

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, MARCH 5, 2012, 7:00 P.M.**

Present: Christopher B. Bobbitt
Ian J. Dember
Philip B. Duran
James S. Kownacki, Mayor (Class I)
Richard S. Krawczun (Class II)
Gregory S. Puliti, Council (Class III)
Aaron D. Duff, ALT. #1
Glenn R. Collins, ALT. #2 (Arrived 6:50 p.m.)
Kim Y. Taylor, Vice Chair (Arrived 6:50 p.m.)
Doris M. Weisberg, Chair

Absent: Terrence O. Leggett (Absent/excused)

Also Present: James F. Parvesse, P.E., Municipal Engineer
Philip B. Caton, Planning Consultant, Clark•Caton• Hintz
Neil Yoskin, Attorney, Sokol, Behot & Fiorenzo
Sara A. Summiel, Recording Secretary

1. **Statement of Adequate Notice**

Adequate notice of this meeting of the Lawrence Township Planning 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. **Public Participation** : (None)

3. **Closed Session**: Planning Board Attorney Interviews (See Attachment No. 1)

4. **Appointment**: Planning Board Attorney

Councilman Puliti moved and Mayor Kownacki seconded to appoint Neil Yoskin, Planning Board Attorney, representing the firm of Sokol, Behot & Fiorenzo

The following voice call vote took place: AYES (7) ABSENT (1) NAYES (0) ABSTAINED (2) INELIGIBLE TO VOTE (1)

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5. **Resolution of Memorialization 12-12 approving Preliminary and Final Major Site Plan Application SP-5/11, MERCER COUNCIL ON ALCOHOLISM & DRUG ADDICTION, INC., 1931 Brunswick Avenue, Block 1005, Lot 6, Approved on January 23, 2012**

Councilman Puliti moved and Mayor Kownacki seconded to approve Resolution No. 12-12.

Vote:

**AYES: Bobbitt, Dember, Duran, Puliti, Kownacki, Duff, Collins,
Weisberg**

ABSENT: Leggett

INELIGIBLE TO VOTE: Krawczun, Taylor

6. **Land Use Ordinance Amendment – CHAPIN SCHOOL**

Mr. Caton referenced Mr. Parvesse's memorandum dated January 24, 2012, indicating that Chapin School had purchased property and is in the process of consolidating the parcel with the remainder of the school's property. The recommendation by the Council is to amend the Zoning Map to revise the zone boundary so that all the school's property is within the EGI Zone. (See Attachment No. 2)

Councilman Puliti moved and Chair Weisberg seconded to recommend Council's approval of Land Use Ordinance Amendment.

Vote:

**AYES: Bobbitt, Dember, Duran, Krawczun, Puliti, Kownacki, Duff,
Taylor, Weisberg**

ABSENT: Leggett

INELIGIBLE TO VOTE: Collins

7. **APPLICATION (SP-7/11) –Major Site Plan, SAFARI ENERGY LLC (MERCER MALL), Block 5201, Lot 45.**

The hearing was recorded. The Board took Jurisdiction.

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APPLICATION (SP-7/11) - Continued

Michael J. Vitiello, Esq., represented the applicant. Mr. Vitiello gave a brief overview of the proposed application. He stated the applicant's request.

Mr. Vitiello explained that the applicant is proposing to construct two carport structures and to place solar arrays on top of each carport. He stated that the property is located behind the Mercer Mall. He stated that the property is located in a highway zoning district.

The applicant's expert witness, Michael Thomas, Civil Engineer, described the existing site. Mr. Thomas presented Exhibits A-1 thru A-7 and proceeded to describe the existing site to be 39.15 acres in size. He stated that the site consists of existing retail commercial buildings, shopping mall, and parking. He stated that there are residences located to the north of the site with surrounded wooded vegetation to the north and west. He referred to Exhibit A-4 and described the two proposed carports and two inverter pads. He explained that the proposed structures will have no negative impact on the stormwater management or environmental concerns. The applicant referred to Exhibit A-8 and reviewed the recommendations in Mr. Caton's report dated February 27, 2012, with regard to the lighting, layout, parking and circulation. A brief discussion followed by Mr. Caton regarding the alternative layout for canopy #2 and the applicant agreed to comply with dimensions to be 36 feet wide with a maximum height of 17 feet. He stated that the proposed columns will be located in between the double row of parking. (See Attachment No. 3 – Reports)

Mr. Krawczun referred to the Public Safety Advisory Memorandum dated February 24, 2012, and addressed their request for no parking or lighting under the proposed structures and location of dumpsters along the building. He added that the Fire Chief's further review may require a second meeting. The applicant stated their willingness to address the stated concerns.

