

Lawrence Township Planning Board  
Regular Meeting  
Monday, May 6, 2013

Present: Christopher Bobbitt  
Philip B. Duran  
Richard S. Krawczun, Municipal Manager  
James Kownacki, Mayor  
Glenn R. Collins  
Kim Taylor, Vice-Chairperson  
Doris Weisberg, Chairperson

Excused Absence: Ian J. Dember  
Terrence Leggett  
Michael Powers, Councilman  
Aaron Duff

Absent: None

Also Present: James F. Parvesse, Municipal Engineer  
Philip B. Caton, Clarke Caton & Hintz, Planning Consultant  
Neil Yoskin, Planning Board Attorney  
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, March 18, 2013 minutes were unanimously approved.

4. **Resolutions**

None

5. **Public Hearing:**

**Master Plan Re-examination Report and Amendment to the Master Plan Land Use Element**

Mr. Caton stated the document that has been circulated to all the members is entitled "Re-examination Report of the Master Plan and the Planning Board has the responsibility for maintaining the Master Plan and then re-examining the plan periodically which is six years; however, it is every ten years. The last time the Planning Board examined the Master Plan was in 2006.

If you choose to re-examine the plan, the Municipal Land Use Law sets out the criteria. First, a statement of the problems and objectives that are related to land use at the time of the last re-examination report or the last Master Plan, the extent to which those problems and objectives have changed, the extent to which there have been any changes in the state statutes, county statutes, population and land use.

We review the prior planning efforts and re-examination reports such as the plan for Business Route 1 corridor. There have been changes in the housing element which were in response to changes in the regulations that were promulgated by the Council on Affordable Housing.

The utility elements of the Master Plan have been upgraded to account for changes in the State stormwater rules. The land use element in the Conservation Plan element was changed when the Quaker Bridge Mall was contemplating its applications for an expansion. In 2010 the Planning Board adopted a green buildings and environmental sustainability element and in September adopted an amendment to the Master Plan for the re-designation of a 37 acre parcel on Quakerbridge Road for Princeton Research Lands from PVD-3 (age restricted) to HC (Highway Commercial).

The re-examination report goes on to discuss the problems and objectives and the extent to which they have changed. There were 17 different recommendations. One is increasing the floor area ratio for the Quaker Bridge Mall, which was adopted as part of the Land Use Ordinance by Township Council and an application was brought before the Planning Board and approved.

Mr. Caton discussed the items most noteworthy which included the draft Open Space and Recreation Plan, Page 11 (#5). The Northwest County Park located at Keefe Road and Cold Soil Road for an elementary school; however, the Board of Education no longer needed the site and should be revised from EGI (Educational Government Institution) to OS (Open Space), Page 11 (#6). Mr. Caton felt that the other most significant item is on Page 14, Item #16 Environmental Resources Inventory and has since been accomplished with funding from the Delaware Valley Regional Commission and the Geraldine R. Dodge Foundation. Mr. Caton stated it should be adopted as a supplement to the Conservation Element of the Master Plan.

The re-examination report recommends that the Planning Board look into the issue of combining the convenient store use with gas stations because it was a land use that was proliferating and our ordinance is somewhat antiquated in requiring those two uses be separated, for instance, Quick Chek had to appear before the Zoning Board because we did not provide for two uses on the same lot. Mr. Krawczun stated the Zoning Board gives an annual report which also identified this as something that should be considered by the Planning Board.

Mr. Caton stated that there is an application before the Zoning Board and in considering all its proofs certainly considers the Master Plan of the municipality and the Board tonight is going to be acting on this re-examination report; parts of which are insufficient detail to be considered part of the Master Plan. The first part is the EGI tract recommendation and the second will have to do with the HC zone which will pick up on the convenience store/gas station combination.

Mr. Caton continued about the status of the state development and redevelopment plan which is in limbo. A revised State Plan has been drafted under the Christie administration but has not been adopted and not scheduled for adoption; so the 2001 State Plan is still in effect. Mr. Caton discussed that Council on Affordable Housing met last Wednesday and gave authorization to the director to try to collect money from the municipalities across the state.

