

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Regular Meeting
Wednesday, December 16, 2020

Present: Joseph Blaney
Olga Dember
Joseph Forte, Alternate #2
Sheila Grant
Christina Hultholm, Chairperson
Jeffrey Johnson
Peter Kremer
Charles Lavine, Vice Chairperson

Absent: None

Excused Absence: Bruce Kmosko, Alternate #1
Brian Slaugh, Planning Consultant

Also Present: Kendra Lelie, Acting Planning Consultant
James Kochenour, Traffic Consultant
Edwin Schmierer, Zoning Board Attorney
Brenda Kraemer, P.E., Assistant Municipal Engineer
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 newspaper. The meeting was held through the internet at uberconference.com/lawrencetwp.engineer.

Public Participation (for items not on agenda):

None

Resolutions:

Resolution of Memorialization 15-20z for Bulk Variance Application No. ZB-7/20; **Joseph Flynn**; 307 Glenn Avenue; Tax Map Page 35, Block 3502, Lot 10 was approved per unanimous vote.

Resolution of Memorialization 16-20z for Bulk Variance Application No. ZB-6/20; **Louis A. Jammer Co., Inc. (Jammer Doors)**; 2480 Brunswick Pike; Tax Map Page 22, Block 2201, Lot 16 was approved per unanimous vote.

Minutes:

October 21, 2020 and November 18, 2020 minutes were approved per unanimous vote.

Applications:

Bulk Variance Application No. ZB-8/20; **Narayan & Shoba Iyengar**; 58 Fountayne Lane; Tax Map Page 42.01, Block 4201, Lot 62

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Mr. Iyengar, homeowner, represented himself and explained to the Board that a patio enclosure is being constructed in the back yard and a variance is required for the setback. Mr. Iyengar presented photographs, Exhibits AA – AE, google view showing an angle of the property; the side yard between his neighbor and general layout of backyard where the enclosure is being constructed. Variance is for the left side of his property for a five-foot side yard setback and a nine-foot rear yard setback. The dimensions meet the clearance for emergency vehicles.

Ms. Kraemer questioned the size, 20 x 20 and commented that the addition enclosure would not impact the drainage patterns, the property drains back to the detention basin in the rear. She also recommended that any exit doors be on the side, where the bay window is, so there is no further impingement into the side yard and no doors on the rear of the façade for no further encroachment to the rear yard, report attached dated December 8, 2020. Mr. Iyengar agreed to no door on the rear only on the side where the bay window is.

Mr. Iyengar referred to an as-built and architectural plans showing the enclosure. A question was asked if the enclosure could be 18 x 18 and that would require no variance. Mr. Iyengar stated he checked on multi sizes and they would still require a variance. Ms. Kraemer explained that this development had special yard setbacks established at the time of approval. The lots are not parallel and are pie shaped, anything in the rear yard is going to be tight.

No public comment.

Bulk and Use Variance Application No. ZB-3/19; Major Site Plan – Preliminary & Final Approval Application No. SP-5/20; Major Subdivision – Preliminary & Final Approval Application No. S-2/20; RPM Development; 2495 Brunswick Pike; Tax Map Page 20.01, Block 2001, Lots 2, 3, 5, 60 – 68 and 68, continued from the October 21, 2020 Meeting.

Ryan Kennedy, Esquire stated the new plan addresses the issues from the consultants, namely the interaction with the pedestrian/car interaction on the back side of the development; new revisions for a large buffer and relocation of the parking area.

Kevin Kavanaugh, RPM Development stated the new changes are access to the site to one-way in and one-way out; parking was added because the number was not sufficient for the number of units; negotiations were made with the owner of the Lawrence Shopping Center to purchase an additional strip of land on the back side of the two and three story buildings to create another 37 additional parking spaces; ingress/egress for emergency vehicles and the recreational area and dog park were redefined. There will be a full-time live in superintendent who takes care of the property. On average for every 10 applicants, one gets accepted because of the income guidelines; background checks are performed and occupancy is 98% on average.

Public:

Stella Cooper: issues with the buildings facing the back, dumpsters and noise. Mr. Kennedy stated the engineer will be showing revised plans for this type of question.

Greg Puliti asked regarding the contamination of the site.

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Thomas Muller, P.E. referred to Exhibit 4 – Site Plan Rendering, dated December 16, 2020 showing the major changes of the additional property to 4.3 acres in size; buildings have been adjusted to allow for 102 parking stalls on the property; removal of dead end with now full circulation; parking on the south end has dead end; however, a k-turn can be done; planted buffer between the project and the Lawrence Shopping Center (14.6' wide); Texas Avenue parking has been removed; two electrical vehicle charges have been added; there is a two-way driveway from Texas Avenue; dog park, playground and benches, walkways on the east side with landscaping; connection of sidewalks from Texas Avenue to the Lawrence Shopping Center from the site; improvements to the Lawrence Shopping Center consist of modifying the landscape area between the loading area of Lidl to channelize the vehicle movements in the area and pedestrian movement.

Professionals:

James Kockenour, Traffic Consultant stated reports have been prepared based on the revised plans and traffic concerns have been resolved. His questions are housing keeping items, referring to his report dated December 7, 2020, attached. The concerns were with the width of end isles that should be eight-feet (Comment 8); sight triangle along Texas Avenue will impact the view of the driver (Comment 9); site lighting provided at the two access drives (Comment 10); crosswalk from the sidewalk extension to the east side of property should be moved to the intersection and have signs (Comment 11); handicap parking spaces are signed and marked to show which are van accessible (Comment 14); the template of the vehicle circulation is vastly different from what the Fire Marshal submitted (Comment 16) and reduction of the angle of entry for a trash truck (Comment 19).

