

REGULAR MEETING
LAWRENCE TOWNSHIP COUNCIL
LAWRENCE TOWNSHIP MUNICIPAL BUILDING
COUNCIL MEETING ROOM – UPPER LEVEL

December 17, 2019

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, December 17, 2019, at 6:30 p.m.

Mayor Bobbitt welcomed everyone and stated as this is his last time as the Mayor for this term he would like to thank everyone up on the dais as well as Lawrence Township community as it has been an honor to serve as their mayor. And, one of the things that have doubly expressed him as mayor is everyone is like family in the Township and he feels sometimes public employees get a bad rep for being lazy, inconsiderate or whatever and that could not be the furthest from the truth in Lawrence Township given everyone that he has had a chance to talk to and work with from the Municipal Manager on down really cares about Lawrence Township and goes the extra mile which people sometimes do not see; but, he has definitely seen over the last two years. Furthermore, he would like to thank his colleagues on Council as it has been a pleasure and they have made him a better Councilman even when they were a thorn in his side at times which is part of job and he so appreciates it.

The meeting was then opened with the Inspiration, led by the Municipal Clerk, and the Pledge of Allegiance, led by Ben Edelstein.

At the commencement of the meeting Mayor Bobbitt read the following statement of proper notice:

STATEMENT OF PROPER NOTICE: "Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, December 17, 2019, has been provided through the posting of the annual meeting schedule of said Council in accordance with Section 13 of the Open Public Meetings Act." Said Notice was forwarded to The Trentonian, The Times and The Princeton Packet on December 19, 2018.

The roll was then called as follows:

Present: Councilmember Kownacki, Lewis, Powers, Ryan and Mayor Bobbitt.
Absent: None.

Also in attendance were Kevin Nerwinski, Esq., Municipal Manager, and David Roskos, Esq., Municipal Attorney.

Special Proclamations, Recognitions and Presentations

Property Tax Program Presentation by Domenic DeFalco

Mayor Bobbitt invited Mr. DeFalco up to the podium and advised that he would be providing a brief presentation on the Property Tax Card Program. He then turned the floor over to Mr. DeFalco who greeted the Mayor and Council and advised that he works for FinCredit Inc., which manages the Property Tax Rewards Program and they started back in 2011 with Marlboro, New Jersey, who kind of championing the program to start and they have since grown to 26 townships all across in New Jersey. He stated that the Program simply works with the Township issuing a property tax rewards cards to its residents who will then use the card at local participating merchants where a percentage of the sale will be deducted directly from their property tax bill. The Township will then send them over the tax file with each individuals block and lot; the resident will in turn register their card on their website using that block and lot which is how they distinguish applying credits from property to property.

Mr. DeFalco further explained if a resident goes to a pizzeria for dinner and the merchant is offering a 10-percent rebate and the bill is \$100 they will pay the full amount at the point of sale and the 10-percent will be taken from the merchant and put into the Township's dedicated account which will then tally up throughout the year and at the end of that year they will send the Township a tax file as to what each individual accrued that year. As for the merchants, they get positive reviews, more foot traffic and transactions and attracting more businesses to the town much like the Buy Local Initiative merchants like. The program only cost \$10.00 per month to participate plus the rebate they are offering which is much cheaper than the Coupon Booklet that cost \$300 to \$400.00 a month in hopes that customers will use the coupon. The cost to the Township is almost non-existent with the exception of the purchase of the Tax Cards that cost \$1.00 each where the township can usually get a bank or investor to sponsor that will offset the cost. As for mortgage companies, FinCredit, Inc. fiscal year runs from May 1st thru April 30th to allow for all the credits to be accumulated and once that is done the individuals' credits will be sent back to the Township and the town will then reflect those credits against what they are billing the individuals mortgage company and the credits will be reflected in their 3rd quarter billing cycle. He then turned the floor over for questions.

An at length question and answer period took place along with an exchange of dialogue relative to the following: initial startup cost for merchants, credit from the rebates, monthly fee, promotional products and transaction options for merchants; success of the program depending on the municipality ability to promote the rewards program and solicit new merchants to join and keeping existing merchants in the program; the Property Tax Rewards Program being approved by Resolution with no contract; customers, merchants and municipalities having the option of opting out of the program; complaints and customer relations problems handled by the Administrator of

the program; the program having no set percentage as the merchant can tailor the program to their own needs; residents having the ability to go on the Administrator's website to see savings offered by merchants, statements and credit accumulated throughout the year; creation of an offline mock merchants account for township officials and businesses to see how the program works; cardholders opting out of receiving mails relative to the rewards; the rewards program being extended beyond the township to neighboring residents and renters with a rebate; annual payment being wired to the Township; files being in a readable format for tax vendors that do the tax collection – Vital and Edmunds; software programs to access and tax rewards adjustments creating extra work for the Tax Collector Department; problems with the devices and secondary ways to use the device in case of an error; Lawrence Township being the first municipality in Mercer County if they opt in and the Administrator of the Rewards Program reaching out to local Chamber of Commerce and the Business Liaison the Township plans to hire to help market the program to merchants and residents.

Public Participation

Mr. Marvin Van Hise, 118 Federal City Road, asked Mr. DeFalco if his company is bonded and who audits their company given they may take in \$50,000 to \$100,000 per year from the merchants and from the Lawrence Township and he would like to know how the merchants are protected when monies are turned over to his company when a discount is granted; because the Agreement is between the merchant and his company and Lawrence Township is a third party administrator so people will look to the Township if his company went bankrupt and disappeared. So, he is curious to know what protections are put in place for the merchants. Mr. DeFalco replied that the money is put into escrow into a Township dedicated account and he would have to get back to him regarding the audit and the bonding when he responds back to Mr. Kiriakatis regarding his inquires.

Mr. Van Hise continued to voice his concerns with regards to Lawrence Township having thousands of merchants including car dealerships who might participate in the program potentially bringing in a lot to money a year for the company; but, if the company suddenly evaporates for whatever reasons – mismanagement, fraud, theft or the business shuts down and \$100,000 should have been transferred into a Township escrow but it is not someone will be on the hook for that money if it is not properly audited. And, from what he is hearing the Property Tax Reward Program is promoted through word of mouth with no contract or recourse for the merchants if a problem like that occurs. So, in his opinion, there needs to be some kind of contract or piece of paper put in place to protect the merchants as well as the Township. Furthermore, he is not adverse to the concept he is just concerned about public perception with Lawrence Township being behind this type of program because if there is a problem with the programs rebates or credits the residents will be screaming at the Tax Collector Office and holding Lawrence Township responsible.

A general discussion ensued relative to possible financial and banking issues if the money is not wired or transferred into the Township account, the program being audited and who will pay for the audit and protections being built-in for the Township if they decide to move forward with the Property Tax Card Program.

Mr. Benjamin Edelstein, 1637 Lawrenceville Road, distributed a Petition to the Council with signed signatures in support of Lawrence Township banning the use of plastic bags. Mr. Edelstein proposed that the Township ban businesses from giving away free plastic bags given they are bad for the environment and if they required people to pay for the plastic bags they would use less bags and the landfills would not fill up as fast; because, if they fill up the landfills plastic debris is laced with chemicals that can injure or poison marine wildlife and plastic buried deep in the landfills can leave harmful chemicals that can spread into the groundwater given it takes 10 to 20 years for a plastic bag to decompose in a landfill. In closing, Mr. Edelstein stated they need to be more environmentally responsible and by banning plastic bags Lawrence Township can help keep the world healthy. He then thanked the Council for their time and consideration and opened the floor for questions.