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The Green Buildings and Environmental Sustainable Plan Element which was authorized by a change in the Land Use Law in 2008 and then changes in the legislation related to renewable energy, Page 19.

Also included is an update on the water service area jurisdictions within the Township including a map and a discussion of the latest New Jersey Department of Environmental Protection Wastewater Management Planning regulations which included two (2) maps that were prepared by the County which are draft maps showing the existing sewer service areas throughout the Township. Mr. Caton stated on Page 22 of his report to insert the word "draft" in front of each map because they are not adopted maps and it might create the impression those are adopted maps.

Mr. Caton stated the next stage is recommendations either as changes in the Master Plan or the Planning Board's future consideration. The Board should revisit any recommendations from 2006 re-examination report that have not yet been attended to and the discussion of the definitions and placement of various office and medical facilities. Mr. Caton continued that the definitions for these different types of land uses (office and medical facilities) need to be updated since there are more different kinds of office and medical facilities that our ordinance makes reference to. A discussion is also required for the HC (Highway Commercial) district which the Planning Board should adopt as part of the Master Plan. As of right now the Master Plan and the Land Use Ordinance have not caught up and it is recommended they do.

The Highway Commercial zone deals with the issue of combining two land uses; convenience store and gasoline sales, which should be updated to permit that combined use on the same site provided the minimum lot size will be 20,000 sf (half an acre to an acre and a half) for traffic issues. The highway commercial under the current ordinance prohibits more than one principal building on a lot and this would permit multiple buildings on a lot. It would recognize that on properties that are sufficient in size to have an anchor store and a series of smaller stores along the road frontage; however, the anchor store would have to be built first before the pad sites.

There is an issue in the current ordinance regarding shopping centers as a conditional use if they are being proposed after 1989 which should be a permitted use. Mr. Krawczun referenced the Zoning Board annual reports where they asked the Planning Board to review the limitation of three uses and a principal building within the highway commercial zone, as long as each use maintains 750 sf, this would increase it to five.

The final recommendation is the wastewater management plan. Once it is approved by New Jersey Department of Environmental Protection, we adopt that plan and incorporate it into the township utility plan element and that will be the official sewer service area plan.

There is a planning effort for the redevelopment area along Business Route 1 corridor and Whitehead Road. Mr. Krawczun stated we are what is known as the transportation improvement plan (TIP) and the funding is coming from the State. Once the construction is complete the Township will takeover jurisdiction of the stretch from the Brunswick Circle to Lake Drive. The State will retain the authority over the right-of-way, but maintenance and other improvements will fall on the Township.

Vice Chairperson Taylor questioned the size that you have to have to be eligible for the gas and the store. Mr. Caton stated the standard is 20,000 sf for a gas station and we are proposing that the half acre go up to an acre and a half because you need more room for the convenience facility but also for the parking related to it and then for drive aisles around it to manage the gasoline service.

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Attached is the Re-examination Report of the Master Plan prepared by Philip B. Caton, PP of Clarke Caton & Hintz, dated April 26, 2013.

Public Participation for this item: none.

**6. APPLICATIONS:**

Preliminary and Final Site Plan Application No. SP-1/13; **McNeill Properties V, LLC (Gold's Gym)**; 4152 Quakerbridge Road; Tax Map page 42.01, Block 4201, Lot 6.

Mr. Yoskin stated that Chairperson Weisberg excused herself due to a conflict (7:49 p.m.).

Jeffrey Hall, of Fox Rothchild representing the applicant and owner of the property. Mr. Hall gave a brief background of the property which has been there for over 30 years and is located on 7 acres and is 300,000 square feet. On the property today is a gym which is 66,560 ' with ample parking. The property is located in the Highway Commercial Zone and was approved by the Zoning Board in 2005 under Resolution of Memorialization 20-52 for a use variance which allowed multi health related uses which were never implemented by the current management/owner and will not be pursued. Therefore this application is for the proposal of the expansion of existing facility to add an additional 19,559 sf to make it a better facility.

