

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, February 4, 2019

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

Absent: None

Excused Absence: Ian Dember
Doris Weisberg
Edwin Schmierer, Planning Board Attorney

Also Present: Philip Caton, Planning Consultant
James F. Parvesse, Municipal Engineer
Anthony Todaro, Esquire, 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.

Oath of Office:

Christopher Bobbitt, Mayor; James Kownacki, Councilman; Kevin Nerwinski, Manager; Kim Taylor and John Ryan were placed under oath. Mr. Todaro, Esquire administered the oath.

Elections:

Chairperson:

Councilman Kownacki moved and Ms. Connolly seconded to appoint Edward Wiznitzer as Chairperson. Nominations were closed and was unanimously approved.

Vice Chairperson:

Mayor Bobbitt moved and Councilman Kownacki seconded to appoint Terrence Leggett as Vice-Chairperson. Nominations were closed and was unanimously approved.

Appointments:

Mr. Caton informed the Planning Board that he was retiring this year, so he is mentioned in the resolution and he will be phasing out during the course of the year. Mr. Slauch will be at the Planning Board meetings. He continued to thank the Board for 26 years of service. Mr. Nerwinski responded that it has been a pleasure working with him and such a knowledgeable person and an asset to our Municipality and will be definitely missed.

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Councilman Kownacki moved and Mr. Leggett seconded to approve the Resolutions of Appointments in a Block (Resolutions 1-19 thru 7-10) and were unanimously approved.

Committee Appointments:

Screening Committee (4): Councilman Kownacki, Chairperson Wiznitzer, Mayor Bobbitt and Mr. Leggett were unanimously approved.

Growth and Redevelopment Committee (1): Maria Connolly was unanimously approved.

Shade Tree Advisory Committee (1): Councilman Kownacki was unanimously approved.

Public: None

Minutes for Approval:

Monday, October 29, 2018; November 19, 2018 and December 3, 2018 minutes were unanimously approved.

Resolutions: None.

Applications:

Amended Minor Site Plan with Variance Application No. SP-1/18; **McDonald's USA, LLC**; 301 Brunswick Avenue Extension; Tax Map Page 3, Block 301, Lot 18.02

Keith Davis, Esquire, represented the applicant and stated there is an existing McDonald's restaurant on the property with a drive thru facility and parking. There was an application in front of this Board for a Minor Site Plan application and variances in order to reface the existing restaurant to upgrade its appearance. A new sign package was presented, building mounted and menu boards and improvements around the site to comply for disabilities.

The applicant was notified that it was not made clear to the Board that the pre-browse board and menu board within the drive thru lane was changing content signs and there is a specific ordinance that prohibits electronic changing copy signs. The boards change three times a day depending on what is being offered that point in time during the day.

Witness #1: Michael Jeitner, PE referred to Exhibit A1, Aerial Photograph which shows the two signs. There are two menu boards and one pre-menu board, each menu board is 20 sf and the pre-menu board is 10.1 sf each. The style of the signs were not properly discussed. Those signs previously replaced stagnant signs which were 44 to 45 sf each and the overall signs have been reduced because of the changeable copy of the signs. The signs now can be changed for the breakfast menu, lunch and dinner menu. The signs are located at the rear of the restaurant and oriented toward the drivers in the drive thru lane and are not visible from other streets.

Exhibit A2: Signage Plan, Sheet C5, revision dated November 28, 2018 which refers to the signs at the rear of the property with two menu boards and one pre-menu board all within the drive thru area and facing toward the back of the property. The two menu boards are 20 sf each and the pre-menu board is 10.1 sf each.

Exhibit A3: Photographs of the Signs at Other Locations, copies attached.

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There is no public detriment to the public good because the signs are located at the back of the building.

The Board members had questions for Mr. Jeitner regarding the signs.

Old Business / New Business / Correspondence:

Mr. Duran stated he has been working kids from THS and housing. They want to build a tiny house and get donations and then give it to someone who needs it. The problem is before they do that they have to get a trailer because if you put it on a trailer, it is no longer a house and can be put anywhere. But if you try to site it, it is no longer a house under 500 sf does not seem to work for any community.

Mr. Caton stated it was popular for municipalities to have minimum floor areas for housing units and there was a technic for the Towns used towards exclusionary to exclude poor people from by establishing minimum floor area and the cost of the unit was higher because it was bigger. You cannot establish minimum floor areas any longer, other than public health and safety. Homes as small as 300 sf are being fabricated and being put in rural places and our ordinance does not prohibit any small houses.

Mr. Duran stated he was under the impression that they had to be built on a trailer to site them because they would not be allowed in terms of zoning because of the size. Mayor Bobbitt stated it more maybe of a building code issue. Mr. Duran stated they did not find a trailer to build it on because the trailer was deemed necessary because of the zoning issue, if there is no zoning issue than the trailer might not be necessary. Mr. Caton stated if placed on a trailer than it under HUD jurisdiction. Mr. Parvesse stated anything over 200 sf has to be located on a slab or foundation and the ordinance does prohibit living in a mobile home and that might be the issue.

Mr. Duran stated that if someone built a 300 sf house, they could get it approved it could be done. But if that same house was on a trailer, someone could not live in that house permanently because we have an ordinance against it.

Closed Session Resolution:

None

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 7:48 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: April 1, 2019