Mr. Kevin Nerwinski thanked Mr. Edelstein for coming before the Council and sharing his views on saving the world because he has a very distinct memory of himself at his age and he would not have been able to come before the Township Council and speak on this matter as he has done, so he has a really bright future ahead of him and he really appreciates him bringing this issue forward. And advised that he recently had a meeting with MCIA about recycling and plastic bags and would candidly admit that he was putting his recyclables in plastic bags which meant the belongings inside were not getting recycled. So, when you think you are doing something good and you end up not they need people like him to come along and spread the word and information to everybody which is how good stuff happens and he appreciates him coming forward. Mr. Ryan advised that he just purchased a 4Ocean Bracelet which will take twenty pounds of plastic from the ocean and encouraged him to keep up the good work. A brief discussion took place relative to towns in New Jersey who have implemented the plastic bag ban and merchants charging for bags encouraging people to be environmentally conscience by bringing their own bags. Members of Council then thanked Mr. Edelstein for coming out.

Review and Revisions of Agenda

The Municipal Clerk requested that the Agenda be amended to include Resolution 18-H.11 – Authorizing the Acquisition of Rescue Boat and Trailer from Plainsboro Fire District No. 1.

On a motion by Ms. Lewis, seconded by Mr. Powers, the Agenda was amended to include the above revision.

Same was carried on the following roll call vote:

Ayes: Councilmembers Kownacki, Lewis, Powers, Ryan and Mayor Bobbitt.
Absent: None.
Nays: None.

Adoption of Minutes

On a motion by Ms. Lewis, seconded by Mr. Kownacki, the Minutes of Closed Session Meeting of December 3, 2019 were approved on the following roll call vote:

Same was carried on the following roll call vote:

Ayes: Councilmembers Kownacki, Lewis, Ryan and Mayor Bobbitt.
Abstain: Councilman Powers.
Nays: None.

Awarding or Rejecting of Bids

On a motion by Ms. Lewis, seconded by Mr. Powers, Resolution (9-A), Authorizing the Rejection of On-Line Data Processing Assessor/Collector Rd-Bid, was presented for adoption.

Resolution No. 395-19

WHEREAS, on December 12, 2019, bids were received for Re-Bid 19-14, On-Line Data Processing Assessor/Collector; and

WHEREAS, one proposal was received and the Tax Assessor and Chief Financial have reviewed the proposal; and

WHEREAS, the Chief Financial Officer has recommended the proposal be rejected because the required paperwork was not submitted and the bid amount exceeds the budget amount for the service.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that the proposal submitted for On-Line Data Processing Assessor/Collector is hereby rejected.

Same was carried on the following roll call vote:

Ayes: Councilmembers Kownacki, Lewis, Powers, Ryan and Mayor Bobbitt.
Absent: None.

Introduction of Ordinances

There was no introduction of ordinances.

Adoption of Ordinances

Mayor Bobbitt read by title, an ordinance entitled, "ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE PERTAINING TO ACCESSORY APARTMENTS, ADULT DAY CARE, ADULT MEDICAL DAY CARE, CHILD CARE CENTERS, RESIDENTIAL SHEDS, SHOPPING CONTAINERS SIGNS AND APPLICATION SUBMISSION REQUIREMENTS"

Ordinance No. 2350-19

**ORDINANCE AMENDING THE
LAND USE ORDINANCE
OF THE TOWNSHIP OF LAWRENCE
PERTAINING TO ACCESSORY APARTMENTS, ADULT
CARE, ADULT MEDICAL DAY CARE, CHILD CARE
CENTERS, RESIDENTIAL SHEDS, SHIPPING
CONTAINERS, SIGNS, AND
APPLICATION SUBMISSION REQUIREMENTS**

WHEREAS, the Township Council of the Township of Lawrence, a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township; and

WHEREAS, the Zoning Board of Adjustment, has in its annual reports to the Township Council and the Planning Board pursuant to N.J.S.A. 40:55D-70.1, made numerous findings in its deliberations and applications for review that recommend revisions to the Land Use Ordinance; and

WHEREAS, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides a foundation for the appropriate use,

regulation and development of lands in the Township in a manner which will promote the public health, safety, morals, and general welfare; and

WHEREAS, the Municipal Land Use Law at *N.J.S.A.* 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan, though the Township Council may approve such inconsistencies through procedures as set forth in the law; and

WHEREAS, the Planning Board of the Township of Lawrence has determined that the revisions and amendments to the Land Use Ordinance are consistent with the goals and objections of the Master Plan, represent sound land use regulation and therefore favorably recommends to the Township Council that the LUO be so amended; and

WHEREAS, this Ordinance does not involve a classification or boundary change requiring public notice to property owners under *N.J.S.A.* 40:55D-62.1.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

Section 1. §201, Definitions, shall be revised to modify or add the following definitions:

ACCESSORY APARTMENT: One or more rooms with private bath, kitchen facilities and a private entrance comprising an independent, self-contained dwelling unit on a single lot occupied by a single family detached dwelling as the principal use of the property.

ADULT DAY CARE: A non-residential facility operating for 6 and not more than 18 hours per day that provides meals, social and recreational activities under general supervision for elderly persons and adult persons with disabilities not eligible for school-based services.

ADULT MEDICAL DAY CARE: An adult day care facility that also provides care for persons with Alzheimer's and related dementias with one or more medical assistants or nurses on site during operating hours.

CHILD CARE CENTER: Any home or facility that is maintained for the care, development, or supervision of six or more children under 13 years of age who attend the center for less than 24 hours a day and may include, but not be limited to, day care centers; drop-in centers; night-time centers; recreation-type centers sponsored and operated by a county or municipal government recreation or park department or agency; day nurseries; nursery and play schools; cooperative child centers; centers for children with special needs; centers serving sick children; infant-toddler programs; school-age child care programs; employment-related centers; centers that had been licensed by the Department of Human Services prior to the enactment of the Child Care Center Licensing Act of 1984; and kindergartens and pre-kindergartens that are not an integral

Section 8. §418, Research and Development 1 (RD-1) District, shall be modified by adjusting the allowed floor area ratio in subsection –E and parking limitations in subsection -F:

E. **General District Regulations.** The following general district regulations shall apply in all RD-1 zones:

- 1. Minimum tract size: 200 contiguous acres
- 2. Minimum tract frontage on a major or minor arterial road pursuant to the Circulation Element: 1,000 continuous feet
- 3. Maximum floor area ratio:
 - a. On tracts up to or 300 acres in size: .15
 - b. On tracts in excess of 300 acres: .10
 - c. Parking provided under buildings or in structured (deck) parking is encouraged. For every 100 such parking spaces provided, the floor area ratio may be increased by .01, not to exceed a total of .20 for tracts up to and including 300 acres and .15 for tracts in excess of 300 acres.
- 4. Maximum building coverage: 8%
- 5. Maximum impervious surface ratio: .30
- 6. Principal building required setback.
 - a. From tract perimeter: 300 feet
 - b. From internal roadway: 35 feet
 - c. Distance from another principal building: 50 feet
- 7. Accessory building required setback.
 - a. Conference center or power supply building: Same as principal building
 - b. Entrance lodges, guardhouses, walls, and gates: 75 feet from tract perimeter
 - c. No accessory building in excess of 20 feet in height shall be located closer than 300 feet from the tract perimeter.
 - d. Distance from principal building: 50 feet
- 8. Maximum height.
 - a. Principal building: 50 feet or 3 stories, whichever is less
 - b. Accessory building.
 - (1) Conference center: 50 feet or 3 stories, whichever is less
 - (2) Building within 300 feet of tract perimeter: 20 feet

- (3) Power supply: 50 feet, except that chimneys or ventilation may extend to 65 feet

F. **Additional Requirements.**

- 1. Location of entrances. Internal or entrance roadways, streets or driveways shall not be located closer than 100 feet to any side or rear property line.
- 2. [RESERVED].