The addition will consist of two-stories as is the existing building and it will match the height of the existing facility. It will include a full size gym, a running track on the upper level and will have rooms for programs in other health related uses. Landscaping improvements will be proposed, which is shown on the plans, as well as the impervious coverage which 75% is allowed per the Land Use Ordinance; however, it will be reduced to 74.9% which is decreased slightly.

Variances are required from the existing building which is 39.7' and the addition is designed to match that; under the Highway Commercial zone 35' is permitted. A parking variance is required for the expansion, the Land Use Ordinance requires 431 spaces and there are 345 and proposing to 354 spaces. Mr. Hall at this time named the witnesses who will be testifying.

Mr. Yoskin stated to Mr. Hall that the existing building is 39.7 and the addition is to match it, permitted is 35, so it is 4.7'; which exceed 10%. The question is whether this Board has jurisdiction granting a variance because it is more than 10%.

The first witness is Jim Bernlohr. Mr. Bernlohr stated the definition of the height of this building and of the existing building, Exhibit A2, the site which has the topography is such that it is a front façade, the primary façade as the site progresses, still trying to hold that same height; however, it will visually be that 35. Mr. Hall stated to revise the height to 38.5 from grade and therefore, the application will have to be amended. Mr. Yoskin stated the impervious is greater than ten percent and can accept Mr. Hall's representation that the application will be revised to 38.5. Mr. Caton suggested reading the building height, Page 12, of the Land Use Ordinance. Mr. Bernloh explained he understands the definition and will comply with the height requirement.

Edward J. McNeill, Jr. is the owner of 4152 Quakerbridge Road, Lawrence Township NJ. Mr. McNeill stated he wanted to personally appear and appeal to the Board as a business owner and as a property owner of the Gold's Gym. Mr. McNeill stated he acquired this piece of property in 2004 from the Simms Department Store and was able to repurpose the facility from a

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66,000 sf department store to a 63,000 sf state of the art fitness center. Since the doors opened it was to give a full experience to the adults for fitness. They opened with 9,000 members and now have 5,800 members but that was by design because of low prices. He appeared tonight because the industry has changed and is growing and Gold's Gym has become a very important part of the Lawrence Township community.

A lot of the members have families from young children up to college age and they feel to separate themselves from everyone else from a competitive standpoint is to become a New Jersey Athletic Club which will be a private club name. The programs will focus on children as well as adults. The type of services will be a basketball court, gymnastics, a dance studio, karate studio, also a cardio center, women only fitness center and a 13,000 performance training center where group training for adults, baseball and treat athletics. By making this change, Gold's gym can provide these services and will set them apart from all the competitors in the area.

Mr. Krawczun stated there are 5,800 members and with the expansion you anticipate an increase in membership? Mr. McNeill stated they anticipate a decline in membership and because of reason of design. Memberships were \$25.00 a month and realized, even in this state, never created a lot of traffic, it would be more profitable to serve a large group. The family price will be increased \$160.00 a month and it is comprehensive. Mr. Krawczun stated he understands that if an outside group, which is a non-member, could utilize the services for a shore period of time. Mayor Kownacki questioned if the facility is going to be handicap accessible? Gold's Gym is already handicapped accessible.

Witness #2: Joseph Mester of Trenton Engineering Co., Inc. testified that he was involved in the original construction in 2005 (Walter Seaman). Mr. Mester was responsible for the design, grading, stormwater runoff, not much engineering because the building already exists. Exhibit A1, Rendered Site Plan, revision dated March 19, 2013 which shows the existing site and that frontage is on Quakerbridge Road. Mr. Mester explained the detention basin and how it flows. The building is being expanded to the north which will cover some of the parking spaces; however, there will be employee parking in the rear of the building. The impervious area of the existing site covers 72% of the site.

