

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, MARCH 17, 2010, 7:30 P.M.**

Present: Robert Kulak
Cathleen Lewis
Bruce Kmosko, Alt. #1
Charles Lavine, Vice Chairman
Peter Kremer, Chairman

Absent: Stephen Brame (Absent/excused)
Michael Ehret (Absent/excused)
Leona Maffei (Absent/excused)
John Gladwell, Alt. #2 (Absent/excused)

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer
Brian Slauch, P.P., AICP, 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, March 11, 2010.

2. RESOLUTION OF MEMORIALIZATION 8-10Z ADOPTING ANNUAL REPORT

Vice Chair Lavine moved and Mrs. Lewis seconded to approve Resolution No. 8-10z, Adopting the Annual Report. (See Attachment No. 1)

Vote:

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

3. MINUTES FOR APPROVAL: September 16, 2009 – Regular

Mrs. Lewis moved and Vice Chair Lavine seconded to approve the minutes
This carried on the following voice call vote: AYES (4) NAYES (0)
ABSENT (5) INELIGIBLE TO VOTE (0)

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, MARCH 17, 2010, 7:30 P.M.**

4. RESOLUTIONS:

**Resolution of Memorialization 9-10z approving Use and Bulk Variances
Application No. ZB-8/07 and Minor Site Plan Application No. SP-4/07,
DOUGLAS S. KNEHR, ESQUIRE, 208 Bakers Basin Road, Tax Map Page
40.01, Block 4001, Lot 29.**

The applicant Mr. Knehr was present and requested clarification with regard to whether a fence was intended to be required at the westerly portion of the property and a buffer width variance for the garage. Mr. Slaugh gave a brief explanation and the Board accepted the Resolution as presented.

Mr. Knehr accepted.

Mrs. Lewis moved and Vice Chair Lavine seconded to approve Resolution No. 9-10z.

Vote:

AYES: Kulak, Lewis, Lavine

NAYES: None

ABSENT: Brame, Ehret, Maffei, Gladwell

INELIGIBLE TO VOTE: Kmosko, Kremer

**Resolution of Memorialization 10-10z approving Use and Bulk Variances
Application No. ZB-8/09, Preliminary and Final Site Plan Application No.
SP-3/09, AUXILIARY SERVICE & HARDWARE (VETH), 644 Whitehead
Road, Tax Map Page 12, Block 1201, Lot 14.**

Mrs. Lewis moved and Vice Chair Lavine seconded to approve Resolution No. 10-10z.

Vote:

AYES: Lewis, Kmosko, Lavine, Kremer

NAYES: None

ABSENT: Brame, Ehret, Maffei, Gladwell

INELIGIBLE TO VOTE: Kulak

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, MARCH 17, 2010, 7:30 P.M.**

RESOLUTIONS – CONTINUED

Resolution of Memorialization 11-10z approving Use Variance and Preliminary and Final Site Plan Application Nos. ZB-5/09 & SP-2/09, MORRIS HALL/ST. LAWRENCE REHAB. INC., 2381 Lawrenceville Road, Tax Map Page 48, Block 4801, Lot 3.

Vice Chair Lavine moved and Mrs. Lewis seconded to approve Resolution No. 11-10z.

Vote:

**AYES: Lewis, Kmosko, Lavine, Kremer
NAYES: None
ABSENT: Brame, Ehret, Maffei, Gladwell
INELIGIBLE TO VOTE: Kulak**

5. **Application No. ZB-3/09 (LAWRENCE AUTO GROUP), Bulk Variance, 2920 Brunswick Pike, Tax Map page 36.01, Block 3601, Lot 29.**

At the request of the Applicant, the Board took Jurisdiction. No further action was taken. Jurisdiction continued to next scheduled meeting of April 21, 2010. (See Attachment No. 2 – Letter dated March 15, 2010)

Chair Kremer moved and Vice Chair Lavine seconded to take Jurisdiction Only. This carried on the following voice call vote: All present stated yes.

6. **Application No. ZB-1/10 (SPECIAL OLYMPICS NEW JERSEY, INC.), Use and Bulk Variances, and Preliminary & Final Site Plan Application No. SP-1/10, 3 Princess Road, Tax Map Page 39.01, Block 3901, Lot 20.**

The hearing was recorded. The Board took jurisdiction.