Section 9. §420.D, Conditional Uses Permitted, in the HC District shall be modified to renumber paragraph 7 as paragraph 8, and to insert a new paragraph 7 adding the following use:

- 7. Adult day care and adult medical day care, subject to the criteria of §430.G.

Section 10. §422.D, Conditional Uses Permitted, in the MX-2 District shall be modified by adding the following use:

- 3. Adult day care and adult medical day care, subject to the criteria of §430.G.

Section 11. §429.A, Accessory Apartments, shall be revised as follows:

A. Accessory Apartments. Accessory apartments shall be subject to the following regulations:

- 1. There shall be no more than one accessory apartment per lot and per primary residence.
- 2. An accessory apartment may be created within an existing single family detached dwelling, as an addition to the same or within an existing accessory building on the lot containing the principal dwelling. If an accessory apartment is to be created within an accessory building on the premises, it shall meet the following requirements:
 - a. The minimum lot size for the creation of an accessory apartment shall be 3 acres.
 - b. The lot and the building shall have been in existence on January 1, 2015.
- 3. Accessory apartments shall be permitted only on those lots and in those primary dwellings that have no rental space; however, the accessory apartment itself may be rented or leased.

- 4. Each accessory apartment shall be used only for residential purposes for one household.
- 5. Each occupant of the accessory apartment; or, of the primary residence if the owner is to occupy the accessory apartment, shall be a member of the family of the owner of the property; or, a caretaker of an owner or member of the family of the owner.
- 6. An accessory apartment shall not contain an external entrance which faces the same street which the external entrance to the primary residence faces, except that this restriction shall not apply to dwellings with two or more such external entrances in existence on December 1, 1982; and,
- 7. Each accessory apartment shall be provided with one on-site parking space for sole use by its occupants(s).
- 8. An accessory apartment shall contain no more than a bathroom, kitchen and two habitable rooms.

Section 12. §429.N, Residential Tool Shed, shall be amended as follows:

N. Residential Tool Shed. Private residential tool sheds shall comply with the following regulations:

- 1. Residential tool sheds shall be permitted in the EP-1, EP-2, R-1, R-2A, R-2B, R-3, R-4, R-5 zones and fee simple lots in the AT, SCR, PVD-1, PVD-2 and MX-1 zones, subject to the following limitations on the shed building coverage and distance to a side or rear property line:

a. Sheds accessory to a single family detached dwelling:

<u>Lot Size</u>	<u>Maximum Shed Building Coverage</u>	<u>Minimum Distance to Side/Rear Property Line</u>
22,500 sf. or greater	200 sf.	10 ft.
9,000 sf. to 22,499 sf.	120 sf.	5 ft.
7,500 sf. to 8,999 sf.	96 sf.	5 ft.
7,499 sf. or less	80 sf.	5 ft.

- b. Sheds accessory to a townhouse dwelling or a semi-detached dwelling shall have a maximum building coverage of 80 sf., and shall be located no closer than 5 feet from a side or rear property line.
- 2. No shed shall exceed 12 feet in height.
- 3. No shed shall be located in a front yard.

4. No more than one tool shed per lot shall be permitted.

Section 13. §429.E, Family Day Care, shall be revised as follows:

- E. Family Day Care.** Family day care shall be allowed as a home occupation when permitted in any residential district, as regulated in §429.H, Home Occupations, provided that no operator shall provide child care for more than 5 children at any one time exclusive of children legally related to the care provider and children being cared for under a cooperative agreement with their parents for which no payment is received. Covenants in age-restricted developments may prohibit family day care as provided for by statute. Providing child care for the number of children that exceeds the limitation herein shall be considered a Child Care Center pursuant to §430.C.

Section 14. §430, Conditional Use Criteria, shall be modified in its entirety, as follows:

§ 430 Conditional Use Criteria.

This section applies to conditional uses that occur in various zoning districts where the specific criteria are not listed in the individual district. Any requirement in the applicable zoning district that is not modified by the criteria herein shall remain in full force and effect. The following criteria, in conjunction with meeting the general standards in §705, shall be met for the specific conditional uses listed below:

- A. Adult Day Care and Adult Medical Day Care. The following conditions shall be met by any facility providing adult day care or adult medical day care as defined in this Ordinance:
 1. The minimum lot size shall be 2 acres.
 2. The minimum lot frontage shall be 200 feet.
 3. No building shall be located within 50 feet of a lot line.
 4. No adult day care or adult medical day care facility shall have access from a residential access street.
 5. Parking lots shall be properly screened and shall meet the following requirements:
 - a. No parking lot shall be permitted in a front yard; however, this shall not exclude drop off and pick up lanes.
 - b. Parking lots shall be setback from any side property line 50 feet and any rear property line 35 feet.
- B. **Bed and Breakfast Accommodation.** Bed and breakfast accommodation shall be permitted only in the EP-1, EP-2, R-2B and NC-1 districts that conform to the conditions herein. The following conditions shall be met for any bed and breakfast accommodation:

1. The use shall be located in the Lawrenceville Historic District.
2. No more than five guest rooms or suites shall be permitted, except the NC-1 district.
3. Off-street parking equal to one for each guest room or suite shall be required. Off-street parking may be accommodated off-site provided that the location is within 600 feet of the subject site and an adequate guaranty that establishes a right to the use of the off-tract parking is secured.
4. No parking shall be permitted in the front yard.
5. Only guests of the facility and their invitees shall be served food and drink on the premises.
6. No cooking facilities shall be permitted in guest rooms or suites.
7. There shall be a maximum residency limitation on all guests of 30 days.

C. **Child Care Centers.** Child care centers shall be permitted in any non-residential district. In those districts combining residential and non-residential areas under a unified plan for development, the child care center shall be permitted only in the non-residential area. Any child care center shall be duly licensed pursuant to *N.J.S.A. 30:5B-1 et seq.* A child care center functionally integrated within a non-residential development owned or operated for the benefit of their employees, their tenant's employees, or employees within an office or business park or research and development complex shall not be required to provide additional off-street parking for the use. In the calculation of any floor area ratio applicable to an office or business park or research and development complex, the area occupied by a child care center shall not be included. The following criteria shall be met by any Child Care Center:

1. The minimum lot size shall be 2 acres.
2. The minimum lot frontage shall be 200 feet.
3. No building shall be located within 50 feet of a lot line.
4. No day care center shall have access from a residential access street.
5. Parking lots shall be properly screened and shall be a minimum of 50 feet from surrounding properties and public roads.

D. **Farm Market.** The following conditions shall be met for any farm market:

1. No farm market shall exceed 3,000 square feet in gross floor area.
2. Access to a farm market shall be from a collector or arterial road.
3. No farm market shall exceed one story in height.
4. A farm market shall be set back from the right-of-way line a minimum of 100 feet and 150 feet from a side or rear property line.
5. At least 50% of the number of products sold on an annual basis shall be fresh food or perishables.