Mr. Mester stated they will have to show the connection of the downspouts to the inlets with an interceptor pipe. Mr. Parvesse stated the piping will be directed to the catch basin. Mr. Catons' concern was the issue of maintenance since the basins are shared between the three properties and wanted to know if this is a legal arrangement to maintain the basin. Mr. Hall stated that Gold's Gym was in charge of the maintenance of the basin.

Witness #3: James Bernlohr of J.R. Bernlohr Architects. Mr. Bernlohr testified that his firm did the original Gold's Gym renovation. The firm was asked to plan a project which had a certain program and the end result is the addition which includes basketball, cheerleading, and on the second floor would be the running track and will house cardio machines. Exhibits A2B (lower level) and A2C (upper level) footprint of the existing building – gray area represents the addition. The architectural challenge was the original building because it is a massive heavy masonry piece of modern architecture. The design approach for the addition to make it as light as possible and the objective is to come up with an architectural addition to a very modern building which does all the things it has to do and not compete with the existing building, would like it to be a separate building, an independent structure, free standing with an independent systems for life safety issues. Mr. Bernlohr described the structure and translucent material that will be used and how the addition will only work on that side of the property. Mr. Bernlohr described the building height to the addition (east facing Quakerbridge Road; north from the Quaker Bridge Mall). The Board members asked Mr. Bernlohr questions regarding the building envelope, architecture, the track and employee parking in the rear.

Witness #4: Donald Foy, Chief Operating Officer is responsible for creating the budgets, business plans, development programming and developing this project. Mr. Foy stated it is very similar to Health Quest located in Flemington; however, in a smaller scale. Mr. Foy is also an expert in the Health & Fitness field. Mr. Foy explained to make it more family oriented. It is a very large facility but with very little programming and little availability for programming. The cost to operate the facility per square foot would dramatically go down because it would generate more dollars per square foot which would make it a more efficient model.

Exhibits A3A (view from Quakerbridge Road) & A3B (view from Quaker Bridge Mall and Grovers Mill Road) are exterior views. The current membership is currently all adult members and available to them is the equipment, 100 group exercise (yoga, step, cardio classes) and has babysitting for the children, boot camps, boxing and sports performance training (both younger children and adults). Classes for younger children are missing. The current membership is 4,800 and over time membership levels since 2006 was 9,000 and since 2009 membership has decreased; the increase in pricing offsets the membership loss. There are currently over 200 employees (18 full time and the rest are part time).

Mr. Foy stated the parking lot has never been full and never goes above 60 - 70%. The vision is to increase the membership prices, not for individuals for couple and family memberships and that would drive the membership numbers down anticipating losing a net of 500 adults (about 2,000) people to cancel their membership over the course of the year and will be replaced with about 1,500 adult members. The parking will be less or equal and anticipates losing 25% of the cars. The parking demand will be very similar to what it is now but less on weeknights. The data reviewed was from 2008 and found specific times for peak time; compiled the most recent data and the visit data is slightly higher since 2010 and 2011 (see Exhibit A4).

Mr. Caton questioned that the expectation is to drop down from 5,800 members, but to a lower number of memberships, but will include more people. Mr. Foy stated anticipating losing 500 adult members and about the peak and non peak times of when members arrive. The anticipated number at any given time is 28 - 29 people, but not during peak time. Mr. Krawczun asked regarding the activities and the number of employees, it was stated by Mr. Foy there are 18 full time employees and 200 employees in total and how the shifts are broken up. Mr. Foy responded they are open from 5:00 am until 11:00 pm and weekends to 7:00 pm; all part time employees are shift workers (4 hours) and a lot of the employees are working a short period of time; the full time employees are personal trainers and are in during mornings and in the evenings, at maximum 25 - 26 employees at any given time; anticipation is 28/29 at maximum at any given time and will not come during peak periods, because most are for the children's programs which happen before the peak period. The hours between 6 pm & 8 pm the number of employees are 15 maximum and more employees present during the day between 9:00 am - 11:00/12:00 about 25 - 26.

