

Township of Lawrence
ENGINEERING DEPARTMENT

TO: File

FROM: BK Brenda Kraemer, Assistant Municipal Engineer

SUBJECT: Minor Subdivision Plan with Variances Application No. S-1/26 and ZB-3/26
SVM Group, LLC., Lawrence Avenue and Lawrenceville Road
Tax Map Page 23.02, Block 2314, Lot 6.01

DATE: April 24, 2026

General:

The applicant has proposed minor subdivision of Block 2314, Lot 6.01 located at the northwesterly corner of Lawrenceville Road and Lawrence Avenue. The property is owned by Saint Ann Church and has been historically used for related accessory purposes. Due to the current zoning of Education, Government & Institutions (EGI), a use variance is required for residential development. In addition, the bulk variances are required for all proposed lot parameters.

We will defer to the Planning Consultant for review of the variances; however, it is recommended that each lot contain an allowance for future homeowner improvements so subsequent variances are not required for expansion of a non-conforming use.

Detailed Report:

1. As the property is located in the EGI, bulk variances are required from all zone requirements. The surrounding neighborhood is zoned R-4 and the plan provides a chart that indicates compliance with all R-4 requirements (for comparison only). We recommend consideration of additional impervious coverage for each property as an allowance so future homeowners will have options for decks, patios, sheds, etc. without returning to the Zoning Board for variances. We will defer to the Board Attorney and the Applicant's Attorney for further discussion.
2. The current plans show approximately 2000 sf of proposed impervious coverage per lot. With an increase allowance as noted above, the total impervious coverage for the combined lots will exceed 4000 sf which is the threshold for evaluation and consideration of stormwater management. For this project, we recommend either roof drainage dry wells to encourage infiltration, rain gardens, or porous pavement driveways. Any of these measures may also assist with preventing cross lot drainage, which is evaluated during the plot plan phase.
3. The applicant shall clarify how sanitary sewer service will be provided to Lot A. The existing sewer main does not extend to the property frontage. In addition, the applicant should be aware that underground electric service is required.
4. The new lot numbers will be assigned as follows:

 Lot A: Lot 6.01, 6 Lawrence Avenue
 Lot B: Lot 6.02, 10 Lawrence Avenue

New lot deeds shall be submitted for review and approval. The property corners shall be set prior to signing the deeds, unless a bond is posted.

5. Street trees are recommended along both street frontages. We will defer to the Planning Consultant for further comments.
6. The Township standard "Minor Subdivision" notes shall be added to the plan.
7. The Applicant shall clarify if basements are proposed for the new dwellings.
8. Other permits / approvals:
 - a. New Jersey Department of Transportation
 - b. Mercer County Planning Board

Documents Reviewed:

- Application documents
- Minor Subdivision Plan
- Architectural Plans

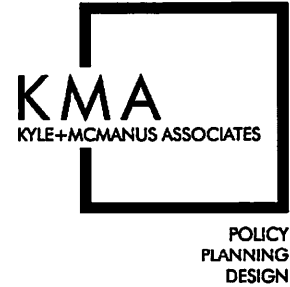
BK/las

**GENERAL NOTES FOR
MINOR SUBDIVISIONS**

1. Prior to issuance of a building permit, a plot plan prepared by a licensed New Jersey Professional Engineer shall be submitted to the Engineering Department for review and approval.
2. Prior to issuance of a Certificate of Occupancy, an as-built plan prepared by a licensed New Jersey Land Surveyor shall be submitted to the Engineering Department for review and approval.
3. If a sump pump is installed, it shall be connected to the underground storm sewer system unless the Municipal Engineer approves an alternate location.
4. All new utilities shall be installed underground.
5. A paved or concrete driveway apron is required. All sidewalk along the frontage of the property shall be inspected and replaced if deemed necessary by the Engineering Department.
6. A street opening permit is required for all work performed in the street. Engineering Department inspection is required for all improvements in the right-of-way.
7. Tree protection is required for all existing trees to remain.
8. The sight triangle area at the driveway will be inspected prior to issuance of a Certificate of Occupancy. If directed by the Municipal Engineer, selective clearing shall be performed to provide proper sight distance.
9. Property corner pins must be set and field verified by the Engineering Department. Bonding may be submitted in lieu of setting of corner pins to allow final approval and stamping of the plan.