- 6. A farm market shall be designed to be visually integrated with the farmstead and in close proximity thereto.
- 7. Farm markets shall be permitted to have U-pick operations in accordance with §429.F.
- 8. Parking lots shall be properly screened and shall be a minimum of 100 feet from abutting properties and public roads.

E. **Golf Course.** The following conditions shall be met by any golf course:

- 1. Minimum tract area.
 - a. 9-hole golf course: 60 acres
 - with driving range: 65 acres
 - b. 18-hole golf course: 110 acres
 - with social and dining amenities: 125 acres
- 2. The total floor area ratio of buildings on the golf course shall not exceed .02.
- 3. The golf course shall be designed with due consideration for safety of the public on adjacent lots, adjacent roadways and other golfers.
- 4. Sufficient horizontal separation shall be maintained between the golf course and accessory structures, buildings and uses and adjacent off-site uses as follows:
 - a. Minimum separation from any property line, road right-of-way or accessory structures, buildings and uses associated with the golf course (except shelters), unless duly waived by the Board, is as follows:
 - (1) From golf tee: 75 feet, excepting tees
in -4.a(2) below
 - (1) Golf tees where the centerline of the hole is parallel or less than a 60° angle to a road or tract boundary: 150 feet
 - (2) From centerline of fairway or green and edge of driving range: 150 feet
 - b. All accessory structures and buildings associated with the golf course including fencing for a driving range (but not including cart paths, parking, shelters or the course itself), shall be a minimum of 200 feet from any adjacent property line or road right-of-way. Parking lots shall be properly screened and shall be a minimum of 200 feet from surrounding properties and public roads.

- F. **Houses of Worship.** The following conditions shall be met by any house of worship:
1. Any house of worship with a parochial school on the same premises shall meet the conditional use standards for public and private day schools as stated herein.
 2. Parking lots shall be properly screened and shall meet the following requirements:
 - a. No parking lot shall be permitted in a front yard; however, this shall not exclude drop off and pick up lanes.
 - b. Parking lots shall be setback from any side property line 50 feet and any rear property line 35 feet.
 3. The principal building shall be set back from any residential property line a minimum of 1½ times the height of the main roofline, or the zoning district requirement, whichever is greater.
 4. Accessory residential buildings shall comply with the yard requirements for such uses in the respective zone.
- G. **Public and Private Day Schools.** The following conditions shall be met by any public or private day school:
1. The minimum lot size shall be 4 acres.
 2. The minimum lot frontage shall be 200 feet.
 3. No building shall be located within 50 feet of a lot line.
 4. No school shall be located on a residential access street.
 5. Parking lots shall be properly screened and shall be a minimum of 50 feet from surrounding properties and public roads.

Section 15. §431.A, Child Care Centers, shall be RESERVED.

Section 16. §431.K, Temporary Construction Trailers, shall be amended as follows:

- K. Temporary Construction Trailers. Temporary construction trailers at work sites shall be permitted in all zoning districts for office use and the storage of equipment and supplies during active construction activities. The installation of such trailers shall conform to the following requirements:
1. No trailer shall be installed at a work site prior to the issuance of a construction permit.

2. All such trailers shall be removed from the work site upon the issuance of a temporary or permanent certificate of occupancy to which the use of the trailer relates.
3. No trailer shall remain at a work site where active construction activity has ceased for a period of more than 30 days.
4. No trailer shall be located within 25 feet of a lot line or streetline. Such trailers shall be temporarily screened from public view by a combination of opaque fencing and/or landscaping.
5. No more than 6 temporary construction trailers shall be permitted per work site, unless an alternative number of construction trailers and their location is approved pursuant to a site plan.
6. Shipping containers may be used in lieu of a construction trailer for the temporary storage of tools and supplies at a work site only during active construction.

Section 17. §535.N Changeable Copy Sign Requirements, shall be amended as follows:

N. Changeable Copy Sign Requirements. Changeable copy signs, where permitted, shall comply with the following provisions and any more specific regulations in this section:

1. Changeable copy signs shall be allowed only as an integral part of a freestanding or façade sign, except as may be allowed in sub-paragraph – N.8 hereinbelow. The area of a changeable copy sign shall be included in the sign area calculation for the freestanding or façade sign and shall not exceed 50% of the total sign area, excepting movie theater marquee and variable message signs.
2. Changeable copy signs shall not be permitted on temporary or portable signage.
3. Copy shall not be changed more than once every 24 hours, excepting advisory data signs and variable message signs. Changeable copy signs that are changed more frequently shall be considered animated signs and are prohibited.
4. The maximum number of lines of changeable copy shall be 4 lines, except for variable message signs.
5. The minimum height of changeable copy letters shall be 4 inches.

6. No changeable copy sign, excepting advisory data signs, variable message signs, and fuel pricing signs, shall be changed by electronic or electro-mechanical means.
7. Changeable copy signs that are variable message signs shall adhere to the following standards and any other standards specific to the zoning district in which they are permitted:
 - a. The variable message sign shall be equipped with a dimmer control and a photocell which automatically adjusts the intensity of the display in response to natural ambient light conditions in accordance with the illumination standards of §535.1;
 - b. When first installed, the sign shall be calibrated and certified by the sign installer that the level of illuminance does not exceed the limitation set forth in §535.1.5.
 - c. The displayed message shall not change more frequently than once per 8 seconds. The sign shall only display static messages and shall be changed instantaneously from one message to the next;
 - d. The sign shall be equipped with a default mode of operation that turns the sign message entirely to black should a malfunction in static image display, dimmer control and/or photocell occur;
 - e. Prior to the issuance of a sign permit approving such sign under the provisions of this Ordinance, the owner of the sign shall prepare a report indicating the anticipated life span of the sign and the means whereby the sign's electronic components shall be recycled at such time. No new permit for a variable message sign replacing a previously installed variable message sign shall be issued until the owner shall certify to the satisfaction of the Zoning Officer that a credible means of recycling of the prior sign has been established. Once certified, the sign owner shall be permitted to replace modules within the variable message sign as needed.
 - f. Prior to the issuance of a building permit, or in the absence of a building permit being required, the sign permit, a structural engineer licensed by the State of New Jersey shall certify that the existing sign structure is capable of supporting the variable message sign intended to replace an existing static message sign. In the event that the sign structure is inadequate to support the static and live loads of the variable message sign, the structural engineer shall supply a credible design whereby the structure shall be reinforced to accept such variable message sign and shall certify upon

completion that the sign has been reinforced in conformance with the design.

- 9. Changeable copy signs that are for fuel pricing shall adhere to the following additional standards and any other standards specific to the zoning district in which they are permitted.
 - a. The fuel pricing sign shall be equipped with a dimmer control and a photocell which automatically adjusts the intensity of the display in response to natural ambient light conditions in accordance with the illumination standards of §535.I.
 - b. The level of illumination of the fuel pricing sign shall not exceed the limitation set forth in §535.I.5.
 - c. The sign shall be equipped with a default mode of operation that turns the sign message entirely to black should a malfunction in static image display, dimmer control and/or photocell occur.

