

REGULAR MEETING  
LAWRENCE TOWNSHIP COUNCIL  
LAWRENCE TOWNSHIP MUNICIPAL BUILDING  
COUNCIL MEETING ROOM – UPPER LEVEL

March 18, 2014

The following are the Minutes of a Regular Meeting of the Lawrence Township Council that was held on Tuesday, March 18, 2014 at 6:30 P.M.

The meeting was opened with the Pledge of Allegiance, led by the students of Lawrence Intermediate School.

At the commencement of the meeting Mayor Lewis read the following statement of proper notice:

**STATEMENT OF PROPER NOTICE:** “Adequate notice of this meeting of the Lawrence Township Council being held on Tuesday, March 18, 2014, has been provided through the posting of the annual meeting schedule of said Council in accordance with Section 13 of the Open Public Meetings Act.”

The roll was then called as follows:

Present: Councilmembers Brame, Kownacki, Maffei, Powers and Mayor Lewis.  
Absent: None.

Also, in attendance was Richard Krawczun, Municipal Manager and David Roskos, Municipal Attorney.

---

Special Proclamations, Recognitions and Presentations

**Lawrence Intermediate School - Walk This Way Report on Safe Walk to School**

Several 4<sup>th</sup> Grade Students from Lawrence Intermediate School, Gifted and Talented Program, greeted the Council and thanked them for allowing LIS to come before them and speak about the “Walk This Way” event; an event that educates children on how to walk to and from school safely. They then proceeded with an in-depth review of their observations, findings and recommendations with regards to pedestrian safety and the good/bad behavior they encountered during their walk along Route 206 in October 2013. Additional dialogue ensued relative to the students’ observation and research on traffic safety, after which Ms. Jane Milner stated for 12 years St. Lawrence Rehabilitation Center has been the one of the lead organizations of the “Safe

Kids Campaign” and “Walk This Way Program” in Mercer County, and Freeholder Colavita extended a special thanks to St. Lawrence for the various safety events they sponsor throughout the year and all that they do to educate the community on pedestrian safety. In closing, the Township Council thanked the students for the wonderful presentation and hard work as well as St. Lawrence Rehabilitation Center for their partnership.

~~~

**Lawrence Hopewell Trail Report – Eleanor Horne**

Ms. Eleanor Horne, 35 Dix Lane, stated she is absolutely delighted to report to the Council on the progress of the Lawrence-Hopewell Trail (LHT) and that she stands before them this evening on behalf of the entire board of the Lawrence-Hopewell Trail and proceeded to discuss the 20+ mile Hiking and Walking Trail that goes through Lawrence and Hopewell Townships preserved areas, parks, schools, businesses, town centers, neighborhoods, and is 80-percent off-road, open year round from dawn to dusk, used by hundreds of bicyclist, pedestrians, joggers, hikers and this year by an incredible number of cross-country skiers for the last two months due to all the snow. She further encouraged families to utilize the Trail as it is pet friendly, prohibits motorized vehicles and handicapped accessible wherever possible, as the goals in creating the Trail were to provide safe off-road alternative to congested roadways and to facilitate healthy lifestyles including exercise and physical fitness as well as connect to neighborhoods and communities and reduce the reliance on automobiles; especially, for young children who want to go from home to various playing fields.

Ms. Horne also discussed Hopewell Township’s plans to connect various schools to the LHT to conserve energy and help combat pollution, and the Trail design being family friendly, community friendly, environmentally friendly and a very unique partnership as it remains the only citizen-led trail construction project in the country that crosses townships that includes corporate land, private land, preserved land and is an example to an increasing number of trail organizing communities who are looking to do the same; but, the advantage they had is a list of partners behind them – such as corporations, non-profits organizations, bicycle clubs, citizens groups, Mercer County, Lawrence and Hopewell Townships and a number of State agencies- such as NJDEP and NJDOT and advised how amazed she is with the progress of the Trail that they started back in 2002 as a dream of Becky Taylor’s and since that time has become a vision shared by many people and is now a reality as they see the end of the design and construction phase of the primary loop in site, as it is their anticipation that the final segments in both Lawrence and Hopewell will be completed in either 2014 or by the end of 2015.

Ms. Horne indicated because they are now ahead of the game with respect to the construction they can now shift their focus on issues such as the maintenance and programming of the Trail and she is pleased to report that they have received in partnership with D & R Greenway Land Trust their first grant to facilitate programming on the Trail to encourage an environmental ethic and use of the Trail for health and fitness and proceeded to discuss at length a diagram regarding the completed segments of the Trail, segments that are still in planning or proposal stage for both Hopewell and Lawrence Townships as well as funding, grants, preliminary plans available for review and LHT awaiting approval from various State agencies to start construction as well as a Court decision pending in Hopewell on a legal matter that does not involve the Trail; but, hinders their ability to build until that legal issue is resolved and proceeded to discuss other incredible segments of the Trail such as Mercer Meadows - the new name for combined park that was previously Rosedale Park and the Pole Farm - which has a dog park, astronomy blind and an assisted playground for children with disabilities in addition to other Trail systems.

Ms. Horne extended a special thank you to the Township Council, Richard Krawczun, Municipal Manager, James Parvesse, Municipal Engineer, Gregory Whitehead, Public Works Director and his staff, Becky Taylor and LHT Board and hundreds of residents and organizations who have cheered them on and supported them financially since 2002 and stated how very grateful the Board is for all of their continued support and urged everyone and their families to take a ride or walk on the Trail to see what they have helped to create, which is a 750-mile bikeable, walkable trail that covers several counties and is a standard-setting trail that other towns look to for planning. She indicated they can look at photographs of the Trail until the cows come home...but it is not until they are actually on the Trail, in beautiful settings throughout the area, that they can really appreciate what a fabulous amenity the Trail is to the community. Further, they are not asking for any money; their only request is that the Township Council continue to support LHT efforts by taking their families for a walk or ride on the Trail to visually see what they have helped to create and take pride in this unique accomplishment in which they all have played such a key role. She then opened the floor up for questions and a short question and comment period took place, after which the Council thanked Ms. Horne for her dedication and hard work.

