


Township of Lawrence  
**ENGINEERING DEPARTMENT**

TO: Lawrence Township Planning Board

FROM: James F. Parvesse, Municipal Engineer 

SUBJECT: Council Referral  
Zoning Map Amendment – Cherry Tree Lane

DATE: July 15, 2022

Background:

Trenton Block Company is an existing non-conforming use located in a residential (R-4) zone on Cherry Tree Lane. The use has been in place since 1950 and the current ownership was established in 2003. The site is comprised of Block 503, Lots 4 – 14 and contains approximately 1.5 acres. Lawrence Township owns several adjacent properties in the same residential zone including Block 503, Lots 15 – 26 located along the southeasterly side of Trenton Block Company containing approximately 1.5 acres. Trenton Block Company approached the Township last year about improving the property and purchasing the adjacent vacant land owned by the Township.

Review:

Conceptual plans were developed for discussion purposes and to evaluate the site potential. Potential wetland areas were also located and are noted on the plans. Overall there is minimal opportunity to expand the commercial activities; however, the additional land from the Township would allow the owner to make improvements and shift activities away from the adjacent residential homes providing a more conforming buffer. The latest concept plans provided appear to be a significant improvement that could be further advanced as part of a formal site plan application before the Planning Board.

As part of this process it was noted that the commercial use has encroached on Township land. According to historical aerial photographs (see attached) the majority of this encroachment on lot 15 and 16 has existed for over 20 years. Some more recent encroachment was noted on lots 19 to 22. These encroachments are to the south and east of the site away from the existing residential homes. Removing these encroachments would likely shift more site activity towards the residential side of the property.

Process:

The rezoning of the properties to Mixed Use (MX-3) will allow for the potential future use of the Township lands for a commercial use and recognize the current use by Trenton Block Company as permitted. The MX-3 zone (see attached) is most closely aligned with the current use as a Construction Supply House. Other permitted uses include offices, light manufacturing, warehouses and recreation.

Without the rezoning, current site activities could continue and the owner would be able to make general site improvements; however, use of the Township land to shift activities away from the residential side of the property would not be possible. It should be noted that no future site improvements are permitted without site plan approval from the Board.

Master Plan Consistency:

In conjunction with a zoning amendment, the Planning Board conducts a consistency hearing to verify a proposal meets the broad purposes of the goals and objectives of the Master Plan. For this project, the Planning Board may consider that development will be guided to benefit the public, environmentally sensitive areas will be identified and protected from further development and commercial areas will be redeveloped to be attractive to public view.

Additional Comments:

There have been a number of questions regarding the 4 Ton weight limit on Cherry Tree Lane and adjacent roadways. The weight limits on these roadways appear to be in place to limit cut through traffic between Business Route 1 and Strawberry Street. Vehicles over 4 Tons are excluded from these streets except for the pickup and delivery of materials on such streets. Therefore, vehicles over 4 Tons that are associated with activities on the Trenton Block property are not subject to the weight restrictions.

The current noise ordinance limits some activities between the hours of 8am to 9pm; however, since this use was established back in 1950, it is not clear whether current restriction would apply. I'm not aware of any noise complaints related to the property.

The process for the sale of the Township property would have to be evaluated by the Township Attorney.

**§ 423 Mixed Use 3 (MX-3) District.**

[Ord. 2250-16, 12/6/16]

- A. Purpose. The Mixed Use 3 (MX-3) district is intended for a wide variety of uses that include, light manufacturing and assembly with associated distribution of products, flex space, offices including medical offices, recreational and leisure uses, and similar uses.
- B. Permitted Uses. In the MX-3 district, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
1. Offices, including medical offices.
  2. Call center.
  3. Light manufacturing, including beverage manufacturing.
  4. Wholesale sales, distribution center and warehouses.
  5. Printing establishments.
  6. Combined office and manufacturing or distribution uses in a single building or tenant space.
  7. Indoor and outdoor recreation and leisure activities.
  8. Research and engineering offices and labs.
  9. Construction supply houses.
  10. Governmental use.
- C. Accessory Uses Permitted. Any of the following accessory uses may be permitted when used in conjunction with a principal use:
1. Incidental sale of goods manufactured or assembled on the premises provided such selling area shall not exceed 5% of the total floor area of the building.
  2. Display showrooms not exceeding fifteen percent (15%) of the total floor area of the building.
  3. Tasting rooms, ancillary food sales and product sales for breweries, wineries and distilleries as permitted by State of New Jersey licensing laws and regulations.
  4. Off-street parking.
  5. Fences and walls.
  6. Signs.
  7. Garages, storage buildings and tool sheds.
  8. Restaurant or employee cafeteria as part of a principal building or as the entire use of an accessory building, provided the cafeteria is limited in service to the employees and visitors of the principal use designated on the site plan as approved by the board of jurisdiction.
  9. Satellite dish and television antennae.

10. Walk-up automatic banking tellers.
  11. Accessory uses customarily incidental to a principal use.
- D. Conditional Uses Permitted. The following accessory use may be permitted when authorized as a conditional use by the Planning Board in accordance with §705:
1. **Outdoor Storage.** Materials used in the manufacture or assembly of products, finished product and equipment may be stored outside behind the front building line provided that such storage shall meet the following requirements:
    - a. The location of the outdoor storage shall be approved by the board of jurisdiction and delineated on a site plan;
    - b. Outdoor storage shall be located in a side or rear yard behind the front building line;
    - c. Outdoor storage shall not occupy more than fifty percent (50%) of the total area of the side and rear yards;
    - d. The height of outdoor storage shall not exceed twelve (12) feet; and
    - e. The outdoor storage shall be located on the interior side of a fully opaque fence.
    - f. No waste products shall be stored outside except in a fully enclosed container approved by the board of jurisdiction and delineated on a site plan.
- E. Area, Yard, Height and Building Coverage. Except as otherwise modified, the following bulk standards shall apply to all lots:
1. **Principal Use.**
    - a. Minimum lot area: 5 acres
    - b. Minimum lot frontage: 400 feet
    - c. Minimum lot width: 400 feet
    - d. Minimum lot depth: 400 feet
    - e. Minimum front yard: 75 feet
    - f. Minimum side yard: 50 feet
    - g. Minimum rear yard: 50 feet
    - h. Maximum building height: 45 feet or 3 stories, whichever is less

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- i. Maximum impervious surface ratio: .75
  - j. Maximum floor area ratio: .30
  - k. Minimum parking and loading area setbacks.
    - (1) No loading shall be permitted in a front yard except such yard as abuts a limited access highway.
    - (2) Front yard setback: 35 feet
    - (3) Side and rear yard setback: 25 feet
  - 2. Accessory Buildings and Uses. The following regulations shall apply to accessory buildings and uses:
    - a. No accessory building or use shall be located in a front yard except such yard as abuts a limited access highway.
    - b. Minimum side yard: 35 feet
    - c. Minimum rear yard: 35 feet
    - d. Minimum separation distance to other building: 25 feet
    - e. Maximum height: Half the height of the principal use to which it relates.



# 2002 Aerial

Write a description for your map.

Legend



Google Earth

Image © 2022 State of New Jersey



300 ft






**LOCATION MAP**  
**2007 Aerial Image**




# 2018 Aerial

Write a description for your map.

## Legend

 Cherry Tree Ln

 Cherry Tree Ln

Google Earth




200 ft




# 2016 Aerial

Write a description for your map.

## Legend

 Cherry Tree Ln

 Cherry Tree Ln

Google Earth



200 ft



# Mercer County

Created on Fri Jul 08 2022

