

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
October 16, 2019

Present: Joseph Blaney  
Olga Dember  
Sheila Grant  
Christina Hultholm, Chairperson  
Jeffrey Johnson  
Bruce Kmosko  
Charles Lavine

Absent: Peter Kremer

Excused Absence: James Kochenour, Traffic Consultant

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer  
James F. Parvesse, Municipal Engineer  
Brian Slaugh, Zoning Board Consultant  
Edwin Schmierer, Zoning Board Attorney  
Susan Snook, Recording Secretary

**Statement of Adequate Notice:**

Adequate notice of this meeting of the Lawrence Township Zoning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law; by filing the agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building and mailing to the Trenton Times and the Trentonian newspapers.

**Public Participation (for items not on agenda):**

None

**Applications:**

Minor Subdivision with Variances Application Nos. ZB-1/19 & S-4/19; **Lawrence Township (Sheft Associates, Inc.)**; 2420 Brunswick Pike; Tax Map Page 21, Block 2101, Lot 39

David Roskos, Township Attorney represented the applicant and stated this is an application that involves the acquisition of over 5 1/2 acres on Alternate 1 which will be devoted to passive and active recreation. The site is known as the Colonial Bowling Lanes which is owned by the Sheft family and the Township has entered into an agreement with them to acquire over 5 ½ acres, which would be added to Colonial Lake park lands. There is a plan in the future to install a trail and a small parking lot; however, this is not part of tonight's application.

We need from the Board tonight is a subdivision approval with associated variances so we can conduct the sale. The Sheft family will retain Colonial Bowling Lanes and the parking. After the acquisition there will be no noticeable difference. The land that is being acquired will be preserved forever and there was an application in front of the Planning Board for a proposal for an extended stay facility. The public came out and expressed their concerns that the property should be preserved and if not, it would be lost forever. There are some unique species at the lake. There will be no change in access points and there will be an access agreement between the Sheft Family and the Township, which is attached to the agreement of sale.

Witness #1: James Parvesse, Municipal Engineer referred to Exhibit A1, Sheft Minor Subdivision Plan, revision dated August 27, 2019 which show the Sheft original property which is 8.79 acres. The subdivision will divide the property into two separate lots (39.01 and 39.02). Lot 39.01 is the bowling alley, which will remain unchanged and will remain as the current use and will be 2.95 acres after the subdivision. The remaining land, which goes around the entire alley, the small strip on the southern side, which will be 5.84

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acres. With the current bowling alley, there is a total of 113 parking spaces that will remain with that property (81 regular spaces, 6 handicap spaces, 26 spaces that are banked). Mr. Parvesse went over the variances required for this subdivision for Lots 39.01 and 39.02. Mr. Roskos stated that when a municipality is engaged in development for a public purpose does not need to seek a use variance. We are listing the use variance, as part of our application to satisfy the obligation to make sure that the public fully appreciates what is taking place and has an opportunity to comment on the reasonableness of the proposal. In this case, it will be devoted forever because we have Green Acres funding, to passive and active open space.

Witness #2: Brian Slaugh, Planning Consultant referred to his report dated September 30, 2019, copy attached. Mr. Slaugh testified that the acquisition of the land, for a municipal purpose, is a beneficial use. It has met the criteria because you do the SICA to identify what is the public interest at stake, it is increasing the open public space and the location is important because it is in south Lawrence which has less park land; from a beneficial use it is positive to the residents; the impact is to put in a trail on the south side and a small parking area. It does not have to meet the stormwater management requirements because it is not being built. The Master Plan already identifies the u-shaped lot, to be acquired, the plan was given to New Jersey Department of Environmental Protection for the grant process. The municipality was successful in getting the Open Space plan prepared.

The negative criteria can be met with minimal change, the proposed use is open space, there is low traffic volume, and it is a weekend event, see Comment 4.4. Mr. Slaugh referred to the hotel application and the additional development with the hotel. There is no substantial impact created by the smaller lot size, the need to meet the FAR components, the public purpose requirements and necessities of the open space and its complete agreement with the master plan could result in a positive outcome. Mr. Slaugh referred to Comment 5, Page 5 and his recommendations. The Board may want to make a recommendation that the site be rezoned for open space purposes.

Mr. Roskos stated there is an access agreement negotiated between the Township and the Sheft property and will be granted at the closing. Among the uses permitted in the Highway Commercial zone is governmental use and is not in any way detrimental to the public, in fact, it is a positive use the public because we do not get to preserve pieces like this.

Since there is no negative criteria Mr. Slaugh stated there is no change on the site in the future, the impervious surface over the two lots together will improve because the municipality will take up the parking they don't need and return it to native vegetation. It will help water quality for runoff for the lake, it does not affect parking around the Colonial Bowling lanes on their own lot. There is no substantial impact to the zone plan of the Master Plan. Ms. Kraemer stated we applied to the County for subdivision approval and it was granted on October 10 2019.

**Public:**

James Hooker, 713 Bunker Hill Avenue; a non-profit is being put together called the Friends of Colonial Lake; thought they would come out to say thank you because the last time they were here it was for the hotel. He spoke about the animals at the lake; the renewed appreciation; nature and the people who appreciate it; people who come from all over the area; voted as tax payers about 20 years ago (1998), about 70% to tax themselves for open space; captured the vive of the Town.

Mr. Roskos stated the condition is access easements, which is already in place.

The Board members took a break from 7:31 p.m. to 7:38 p.m. in order to review the resolution of memorialization.

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**Resolutions:**

Resolution of Memorialization 10-19z; Minor Subdivision with Variances Application Nos. ZB-1/19 & S-4/19; **Lawrence Township (Sheft Associates, Inc.)**; 2420 Brunswick Pike; Tax Map Page 21, Block 2101, Lot 39 was approved per unanimous vote.

**Adoption of 2020 – 2021 Meeting Schedule:**

The Meeting Schedule was approved per unanimous vote.

**Minutes:**

The May 15, 2019 minutes were approved per unanimous vote.

**Other Business:**

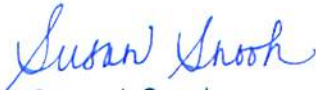
Ms. Kraemer stated we may meet in November and Gulick House has been extended thru January 2020.

**Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 7:41 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook  
Recording Secretary

Minutes approved: Nov. 20, 2019