May 13, 2026

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



**Re: SVM Group, LLC –and ZB-3/26
Block 2314, Lot 6.01 – Lawrence Road
Minor Subdivision with Use and Bulk Relief
EGI – Education, Government and Institutions District**

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 Township, included the following:

1. Land Use Application S-1/26 and ZB-3/26 and supporting documents.
2. Architectural Plans prepared by Patrick Hirsz, RA, dated October 13, 2025, consisting of 4 sheets.
3. Minor Subdivision of Lot 6.01, Block 2314 for Sylvia Warywoda, prepared by Craig W. Stratton, PLS, dated November 18, 2025 and last revised April 10, 2026, consisting of 2 sheets.

Based on the information provided with the submission, the applicant seeks minor subdivision approval along with d(1) and d(4) use and bulk variance relief to permit the creation of two new lots intended to accommodate detached single-family dwellings. Proposed Lot "A" is at the corner of Lawrence Avenue and Lawrence Road and will total 10,993 square feet while proposed Lot "B" will be immediately to the west fronting on Lawrence Avenue and will total 7,500 square feet. As depicted on the architectural plans, the dwelling on Lot "A" would have 2,217 square feet of living area with four bedrooms and two and half baths and the dwelling on Lot "B" would have 2,039 square feet of living area with four bedrooms and two and half baths.

The subject property, known as Block 2314, Lot 6.01, is located on the north side of Lawrence Avenue at its intersection with Lawrence Road (Route 206) and is owned by St. Anne's. Totaling 18,493 square feet, the site is vacant except for an existing freestanding sign for St. Anne's School. The June 2025 aerial photo on the following page depicts the subject property outlined in yellow along with surrounding uses which includes St. Anne's to the south, residential dwellings to the west, north and east and commercial uses to the southeast.



Zoning

The subject property lies within the Education, Government and Institutions (EGI) District, which permits a wide array of governmental, educational, charitable, healthcare and religious uses. The district conditionally permits medical offices associated with a primary health care use. While single-family detached dwellings are permitted as accessory uses, they may only be occupied as faculty or administrative housing. As such, the applicant requires d(1) use variance relief to permit the single family dwellings proposed.

The site has a number of existing nonconforming conditions relative to the area, yard, height and building coverage requirements of the EGI District per §426.E, including the following:

1. §426.E.1 – minimum lot size, where 5 acres is required and 0.425 acres exists.
2. §426.E.2 – minimum lot frontage, where 300’ is required and 100.07’ exists along Lawrenceville Road and 186.86’ exists along Lawrence Avenue.
3. §426.E.3 – minimum lot width, where 300’ is required and 100.07’ exists.
4. §426.E.4– minimum lot depth, where 600’ is required and 100.07’ exists.
5. §426.E.5 – minimum front, side and rear yards of 100’ required; the current principal use of the property (freestanding sign) is not set back 100’ from property lines.

The table below details the bulk requirements for the EGI District along with conditions proposed for the two new lots. With the exception of maximum impervious surface ratio, building height and floor area ratio for proposed Lot A, the lots proposed do not comply with the requirements. It should be noted that the proposed lots would comply with all bulk requirements for the R-4 District, which covers most of the surrounding lots. Although the R-4 standards are not applicable, given the nature and location of the proposal, the comparison is worthwhile relative to the negative criteria as noted below.

	Required	Proposed Lot A	Proposed Lot B
Minimum Lot Size	5 acres	0.252 acres*	0.172 acres*
Minimum Lot Frontage	300'	111.86'*	75'*
Minimum Lot Width	300'	111.86'*	75'*
Minimum Front Yard	100'	32'*	32'*
Minimum Side Yard	100'	14.3'*	12'*
Minimum Rear Yard	100'	35.5'*	35.5'*
Minimum Setback for Accessory Uses	75'	N/A	N/A
Maximum Impervious Surface Ratio	0.60	0.211	0.287
Maximum Floor Area Ratio	0.20	0.20	0.272*
Maximum Height	50'	31'	31'

* Indicates variance required.