Mr. Muller agreed with all the comments; however, the sidewalk is closer to the Lawrence Shopping Center itself and if moved it would require a trench drain; the angle of the trash enclosure could be done so it does not have to circulate entire site.

Kendra Lelie, Planning Consultant referred to her report dated December 8, 2020 and is an improvement but dealing with some variances. Some areas to be addressed is the buffer area that separates the units from the loading area that shows a 15' strip of planting, but does not provide the density and distance; planting trees that are 14 – 16'; loading façade of the Lawrence Shopping Center could have a mural on the back; new plantings and signage in the planting islands; lighting is lacking (Comment 4.4) in playground area; additional planting in parking lot area; street trees along Texas Avenue are of an odd choice; dog park and playground area have better lighting.

Mr. Kennedy stated the applicant will work on tree size, art project and accommodate all issues and comments.

Ms. Kraemer referred to her report dated December 3, 2020. Comment 1.02 (b) amenities; size of the trash area for trash and recycling and Township does not provide that service (Comment 1.04); stormwater management design system (Comment 2.00) and utility poles limiting the height of trees.

Mr. Muller responded to the comments that the enclosure will be increased in size; 30" pipe is being rerouted and an outlet into the area of the dog park; runoff will be contained in the ditch so dog park will remain dry; material used will be limited with no loose material in the area and the utility poles to be moved out of the buffer which will allow the plantings to grow.

Board Members had questions and concerns regarding the detention basin; size of buildings (A, B, C – 3 story) and the duplexes; sidewalk locations of ponding in the area; landscaping of the site where there is an area for parking; gate location and use; drive aisles behind Buildings A and B with exit to Lawrence Shopping Center; review of available parking to each building/

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Mr. Muller responded it is underground centrally in the dog park area which will remain dry; duplexes along Texas Avenue are two stories and 30' in height; there will be no standing water in the sidewalk it is confined in a drain and ditch; parking is for the Lawrence Shopping Center and not part of this development; the planting median will channelize the traffic concerns from behind the Lawrence Shopping Center; 5' chain link fence for emergency access; there was a discussion about how fast people drive behind the Lawrence Shopping Center and suggestions were stop signs; speed table instead of a crosswalk or a flashing light sign.

Mr. Muller stated he will work with the professionals.

Public:

Stella Cooper: west side, where Harding and Foch meet, is there a buffer or retaining wall so the lights will not shine into her home so it is not intense and will trees be planted. Duplexes are 30' high and 40' high rise so how will a 6' high fence block light.

Mr. Muller stated there will be wall and a fence at the end of Harding Avenue; the wetlands at end of Harding Avenue is not part of this application so that area will remain undisturbed.

Mr. Wieslaw, see attached comment. Mr. Muller stated the sidewalk is ADA compliant and is for two wheel chairs to pass.

Mr. Puliti, see attached comment regarding snow removal. Mr. Muller stated an area will be outlined for storage in the flood area. Mr. Kavanaugh commented the parking lot behind Burlington Coat Factory is unused and will talk to the owners of the Lawrence Shopping Center.

SW, see attached comment regarding overflow parking. Mr. Muller stated the parking ratio provided does provide for visitor parking and no overflow is necessary.

Flooding issues: Mr. Muller stated there is a proposed detention basin that is being provided under the parking area and will discharge to the east of the existing ditch which drains through the Lawrence Shopping Center into the Shabakunk Creek. The dog park area is for flood storage.

Public: Safe guards during construction. Mr. Muller stated it has to apply to State codes. Mr. Kennedy commented this is done during the permit phases. Mr. Kavanaugh also commented that there will be stone, street cleaning, water for dust, and silt fence for construction.

Mr. Lalli, see attached comment regarding detriment to the residences. Mr. Muller stated Harding Avenue is beyond the view point at least 100' away.

Mario Bruno: the soil and land was contaminated and capped, how is this project moving forward when the land is poisoned. Has a study been performed on the effects of the population on the schools (Ben Franklin and Slackwood). Mr. Kennedy stated that the units in the project have been approved by the Township as part of the Townships affordable housing plan. There are a certain number of units that the Governing Body and the Court has determined and accounted for. Any plan for an alternative to build in North Lawrence, how come South Lawrence has to absorb this. Chairperson Hultholm stated this is not under the jurisdiction of the Zoning Board. Mr. Kennedy responded other sites were investigated.

Mr. Kavanaugh stated that residents already live in Lawrence so some percentage are already in the school system. There will be an increase, number unknown, 10 units are one bedroom and will probably have no children; many two-bedrooms may or may not have children and 17 three bedroom units would likely have children of different ages. This is an obligation that Lawrence has to comply with the Courts.

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Witness #3 – Anthony D'Agosta, Architect referring to Exhibits 5 (Renderings) and 6 (Back of House Rendering) which shows the three story buildings (A & B) fronting the parking lot; using gable/flat roofs. The buildings are less than 40' and are on the low point of the site. They do not encroach on any neighboring single family homes. Single family, which will be duplex homes will face Texas Avenue. The plan shows the trees/fencing and lawn areas behind the Lawrence Shopping Center.

Building A: 24 units and is a walk up with no elevators and replicated in Building B which is now roughed out for a 1,500 sf amenity space and utilized by the residents of the project with a common shared laundry. The one bedroom unit is 160 sf; two bedrooms units range from 1,020 sf to 1,040 sf and three bedroom units are 1,300 sf. There are walk in closets, individualized heating and cooling and are led certified. Mr. D'Agosta described the materials being used. The duplexes will be identical from the street frontage.

Board members and Professionals had questions/comments.

There was a motion to continue the hearing to the next meeting being held January 20, 2021.

Other Business:

None

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 10:07 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: Feb. 17, 2021