

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Wednesday, January 20, 2021

Present: Joseph Blaney  
Olga Dember  
Joseph Forte, Alternate #1  
Sheila Grant  
Christina Hultholm, Chairperson  
Jeffrey Johnson  
Peter Kremer  
Charles Lavine, Vice Chairperson

Absent: None

Excused Absence: Bruce Kmosko, Alternate #2  
Brian Slaugh, Planning Consultant

Also Present: Kendra Lelie, Planning Consultant  
Edwin Schmierer, Zoning Board Attorney  
Brenda Kraemer, P.E., Assistant Municipal Engineer  
Susan Snook, Recording Secretary

**Oath of Office:**

Sheila Grant and Peter Kremer were placed under oath and Mr. Schmierer, Esquire administered the oath.

**Elections:**

Chairperson:

Jeffrey Johnson made a motion to nominate Christina Hultholm as Chairperson and was seconded Ms. Dember to appoint Christina Hultholm as Chairperson. Nominations were closed and was unanimously approved.

Vice Chairperson:

Chairperson Hultholm made a motion to nominate Charles Lavine as Vice Chairperson and was seconded by Mr. Johnson to appoint Charles Lavine as Vice-Chairperson. Nominations were closed and was unanimously approved.

**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](https://uberconference.com/lawrencetwp.engineer).

**Appointments:**

Mr. Kremer moved and Mr. Johnson seconded to approve the Resolutions of Appointments in a Block (Resolutions 1-21z thru 7-21z) and were unanimously approved.

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**Committee Appointments:**

Growth and Redevelopment Committee (1): Mr. Kremer made a motion to nominate Charles Lavine and seconded by Ms. Dember for the liaison to the Growth & Redevelopment Committee and it was unanimously approved.

**Adoption of Annual Report:**

Mr. Kremer made a motion to adopt Resolution of Memorialization 8-21z and was seconded by Ms. Grant and was adopted per unanimous vote.

**Resolutions:**

Resolution of Memorialization 9-21z; Bulk Variance Application No. ZB-8/20; **Narayan & Shoba Iyengar**; 58 Fountayne Lane; Tax Map Page 42.01, Block 4201, Lot 462 was unanimously approved.

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

None

**Applications:**

Bulk Variance Application No. ZB-2/20; **Marek Komaniecki**; 115 Helen Avenue; Tax Map Page 9, Block 901, Lot 30

Mr. Komaniecki owner of the property and his daughter Tina Komaniecka stated the application is for a setback variance for a carport to the side of the house. Mr. Krajewski, Attorney for the applicant stated it is an addition outside with a roof as storage for a vehicle. It will be opened with no walls, Exhibit A2, Roof Section, which shows the house and the extension to the driveway, left side, with a height of 10.6' and 9' at low end, length is 18'2". Referring to Exhibit A3, Elevations shows a slight pitch with a gutter. The setback for this structure will be two-feet from the property line.

Mr. Kremer stated the way the house is situated on the lot, is there any other place on the lot for the carport extension. Chairperson Hultholm stated since it is an angled roof, what about water spilling over onto the neighboring property line.

Mr. Krajewski referring to Exhibit A2 shows the house and because this is the location of the paved driveway. Since the lots are tight, there is no additional land to purchase. There is a horizontal gutter with two spouts and will be diverted to the back of the property or in the front of the property into the driveway.

Public:

Gary Ungerleider, owner of Lot 30 stated this property where the carport is directly adjacent to Lot 29. The carport is going to be two-feet from his property and does not like that because it is open land. He does not want a structure on the edge of his property. Ms. Komaniecka, daughter of applicant, stated the side of the carport is facing the neighbors at 111 Helen Avenue and the next lot is currently woods where is not being built; since the structure is not being located next to Lot 29 Mr. Ungerleider is no longer concerned.

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Ms. Kraemer stated Lot 29 is on the right side of this property and the structure is going on the left side and commented she has a concern about the drainage, referring to her report dated February 19, 2020. It is also noted that our office has to approve the downspout locations to make sure they do not impact the neighbor and to be directed to the rear yard or to the driveway. It is also important that they have presented this as an open carport and not an enclosed structure.

Mr. Krajewski agreed that there will be no windows, doors, sides or enclosure of any sort. The application was approved.

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 December 16, 2020 Meeting.

Mr. Kennedy represents the applicant and stated tonight will be the architect to show additional views of the site to help with the context of the planning testimony. Anthony D'Agosta, Architect referring to Aerial Overlay, Exhibit A9 showing the proposed set of buildings. There will be three separate cluster buildings, three stories tall and all multi-family. Buildings A and B are 24 and 22 units and Building C is 12 units. Along Texas Avenue there are six duplex units. This is to show where the buildings land with the existing homes and structures. The closest low rise, duplex building, is over 170' from the last property. Foch Avenue will remain a paper street and there will be a tree line separation and Harding Avenue is 200' away from the parking area. There was a concern to provide enough buffer between this development and the existing homes.

Exhibit A10, Artistic Rendering shows what the conflict would look like as a whole context with the existing housing outlay along Texas Avenue, as well as the proximity to the commercial area behind the project. There will be a landscape area for an outdoor play area, the scale of the homes that front Texas Avenue are designed to compliment the existing housing stock that aligns Texas Avenue. The heavily wooded area will not be removed and will be maintained. The cluster buildings, 3-story low rise, toward the back are at a lower elevation than the homes on Texas Avenue by over ten-feet.

Exhibit A11, Perspective Exhibit to capture the development in relation to the other homes and buffering the residential neighborhood and the commercial area.

Charles Latini, Planner testified that this application requires variances because the zone has to be changed to accommodate this project. As part of the Court judgement and the settlement with the fair share housing, the Township proposed 12 group homes, 17 various projects throughout the town which includes eight senior and assisted living projects and six more throughout the town to meet the obligation. The southern half of the Township sees more housing because the services and infrastructure are there.

Exhibit A12, Photographs A-D shows Carriage Park which is four-story complex and is 60' tall showing the relationship with the back of the strip center.

Exhibit A13, Photographs A-D shows Lawrence Plaza which is a four-story complex and is 35/36' tall showing the back of Cooper's Pest Control.

Exhibit A14, Photographs 1-8 shows Harding Avenue, Glenn Avenue, Foch Avenue, Texas Avenue and Joffre with height ranges/elevations.

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The variances are necessary to accommodate the project and how it is designed to fit in the Township's housing plan. The code does not allow multi-family and duplexes. There is no detriment to the public good and is a value to the community because of the use of transportation, jobs, schools, shopping and fills the housing obligation.

The Professionals and Board members had questions. Mr. Schmierer spoke about the fair share plan and it was requested to have more detail on the density as well as a balloon test performed for height. A big issue was parking spaces and having enough for the residents and visitors; and smell from the grocery store waste and noise pollution from the idling trucks.

Mr. D'Agostino spoke about the floor plans – 850 sf for a 1 bedroom; 1,020 to 1,040 sf for a 2-bedroom and 1,300 sf for a 3-bedroom and these units are on the larger size and meets general demands.

It was suggested that for the next meeting we start with the public first to give them a chance to ask questions. It was asked if the next meeting could be held in person because some people do not have a computer and cannot see the exhibits. Ms. Kraemer asked if the applicant could provide copies and someone could come and pick up or review a set. Also the exhibits presented at tonight's meeting need to be delivered to this office for our files.

A motion was made by Mr. Lavine and seconded by Mr. Johnson to continue this application to the February 17, 2021 meeting.

**Other Business:**

None

**Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 10:00 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook  
Recording Secretary

Minutes approved: March 17, 2021