

**LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
SPECIAL MEETING
WEDNESDAY, JANUARY 19, 2011, 7:30 P.M.**

Present: Bruce Kmosko
Cathleen Lewis
Leona Maffei
Sam Pangaldi, Alt. #2
Stephen Brame, Vice Chairman
Peter Kremer, Chairman

Absent: Robert Kulak (Absent/excused)
John Gladwell, Alt. #1 (Absent/excused)
Charles Lavine, (Absent/excused)

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer
Brian Slaugh, P.P., AICP, Planning Consultant, Clark•Caton• Hintz
David M. Roskos, Attorney, Sterns & Weinroth
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.

2. Resolutions:

Resolution of Memorialization 8-11z, - Adoption of Annual Report

Vice Chair Brame moved and Mrs. Maffei seconded to Adopt the Annual Report.

Vote:

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

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3. Application No. ZB-14/10 & SP-11/10 (SIMONE INVESTMENT GROUP, LLC), Bulk Variance, 100 Federal City Road, Tax Map Page 27.03, Block 2701, Lot 81.01. (CONTINUED FROM DECEMBER 15, 2010).

The hearing was recorded. Jurisdiction continued. The applicant did re-notice by regular mail.

Also present was Susan Kardasz, Certified Court Reporter for the applicant. Copy of Transcript is available via request to the applicant.

Michael T. Hartsough, Esq., represented the applicant. Mr. Hartsough gave an opening statement on behalf of the applicant and presented Exhibit A-25 (Resident Admission Data for Mercer and the 5 Contiguous Counties) and Exhibit A-26 (Copy of New Jersey Department of Human Services-Division of Addiction Services License to Sunrise Detox Center II/Stirling, New Jersey). Mr. Connelly, remained under oath, referred to Exhibit A-25 and continued his presentation of testimony with regard to the statistics for New Jersey residents who were treated in Florida in 2009 and 2010. (See Attachment No. 1) Mr. Connelly proceeded to give additional information about the need for opening the proposed site in Lawrenceville. Mr. Roskos questioned whether Morris Hall had been approached about starting a facility at their property. Mr. Connelly's response was no. He added that Sunrise continues to do site searches in hopes to find a friendly Township and/or owner willing to host the use. He proceeded to address the different costs relative to the actual rate of \$1,700 and stated that the average per day rate of \$1,170 received from patients in 2010 were due to many circumstances weighed by the facility.

A discussion followed by the Board with regard to the daily rate charged and the amount reimbursed from the type of Health Insurance that would accept out-of-network coverage.

Mr. Connelly gave an outline of the day-to-day operations of the proposed site. He stated that there would be a total of 30 staff vehicles, two Sunrise vehicles for transporting patients, 6 to 9 vehicles for evening employees; two full-time cooks and helpers. He stated that the deliveries would be twice a week and would use local vendors for vegetables, cheese and milk. He stated that 40 people would be employed with an average salary of \$40,000 to \$50,000. He added that laundry will be done on site and trash pickup would be contracted for three times a week. With regard to truck deliveries, he stated that a stipulation can be made to use small box refrigerated trucks.

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The Board referred to Exhibit A-7 and A8, and reviewed the proposed Sunrise Floor Plan. A discussion followed by the Board with regard to whether the site could accommodate the deliveries, a loading dock and area to be stripped off for dumpster. The Board proceeded to address the breakdown of staff titles, type of public transportation for employees, and questioned the type of security. (See Attachment No. 2)

With regard to employees, Mr. Connelly stated that the staff would consist of (2) Housekeeping Employees, (6) Technician Managers, (4) Nurses, (1) Admissions Clerk, (1) Insurance Code Employee, (4-6) Counselors, (1) Director of Nursing, (1-2) Physical Plant Managers, (1) Administrative Assistant and (1) Physician.

A brief discussion followed by the Board with regard to the lighting. The applicant stated their willingness to comply with lighting standards for parking lot at night hours.

Mr. Slauch referred to Exhibit A-26 (License) and questioned the renewal process. Mr. Connelly proceeded to give an outline of that process, which was the end of his testimony.

Dr. Hendrickson, PhD, an Expert on Statewide Healthcare gave a detailed summary of his report (See Exhibit A-18 of Leslie Hendrickson dated 1/19/11). He proceeded to give a summary of main points with regard to substance abuse detoxification programs and reviewed the data source tables showing the percentages of persons receiving substance abuse treatment. (See Attachment No. 3)

Several questions took place by the Board and Professionals with regard to the Tables of Data Source about the admissions to a New Jersey substance abuse program, the difference between the number of admissions and the unduplicated count of persons who have gone to an inpatient detoxification program. Mr. Roskos addressed the huge unmet need of residential detox treatment and questioned whether there is a significant vacancy rate within the twelve programs employed in the same license category.

Due to the lateness of the evening Jurisdiction was carried to the next meeting. On February 2, 2011, Dr. Hendrickson will continue his presentation of testimony. No action was taken.

