

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REORGANIZATION & REGULAR MEETING
WEDNESDAY, JANUARY 13, 2010, 7:30 P.M.**

Present: Michael Ehret
Cathleen Lewis
Leona Maffei
Bruce Kmosko, Alt. #1
John Gladwell, Alt. #2
Charles Lavine, Vice Chairperson
Peter Kremer, Chairperson

Absent: Stephen Brame (Absent/excused)
Robert Kulak (Absent/excused)

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer
Brian Slauch, Planning Consultant, Clarke•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 Thursday, January 7, 2010.

2. Public Participation : (None)

3. OATH – NEW MEMBERS:

Mrs. Maffei and Mr. Gladwell were placed under oath. Mr. Schmierer administered the oath.

4. ELECTIONS: CHAIRPERSON

Mrs. Maffei moved and Mr. Lavine seconded to appoint Peter Kremer, as Chairperson. Nominations were closed. The following voice call vote took place: AYES (6) NAYES (0) ABSENT (2) ABSTAINED (1)

5. ELECTIONS: VICE CHAIRPERSON

Mr. Ehret moved and Mr. Gladwell seconded to appoint Charles Lavine, as Vice Chairperson. Nominations were closed. The following voice call vote took place: AYES (6) NAYES (0) ABSENT (2) ABSTAINED (1)

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6. APPOINTMENTS:

Vice Chair Lavine moved and Mr. Ehret seconded to approve the Resolutions for Appointments in a Block (Res. 1-10z thru Res. 7-10z).

Vote:

AYES: Ehret, Lewis, Maffei, Kmosko, Gladwell, Lavine, Kremer

ABSENT: Brame, Kulak

RESOLUTION 1-10z APPOINTING (EDWIN W. SCHMIERER, ESQUIRE), AS PLANNING BOARD ATTORNEY, REPRESENTING THE FIRM OF MASON, GRIFFIN & PIERSON.

RESOLUTION 2-10z APPOINTING (DAVID M. ROSKOS, ESQUIRE) AS SPECIAL ATTORNEY, REPRESENTING THE FIRM OF STERNS & WEINROTH.

RESOLUTION 3-10z APPOINTING (SARA A. SUMMIEL), AS RECORDING SECRETARY.

RESOLUTION 4-10z APPOINTING (BRENDA KRAEMER, P.E.) AS ENGINEER IN-HOUSE

RESOLUTION 5-10z APPOINTING (BRENDA KRAEMER, P.E.) AS SECRETARY IN-HOUSE.

RESOLUTION 6-10z APPOINTING (BRIAN SLAUGH, PP/FAICP), AS PLANNING CONSULTANT, REPRESENTING THE FIRM OF CLARKE CATON HINTZ.

RESOLUTION 7-10z APPOINTING (JAMES L. KOCHENOUR, P.E.) AS TRAFFIC CONSULTANT, REPRESENTING THE FIRM OF ARORA AND ASSOCIATES.

7. REP. TO GROWTH & REDEVELOPMENT COMMITTEE

Vice Chair Charles Lavine

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8. MINUTES FOR APPROVAL

Monday, December 16, 2009 – Regular

Mr. Ehret moved and Mrs. Lewis seconded to approve the minutes. This carried on the following voice call vote: AYES (6) NAYES (0) ABSENT (2) INELIGIBLE TO VOTE (1)

9. Application No. ZB-5/09 & SP-2/09 – (MORRIS HALL/ST. LAWRENCE REHAB. INC.) Use Variance & Preliminary and Final Site Plan, 2381 Lawrenceville Road, Tax Map Page 48, Block 4801, Lot 3.

The hearing was recorded. The Board took jurisdiction.

