

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, APRIL 21, 2010, 7:30 P.M.**

Present: Stephen Brame
Michael Ehret
Robert Kulak
Cathleen Lewis
Bruce Kmosko, Alt. #1
John Gladwell, Alt. #2
Charles E. Lavine, Vice Chairman (arrived 7:35 p.m.)
Peter Kremer, Chairman

Absent: Leona Maffei (Absent/excused)

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer
Brian Slaugh, Planning Consultant, Clark•Caton• Hintz
Edwin W. Schmierer, Attorney, Mason, Griffin & Pierson
Sara A. Summiel, Recording Secretary

1. 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, the Trentonian and the Lawrence Ledger newspapers on Wednesday, April 14, 2009.

2. Public Participation : (None)

3. RESOLUTIONS

Resolution of Memorialization 12-10z Approving Use Variance Application No. ZB-10/10 & Preliminary & Final Site Plan with waivers Application No. SP-1/10 SPECIAL OLYMPICS NEW JERSEY, INC., 3 Princess Road, Tax Map Page 39.01, Block 3901, Lot 20.

A brief discussion took place by Mr. Slaugh and the Board with regard to a revised shutoff time for the lights. Instead of the stated time of 10 p.m., it was noted that the applicant is requesting some flexibility for those times when a field activity may not end timely. It was felt that a revised shutoff time of 11 p.m. would give everyone ample time to access their vehicles and depart in a safe manner. The Board accepted and Township Professionals agreed.

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Resolution of Memorialization 12-10z – Continued

Mr. Kulak moved and Mrs. Lewis seconded to approve Resolution No. 12-10z, as Amended.

VOTE:

AYES: Kulak, Lewis, Kmosko, Gladwell, Kremer

ABSENT: Maffei

INELIGIBLE TO VOTE: Brame, Ehret, Gladwell

4. MINUTES FOR APPROVAL:

March 17, 2010 – Regular

Mrs. Lewis moved and Mr. Kulak seconded to approve the minutes, as Amended. This carried on the following voice call vote: AYES (5) NAYES (0) ABSENT (1) INELIGIBLE TO VOTE (3)

5. Application No. ZB-03/09 (LAWRENCE AUTO GROUP, INC.), Bulk Variance, 2920 Brunswick Pike, Tax Map Page 36.01, Block 3601, Lot 29.
The public hearing was recorded. The Board took jurisdiction.

Rhonda Feld, Esq., represented the applicant. Ms. Feld gave a brief overview and background of the application. She stated that the application was originally submitted in April 2009, and that the current application has been changed substantially. Initially, the Dealership had filed an application to install a second freestanding sign over 33 feet in height, but in their first review letter, the owner was struggling to work with the Township with regard to the requirements. The applicant's new application, which was filed in January 2010 is requesting to install a new freestanding sign at a different location on the site and proposes to have that sign replace the existing freestanding sign. The proposed sign, to be 15 feet in height with a sign area of 100 sq. ft., will be entitled "Ford". The proposed sign will be located at the southwest portion of the site. The applicant is proposing a 3-foot setback, where a 15-foot setback is required. The applicant stated that the proposed signage would be in a better and more conforming location. In order to meet the requirements of the Dealership and in exchange for not having the second freestanding sign, the applicant is requesting increased facade signage to at least provide the identity needed for the different dealerships.

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Application No. ZB-03/09 - Continued

The applicant, Tony Stewart, (owner and operator since 2007) gave an overview of Ford's requirements for each Franchise. Mr. Stewart stated that each Franchise is required to have a different and separate brand for each Franchise of Ford and Lincoln Mercury. He referred to Exhibit A-1 and described the proposed signage. He stated that the current signage is not in compliance with the Dealership requirements. He referred to Exhibit A-2 and described the signage prior to his ownership. He referred to Exhibit A-3) and proceeded to describe the proposed replacement sign to be located on the northwest facade entitled "Lawrenceville" with a trio of smaller name/logo signs of "Lincoln, Ford and Mercury". The applicant proposes to maintain the existing "Service" and "Quick Lane" signage on Litho Road frontage. Mr. Slauch questioned how the signage attached to the light poles would help in the operation of the Dealership's business. The applicant explained that they are visible directional signs for the customers. With regard to the existing signs entitled "Mercury" and "Showroom Entrance", the applicant stated that they will be removed.

The applicant's expert witness explained the required architectural graphics for Ford, Lincoln and Mercury and gave an overview of the Franchise's Agreement for the applicant to have two signs. The applicant gave testimony with regard to the design, material, and elevation plan for proposed signage. (See Exhibits A4 and A-5). With regard to the internal lighting of the signage, the applicant stated that lights will be off by 10 p.m.

The applicant's Professional Planner addressed the variances and referenced the sections of the Ordinances associated with the proposed freestanding signage, façade signage and existing signage. She gave an overview of the following required variances: a setback variance for the freestanding sign; a variance for the skirting around the freestanding sign of the pole; a variance for a total of nine façade signs (combined between Route 1 frontage and Litho Road frontage); a variance for the five percent sign area of the total facade area; a variance for the regulation of highway commercial district; a variance for directional signage for maximum height and mounting; and a variance for the width of the freestanding sign. The applicant stated that the entire site is presently being upgraded. Although the applicant is increasing the signage on Route 1, the applicant stated that the signage on Litho Road is being reduced. The applicant stated that all access to the site will be from Litho Road. The applicant agreed to remove all window signage to conform to the Ordinance and provide better visibility of the site.

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Application No. ZB-03/09 - Continued

The applicant expressed that the upgrade of the building and signage will promote a more desirable, visible environment to the site.

Mr. Slaugh referred to his report dated March 9, 2010 and addressed the landscape island and decoration of base. Following a brief discussion, the applicant agreed to work with the Township Professionals with regard to the design. Also, Mr. Slaugh requested the applicant to provide a revised site plan showing the landscape island and landscaping. The applicant agreed. With regard to the window signs, the applicant must remove within 30 days. The applicant agreed. (Attachment No. 1 – Reports)

Exhibit:

- A-1 Proposed Sign Plan, dated 3/18/09, revised 12/16/09
- A-2 Series of Seven (7) Colored Photographs Prior to Ownership
- A-3 Proposed Rendering, dated 5/17/07
- A-4 Proposed Ford Freestanding Sign
- A-5 Elevation Plan – Signage

Witness:

- Tony Stewart, Owner & Operator
- Jerry Overton, National Business Manager, Architectural Graphic Inc. (Lincoln, Ford, Mercury)
- Tiffany Cuviello, Professional Planner & Expert

Public Comment: None

Vice Chair Lavine moved and Mr. Kulak seconded to approve the application, including bulk variance,

VOTE:

AYES: Kulak, Lewis, Kmosko, Gladwell, Kremer
ABSENT: Maffei
INELIGIBLE TO VOTE: Brame, Ehret, Gladwell

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6. Old Business/New Business/Correspondence: None

7. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 8:50 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,

Sara A. Summiel (emailed)

**Sara A. Summiel
Recording Secretary**

MINUTES APPROVED: Approved June 16, 2010