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Exhibits:

- A-1 (Excerpt from Zoning Map, January 27, 1998)**
- A-2 (Colored Site Plan)**
- A-3 (Building "A" Picture)**
- A-4 (Building "C" Picture)**
- A-5 (Building "B" Picture)**
- A-6.1 (Zoning Map, January 27, 1998 EGI Highlighted)**
- A-6.2 (Description of EGI Zoned Properties)**
- A-7 (Diagram, November 3, 2010)**
- A-8 (Proposed Sunrise Floor Plan)**
- A-9 (Deck Elevation)**
- A-10.1 (Picture of Stirling Sitting Area)**
- A-10.2 (Picture of Stirling Dining Room)**
- A-10.3 (Picture of Stirling Exterior)**
- A-10.4 (Picture of Stirling Bedroom)**
- A-10.5 (Picture of Florida Sitting Room)**
- A-10.6 (Picture of Florida Semi-Private Room)**
- A-11 (Pie Chart of Sunrise Florida Patient Origin)**
- A-12 (Pie Chart of Stirling, New Jersey Patient Origin)**
- A-13 (Aerial View of Stirling, NJ)**
- A-14.1 (Letter of Reverend Brown, July 29, 2010)**
- A-14.2 (Letter of Ms. Hessinger, July 28, 2010)**
- A-14.3 (Letter of Mr. Grimler, July 28, 2010)**
- A-14.4 (Letter of Reverend Krebs, July 29, 2010)**
- A-15 (State Department of Addiction Services Map)**
- A-16 (Email Harry Reyes, DHS, September 15, 2010)**
- A-17 (New Jersey Admission Statistics 2009)**
- A-18 (Report of Leslie Hendrickson)**
- A-19 (Report of Michael Mueller)**
- A-20 (Sunrise Video)**
- A-21 (Council Meeting Minutes – Regular Meeting March 16, 2004)**
- A-22 (Planning Board Resolution No. 17-04 & Referral from Council –
Proposed LUO Change)**
- A-23 (Council Meeting Minutes – Regular Meeting June 14, 2004)**
- A-24 (The Trentonian Article, dated November 16, 2010)**

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Exhibits – Continued

- A-25 (Sunrise Patient List of Mercer and contiguous Counties)**
- A-26 (Copy of Sunrise Stirling Div. of Addiction Services License)**

- O-1 (Sunrise Website)**
- O-2 (Property/Aerial Photo Tax Map/Stirling Center-County of Morris)**
- O-3 (Email from Marvin VanHise to Harry Reyes, Director of License & Supportive Housing)**

Witnesses Placed Under Oath:

- **Warren Connelly (Executive Director of Operations of Stirling Facility)**

- **Dr. Leslie Hendrickson, PhD, Retired Medicaid Officer, Statewide Healthcare Programs**

Also, placed under oath were Township Professionals:

Brenda Kraemer, Asst. Municipal Engineer, and Brian Slaugh, P.P., AICP

Public Comment:

- **Jill Posluszny, 24 Karena Lane, questioned what Airport Sunrise would travel to and from to pick up clients.**

- **Carol Drury, 26 Karena Lane, questioned the applicant's example of personal testimony and criminal background. Also, she questioned the lot size of the Stirling facility and addressed the buffer at the proposed site.**

- **Mark Rudnick, 21 Karena Lane, questioned the level of site searches and whether there were other sites large enough to accommodate Sunrise.**

- **Daniel Posluszny, 24 Karena Lane, questioned the transportation services and whether Sunrise would rely on the Township Ambulance services. He proceeded to question the set criteria of sending a person to the hospital. Also, he questioned the required training by the State with regard to conflict resolution and required training for safety.**

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Public Comments: - Continued

- **Bob Kocsardy, 332 Federal Point Blvd., questioned the percentage of psychiatric clients and whether they would be accepted into the program.**
- **Bill Deasy, 322 Federal Point Blvd., questioned the distance of a Public School from the Stirling facility and the number of homes within six blocks. He questioned the consistency of deliveries for the 21 beds at the Stirling facility and the comparison of the 38 proposed beds at Lawrence. Also, he questioned the incident of a Stirling employee charged for a sexual assault.**
- **George Ford, 86 Federal City Road, referred to Exhibit A-15 (State Department of Addiction Services Map) and questioned whether the Princeton House was listed. He questioned how many people are turned away from Sunrise because of funds.**
- **Mary Baird, 92 Traditions Way, questioned the total positions to be employed. Also, she referred to Exhibit A-7 (Site Diagram) and questioned whether the dumpster would be adequate to handle the proposed use.**
- **Janice Buckley, 23 Karena Lane, questioned whether there would be the benefits to the surrounding residents living near the Simone site in having the proposed use occupied by Sunrise. Also, she questioned why Sunrise would not consider locating their facility in a non-residential area.**
- **Marvin VanHise, 118 Federal City Road, questioned the license, the site aspects and whether the applicant considered other vacant properties in Lawrence Township at 3175 Princeton Pike, Princeton Pike/Lennox Drive, 101 Grovers Mill Road, or at 3131 Princeton Pike. He questioned whether the applicant was familiar with the zoning for Lawrence. He questioned the site search process and the applicant's methodology in finding the Federal City Road site. He questioned the proposed deck and whether smoking would be allowed. He referred to Exhibit A-16 (Email Harry Reyes, DHS) and submitted as Exhibit 0-3 questioning the smoking regulation. Also, he questioned whether the staff would eat on site and the dimensions of the dumpster.**

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Public Comments: - Continued

- Karen DeFlaminis, 164 Federal Point Blvd., questioned the number of cars to be parked everyday and number of people per shift.
- Robert Blazer, 13 Lopatcong Drive, questioned why Simone is a willing host of the proposed use.
- Ed Hogan, 104 Traditions Way, questioned the number of beds and whether there are plans for future expansion.

4. **Old Business/New Business/Correspondence:** None

5. **Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 10:52 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: _____