Eric Goldberg, Esquire (Stark & Stark), represented the applicant. Mr. Goldberg briefly explained that the applicant (Special Olympics New Jersey, Inc.) is a non-profit organization that is devoted to provide year round sports' training for individuals with developmental disabilities. The property is located at 3 Princess Road and consists of a 34,000 sq. ft. building with administrative offices, sports and fitness training area for individuals with disabilities and their families. The applicant has been housed at this facility for at least seven years. Mr. Goldberg proceeded to give an overview of the application and the

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, MARCH 17, 2010, 7:30 P.M.**

Application No. ZB-1/10- Continued

The applicant is seeking a waiver for the height of the light poles. The applicant noted that there are existing lights to the rear for the basketball and bocce court area that will be replaced. The applicant is proposing a Class 3 light level and explained that the proposed angle of the lighting is to protect the athletes, as well as, the neighboring properties. The applicant explained that the lights will not be on timers. Also, the applicant is proposing a three-foot high portable bleacher unit to be very light in weight. The applicant is proposing a 4x8 sq. ft. score board with a total height of 14 feet which requires a bulk variance and design exception. Therefore, the applicant is not proposing any landscaping around the pole or turf field. The Board accepted. The applicant stated that there are 118 spaces on the eastside of the property and expressed that there will be no change in the traffic since the children are transported by van and/or by carpool. The applicant agreed to provide safe access to the site when hosting special events and a letter from The Medical Society of New Jersey giving approval for "shared parking". The applicant is proposing an eight-foot high black chain link fence around the proposed field and new fencing for the existing court. The applicant's professionals addressed Mrs. Kraemer's report dated March 4, 2010, and Mr. Slaugh's report dated March 2, 2010. (See Attachment No. 4 – Reports) With regard to the existing detention basin, the applicant agreed to re-grade to improve the function of the basin, as recommended by the Township Professionals. The applicant agreed to obtain DEP approval for wetlands and encroachment permits prior to construction. The applicant will perform the necessary ground water testing and soil testing for Township's approval. With regard to landscaping, screening, and street trees, the applicant will provide along Princess Road. The applicant agreed to work with the Township Professionals regarding any tree removal required for the construction of the turf field. Mr. Slaugh addressed the overall landscaping plan and requested the applicant to provide a revised landscape plan from their Arborist for the transplantings. The applicant agreed to comply. The applicant is proposing a 10x20 sq. ft. storage shed to store sports equipment. The applicant agreed to work with the Township's Construction Office for any required foundation for the shed. The applicant requested approval to construct at a later date a 20-foot high netting system to collect the soccer balls from the turf field. The applicant explained that the netting can be lowered when not in use. With regard to all the comments, the applicant stated their compliance to all the comments and recommendations in the Township Professionals' reports. Also, the applicant stated that the intensity on site is very low and will be a great service to the community.

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, MARCH 17, 2010, 7:30 P.M.**

Application No. ZB-1/10- Continued

Exhibits:

- A-1 (Special Olympics Turf Field & Aerial Photo)
- A-2 (Preliminary & Final Site Plan, Colored Landscape & Grading Plan, dated 3/17/2010)
- A-3 (Existing Conditions Colored Plan & Wetland Survey, dated 3/17/2010)
- A-4 (LSG Detail)
- A-5 (Lighting Fixture Technology Plan)
- A-6 (Sheet 6 of 8 – Prepared by Russell M. Smith, P.E.)

Witnesses placed under oath:

- **Marc Edenzon, President, Special Olympics New Jersey, Inc.**
- **Russell M. Smith, PE/PP (Hopewell Valley Engineering) & Expert**
- **George Chalsen, Certified Arborist, Landscape Expert**
- **Robert Zoller, Sport's Lighting Expert**

Public Comment:

Patricia LaPointe, representative of The Gatherings Homeowners Association, stated no objection to the application, but stated some concerns about the early morning garbage pickup at the 3 Princess site.

The Township Professionals addressed The Gatherings Homeowners' Association concerns and requested the applicant to comply with the Township Ordinance stating that no garbage pick-up can take place prior to 8 a.m. The applicant agreed to comply.

Mrs. Lewis moved and Vice-Chair Lavine seconded to approve the application, including variances and waivers, subject to all stated conditions and recommendations contained in the Township Professionals' reports.

Vote:

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

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
REGULAR MEETING
WEDNESDAY, MARCH 17, 2010, 7:30 P.M.

7. Discussion of Use Variance Application No. ZB-11/05, 3641 LAWRENCEVILLE ROAD, c/o CARE ONE, 3641 Lawrenceville Road, Tax Page 66.02, Block 6601, Lot 2.

The discussion was recorded. Mrs. Kraemer briefly stated that the applicant has retained new legal counsel for this application. Also, the applicant has filed an extension for Jurisdiction through September 2010. No further action was taken. The Board accepted.

8. Old Business/New Business/Correspondence: None
9. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:11 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted

Sara A. Summiel

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Recording Secretary

MINUTES APPROVED: April 21, 2010, as Amended