Section 18. §535.U, Signs Permitted in the EP-1, EP-2, R-1, R-2A, R2-B, R-3, R-4 and R-5 Districts, shall be amended as follows:

U. Signs Permitted in the EP-1, EP-2, R-1, R-2A, R2-B, R-3, R-4 and R-5 Districts.

- 1. [Unchanged]
- 2. Residential uses. One freestanding development sign for each collector or arterial roadway that provides access to the neighborhood or residential complex, provided that:
 - a. The sign is owned and maintained by a homeowner's or condominium association, or other duly constituted organization approved by the Board of Jurisdiction; or, the sign is owned by a private entity with responsibility for maintenance.
 - b. Each sign shall not exceed a height of 5 feet and shall meet the size limitations for freestanding signs.
 - c. At an approved rental or sales office installed pursuant to §431.I, one freestanding non-illuminated sign identifying the office for customers shall be permitted but not to exceed 16 square feet in area and more than 5 feet in height. Such sign shall be removed with the removal of the temporary office.
 - d. Real estate signs, the sole purpose of which is to direct the public to housing for sale or land development shall be permitted 4 temporary freestanding non-illuminated signs at key intersections

within the housing development. Each sign shall not exceed 15 square feet in area and 8 feet in height above ground.

- e. One sign identifying a home occupation, not exceeding two square feet in area, attached to the exterior wall or porch of the dwelling.

[Paragraphs -3 through -5 shall remain unchanged]

Section 19. §535.Y, Signs Permitted in the HC District, shall be amended as follows:

Y. Signs Permitted in the HC District.

1. Any sign allowed without permit, pursuant to §535.G.
2. One freestanding sign for each collector or arterial roadway that provides access to the building or complex, pursuant to §535.R.
3. Freestanding signs shall be set back from all property lines a minimum distance of 15 feet.
4. Façade signs shall conform to §535.Q and shall not exceed 100 square feet, whichever is less, excepting shopping centers.
5. Façade signs for shopping centers shall conform to §535.Q and the following requirements:
 - a. Where a principal use occupying at least 750 square feet of segregated area has direct access from the outside, a façade sign conforming to §535.Q and not exceeding 80 square feet in area shall be permitted.
 - b. Where a principal use in a shopping center exceeds 20% of the total floor area or 50,000 gross square feet, the area of the façade sign may increase to not more than 300 square feet and shall conform to §535.Q.
6. One changeable copy sign pursuant to §535.N.
7. Directional signs pursuant to §535.O.
8. Directory signs pursuant to §535.P.
9. One off-premise sign with a non-commercial message in lieu of a freestanding sign.
10. Senior citizen residential uses shall be permitted signage in accordance with §535.V.

11. New car and truck nationally franchised dealerships with at least 400 feet of contiguous street frontage shall be permitted one additional freestanding sign, pursuant to the size limitations of Table 5.18. The additional sign may be attached to the primary freestanding sign or located on a second support structure.
12. Service stations shall also be permitted a changeable copy sign on each fuel dispensing pump not to exceed 3 square feet in area and on each freestanding sign not to exceed 18 square feet.
13. Fast food restaurants with a drive-thru facility shall be permitted two menu signs. Any such sign shall not be legible from the public right-of-way. The sign shall not exceed 60 square feet in area and 7 feet in height.
14. An A-frame sign for a tenant at a shopping center shall conform to the following:
 - a. The sign may be displayed only during business hours.
 - b. Each side of the sign may not exceed 6 square feet or 5 feet in height.
 - c. The sign shall be located on the sidewalk in front of the store to which it relates.
 - d. The design, materials and color of the sign and supporting frame shall complement the building design and shall be consistent with that of other A-frame signs at the shopping center, if applicable.
 - e. The location of the sign shall not interfere with pedestrian, vehicular traffic or clear sight distance requirements.
 - f. Pursuant to §535.E.6, no A-frame sign shall be placed within a public-right-of-way. Signs placed in such locations shall be subject to removal and confiscation by the municipality.

Section 20. §802, Submissions Required for All Applications, Table 8.2, Submission Checklist, Item No.43 shall be amended as follows:

43. Soil permeability tests, as witnessed by the designated Township official for such purposes.

Section 21. Continuation. In all other respects, the Land Use Ordinance of the Township of Lawrence shall remain unchanged.

Section 22. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such

decision shall not affect the validity of the Land Use Ordinance as a whole, or any other part thereof.

Section 23. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 24. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						X
Mr. Ryan	X						
Mayor Bobbitt	X						

Mayor Bobbitt read by title, an ordinance entitled, “ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO REVISE SECTIONS 201,431 AND 530 TO ADDRESS SOLAR AND WIND ENERGY SYSTEMS AND ELECTRIC VEHICLE CHARGING STATIONS”

Mr. Ian Dember, 1931 Lawrenceville Road, indicated at last night’s Planning Board Meeting there was some questions and very detailed concerns about the Wind Section of the Ordinance and at the meeting they were told that the section was specially put in their to encourage the future use of wind power in the Township rather than discourage and strengthen regulations upon it in a negative way. And, he was hoping that there might be a way to put a commentary in the ordinance or something along those lines to keep that spirit with the amendment because as it reads it just seems like stronger regulations clamping down.

Mayor Bobbitt stated his sense from the Planning Board Meeting last night was that in no way does this amendment prohibit anyone from going taller depending on where they are and one of his personal concerns is if they allow taller wind towers especially in their more denser neighborhoods with it not being subject to a review that it could dramatically transform sections of the town but he does understand his concerns. He then thanked Mr. Dember for his comments.

Mr. Kownacki advised that the proposed amendment to the Ordinance was submitted to them from the Planning Board for review and it can be amended if the Council sees a problem.

Mr. Dember stated he completely satisfied a those views are completely consisted with everything her heard last night at the meeting he just wanted to keep it in the record that they are positive on Wind Energy, not trying to bring it down.

Mr. Eric Barash, 17 Allwood Drive, stated as a follow-up to the Planning Board Meeting last night he noticed that they were talking about the height of the turbines above the tree level and his only concern is depending on where the wind is people are going to want to put the turbines at all different heights and some neighbors of neighbors will have a concern with that because of how it looks. And based on the meeting last night people are going to want to put the wind turbines up just like they do with solar panels and dish on their roofs and neighbors will be making complaints about the aesthetics.

Mr. Marvin VanHise, 118 Federal City Road, stated with regards to the Wind Section what about the noise level. Mr. Roskos stated the Township has a Noise Nuisance Ordinance and proceeded to discuss a previous case in Atlantic County back in 1981 where there was a dispute when a neighbor put up a Wind Generating Turbine and the noise from that small generator troubled the entire neighborhood and the issue got resolved under the underling decimal limit that was set in the township. An exchange of dialogue took place relative to legal procedures, acceptable noise levels, foreseeable complaints and problems as it related to wind turbines and the difficulty of applying a uniform standard across the board and enforcing noise related issues.