D(1) Use Variance Considerations

The Board has the power to grant “d(1)” variances to permit prohibited uses (N.J.S.A. 40:55D-70(1)) only “in particular cases and for special reasons.” The applicant must demonstrate both the positive and negative criteria. For the positive criteria, the applicant must show that the public welfare is promoted because the site is particularly suited to the proposed use, and that special reasons exist for the grant of the variance. Special reasons are generally derived from the purposes of the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-2. Note that as to the particular suitability of the site, the Court in Price v. Himeji, 214 N.J. 263, 292-292 (2013) clarified that an applicant need not show there are no other viable locations for the use, but must rather show the characteristics of the site that make it uniquely suited to the use proposed.

As to the negative criteria, the applicant must show that the variance can be granted without substantial detriment to the public good, and that it will not substantially impair the intent and purpose of the zone plan and zoning ordinance. The enhanced quality of proof required by the Court in Medici v. BPR Co. must also be addressed. In this regard the applicant must demonstrate, and the Board must specifically find, that the grant of the variance is not inconsistent with the intent and purpose of the zone plan and zoning ordinance, proof that reconciles the governing body’s continued omission of the use among those permitted in the EGI District.

With respect to substantial detriment to the public good, the Board must consider potential

impacts to surrounding properties that could result from the grant of a use variance for the single family uses proposed. The Board should keep in mind the term “substantial detriment”. Any application for a use not permitted in a particular zone district is likely to have some impact on surrounding properties. The question is whether that impact rises to the level where it could potentially alter the character of the neighborhood in a significant way. Here the applicant is proposing single family dwellings on lots that meet the R-4 bulk requirements and will be similar to lots surrounding the subject property.

As to the intent and purpose of the zone plan and zoning ordinance and the enhanced quality of proof under Medici, the Land Use Ordinance, §426A notes the purpose of the EGI District below. The Board should also be guided by the Purpose and Intent of the Land Use Ordinance as outlined in §102.

“Purpose. The Education, Government and Institutions (EGI) district is intended for governmental, educational, charitable, health care and religious uses presently existing within the municipality. Buildings within the EGI district are often in a complex or campus form integrating residential, office, recreational, health care, houses of worship, and other ancillary uses with its primary function.”

To meet the heightened standard required under Medici v. BPR Co., the applicant’s testimony must reconcile the use proposed with the governing body’s assumed intent of limiting standalone single family uses in the EGI District. The Board should consider that this individual property, while owned by St. Anne’s and technically part of the campus, is isolated relative to the rest of the campus and has more of a relationship to the existing single family dwellings that surround it in the R-4 District. In all likelihood this property was included in the EGI solely based on ownership and not any physical or environmental characteristics that would differentiate it from surrounding residential properties.

D(4) Use Variance Considerations

The applicant is requesting d(4) use variance relief in accordance with the requirements of the New Jersey Municipal Land Use Law. While technically use variances, d(4) floor area ratio variances are treated differently than d(1) use variance requests to allow a use or principal structure not permitted in the EGI district. The Board should be guided by the case Randolph Town Center v. Tp. of Randolph, 324 N.J. Super at 416 as well as the case Coventry Square v. Westwood Board of Adjustment, 138 N.J. 285, 298-299 (1994). In its decision in the Randolph case, the Court held the standards in Coventry are applicable to the Board’s consideration of d(4) variance relief rather than the strict standards for a d(1) use variance as outlined in Medici v. BPR Co. The applicant must show the site can accommodate the problems associated with an increase in permitted floor area; they need not show the site is particularly suited to more intense development.

On the negative criteria, the Board’s focus with the first prong is the effect the increase in floor area will have on adjacent properties. Here it should be considered whether conditions can be imposed to ensure the increase in floor area sought will not cause substantial detriment to the

public good (surrounding properties). As to the second prong of the negative criteria and consideration of whether the grant of the variances will cause substantial impairment to the intent and purpose of the zone plan and zoning ordinance, the Board must be satisfied that the applicant's proposal is reconcilable with the intent of the governing body relative to imposition of the floor area limitation in the first place. As noted in the bulk table on the minor subdivision plan, the floor area proposed for each dwelling would comply with the requirements of the R-4 District which surrounds the site.

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).

