


Township of Lawrence  
**ENGINEERING DEPARTMENT**

TO: File

FROM:  Brenda Kraemer, Assistant Municipal Engineer

SUBJECT: Bulk Variance Application No. ZB-4/25  
**Sreenivas Vanga**, 32 Canal View Dr.  
Tax Map Page 52.04, Block 5201.09, Lot 41.02

DATE: July 10, 2025

**General:**

The applicant has requested a floodplain buffer variance to permit construction of a single-family dwelling on Block 5201.09, Lot 41.02 in Yorkshire Village. For the Board's information, the lot was originally created as Lot 41 in 1995 (when Yorkshire Village was approved) to contain the relocated Ann Vaccaro house. Subsequently, subdivision approval was granted by the Planning Board in 1999 to permit two lots, one of which was improved with a relocated house. The remaining lot was reserved for relocation of another historic house; however, the house was eventually relocated to a separate parcel. Several variances were granted by the Planning Board per Resolution 20-99, copy attached. Approval has now been requested for construction of a single-family dwelling.

The previous application included establishment of a conservation easement which encompasses environmentally restricted areas. The variance from §431.J is required for disturbance within 100' of a 100-year floodplain, a provision that was not contained in the prior ordinance or approvals.

**Detailed Report:**

1. The applicant shall provide testimony regarding the method of construction to prevent any disturbance in the wetlands and floodplain area. The footprint of the dwelling is shown at the conservation limit line which does not allow for any maneuvering of construction equipment. At a minimum, temporary chain link fencing will be required to delineate the limit of disturbance.
2. The landscaping required by the Delaware and Raritan Canal Commission shall be noted on the plan to be provided.
3. A plot plan conforming to Engineering Department requirements shall be submitted for approval prior to issuance of a building permit. As as-built plan will also be required.
4. The applicant's engineer shall confirm the proposed floor elevations meeting current FEMA requirements.
5. The applicant should be aware that further expansions for a deck, patio, etc. will not be permitted. Any accessory uses or structures must be confined to the side yards.

BK/jrl

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**Documents Reviewed:**

- Application No. ZB-4/25 and Supporting Documents
- Site Plans, Sheets 1-2, revisions dated March 13, 2025
- Architectural Plans, dated March 17, 2025
- Resolution of Memorialization 20-99, dated September 13, 1999

Township of Lawrence  
County of Mercer

**RESOLUTION OF MEMORIALIZATION 20-99**

**RESOLUTION OF MEMORIALIZATION APPROVING  
MINOR SUBDIVISION WITH VARIANCES  
APPLICATION NO. S-1/99  
ANTHONY VACCARO (YORKSHIRE VILLAGE, L.L.C.)  
CANAL VIEW DRIVE  
TAX MAP PAGE 52.04, BLOCK 5201.9, LOT 41**

WHEREAS, the applicant, Anthony Vaccaro, has applied for minor subdivision approval, together with variance relief, to create two lots from existing Lot 41, Block 5201.9 in Yorkshire Village, Lawrence Township, Mercer County, New Jersey, which Lot 41 was created to contain the relocated "Ann Vaccaro house" in accordance with condition 9c. of Resolution of Memorialization 10-95, adopted March 22, 1995; and

WHEREAS, the application was filed on March 18, 1999, and was declared complete on March 29, 1999, with Planning Board action required by August 27, 1999; and

WHEREAS, the following materials were submitted for review in connection with this application:

- Letter from Christopher J. Preate, Esquire, dated March 18, 1999
- Application No. S-1/97, dated March 12, 1999
- Affidavit of Ownership and Power of Attorney, dated March 16, 1999
- Minor Subdivision Plan, Sheet 1/1, revision dated March 23, 1999

WHEREAS, the property is located in the Planned Village Development 2 Zone, and single family residential dwellings are a permitted use within such zone; and

WHEREAS, the applicant has requested variance relief from the minimum usable yard area requirements set forth in Section 412E.1.h. of the Land Use Ordinance ("LUO"); and

WHEREAS, the applicant has requested de minimis exception relief from the minimum parking requirements set forth in Section 504N. of the LUO; and

WHEREAS, Township officials, advisory committees and other agencies, as required by the LUO, have reviewed said application and submitted the required reports and/or approvals; and

WHEREAS, jurisdiction on this application was accepted by the Planning Board and a public hearing was held on this matter on April 19, 1999; and

WHEREAS, Daniel L. Haggerty, Esquire represented the applicant at the hearing; also present were Mr. Anthony Vaccaro, the applicant, and Mr. Robert A. Ryan, Land Surveyor, of Taylor, Wiseman & Taylor, the applicant's engineering/surveying consultants; and