Ordinance No. 2351-19

**ORDINANCE AMENDING THE
LAND USE ORDINANCE
OF THE TOWNSHIP OF LAWRENCE
TO REVISE SECTIONS 201, 431 AND 530
TO ADDRESS SOLAR AND WIND ENERGY SYSTEMS
AND ELECTRIC VEHICLE CHARGING STATIONS**

WHEREAS, it is the purpose of this ordinance to create standards for the appropriate regulation of solar and wind energy systems, and electric vehicle charging stations, to support use of renewable energy and reduce reliance on fossil fuels; and

WHEREAS, the Township Council of the Township of Lawrence, a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township pertaining to §201 entitled Definitions, §431, entitled Provisions Applying to All Districts, and §530, entitled Parking, Loading Areas and Driveways, and

WHEREAS, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides for the appropriate use, regulation and

development of lands in the Township in a manner which will promote the public health, safety, morals, and general welfare; and

WHEREAS, the Municipal Land Use Law at *N.J.S.A.* 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partly inconsistent with such land use plan element provided that the reasons for so doing are set forth in a resolution and recorded in its minutes; and

WHEREAS, the Planning Board of the Township of Lawrence has adopted an Environmental Sustainability Plan Element of the Master Plan that encourages the use of renewable energy sources and local production of renewable energy, and therefore favorably recommends to the Township Council that the regulations pertaining to §§201 and 431 be so amended; and

WHEREAS, this Ordinance does not involve a classification or boundary change requiring public notice to property owners under *N.J.S.A.* 40:55D-62.1.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

Section 1. §201, Definitions, shall be revised to add the following definitions:

ELECTRIC VEHICLE PARKING SPACE – A public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electrical energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

PHOTOVOLTAIC ROOF SHINGLE – A type of covering that serves the dual purpose of waterproofing a roof and producing electricity through conversion of solar radiation.

SOLAR ENERGY SYSTEM – A facility or structure(s) and all associated equipment, for producing electrical energy from photovoltaic technologies.

SOLAR PANEL – An elevated panel or plate, or a canopy or array consisting of such panels or plates that captures and converts solar radiation to produce power or hot water, and includes flat plate or boxed photovoltaic solar cells; but, shall not include solar reflective or concentrating technology (e.g., “solar furnace” or similar use).

WIND ENERGY SYSTEM – A wind generator and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component necessary to fully utilize the wind generator.

WIND GENERATOR – Equipment that converts energy from the wind into electricity. This term includes the rotor, blades and associated mechanical and electrical conversion components necessary to generate, store and/or transfer electrical energy.

WIND TURBINE – A monopole, freestanding, or guyed structure that supports a wind generator turned by means of wind energy against blades or vanes.

Section 2. §431, Provisions Applying to all Districts, shall be revised to add paragraph N, Wind and Solar Energy Systems, as follows:

N. Wind and Solar Energy Systems.

1. Wind Energy Systems.

- a. Purpose. The municipality, recognizing the increasing desire by its residents and business owners within the Township for the production of electricity other than by means of centrally distributed public utilities, and further recognizing the objectives of the New Jersey Energy Master Plan in broadening the number of providers and methods for producing energy, promulgate this section of the Ordinance to encourage and create reasonable standards for wind energy use for small wind energy systems providing electricity primarily for use in their domicile, farm or place of business in accordance with the net metering rules of the NJ Board of Public Utilities.
- b. Accessory use. Wind energy systems with a manufacturer's rated capacity of 20 kilowatts peak efficiency or less shall be permitted accessory uses and structures to any principal use or building in the municipality, provided they are installed and operated in accordance with the provisions of this section and applicable state and federal laws and rules. Wind energy systems greater than 20 kilowatts and less than or equal to 100 kilowatts peak efficiency shall be a permitted accessory use for agricultural, public and private schools, municipal governmental use and industrial uses.
- c. Standards for roof-mounted systems.
 - (1) No wind energy system shall be placed upon that portion of a roof that slopes downwards toward the front of the building facing a public street.
 - (2) No portion of a wind energy system attached to a roof shall rise above the existing roof greater than 14 feet, measured from the ridgeline of the roof to the center of the hub to which the blades or vanes are attached or to the nacelle, whichever is less distance.
 - (3) In a historic district or a historic site not in a district, no portion of a roof-mounted wind energy system shall be visible from a public right-of-way.

- d. Standards for ground-mounted systems.
 - (1) Ground-mounted systems shall not be located in a front yard.
 - (2) Ground-mounted systems shall meet the side and rear yard restrictions for principal structures in the zone that the energy production facility is located and in no case shall be located closer to a property line than 1.1 times the turbine height.
 - (3) No ground-mounted wind energy system with a manufacturer's rated capacity of 20 kilowatts peak efficiency or less shall be mounted on a tower, mast or pole taller than 40 feet. Wind energy systems greater than 20 kilowatts and less than or equal to 100 kilowatts shall not be placed on a tower, mast, or pole that exceeds 80 feet in height.
 - (4) The minimum height from finished grade at the base of the support structure to the lowest arc of a wind turbine blade or vane shall be 30 feet.

2. Solar Heating and Electricity Generation.

- a. Purpose. The municipality, recognizing the increasing desire by its residents and business owners with the Township for the production of electricity, heating, and hot water other than by means of centrally distributed public utilities, and further recognizing the objectives of the New Jersey Energy Master Plan in broadening the number of providers and methods for producing energy, promulgate this section of the Ordinance to encourage and create reasonable standards for solar energy use for to provide electricity, heating and hot water primarily for use in their domicile, farm or place of business, in accordance with the net metering rules of the NJ Board of Public Utilities.
- b. Accessory use. Solar heating and net metering electricity generation shall be permitted accessory uses and structures to any principal building in the municipality provided they are installed and operated in accordance with the provisions in this section and applicable state and federal law.
- c. Roof-mounted solar energy systems shall be required unless the owner is able to demonstrate to the satisfaction of the Zoning Officer that such mounting is impractical, infeasible or lacks the means to meet 80% of the average yearly demands for electricity or

hot water for the facility to which it is associated. Standards for roof-mounted systems are as follows:

- (1) For sloped roofs, no panel or other appurtenance of the solar energy system shall be affixed to a height greater than 18 inches from the roof surface.
- (2) For flat roofs (which shall include roofs with a slope of up to ½ inch rise in 12 inches of run), no portion of the solar energy system shall rise above the height of the roof parapet.
- (3) In a historic district or a historic site not in a district, no portion of a solar panel or its appurtenances shall be visible from a public right-of-way unless the system is composed of photovoltaic roof shingles on a sloped roof.
- (4) No portion of a panel shall extend beyond the outside edge of the roof.
- (5) Roof mounted systems shall be mounted parallel to the roof angle when visible from a public right-of-way.
- (6) Roof mounted systems shall not exceed the maximum building height in the zoning district.

d. Standards for ground-mounted systems including solar parking canopies.

- (1) Demonstration that a roof-mounted system is impractical, infeasible or lacks the means to meet 80% of the average yearly demands for electricity or hot water for the facility to which it is associated..
- (2) Ground-mounted systems shall not be located in a front yard.
- (3) Ground-mounted systems shall meet the side and rear yard setback standards for accessory structures in the zone that the energy production facility is located.
- (4) Ground-mounted facilities greater than 1,000 square feet of panel area shall meet the following additional requirements:
 - [a] One or more of the following shall be provided beneath the structures: meadow grass, lawn grass, cultivated agriculture land or parking spaces.