In our view, the bulk relief sought can be subsumed within the Board's consideration of the d(1) use variance as the EGI District standards were not created with single family dwellings on individual lots in mind. This issue was addressed in the New Jersey Supreme Court's case Price v. Himeji, 214 N.J. 263, 292-292 (2013), a case where use variance relief was sought for an apartment building in a district where it was not permitted and the proposal also required density, height and bulk variance relief. In delivering the opinion for the Court, Justice Hoens noted "*There is little doubt about the fact that a use variance, by its nature, carries with it the implication that the ordinance bulk and density requirements of the zone will not be applied.....That does not mean that a zoning board can ignore the ordinarily applicable limits on height, for example, when evaluating an application for a use variance. It does mean that the board can, as part of granting a use variance, consider the other requested variances as ancillary to the principal relief being sought.*" The Board must simply be satisfied that the conditions proposed for the single family dwellings are appropriate, and the R-4 District standards are certainly instructive. As noted, the proposal complies with the R-4 standards and the single family dwellings surrounding the site lie within that district.

General Comments

1. The driveway width proposed is only 16', which will not allow two cars to be parked side by side. In order to comply with RSIS requirements, we suggest the driveway be widened to 20' so parking spaces in the driveway count towards the parking requirement of 2.5 spaces (maximum) for each dwelling. This would add 128 square feet of impervious

coverage to each lot but would provide at least two parking spaces in the driveway. Depending on how the curb cut is designed, an exception may be required from §429.J.4 to permit a curb cut wider than 22'.

2. We concur with the Board Engineer's comments regarding an increase in impervious coverage to account for decks, patios, sheds and other accessory structures. While this may result in the need for minor stormwater management measures, it makes more sense to design for this condition now rather than future homeowners having to incorporate stormwater management into simple outdoor home improvement projects. As permitted coverage is 60% in the EGI district, additional impervious surfaces would not create the need for variance relief.
3. §525.C.1 requires street trees between the curb and the sidewalk, and §525.C.2 requires street trees be spaced 20' to 40' apart depending on whether they are small, medium or large trees. Given that overhead wires are present on both street frontages, we suggest street trees be planted outside the right of way to avoid the need for drastic trimming in the future. Medium trees per §525.C.3, Table 5.5, spaced 30' apart would likely be the best approach. We note there are two trees between the curb and sidewalk already, but the pear tree will be removed to accommodate the driveway for proposed Lot B.
4. The applicant should indicate whether the St. Anne's School sign will be relocated or simply removed.

We trust the Board will find this information useful in consideration of the matter at hand. We will attend the hearing on May 20th and reserve the right to provide additional comment based on the applicant's presentation. Should you wish to discuss this review memo, please feel free to contact our office.

Sincerely,



James T. Kyle, PP/AICP, Board Planner

Cc: Brenda Kraemer, PE (via e-mail)
Ed Schmierer, Esq., Board Attorney (via e-mail)
Dino Spadaccini, Esq., Applicant's Attorney (via e-mail)
Craig Stratton, PLS, Applicant's Surveyor (via e-mail)

TOWNSHIP OF LAWRENCE
Division of Planning and Redevelopment

RECEIVED

APR 28 2026

LAWRENCE TOWNSHIP
CONSTRUCTION DEPARTMENT

TO: James Kyle, Planning Consultant
Edwin W. Schmierer, Zoning Board Attorney
James DeForte, Construction Official
Edward Tencza, Public Safety Coordinating Committee
Environmental Resources Committee
Shade Tree Advisory Committee
Keith Levine, Health Officer

FROM: *BK* Brenda Kraemer, Assistant Municipal Engineer

SUBJECT: Minor Subdivision Plan with Variances Application No. S-1/26 and ZB-3/26
SVM Group, LLC., Lawrence Avenue and Lawrenceville Road
Tax Map Page 23.02, Block 2314, Lot 6.01

DATE: April 22, 2026

Attached are the documents listed below with regard to the above referenced site plan application:

- Application and Supporting Documents
- Site Plans
- Architectural Plans

Additional application documents are also available on our website at:

<https://www.lawrencetwp.com/departments/engineering-planning-zoning/DocumentsforActiveBoardApplications>

This application is scheduled for review by the Zoning Board at the meeting to be held Wednesday, June 17, 2026. Please review these documents and submit your report to this office as soon as possible, but **no later than June 5, 2026**, so that reports may be provided to the applicant and Board members prior to the meeting.