Mr. Caton referred to Exhibit A-5 and reviewed the lighting plan with regard to the level of lighting and closeness to property line. The applicant reviewed the revised submission to meet the Township's requirements of lighting to be 15 feet off the ground and no closer than 45 feet from property. The applicant stated their willingness to meet all the Township's standards for illumination levels.

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APPLICATION NO. SP-7/11 - Continued

The applicant referred to the Township's Fire Official report dated February 3, 2012, and explained that the proposed electrical panels are rated fire safe. He added that both structures are opened structures and require no additional measures for fire safety. The applicant proceeded to give a scenario if a car fire took place and explained the manual emergency shut-off process by a fire official or trained individual. A brief discussion followed by the Board with regard to fire precautions, sprinkling system, access to boxes and automatic disconnect.

Also, John E. Towle, Sr. Vice President, Safari Energy LLC, provided additional information regarding the shut off switches and standard protocol. He stated that keys will be made available to the Township's Emergency Responders. He gave testimony regarding the roof top panels, actual layout and explained the total power consumption currently serving the site. A discussion followed by the Board with regard to the ownership of the power and whether another use is being introduced; namely, Federal Realty being the vendor. Further discussion took place by the Board with regard to a condition of approval for scheduled inspections. Also, the Board questioned whether the storage trailers were associated with the renovations permit for TJMaxx.

Mr. Parvesse referred to the Public Safety Report dated February 24, 2012, and requested the applicant to meet with the Chief to discuss Items 1 thru 4. The applicant agreed.

Mr. Caton addressed the buffer width variance and the applicant agreed to provide, as necessary, in order to eliminate the exception for the buffer planting exception.

The applicant's expert witness, Ronald Igneri, Professional Engineer, addressed the trash enclosures and designated locations. Mr. Igneri addressed the two C-bulk variances and provided testimony about the canopy and its distance to another building. He proceeded to refer to Exhibit A-6 and discussed the visual impact of the carports from an aerial prospective. A discussion took place by the Board with regard to the carports' location, view rights and questioned the impact if no panels were constructed.

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APPLICATION NO. SP-7/11 - Continued

Following a brief discussion, the Board recommended that Jurisdiction be carried to give the applicant an opportunity to provide necessary testimony on requested items pertaining to and the completion of application.

- **Parking Plan**
- **Fire Chief Concerns (February 24, 2012, Memo)**
- **Ownership of triangle lot and whether Canopy #2 can be relocated**
- **Contract between Federal Realty and Safari Energy,**

The applicant accepted. No action was taken on this application. Jurisdiction carried to April 2, 2012.

The following Exhibits were presented:

- A-1 (Sheet T-1) Title Sheet**
- A-2 (Sheet T-2) 200 ft. Radius Map & Owner's List**
- A-3 (Sheet 3 of 7) C-1 Overall Site Plan & Existing Conditions**
- A-4 (Sheet 4 of 7) C-2 Site Improvement Plan**
- A-5 (Sheet 5 of 7) C-3 Lighting Plan**
- A-6 (Sheet 6 of 7) C-4 Landscaping Lighting Details**
- A-7 (Sheet 7 of 7) C-5 Equipment Cut Sheet & Details**
- A-8 (Sheet 3a of 7) C-1ALT (Alternative Site Plan & Existing Conditions Exhibits)**
- A-9 (Double sided Board) 14 Photos – Paired Photos**
- A-10 (Revised Photo of #6) Part of Exhibit A-9**
- A-11 (Revised Photo of #2) Part of Exhibit A-9**

All witnesses were placed under oath:

- **Michael Thomas, Civil Engineer (Expert)**
- **John E. Towle, Sr. Vice President, Safari Eng. LLC**
- **Ronald J. Igneri, Professional Engineer & Planner (Expert)**

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APPLICATION NO. SP-7/11 - Continued

Public Comment:

- Tank Pinakin, 14 Richards Road (Lot 12), questioned the impact of plants and screening.

8. Old Business/New Business/Correspondence: None

9. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 10:05 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,

Sara A. Summiel - Enacted


Sara A. Summiel

Recording Secretary

MINUTES APPROVED:  7/16/12