- [b] Mounting of the solar structures shall minimize impervious surfaces.
 - [c] Ground-mounted systems shall have a solid screen of evergreen plantings and/or a fence along property lines abutting a residential use or a right-of-way (in the event of a reverse frontage lot).
 - [d] The minimum height of the screening shall be 6 feet when planted or installed, unless otherwise prohibited by this Ordinance.
 - [e] Existing vegetation shall be retained to the extent practical.
- e. Solar facilities shall not be included in the calculation of maximum lot coverage or impervious cover, unless the area under the system consists of an impervious material.
 - f. All electrical control equipment shall be labeled and secured to prevent unauthorized access and to warn emergency personnel of the presence of a facility that generates electricity independently of the provision of public electrical power.
3. Zoning Permit. Whenever site plan or subdivision approval is not required, a zoning permit shall be obtained for a wind or solar energy system as precedent to the issuance of any permit required pursuant to the New Jersey Uniform Construction Code.
4. Abandonment and Removal.
- a. Any wind or solar energy system shall be considered abandoned if the system or facility is out of service or otherwise unused for a continuous 18-month period.
 - b. The Zoning Officer may issue a Notice of Abandonment to the owner of a wind or solar energy system that is deemed to have been abandoned. The notice shall be sent by certified mail, return receipt requested, to the last known address of the owner.
 - c. The owner shall have the right to respond to the Notice of Abandonment within 45 days from the mailing of the notice and provide such evidence as deemed appropriate to counter the abandonment claim.
 - d. If the owner provides information demonstrating to the Zoning Officer that the wind or solar energy system facility has not been abandoned, no further action shall be taken.

- e. If the Zoning Officer determines that the wind energy system has been abandoned, the owner shall remove any and all blades, vanes, turbines, towers, masts, poles, guying, cabling and foundations to a depth of three feet below grade and all other structures and equipment related to the wind energy system and the owner shall remove any and all photovoltaic panels, photovoltaic shingles, inverters, interconnection hardware, racking and mounting structures at the owner’s sole expense within 3 months after the owner receives the Notice of Abandonment.

Section 3. §530.C, Off-Street Parking: Number of Spaces, shall be modified to add a new sub-paragraph 5, Electric Vehicle Parking, as follows:

- 5. Electric Vehicle Parking. The number of required electric vehicle (EV) parking spaces for industrial, commercial, institutional (excepting religious uses), multi-family and townhouse residential uses shall be as follows:

Required minimum number of parking spaces	Required number of EV parking spaces
0-49	0
50 to 99	1
100+	2, plus 1 for each additional 100 stalls

Section 4. Continuation. In all other respects, the Land Use Ordinance of the Township of Lawrence shall remain unchanged.

Section 5. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Land Use Ordinance as a whole, or any other part thereof.

Section 6. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 7. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						X
Mr. Ryan	X						
Mayor Bobbitt	X						

Mayor Bobbitt read by title, an ordinance entitled, "ORDINANCE ESTABLISHING PERMIT PARKING DURING CERTAIN HOURS AND DAYS ON CERTAIN MUNICIPAL STREETS" – Lawn Park Avenue

Ordinance No. 2352-19

AN ORDINANCE ESTABLISHING PERMIT PARKING DURING CERTAIN HOURS AND DAYS ON CERTAIN MUNICIPAL STREETS

WHEREAS, the Township of Lawrence prohibits or restricts parking on certain streets within the Township; and

WHEREAS, the Township has determined that certain institutional uses create a hardship with regard to on-street parking for residents in neighborhoods proximate to those uses; and

WHEREAS, the Township desires to minimize the parking impact by providing permit parking;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of new Jersey as follows:

Section 1. The Township will issue special parking permits to residents of designated streets, which allow for parking of vehicles on those streets.

Section 2. Permit Parking: During the hours of 7:30 a.m. to 4:30 p.m., Monday through Friday, no person shall stop, stand or park a vehicle on the below-listed street unless the vehicle has a valid permit:

<u>Name of Street</u>	<u>Location</u>
Lawn Park Ave	northerly side, beginning at a distance of 745 feet from the prolongation of the northerly curb line of Lawn Park Avenue and Lawrence Road and continuing for a distance of 138 feet.

Section 3. Any resident who qualified for such special parking permit must demonstrate to the satisfaction of the Township that:

- a. They are legal residents of property abutting the street or roadway
- b. A legal resident is defined as a person that uses the residence as a primary domicile.

- c. A person that owns a residence and does not reside there is not eligible for a special parking permit for their vehicle. However, the tenants that reside in the residence are eligible for special parking permits for their vehicles.

Section 4. A permanent permit will be issued for a specific motor vehicle and such permit is not transferable. Provided that:

- a. The motor vehicle is registered to a legal resident of property abutting the street or roadway.
- b. If the motor vehicle is leased or is owned by the legal resident's employer then the legal resident must provide proof that the motor vehicle is principally garaged at a property abutting the street or roadway. A letter from an employer will serve as valid proof.

Section 5. Temporary Parking Permits are available to Special Parking Permit holders for their distribution to guests who are visiting their residence or individuals that are performing services at their residence. Temporary Parking Permits are identified by the identification number on the resident's Special Parking Permit and are valid only on the street where the legal resident resides.

Section 6. The Township is hereby empowered to create such rules and regulations as are necessary to carry out the purpose of this Ordinance.

Section 7. The owner or operator of a motor vehicle who violates this Ordinance shall upon conviction, be subject to a fine not to exceed one hundred (\$100.00) dollars.

Section 8. Repealer.

All ordinances or part of same inconsistent with any of the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 9. Severability.

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect.

Section 10. Effective Date.

This ordinance shall take effective twenty (20) days after the adoption thereof.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						X
Mr. Ryan	X						
Mayor Bobbitt	X						

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Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE TO SUPPLEMENT CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED “MOTOR VEHICLE AND TRAFFIC”

Ordinance No. 2353-19

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 435 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED ‘MOTOR VEHICLES AND TRAFFIC’

BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey, that Chapter 435 of the Lawrence Township Administrative Code, entitled ‘Motor vehicles and traffic’, be and is hereby amended as follows:

Article II. Stopping, Standing and Parking

Division 1. Generally

Sec. 13-12 Stopping or standing prohibited – At all times.

No person shall stop or stand any vehicle at any time upon the following street or parts thereof:

Lawn Park Avenue, south side, from the prolongation of the southerly curb line of Lawn Park Avenue and Lawrence Road, for a distance of 579 feet and beginning at a distance of 880 feet from the prolongation of the southerly curb line of Lawn Park Avenue and Lawrence Road to Zoar Street.

Section 13-20. Parking Prohibited

No person shall park a vehicle on any of the following streets:

Lawn Park Avenue, south side, beginning at a distance of 579 feet from the prolongation of the southerly curb line of Lawn Park Avenue and Lawrence Road and continuing for a distance of 300 feet.

Sec. 13-16A Between 7:30 a.m. and 4:30 p.m. on schools days.

No person shall park a vehicle on any of the following streets between 7:30 a.m. and 4:30 p.m. on school days:

Lawn Park Avenue, northerly side, beginning at a distance of 594 feet from the prolongation of the northerly curb line of Lawn Park Avenue and Lawrence Road and continuing for a distance of 60 feet.

Sec. 13-21 Parking Time Limited on Certain Streets on School Days

No person shall park a vehicle on any of the following streets on school days, between the hours of 7:30 a.m. and 4:30 p.m. for longer than 15 minutes:

Princeton Pike, southbound from a point opposite the prolongation of the southern curb line of Whitemarsh Drive south to a point opposite the prolongation of the northern curb line of Hoover Avenue.

Lawn Park Avenue, north side, beginning at a distance of 545 feet from the prolongation of the northerly curb line of Lawn Park Avenue and Lawrence Road and continuing for a distance of 200 feet, excluding the 'parking prohibited area' specified in Sec. 13.16A.

BE IT FURTHER ORDAINED that the Township of Lawrence will mail a certified copy of this ordinance to the New Jersey Department of Transportation once adopted.

Repealer:

All ordinances or parts of same inconsistent with any provision of this ordinance are hereby repealed to the extent of such inconsistency.