~~~

#### Tax Re-Vaulation Report – Geoffrey Acolia, Tax Assessor

Mr. Acolia greeted the Township Council and stated he is very happy to announce that the Revaluation is over. Last week Professional Property Appraisers, the firm who conducted the 2014 Revaluation, dropped off a truck load of the brand new property record cards for owner's records, after which he signed the book thus completing a three-year project. He then distributed handouts and proceeded to review the following pertaining to the results of the

completed property revaluation: Time Line of Events - (3/11 thru 3/14), Preliminary Results of Revaluation, 2013-2014 CHANGE-Percentage of properties with increase/decrease in taxes (Residential...64% decreased/36% increased and Commercial...51% decreased/49% increased), All Property Types - Residential/Commercial Only - Estimated Tax Decrease/Increase, Composition of Ratable Base (based on assessed value) and 2013/2014 Top 5 Taxpayers – Bristol-Myers Squibb, Educational Testing Service, Avalon Apartments, AG-Prism (Brandywine) and Quakerbridge Mall. A short question and comment period took place relative to Mr. Acolia's presentation as it relates to property values being at 100-percent of their fair market values and homeowners paying their fair share of taxes as well as homeowners right to appeal the assessment prior to the May 1, 2014 deadline. The Council thanked Mr. Acolia for his presentation.

---

Public Participation (5-minute limitation per speaker)

There was no public participation.

---

Review and Revisions of Agenda

There were no revisions to the agenda.

---

Adoption of Minutes

There was no adoption of minutes.

---

Awarding or Rejecting of Bids

There was no award of bids.

---

Introduction of Ordinances

Mayor Lewis read by title an ordinance entitled, "ORDINANCE PROVIDING FOR SIDEWALK IMPROVEMENTS IN AND BY THE TOWNSHIP OF LAWRENCE, IN THE COUNTY OF MERCER, NEW JERSEY, APPROPRIATING \$14,677.50 THEREFOR AND DIRECTING THE SPECIAL ASSESSMENT OF THE COST THEREOF"

Mr. Krawczun stated as previously introduced this Ordinance establishes the special assessments for sidewalk/concrete improvements to specific property locations and property owners participating in the Sidewalk Improvement Program for locations contiguous to Darrah Lane and Glenn Avenue during the road repaving project, as owners can participate for concrete improvements as part of the public bid of the Township for similar work in this project location and pay for their individual work over a period of time upon completion. The Ordinance also addresses a previously introduced ordinance for this matter that reflected an assessment that needed to be adjusted for one of the participating property locations.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Brame	X						
Mr. Kownacki	X						
Dr. Maffei	X						X
Mr. Powers	X					X	
Mayor Lewis	X						

~~~

Mayor Lewis read by title an ordinance entitled, "AN ORDINANCE AMENDING CHAPTER 13 OF THE LAWRENCE TOWNSHIP ADMINISTRATIVE CODE ENTITLED 'MOTOR VEHICLES AND TRAFFIC'-Speed Limit on Province Line Road"

Mr. Krawczun advised previously there was a Resolution of Support for a reduction of the speed limit on Province Line Road from Quakerbridge Road to the D&R Canal and that particular section of roadway is maintained and under the jurisdiction of Mercer County, and as part of that change Mercer County asked Lawrence Township to consider a reduction of the speed limit from the D&R Canal to Princeton Pike. After being reviewed by both the Engineering and Police Departments each office recommended that the reduction of speed limit should continue from the D&R Canal all the way to Route 206. And, although the speed surveys did not support a reduction of the speed limit, the recommendation is predicated on the following: there is limited sight distance for motorists exiting and getting around the Port Mercer Road area, and there is horizontal curvature of Province Line Road and pedestrians crossing the

roadway at Province Line Road and the recreation area of the Yorkshire development that is an unsafe condition.

The Ordinance was introduced and approved on the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Brame    | X   |     |         |        |         |      | X      |
| Mr. Kownacki | X   |     |         |        |         |      |        |
| Dr. Maffei   | X   |     |         |        |         |      |        |
| Mr. Powers   | X   |     |         |        |         | X    |        |
| Mayor Lewis  | X   |     |         |        |         |      |        |

