

Lawrence Township Planning Board
Regular Meeting
Monday, August 19, 2013

Present: Christopher Bobbitt
Ian J. Dember
Philip B. Duran
Richard S. Krawczun, Municipal Manager
Terrence Leggett
Michael Powers, Councilman
James Kownacki, Mayor
Glenn R. Collins
Doris Weisberg, Chairperson

Excused Absence: Kim Y. Taylor, Vice Chairperson

Absent: Aaron D. Duff

Also Present: James F. Parvesse, Municipal Engineer
Philip B. Caton, Clarke Caton & Hintz, Planning Consultant
Neil Yoskin, Planning Board Attorney
James Kochenour, Traffic Consultant
Susan Snook, Recording Secretary

1. **Statement of Proper 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, and by filing this agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, and the Lawrence Ledger newspapers.

2. **Public Participation (for items no on the agenda)**

None

3. **Minutes for Approval**

Monday, May 6, 2013 minutes were unanimously approved.

4. **Resolutions**

- Resolution of Memorialization 17-13 approving Preliminary & Final Site Plan Application No. SP-4/13; **CHAPIN SCHOOL**, 4101 Princeton Pike, Tax Map Page 70.01, Block 7001, Lot 5.01.02 was approved per unanimous vote.

5. **Applications:**

Preliminary and Final Site Plan with Variance Application No. SP-6/13; **Educational Testing Service – Rosedale Campus Expansion**, Block 7801, Lot 21.

Mr. Solomon of Pepper Hamilton represented the applicant for additional period of vesting that was approved in September of 2003. The application consisted of multi improvements to accommodate for future growth and now for renewal of the campus.

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The application consisted of three new buildings of 427,500 sf, five level parking area; 300 spaces for parking and a new detention basin. The permit extension takes this out two more years to June 2, 2015 and ETS is asking approval until 2023. In 1980 ETS came in front of the for Buildings 1 – 4; Buildings 1 & 2 are the ones closer to Rosedale Road, Building 3 is being constructed. In 1990 ETS came in for an Amended Preliminary & Final Site Plan; 2003 ETS returned to the Board for Buildings 4, 5, 6 and the garage and further investment for Building 3. ETS has a long range plan for the campus and is asking for another eight years of vesting until 2023.

Witness #1: Thomas J. Elliott, Vice President of ETS since 2005. Mr. Elliott testified that it is a very important issue for ETS. The building is the headquarters for testing that is performed annually for educational resources and where the education resource is held. The reasons for the expansion are for the changes it no longer fits the environment and the needs of the campus. There are 2,645 staff (95% seat capacity) and will gain some seat capacity when the new building is opened. ETS is a domestic company, international company and now a global company that is the center of that global activity. ETS has an open space area for Township residents to use.

Councilman Powers thanked Mr. Elliott for allowing the Lawrence Hopewell Trail to go through the facility and asked that if Building 3 is at 95% seat capacity; what will the percentage be when the building is complete. Mr. Elliott stated it will be 85% fully occupied and will have 200 – 300 seats after the reconfiguration of people. Councilman Powers asked if there was an economic impact to delay this project. Mr. Elliott stated there was a contract in UK and had to withdraw and put on hold any expansions. Councilman Powers stated the time line for Buildings 4, 5, 6 would be ten years and the extensions in 2023 there will be no asking for more extensions.

Mr. Solomon stated that given how long it took for Buildings 1, 2 and 3 and increasing the pace of that development, they have to decide how they are going to use that space and no decisions have been made. Mr. Kockenour asked if the site can sustain more building area in these 355 acres. Mr. Solomon stated the site is constrained and there is a 300' buffer along Stony Brook and the State adopted the C1 water ways and carries a 300' setback and also the tributaries reduces the amount of area for development. There are some areas enrolled in Green Acres that could be developed and there are currently no plans to develop in this area. The area consists of 247.6 acres for Green Acres and a there is a voluntary program which is tax exempt as farm land, however, it is opened to the public and ETS provides a number of trails to the public; so ETS is allowed to remove that from green acres.

Mr. Caton asked regarding the traffic impact; the number of employees makes a difference and if they were expecting to bring more employees to Building 3 or just for redistribution. Mr. Elliott stated mainly for redistribution.

Witness #2: Thomas O'Shea, PE, Van Note-Harvey Associates

Exhibit A1: Overall Exhibit Plan which shows the entire campus and Province Line Road is to the right; Rosedale Road to the bottom and Carter Road to the west. Mr. O'Shea described the various buildings and Building 3 is under construction and continued to describe locations of the buildings and parking lots. The stormwater management basin was built in the 1990's and had to be upgraded because of the streams that run thru the property (total suspended solids). Basins 2 and 3 are not constructed yet; however, the infrastructure is in place and both basins are upgraded for the water manufactured treatment in changing them to bio-filtrations.