Severability:

If any section, paragraph, sentence, clause or phrase of this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.

Effective Date:

This ordinance shall take effect twenty days (20) days after adoption thereof.

Brackets are deletions [ ]  
Underlines are additions \_\_\_



The Ordinance was introduced and approved on the following roll call vote:

| COUNCIL       | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|---------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Kownacki  | X   |     |         |        |         |      |        |
| Ms. Lewis     | X   |     |         |        |         | X    |        |
| Mr. Powers    | X   |     |         |        |         |      | X      |
| Mr. Ryan      | X   |     |         |        |         |      |        |
| Mayor Bobbitt | X   |     |         |        |         |      |        |

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Mayor Bobbitt read by title, an ordinance entitled, “AN ORDINANCE FOR EMERGENCY CONSERVATION OF WATER”

Ordinance No. 2354-19

AN ORDINANCE FOR EMERGENCY CONSERVATION OF WATER

WHEREAS, the City of Trenton owns and operates the Trenton Water Works public water system; and

WHEREAS, the water service area includes areas of Ewing, Lawrence and Hamilton Townships; and

WHEREAS, Trenton Water Works is regulated by the New Jersey Department of Environmental Protection and permitted by the Delaware River Basin Commission; and

WHEREAS, New Jersey Department of Environmental Protection and Delaware River Basin Commission have drought regulations under N.J.A.C. 7:19 Water Supply Allocation Permit rules which mandate drought response actions including development of a Water Conservation and Drought Management Plan and an ordinance to restrict water use during droughts or other related emergencies; and

WHEREAS, the City of Trenton adopted an ordinance for Emergency Conservation of Water and has requested the other municipalities in the service area also adopt water conservation ordinances; and

WHEREAS, Lawrence Township voluntarily restricted water usage during previous emergencies but is amenable in future emergency situations to implement certain restrictions in a declared emergency by any public water supply authority that serves Lawrence Township residents and businesses;

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lawrence as follows:

Section I. – Title.

This chapter shall be known and cited as the Lawrence Township Water Conservation Ordinance.

Section 2. – Purpose.

The purpose of this chapter is to reduce the consumption of water in Lawrence Township during a declared water emergency and to assure that water resources will remain available for the public benefit with particular regard for public health, fire protection and domestic use.

Section 3. – Provisions Operative.

The provisions of this chapter shall become operative when a water emergency is declared by the Governor of the State of New Jersey or the Mayor of Lawrence Township, and shall remain operative during the pendency of the water emergency until the declared water emergency is rescinded.

Section 4. – Prohibited Water Uses.

Water supplied to users shall not be used for any purpose declared to be nonessential, and the following uses are strictly prohibited while the ordinance is in effect:

- a. Watering of lawns, shrubs, landscaped areas, trees, garden or vegetation of any type.
- b. Water or washing of sidewalks, driveways, streets, parking areas, tennis courts or other exterior paved areas. The Department of Public Works shall utilize water from a nonportable source for street cleaning.
- c. Noncommercial washing of privately-owned motor vehicles, trailers or boats.
- d. Use of water for public or private pools.
- e. Serving water in restaurants, clubs or public eating places, unless specifically requested by the customer.
- f. Use of water by any person for the purpose of dust control or compaction.
- g. Use of water utilized in any garbage grinder.

Section 5. – Variances.

Application for a variance from the provisions of this chapter shall be made, in writing, to the Municipal Engineer. The Engineer will coordinate with the applicable water authority and may, in his/her discretion, grant a variance to permit a use of water, otherwise prohibited by this chapter, only if the Engineer determines that the variance is reasonably necessary to protect the public health and safety.

Section 6. - Severability.

If any portion of this Ordinance shall be deemed invalid, such part(s) shall be severed and the invalidity thereby shall not affect the remaining parts of this ordinance.

Section 7. - Enactment.

This Ordinance shall take effect twenty (20) days after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki	X						
Ms. Lewis	X						
Mr. Powers	X						X
Mr. Ryan	X					X	
Mayor Bobbitt	X						

Manager’s Report –

Mr. Nerwinski stated he has no report; but he would like to add that it has been a pleasure working with Mayor Bobbitt over the last two years and he has had a lot of fun of pushing his agenda on sustainability and he thinks they had a good rhythm as to what they were doing and he appreciates his hard work and dedication to the community and he hopes he will enjoy the little more freedom in his life. Mayor Bobbitt thanked Mr. Nerwinski for the kind words.

Attorney’s Report –

Mr. Roskos stated that he will save his comments for Closed Session; but he did bring each member of Council a copy of the Motion filed with the Superior Court in the PBA Litigation and suggested that they read it at their leisure so they can understand exactly what they plan to do going forward.

Clerk’s Report –

There was no Clerk’s report.

Unfinished Business –

There was no unfinished business.

New Business –

There was no new business.

Public Participation (3-minute limitation per speaker) –

There was no public participation.

Resolutions

Resolution Nos. 379-19 (18-D.1) through 396-19 (18-H.11) with the exception of Resolution 395-19 (9-A- Bid Award) and 384-19 18-G.1- Grant) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						X
Mr. Ryan	X						
Mayor Bobbitt	X						

Cited Resolutions are spread in their entirety in the Resolution Books of the Township of Lawrence.

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Resolution No. 384-19 (18-G.1) was approved by the following roll call vote:

| COUNCIL       | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|---------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Kownacki  | X   |     |         |        |         |      | X      |
| Ms. Lewis     |     |     |         |        | X       |      |        |
| Mr. Powers    | X   |     |         |        |         |      |        |
| Mr. Ryan      | X   |     |         |        |         | X    |        |
| Mayor Bobbitt | X   |     |         |        |         |      |        |

Cited Resolutions are spread in their entirety in the Resolution Books of the Township of Lawrence.

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**Council Initiatives/Liaison Reports –**

Councilwoman Lewis reported that the Recreation Advisory Committee had their first Christmas Light Contest which took place last week for those who put up holiday lights and they had some really great contestants that entered the contest. As they drove around they had lot of people who should have entered which should be a call to all the residents to enter next year. They did have three winners who got prizes donated by local merchants and it was a great new program they did.

Councilwoman Lewis thanked Councilman Bobbitt for his two years of service as mayor and indicated what the Township has seen over the last two years has been truly an open transparent communitive government and she thinks that Lawrence Township and the Township Council have been well served by Mayor Bobbitt and they appreciate it and thanked him again for his service.

Mayor Bobbitt thanked the Council again for their support. He then presented Plaques to Councilman Michael Powers and Councilwoman Cathleen Lewis for their 4 years of dedicated service.

Councilman Powers thanked Mayor Bobbitt for his leadership which starts at the top and on behalf of the Council he would like to present him with a Plaque as a token of their appreciation for his 2 years of service as Mayor and for all his sustainable initiative with the town receiving their Silver Certification through Sustainable Jersey and the Solar Panels they now see in the parking lot.

Councilman Kownacki stated that is has been a real pleasure to work with over the last two years and it has been an honor to serve next to him and he really appreciates his leadership. And, he does not say 'Semper Fi' to many people as it is a saying from the Marine Corp which means "always faithful"...I will be there.

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**Written Communications –**

There was no written communications.

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There being no further business to come before this Council, the meeting adjourned at Council went into Closed Session.

7:38 p.m.

Respectfully submitted by,

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Kathleen S. Norcia, Municipal Clerk

Attest:

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Christopher Bobbitt, Mayor