LAS

Attachments

4-29-26 . No Building Comments AAC

4-29-26 - NO ELECTRIC COMMENTS RM

04/29/2026 - NO FIRE COMMENTS

5/1/26 NO PLBG COMMENTS

TOWNSHIP OF LAWRENCE
Division of Planning and Redevelopment

TO: James Kyle, Planning Consultant
Edwin W. Schmierer, Zoning Board Attorney
James DeForte, Construction Official
Edward Tencza, Public Safety Coordinating Committee
Environmental Resources Committee
Shade Tree Advisory Committee
Keith Levine, Health Officer

FROM: *BK* Brenda Kraemer, Assistant Municipal Engineer

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LAS

Attachments



No. Comments

[Handwritten Signature]
5/6/2026
Public Safety / [Signature]



Environmental & Green Advisory Committee (EGAC) Memorandum

To: Lawrence Township Zoning Board of Adjustment

Re: SVM Group, LLC – Block 2314, Lot 6.01

Application: Minor Subdivision; Use Variance; Bulk Variances

The Environmental & Green Advisory Committee (EGAC) respectfully offers the following advisory comments regarding long-term site performance, drainage behavior, vegetation potential, and localized heat-related impacts associated with the proposed development.

Key Observations

- The proposal would convert a currently undeveloped, fully pervious grassed parcel into a two-lot residential development with increased building coverage, paved surfaces, and concentrated runoff points.
- The site lies within the Shabakunk Creek subwatershed, which already experiences cumulative drainage and water quality concerns commonly associated with developed land uses, including increased stormwater conveyance, streambank erosion, and localized flooding concerns. Even relatively small increases in impervious and semi-impervious coverage can influence localized runoff behavior and, in the aggregate, contribute to broader drainage and watershed conditions over time.
- EGAC notes that dimensional compliance alone does not necessarily ensure long-term site performance, particularly on smaller lots developed near practical coverage limits. Developments that technically satisfy minimum standards may still experience issues related to runoff concentration, limited canopy establishment, increased heat absorption, and incremental hardscape expansion over time.
- Smaller residential lots frequently experience gradual increases in effective impervious area after construction through additions such as patios, widened driveways, walkways, and accessory improvements. Over time, this can further reduce infiltration, limit canopy potential, intensify runoff conditions, and increase localized heat buildup.
- Replacement of open vegetated surfaces with roofs and pavement contributes to localized urban heat island effects and thermal loading of stormwater runoff. Elevated pavement and roof temperatures can increase ambient heat and contribute to warmer runoff entering downstream drainage systems and waterways.

- The Committee notes that the proposal represents a relatively intensive use of small residential lots, making long-term site function, landscape capacity, and the relationship between development intensity and site capacity important considerations.

Site Design Considerations

Accordingly, EGAC encourages consideration of practical site design measures that may help maintain long-term site performance and reduce localized impacts, including:

- Limiting oversized paved areas and preserving usable open soil and planting space capable of supporting canopy trees, infiltration, and long-term landscape function
- Providing sufficient space for large-canopy native shade trees, particularly along the southern and western portions of the homes and adjacent to driveways and paved areas, where summer shading can reduce roof and pavement temperatures while still allowing winter solar access after leaf drop
- Utilizing native canopy trees, deep-rooted native plantings, and rain garden-style landscape areas near driveways and roof leader discharge points to improve infiltration, reduce runoff concentration, moderate pavement and roof temperatures, and help filter pollutants before entering downstream drainage systems
- Considering reasonable limitations on future impervious surface expansion in order to maintain long-term site function and drainage performance

Suitable native canopy tree species for this type of residential layout may include Red Maple (*Acer rubrum*), Swamp White Oak (*Quercus bicolor*), Willow Oak (*Quercus phellos*), Black Gum (*Nyssa sylvatica*), Princeton Elm (*Ulmus americana* 'Princeton'), or similar long-lived shade trees capable of providing meaningful canopy coverage over time.

Thoughtful site design at the initial approval stage can help reduce the likelihood of future drainage, heat, and hardscape-related concerns as the properties evolve. Modest adjustments to hardscape extent, planting area, or canopy provision can materially improve long-term site performance without altering the overall residential character of the proposal.

The Committee recognizes that this is a relatively small-scale residential application. These comments are intended simply to highlight practical site-design considerations that may influence long-term drainage behavior, heat absorption, vegetation potential, and cumulative site conditions over time. These comments are offered solely in relation to site design, drainage behavior, long-term site performance, and public welfare considerations commonly evaluated in local land use review.