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There are water lines to the site, which is public water. The constraints on the site are a 300' buffer from Stony Brook and one variance asked for is the two decorative ponds because the detention basin falls in the stream corridor. There are 390 parking spaces and 109 spaces associated with buildings 1, 2 and 3.

Mr. Yoskin asked if ETS has a current flood hazard approval and Mr. O'Shea stated Building 3 is extended and Buildings 4, 5, 6 need to be checked. Construction should start June 30, 2015 and will provide proof to the Township on all approvals. The relocation of the swimming pool is part of the Master plan approval which is located at the northwesterly point of the property by Chauncey Conference Center. Mr. Caton stated there were certain variances & waivers required for Buildings 4, 5, 6 and the Board determined approval of the variances and is there anything in the subsequent years with Delaware & Raritan Canal Commission or New Jersey Department of Environmental Protection, the County that leave ETS unable to meet any of the commitments that you represented to the Board at this time.

Since 2004, the stormwater management basin had to be upgraded in the 1990's because of C1 designation of Stony Brook and various streams that run through the property to provide 95% TSS removal in the stormwater. All detention basins are up to TSS removal. Detention basins 2 and 3 are not constructed yet.

Mr. Yoskin asked if there is current flood hazard application and asked if it is not extendable. Mr. O'Shea stated Building 3 is extended and construction should start by June 30, 2015. The swimming pool that is located at the westerly point of the Chauncey Conference center is to be relocated and had discussions with New Jersey Department of Environmental Protection. Mr. Caton stated there were certain variances & waivers required for buildings 4, 5, 6 and the Board granted the approvals, is there anything with Delaware & Raritan Canal Commission or New Jersey Department of Environmental Protection or County that leave you unable to meet the commitments to the Board at the time.

Witness #3: Richard Reading prepared the Community Impact Statement dated May 20, 2013, see attached. Mr. Reading summarized his report that it is the same as back in 2003 and the expansion is for 427,500 sf. The report was to provide an examination of the economic and demographic base and the fiscal infrastructure. The proposed new office facilities, not residential uses will not result in any added population or children in the school system.

Mr. Caton stated he has no objection with the conclusion of Mr. Reading's report. Mr. Duff stated there are 1,000 new employees for the expansion as well as expansion of roads or services from the Township and Mr. Reading stated there will be 2.6 employees per 1,000 and per Table 11 there is money put aside for added revenues to the municipality and the County. Mr. Collins asked if the Township receiving \$207,000; Mr. Krawczun stated when it is fully built.

Witness #4: Kenneth MacKiewicz, TRC Engineers, Inc. Mr. MacKiewicz prepared the traffic study and his initial report was dated 2006. Many of the analysis were performed as the same as in 2006 and results were right on for the amount of traffic. The growth rate in the 10-year period is one-half percent, depending on the hour. There are 2,390 employees there now, another 1,086 employees could be added when Buildings 4, 5, 6 are completed and occupied and based on the actual survey of the driveways, they don't hit the road at the same time. ETS has flex time and other measures on site. In the am a total build out of an additional 335 vehicles in and 396 vehicles exiting in pm, no one location sees that amount because of the two driveways and people making lefts and rights.

Mr. MacKiewicz stated he looked at the intersections with the same analysis with the improvements that were required. The improvements back then are very similar at each of the locations implemented by the County and some are in place. There is a turn lane at Carter Road and Rosedale Road; the driveways will be monitored for signalizations at one or both driveways. ETS is looking for measures to reduce the amount of traffic on the roads.

The Board members discussed the amount of traffic in the area along Province Line Road, Cold Soil and Carter Roads near ETS. Mr. Krawczun questioned the share fair contribution and Mr. MacKiewicz stated it based on the percentage on the amount of overall cost of improvement and was approved by four equal installments.

Mr. Kochenour's (comment #8) in his memorandum dated August 15, 2013, copy attached, regarding that an updated traffic signal warrant analysis be undertaken to address existing traffic conditions. Mr. MacKiewicz stated he has no problem with the formal request and going to the County and asking for a new fair share calculation.

Mr. Caton stated regarding Condition #5 of James Parvesse report dated August 9, 2013 and when the next building is being constructed, a sustainable design plan must be submitted to the Township for administrative approval. Mr. Caton summarized the conditions of approval.

6. **Old Business / New Business / Correspondence:**

None

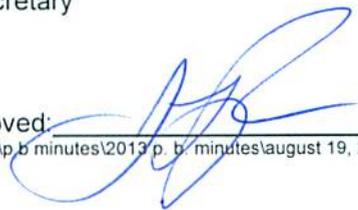
7. **Adjournment:**

There being no further to come before the Board, the meeting was adjourned at 8:39 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,


Susan J. Snook
Recording Secretary

Minutes Approved: 
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