Mr. Foy discussed the conditions of Mr. Parvesse's letter dated April 17, 2013, copy attached. Trash pickup is twice a week and there are no big trucks to make deliveries. The programs that are being added are for younger children and will limit the amount of traffic they will have.

Witness #5: Charles Olivo, Stonefield Engineering Design. Mr. Olivo referred to Exhibit A1, colored site plan, and explained that the company was to do an existing and proposed traffic study, including parking, and look at the proposed condition with the addition up and operating. There is access from Quakerbridge Road as well as Grovers Mill Road. A study was done at both driveways during rush hour and during the evening (December 2012 between 7 - 9 pm and 4 - 7 pm) to get peak generation. The peak occurs are between 6:00 & 6:15 during the weekday evening peak and there are nine parking stalls proposed for the new addition, bring the parking stalls up to 345 which means 206 vehicles would be parked in the parking lot (86% utilization rate).

Mr. Krawczun asked about the new business motto and the gym would it change the number of trips generated due to the number of activities that are planned and there could be members between the ages 14 – 16 that are not driving as well as other activities where groups that come in that in fact would change the trips. The group activities would occur outside of the peak periods; however, there would be a change in the number of the in and the out if someone would come and use the facility and leave 45 minutes to 1 hour later, there is a bit of difference. Mr. Olivo used the New Jersey Department of Transportation and the rate today to understand whether or not it would be an increase in traffic and during the peak morning period and the weekday evening period approximately 28 new total trips during the morning and 69 in the evening, looking at an increase (see Table 2 on Page 2 of the report).

Mr. Caton stated avoiding parking on adjacent property and looking at the plans there are spaces that belong to KC Prime that are going to be closer to the front and many of the spaces will be outlined, any cases where Gold's gym customers park in KC Prime parking lot or vice versa and Gold's Gym is not aware of this happening. Vice Chairperson Taylor was concerned there are only three handicap parking spaces because two are in the middle of the property and will have to go into traffic to get up on the curb; Mr. Mester stated there are eight in total which three are van accessible and access is in front of the door. The parking will be staged during construction. Grovers Mill Road access drive will not be affected and will have to remain open. The Board questioned Mr. Olivo regarding trip generations and parking spaces.

Mr. Caton asked if the applicant is willing to work on the lighting and have one foot candle which is required in the area around the addition. Exhibit A8 shows the fire truck access and will be able to circulate around the building for the fire trucks. Mr. Hall stated that sidewalks do not make sense at this time at either location and Mr. Foy continued that the gym gets zero foot traffic to the site, so not sure there is a need for sidewalk, not type of facility that generates that type of traffic only if you want to go back and forth to the Mall. Mr. Krawczun asked are you agreeing or not agreeing to put in sidewalks. Mr. Hall stated it makes no sense and will not be utilized. Mr. Kochenour questioned the residential development on Grovers Mill Road; however, their sidewalk ends on the one side of their driveway and no sidewalk from the point of the detention basin all the way down pass the driveway to the other side. Mr. Krawczun stated we need to start somewhere and he supports the sidewalk. Mr. Hall stated it is agreed to extending the sidewalk along Quakerbridge Road and will have to check with the County for Grovers Mill Road to make sure it will not be located on someone else's property.

Mr. Hall stated they are agreeable to street trees.

**Public Participation: None**

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

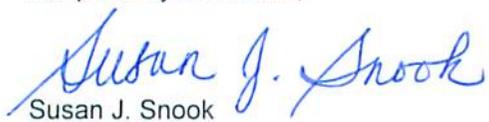
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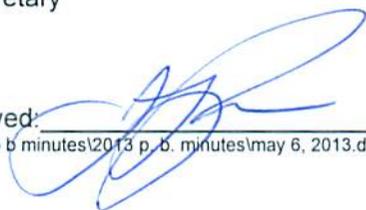
7. **Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 11:03 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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