

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, April 19, 2021

Present: Kevin Nerwinski, Municipal Manager
James Kownacki, Mayor
Christopher Bobbitt, Councilman
Terrence Leggett, Chairperson
Maria Connolly, Vice Chairperson
Philip Duran
Kim Taylor

Absent: Ian Dember

Excused Absence: Jeffrey L'Amoreaux, Traffic Consultant

Also Present: James F. Parvesse, Municipal Engineer
Edwin Schmierer, Planning Board Attorney
Elizabeth McManus, Planning Consultant
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. The meeting was held through the internet at uberconference.com/lawrencetwp.engineer.

Public:

None

Minutes for Approval:

March 1, 2021 minutes were approved per unanimous vote

Resolutions:

None

Applications:

None

Old Business / New Business / Correspondence:

Council Referral – Resolution 2391-21 Land Use Ordinance –
Add Section 409A (Apartment & Townhouse 4 District)

Ms. McManus stated it is for the affordable housing site named Spruce Street property or the Nexus site located on Spruce Street. This site is an expansion of the zoning district but not an expansion of any of the sites. The property is off of Spruce Street, although not on Spruce Street, in terms of frontage, but a driveway that extends off of Spruce Street. It is behind an older commercial industrial building, adjacent to Tiffany Woods and approximate to the Farmers Market. It is partially developed with an older warehouse building and some woodlands. The concept to rezone the property to facilitate inclusionary housing to be constructed on the property. This is something the municipality has been working with a lot of people on,

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with the Courts to identify a new inclusionary housing property and including Fair Share Housing Center, also with the developer to insure the zoning accomplishes the goals of both parties, the Township for a project they can physically and financially construct and can give us the affordable housing that we need in order to fulfill our third round obligation.

The combination is this ordinance, which has been introduced by Council, has been referred to the Planning Board and will go back to Council for a public hearing and adoption. It is a plan for a multi-family development. The goal is to review the ordinance, provide Master Plan consistency to make any recommendation from the Board to maintain meeting our third round obligation.

There is an expansion of the apartment and townhouse district, it is identifying a new site for this zone, along Spruce Street and more specifically, this is going to be the apartment and townhouse for residential district. It is based upon the A/T district that the Township already has and slightly amended to suit the site and the developer's plan.

The zone allows apartments and townhouses and there are development standards for each. The property is 7 acres, it is anticipated for largely multi-family development. The density is 18 units per acre, also an open space set aside of 30% of the total tract to ensure lawn areas and recreation areas and buffer spaces. There are bulk standards to ensure the development looks nice; however, buffers are included to make sure there is existing landscaped areas between the site that will be developed and the adjacent uses. There are a mix of adjacent uses, the most sensitive is the residential uses that abut to the northeast of the property, Tiffany Woods. Maximum building height is three stories or 35'.

This ordinance is consistent with the Master Plan and consistent with efforts to satisfy its third round housing plan. There is one change regarding storage space, referring to Page 4 of the ordinance, there is a requirement in Section F.3.c. which has to do with the minimum storage space for apartments. It currently requires 100' sf of storage space for apartments and the recommendation that the provision be deleted. While storage spaces are not undesirable, the reality of the situation is that we are struggling to produce a plan that meets a height requirement of 3-stories, 45' provides adequate buffers to the surrounding uses and on a property that cannot create a basement on this site. The developer is really unable to achieve the density on the site and unable to achieve the affordable units on the site while creating that 100 sf of storage space.

Deleting storage spaces because there are developments all over that do not include the storage requirement or do not have specifics for residents and they provide quality and places to live. A storage issue is primarily marketing for the developer, if the developer is unable to rent the units because the people find them undesirable because they don't provide adequate space for storage, then the developer will likely have to reduce the rent in order to attract people to their property.

Ms. Taylor asked is it feasible to add storage off of units that have balconies, which would be the size of a coat closet, which would house a container. Ms. McManus stated it may be possible to add some storage space, but that is more of a site plan issue than an ordinance issue. Ms. Taylor stated it would be excluding storage all together and excluding from having that feature. Ms. McManus stated if we exclude the storage space it does not preclude them from creating additional storage on the balcony or elsewhere, it just means they are not required to, if they can't find a way to do that properly. If they wanted to add that feature, no variance would be required, taking the footprints from the ordinance and reworking it to provide storage would not require a variance.

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Ms. Connolly spoke about Brandywine and the issue of the storage space. Mr. Schmierer stated the Board agreed to the size of the storage space that they initially proposed and not a greater size, it was either 75' or 125' was too little and did not require to increase the size. Mr. Nerwinski stated this site is far different than the Brandywine site and the ability to incorporate a development that has all the things that a resident would want to have in terms of open space, recreational portion and is much more restrictive and limited than the Brandywine site. This is one of the reasons for this recommendation in order to make this work, they need to build without the storage space that we require under our ordinance.

Chairperson Leggett stated we are only talking about this site as far as having storage and Ms. McManus agreed. Chairperson Leggett stated he does not agree on not having a storage space because you have bikes outside or on the balcony and if we have to do it to work with the Township. Mr. Nerwinski stated the site itself was going to be a proposed Walmart and is in an area that has been long dormant and this is a great opportunity to bring this area back and it presents good opportunities for the residents to be able to walk to a lot of different locations and is valued in affordable housing assessments with the farmers market there and the shopping center. It is an ideal situation and not sure if we will get this type of situation again for a long time and this is why it is important to our overall affordable housing plan. It is a good start to get this area back and will generate further progress along Spruce Street because there are a lot of dormant areas.

Councilman Bobbitt agreed with removing Section F.c.3 especially with a minimum size of 150' so a 100' sf storage area seems like a lot of storage for a small unit. The concern he has is about storage of bikes and other things or is there a different part of the Land Use Ordinance that talks about collective site storage and keep the quality of life without other mechanisms of the Land Use Ordinance. Ms. McManus responded that bike racks are planned for the site. She encourages the Board to make this ordinance change but to also look at this as a potential site plan opportunity and the developer will be able to work in the architectural plan to work in some storage, but cannot be confirmed with the site constraints.

Mr. Nerwinski asked if we were uncomfortable in removing this provision now, does that preclude the applicant when presenting the application to request a variance on this. Ms. McManus stated the applicant can request a variance from this, but the challenge with affordable housing sites is anticipated variances from developer's that are unrelated to health and safety, fundamental issues of the property, what can be minor issues can be problematic at the application level and can hold things up. Mr. Nerwinski said the developer stated this is a problem that we need to address sooner than later and the theory being if we do not agree with taking this out, this may never go any further because there are always costs incurred in developing plans and designs. This developer knows they are not going to meet this standard because it is not doable for them in terms of financing. So we run the risk of losing the potential of this development.

Ms. McManus agreed and stated we need to find a way to make these sites work and make them approvable variance free. Mr. Nerwinski stated it is a Nexus property and they will build it, manage it and they are local to us.

Mr. Spadaccini on behalf of the applicant stated that everything said is spot on and accurate. The reason for bringing this up now because we do not want to get into a situation with the Township where we are spending a half million dollars in plans, etc. and coming to the Board and asking for a variance for something we know we cannot build and we have to put in this storage area. If we were to do 75 sf at 180 units that is a 9,000 sf footprint, an entire building and is not feasible.

A copy of the proposed ordinance is attached.

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Closed Session Resolution:

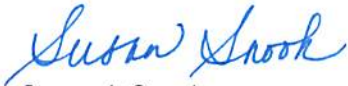
None

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 7:37 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: May 17, 2021