is because of the soil erosion and sediment control measures. Mr. Bucci stated they are not speculating on any of the homes except for the first one. They will not be built and sitting there finished at all. They will be sold except for one at any given time that would be speculated. The houses are all graded and seeded, and leave the landscaping up to the homeowners to do. The trees that are required will be installed, three on each individual lot plus trees along the roads. If a homeowner stated they want a landscape package, they will do it, but it is not in the budget to do.

Mayor Bobbitt asked about building plans that were not presented to the Board. Mr. Schatzman responded that they were presented and they meet the ordinance. Mr. Slauch commented they want a house that was not to modern looking because the neighborhood has the 1960's homes on the cul-de-sac and Roxboro Drive are older than that. They do not want houses with prominent garages, busy roof lines, etc.

Public Hearing: None

Old Business / New Business / Correspondence:

Land Use Ordinance Amendment – Discussion of Proposed Changes (Continued from April 1, 2019)

The Board referred to Clarke Caton Hintz memorandum dated March 26, 2019, copy attached. The Board continued with Comment 7 – Signage in the HC Zone. Mr. Slaugh stated about businesses being able to put sandwich boards in front of their store fronts in shopping centers. They would be on the sidewalk in front of the businesses but not at the street.

Ms. Connolly stated the Growth and Redevelopment Committee is working on this and drafted some changes to the ordinance and submitted it to Council, Jim Parvesse and Kevin Nerwinski for review. Mr. Slaugh stated at the present time sandwich boards are in the Village area and those can be on the sidewalk because they have a different relationship with those buildings and the street. This is for places like the Lawrence Shopping Center, the strip centers on Business Route 1, possibly Princeton Avenue and Mercer Mall. They would have to be put out every morning and brought in at night. The design would be something like chalk board or paper attached to a corkboard, but not permanently printed. They will be two-side and self-supported.

The Board's comments were they are unsightly, clumsy, a nuisance, can be blown in the roadway; if a local business thinks it will help support and generate more business and is a good idea; it could be tracked for size and stability; they will be under a covered walkway; have them tethered on windy days so they don't blow away and some language could be added to the Ordinance.

Alternative Energy Sources:

Mr. Slaugh stated solar panels allowed on the roof and do not allow in front yards; the historic district regulations related to the type of panel (shingle) as opposed to having 3 x 5 panels attached to the roof; to allow wind turbines and they are four-foot high, some spiral style; residential ones that are scaled. There are different technologies and the ordinance does not address them at all and one of the reasons is having to do with the Township Sustainability Jersey certifications. Mr. Parvesse stated they are treated as accessory structures with a 15' setback and not covered in the ordinance. They require building permits only and zoning approval is not required for roof top panels.

Mayor Bobbitt's concern is the wind turbines which have different aesthetics to them, like spirals. They should be allowed but with a conditional use, especially if it is pole mounted and exceeds the roof line. Mr. Duran stated a study was performed and the wind speed above the ground is about 9 miles per hour, which is not enough for an economical turbine and would have to have a pretty high tower. Mr. Nerwinski stated we should put something in our Land Use Ordinance regarding solar panels and charging stations because of sustainability issues.

5G Telecommunications: We need to know more about the technology and passed out pictures, attached. Mr. Slaugh commented there are other pieces to it and will put together a brief memo that we could look at. The Board agreed to more information.

Home Occupation Signs:

Mr. Truncellito, 4 Penlaw Road read his letter dated October 26, 2018, copy attached. He outlined in his letter the conflict with the Land Use Ordinance, Section 428.H. home occupations in residential zones.

The home businesses should not change the character of the lot or the neighborhood from residential to commercial and the rules are good. But what good is all these safe guards if the ordinance, in a different section, allows these same businesses to post exterior marketing, which are mixed signals.

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Section 535, signage section, there is a provision that allows an outside marketing sign and this should be reconsidered. These signs are solely for marketing to solely draw business, you don't need the sign to find the business, it is in a residential area and all homes have numbers, so if you need to find the location, it is called the address. There is no need to have a marketing sign in addition to the address to find a business, so these are solely for marketing business. There are no limitations on the number of signs, no permits needed, no inspections on the signs, they can be illuminated, which could be around the clock. The simple conclusion is to set up a shop in a commercial zone.

Mr. Slauch explained the right-of-way line of the street. Mr. Slauch stated the sign should be 25' from the curb line. Mr. Nerwinski wanted to know what street he has seen these signs on or where the potential could be. Mr. Truncellito stated the potential is the problem and no accumulation in one place; however, it could create a problem, it should be fixed.

The Board should decide whether the sign ordinance should be changed or leave it the same. Mr. Nerwinski stated the home occupation sign could be affixed to the house or could be a sign 15' from the right-of-way and why not just leave it affixed to the house and remove the sign from the right-of-way. It is a destination and not marketing.

The Board decided that this should be looked into further.

Closed Session Resolution

None

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 8:18 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: June 16, 2019