WHEREAS, the Planning Board considered and received in evidence the minor subdivision plan prepared by Taylor, Wiseman & Taylor; and

WHEREAS, Richard Brown, Section Chief, Land Use Regulation Program, New Jersey Department of Environmental Protection, issued a letter on November 9, 1998 advising that the NJDEP had determined that the proposed relocation of the Anthony Vaccaro residence would not require wetlands permits or a transition area waiver provided the site grading was done in accordance with the plot plan referenced in such letter; and

WHEREAS, the Mercer County Planning Board, by letter dated May 6, 1999, advised that the application had been reviewed and approved subject to obtaining approval from the Delaware and Raritan Canal Commission; and

WHEREAS, in a Staff Report of the Delaware and Raritan Canal Commission dated October 27, 1998, it was noted that the application was complete and would be presented to the Commission with a staff recommendation for approval subject to a condition for the provision of a landscape plan; and

WHEREAS, after deliberation, the Planning Board of the Township of Lawrence, County of Mercer, makes the following findings of fact and conclusions:

1. **ZONING:** The property is in the Planned Village Development 2 Zoning District, and single family residential dwellings are permitted in the PVD-2 zone.
2. **ADJACENT LAND USES:** The property is located within the Yorkshire Village Planned Development.
3. **DEVELOPMENT PROPOSAL:** The applicant proposes to subdivide existing Lot 41 in Block 5201.9 into two lots, with the first lot to be 12,225+/- square feet in size, and the second lot to be 9,563.54+/- square feet in size. The existing "Ann Vaccaro house" and the existing "Anthony Vaccaro house" that are located on the Yorkshire Village project site are proposed to be relocated to these two lots.
4. Because of the configuration of the lots and the wetlands area that is situated in the rear of the lots, the proposal does not meet the minimum usable area of 20% requirement set forth in Section 412E.1.h. of the LUO; and the applicant has requested variance relief in this regard.
5. In its application, the applicant has proposed 1.5 off-street parking spaces per lot, whereas 2.5 parking spaces are required. The applicant stated that it will attempt to accommodate additional off-street parking when the two houses are actually moved and placed upon the two lots and when the driveway areas are constructed, with RSIS de minimis exception relief being requested to the extent necessary/applicable. A double width driveway will be provided for each lot.
6. The applicant has presented testimony regarding the front yard setbacks of other dwellings in the Yorkshire Village development, and the applicant has requested variance relief in order to permit the relocated dwelling on Lot 41.02 to be within 25 feet (instead of the required 30 feet) from the Canal View Drive right-of-way line, which front yard setback variance relief will permit more usable area in the rear yards of the lot.
7. The additional impervious area associated with this project will not impact the grading and drainage patterns.

**FINDINGS OF FACTS AND CONCLUSIONS - CONTINUED:**

8. The applicant has presented testimony that the benefits resulting from this application would substantially outweigh any negative impacts, thus warranting favorable action on the requested variance and waiver relief.
9. The variance and waiver relief mentioned above can be granted without adversely impacting upon the zone plan, the benefits conferred by this application outweigh any detriments, and the variance and waiver relief is of such a nature that such variance and waiver relief can be granted without substantial detriment to the public good.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Township of Lawrence, County of Mercer, Application No. S-1/99 submitted by Anthony Vaccaro be and the same is hereby granted minor subdivision approval, together with the requested variance and waiver relief, subject to the following conditions:

1. Mercer County Planning Board approval.
2. Delaware and Raritan Canal Commission approval. The planting/landscaping improvements required by the Delaware and Raritan Canal Commission shall be installed on each lot before a Certificate of Occupancy is granted for the relocated house on the lot.
3. The relocated "Ann Vaccaro house" and the relocated "Anthony Vaccaro house" shall both be served by public water and public sewer.
4. Prior to the relocation of the "Ann Vaccaro house" and the "Anthony Vaccaro house", any individual sewage disposal system or private well which previously serviced one or both of the houses shall be properly abandoned.
5. Plot plans, prepared by a licensed New Jersey Professional Engineer, will be required prior to house relocation. As-built plans, prepared by a licensed New Jersey Land Surveyor, will be required prior to Certificates of Occupancy. The plans must comply with the applicable Engineering Department standards. Minor technical revisions to the grading currently shown on the plan will be required.

**CONDITIONS OF APPROVAL:**

6. Descriptions of the new lots shall be submitted for review. A conservation easement shall be established at the wetlands limit and shall be included in the deed with appropriate land use restrictions. All metes and bounds information shall be included on the subdivision plan.
  - a. The street address for the northerly lot will be 28 Canal View Drive, Lot 41.01.
  - b. The street address for the southerly lot will be 32 Canal View Drive, Lot 41.02.