David A. Gies, Esq., represented the applicant. Mr. Gies gave a brief history of the application. He stated that the applicant is seeking a variance and final site plan approval to construct a two-story building that will consist of 17 additional congregate care units for retired clergy and a connected one-story building to consist of four additional units. The applicant is proposing a total of 35 units. The applicant is proposing to construct this project within two phases. The first phase of construction will be the two-story building and the second, will be the one-story building on the 35-acre site along the southwest of the existing congregate care facility. The applicant gave an overview of the existing Villa Vianney site and the surrounding area. The applicant addressed the variance associated with the proposed buildings' setback from the I-95 ramp, where the applicant is requesting a variance for 11.3 ft. to meet the required 150-foot setback. With regard to the parking, the applicant stated that no additional spaces are being proposed since there is a dedicated parking area for Villa Vianney of 21 existing spaces. In addition, the applicant has provided a letter from the St. Lawrence Rehabilitation Center (Charles L. Brenna, President/CEO) dated November 20, 2009, stating that there are a significant number of underutilized spaces of the 461 spaces provided at the Morris Hall site and that additional parking is not necessary. Also, the applicant added that most of the retired clergy are up in age and do not drive. The applicant stated that the existing detention basin will be enlarged to provide adequate ground water recharge and additional plantings for screening. *Mrs. Kraemer addressed the Township's Public Safety Report and suggested that the applicant work with the Township Professionals and Public Safety Committee in order to comply with the required specifications for the fire access lane. In addition, Mr. Slauch suggested that the applicant install markers along the fire lane at every 50 feet. The applicant agreed to comply with both comments, as a Condition of Approval.*

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Application No. ZB-5/09 & SP-2/09 – Continued

The applicant agreed to comply with all the other comments and recommendations noted in the Township Professionals' reports. The applicant is proposing a courtyard with a walkway. Also, the applicant is proposing to add a prayer garden and Stations of the Cross for the courtyard area sometime in the future. The applicant referred to Exhibit A-6 and described the proposed building materials. The applicant is proposing a similar base in scale with a richer fill and building façade will be compatible with the existing. The applicant is proposing to build a sustainable building, using LEED techniques. The height of the proposed buildings will be the same as the existing. Mr. Slauch referred to his report dated January 5, 2010 and suggested that the applicant consider the sound transmission for the windows and walls during the selection of materials. *Following a brief discussion, the applicant agreed to upgrade the windows for the live-in units within the 150 ft. setback, as a Condition of Approval.*

In describing the extensive buffer along the southerly portion of the property, the applicant stated that some trees are proposed to be removed. The applicant added that if there is a need for additional trees, replacements will be provided. The applicant gave a summary of the permitted use within the EGI Zoning District and addressed the increased density. The applicant proceeded to give testimony to support the special reasons, increased density and need for a C-2 variance, as oppose to a C-1 variance, for the congregate care facility. The applicant stated that the variance could be granted without any substantial negative impact to the surrounding area, travelling public or residential area. The applicant stated that the architectural site plan grows out from what already exist and that the site can accommodate the increased density. With regard to the traffic, the applicant stated it would be minimal. (See Attachment No. 1 – Reports)

EXHIBITS:

- A-1 (Existing Conditions Plan)
- A-2 (Partial Site Plan)
- A-3 (Colored Site Plan)
- A-4 (Floor Plan)
- A-5 (3 Renders of Court Yard- Colored)
- A-6 (Sample of Base Stone)
- A-7 (Aerial Villa Vianney Addition – Colored)

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WITNESSES PLACED UNDER OATH:

- Francis Goeke, Principal Engineer & Expert (Lanning Engineering Co.)
- Harry T. Osborne, AIA & Expert (Ganflee Architects & Engineers)
- Richard Coppola, Professional Planner & Expert (Coppola Associates)

PUBLIC COMMENT: None

Mrs. Maffei moved and Vice-Chair Lavine seconded to approve the application with variance, subject to all appropriate conditions and the recommendations contained in the Township Professionals' reports.

Vote:

AYES: Ehret, Lewis, Maffei, Kmosko, Gladwell, Lavine, Kremer
NAYES: None
ABSENT: Brame, Kulak

10. Old Business/New Business/Correspondence: None

11. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 8:49 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Sara A. Summiel
Recording Secretary

MINUTES APPROVED: MARCH 17, 2010