The addresses and lot numbers shall be included in the deeds and shown on the plan. The descriptions and the deeds must be reviewed by the Engineering Department and the Planning Board Attorney. Proof of recording is required prior to distribution of the approved plan and issuance of building permits.

7. Monumentation must be set prior to the signing of the minor subdivision deeds on behalf of the Planning Board, unless a separate bond is posted for such monumentation.
8. Ewing-Lawrence Sewerage Authority letter of service availability.
9. Elizabethtown Water Company letter of service availability.
10. Professional review fees, if due, must be paid to the Department of Finance upon presentation of a statement from the Township. To the extent that the actual professional review fees are less than the escrow amount deposited, the applicant may apply for a refund of any expended monies.
11. A revised plan incorporating the conditions mentioned above, and any other required documents, must be submitted to the Division of Planning and Redevelopment within sixty (60) days from the date of this Resolution, for review and approval as to the compliance with the conditions of approval. The revised plan shall be signed on behalf of the owner of the property. Said sixty (60) day period may be extended by the Township Administrative staff as may be deemed necessary.

**ACTION TAKEN BY THE PLANNING BOARD ON APRIL 19, 1999, GRANTING MINOR  
SUBDIVISION APPROVAL, TOGETHER WITH VARIANCE AND WAIVER RELIEF,  
WITH CONDITIONS:**

INTRODUCED BY: P. Colavita

SECONDED BY: D. Weisberg

ROLL CALL VOTE: 7 AYES 1 NAY 1 ABSTAINED 1 ABSENT  
1 PRESENT, NO VOTE

AYES: Cermele, Colavita, Powers, Weisberg, Hendricks, Crowley,  
and Gershen

NAYS: Harding

ABSTAINED: Copleman

ABSENT: Wilfrid

PRESENT BUT INELIGIBLE TO VOTE: Kownacki

**ACTION TAKEN ON THIS RESOLUTION:**

INTRODUCED BY: A. Cermele

SECONDED BY: S. Crowley

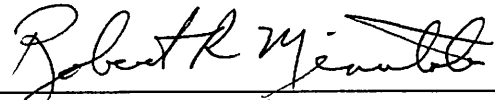
ROLL CALL VOTE: 6 AYES 0 NAYS 0 ABSTAINED 1 ABSENT  
2 PRESENT, NO VOTE

AYES: Cermele, Colavita, Weisberg, Hendricks, Crowley, and  
Gershen

ABSENT: Powers

PRESENT BUT INELIGIBLE TO VOTE: Copleman, Wilfrid, and Kownacki

I, Robert R. Minutoli, Director of the Division of Planning and Redevelopment of the Township of Lawrence, County of Mercer, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution of Memorialization 20-99 adopted by the Lawrence Township Planning Board at its regular meeting held on September 13, 1999. This Resolution memorializes formal action taken by the Planning Board at its regular meeting held on Monday, April 19, 1999.

A handwritten signature in black ink, reading "Robert R. Minutoli", written over a horizontal line.

Robert R. Minutoli, Director  
Division of Planning and Redevelopment

RRM:CMB:DLH:AMW  
(8/14/99)

vaccaro



August 14, 2025

Lawrence Township Zoning Board of Adjustment (via e-mail)  
2207 Lawrenceville Road  
PO Box 6006  
Lawrence Township, NJ 08648



**Re: Sreenivas Vanga – ZB-4/25**  
**Block 5201.09, Lot 41.02 – 32 Canal View Drive**  
**Bulk Variance Relief**  
**PVD-2 Planned Village District 2**

Dear Board Members:

Pursuant to the Board's request, we have reviewed the above captioned matter for compliance with the Land Use Ordinance of the Township of Lawrence. The material reviewed, as supplied by the applicant, included the following:

1. Land Use Application and supporting documents.
2. Grading and Utility Plan and Details, prepared by Douglas Pelikan, PE, dated January 2, 2025 and last revised March 13, 2025, consisting of 2 sheets.
3. Floor plans and elevations, prepared by Lionel A. Scriven, RA, dated March 17, 2025, consisting of 1 sheet.

Based on the information provided, the applicant seeks bulk variance relief to construct a two-story, single-family detached dwelling on the above referenced property. According to the architectural plans, a four bedroom, 3 bath structure with attached two-car garage is proposed.

The subject property, known as Block 5201.09, Lot 41.02, with a street address of 32 Canal View Drive, is a 12,225 square foot lot with frontage on Canal View Drive. Presently the property is vacant and encumbered by flood hazard area as well as required buffers for adjacent wetlands. Surrounding uses are all single-family detached dwellings, with one other house having been constructed on the adjacent lot to the north in a very similar fashion.

### **Zoning**

The subject property is located in the PVD-2 Planned Village Development District, and the existing single-family use is permitted. The table on the following page lists the bulk requirements for the PVD-2 District and compares them to the applicant's proposal. While many of the lots the Board has reviewed in this development recently don't comply with the bulk requirements, this lot largely does with the exception of the front yard setback. As the applicant notes, front yard setback relief was previously granted permitting 26.2', however, that was based on a specific proposal at that time and should be reconsidered. The applicant's engineer will need

to provide calculations for minimum usable yard area to determine if relief is required, particularly for the rear yard. Given the wetland and floodplain immediately adjacent to the dwelling there may not be any usable rear yard and relief may be required from §412.E.1.h.

	Permitted	Existing	Proposed
Minimum Lot Size	9,000 SF	12,225 s.f.	No Change
Minimum Lot Frontage	75'	96.59'	No Change
Minimum Lot Width	75'	102.5'	No Change
Minimum Lot Depth	90'	110.82'	No Change
Minimum Front Yard	30'	N/A	26.3'*
Minimum Side Yard	10'	N/A	10'
Minimum Rear Yard	35'	N/A	35'
Minimum Useable Yard Area	20% of each yard	N/A	>20%
Maximum Building Height	35' / 2.5 stories	N/A	N/A

\* Indicates variance required

As indicated in the table above, the applicant requires the following bulk variance relief:

1. §412.E.1.e – minimum front yard setback, where 30' is required, 26.2' was previously approved and 26.3' is proposed.

As noted in the engineering review, the applicant also requires bulk variance relief from §431.J, which limits disturbance within 100' of the 100-year floodplain. As the established floodplain is directly adjacent to the proposed dwelling and the proposal clearly exceeds the 500 square foot disturbance exemption in §431.J.2, relief is required. While this lot was created prior to this standard being adopted, since there is no dwelling on the lot and this requirement limits "disturbance", this condition cannot be considered a legally existing nonconforming one. We note that most of Canal View Drive lies within 100' of the 100-year floodplain.

### **Consideration of Bulk Variances**

The Board has the power to grant c(1) or hardship variances "(a) by reason of exceptional narrowness, shallowness or shape of a specific piece of property, (b) or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or (c) by reason of an extraordinary and exceptional situation uniquely affecting a specific piece of property or the structure lawfully existing thereon, the strict application of any regulations...would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the developer of such property." The Board may also consider the grant of c(2) variances where the purposes of the New Jersey Municipal Land Use Law would be advanced and the benefits of the deviation would substantially outweigh any detriment. In either case, the Board cannot grant "c" or bulk variances unless the negative criteria are satisfied, or that there is no substantial impact to surrounding properties (first prong) and the grant of the variance will

not cause substantial impairment to the intent and purpose of the zone plan (master plan) or zoning ordinance (second prong).

Relative to the first prong of the negative criteria for the setback variance, we note the main part of the structure is the only portion that does not comply with the front yard requirement. The applicant notes that front yard setback relief was previously granted to permit 26.2', and an increase of a tenth of a foot is now proposed compared to what was previously approved. Comparing the setback proposed to those that exist directly across the street, most dwellings have front yard setbacks less than 26.3'. As to the second prong of the negative criteria and the intent and purpose of the zone plan and zoning ordinance, the Board will need to be satisfied grant of relief will not negatively impact light, air and open space. Here consistency with setbacks of adjacent properties is relevant.

In considering relief for disturbance within 100' of the 100-year floodplain, the Board will need to be satisfied the proposal will not result in impact to adjacent properties. It appears the area of disturbance is maintained lawn or meadow and is consistent with the way the dwelling on adjacent Lot 41.01 was constructed. Relative to the intent of the standard, the Board should consider the intent of the floodplain regulations and required buffer, which are implemented to protect public health, safety and welfare related to flooding concerns.

#### **Plan Comments**

1. As noted the applicant will need to provide a calculation of usable yard area to determine if relief is required, particularly for the rear yard.
2. We concur with the engineering department's comments relative to the ability to construct the proposed dwelling without disturbance in the floodplain or wetland buffer. The applicant should consider if the dwelling should be moved a few feet closer to Canal View Drive to provide a cushion for construction-related disturbance. While this would result in the need for greater front yard setback relief, it would not be inconsistent with setbacks of other dwellings along Canal View Drive.

We trust the Board will find this information useful in consideration of the matter at hand and reserve the right to provide additional comment based on the applicant's presentation at the public hearing. Should you wish to discuss this review memo, please feel free to contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'J.T. Kyle', is written over a light gray rectangular background.

James T. Kyle, PP/AICP, Board Planner

Cc: Brenda Kraemer, PE (via e-mail)  
Ed Schmierer, Esq., Board Attorney (via e-mail)