~~~

Mayor Lewis read by title an ordinance entitled, “AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY - Fees”

Mr. Krawczun stated that the Ordinance authorizes a change to increase the amount of the required escrow deposit for Land Use Applications; however, the fees are not being increased, it is just so often residential land use applicants pay the original escrow and then must fund the balance at the conclusion of an approval and although they are aware of the estimated cost of an approval they are sometime surprised and not fully prepared for the final sum. So, if the fees are increased to the required amount it eliminates that problem.

The Ordinance was introduced and approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Brame	X						X
Mr. Kownacki	X						
Dr. Maffei	X						
Mr. Powers	X					X	
Mayor Lewis	X						

---

### Adoption of Ordinances

Mayor Lewis read by title an ordinance entitled, “ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWNSHIP OF LAWRENCE TO ADDRESS SUBSTANCE ABUSE TREATMENT CENTERS.”

Mr. Krawczun stated that the Ordinance authorizes an amendment to the Lawrence Township Land Use Ordinance to provide for definitions for the following: Behavioral Health Care Facilities, Health Care Facilities, Medical Clinics, Office – Medical, Office – Research and Development, Residential Medical Detoxification Centers and Urgent Care Centers. The amendment will also rename the “Limited Industrial 1 (I-1) District” to “Mixed Use 2 (MX2)

District”, and the mixed use district will add as a conditional use residential detoxification centers and behavioral health care facilities and proceeded with a detailed outline of events that lead to the recommendation and approval of the Ordinance by the Zoning Board of Adjustment.

### Public Comments

*Ms. Susanne Bielamowicz, 250 Bakers Basin Road*, stated according to Lawrence Ledger the Ordinance has already been approved by the Township Council and whether the information is true or not she does not know; but, it seems as if the residents on Bakers Basin Road are constantly left with the trash; maybe...because they have very few residents in their area, vacant homes and owners in the process of moving, their area has become a dumping ground for the Township as they now have a dump, welfare homes and the proposed detox center. She then proceeded to discuss her opposition to the passage of the Ordinance as it relates to additional flooding in the area caused by the building, devaluation of her property, lack of public transportation and drug addicts, rapist and undesirables having to pass by her home to get to the Bus Stop on Route 1 and her lack of understanding as to why the Detox Center cannot be located in a non-residential area of the township where there are no homes or safety of children to worry about and asked that the Council look into their hearts prior to acting on the amendment to see if they would like something like that built next to their homes.

Ms. Bielamowicz inquired about a letter her brother-in-law submitted to the Council regarding his opposition to the passage of the Ordinance and was advised by Mr. Krawczun that a copy of her brother-in-law’s letter has been provided to the Council and will be recorded in the Minutes. Please see the following:

Michael C. Bielamowicz  
Landowner/Tax Payer

Property owner of 268 Bakers Basin Road and 13 acres of property at 243 Bakers Basin Road across the street from the Lawrence Township Maintenance Facility.

It appears that Lawrence Township and the Town Council have already decided you'll change the zoning on Bakers Basin and Lawrence Station Road from 1-1 to MX-2. It's already been published in a March 5<sup>th</sup> article of the Lawrence Ledger. Therefore, whatever we the citizens and tax payers in the area say, we know its falling on deaf ears. Might as well shut off our microphone! Keep your blinders and ear muffs on. Let us speak, but do you really listen? As the Lawrence Ledger article indicates, your decision has already been made. You've never listened to the citizens of Bakersville and Lawrence Station? Yes, these names appear on NJ Maps today.

Question becomes, why didn't anyone consider the HC Zoning (Highway Commercial) on Spruce Street near Arctic Ave (Ewing) and Shabakunk Creek considered as a viable option for MX-2 use? This eyesore of a former car dealership is going to sit idle for years to come. This area borders Trenton and Ewing Townships, two towns that would have more residents apt to use such facilities. Instead, you want Trenton and our neighboring communities to send them to Lawrence Township. To our neighborhood! Why does Lawrence Township have to be the first to re-zone? Is there a pending lawsuit that hasn't been disclosed?

What about the I-2 Zone on Enterprise Ave bordering Hamilton Township and Trenton? Was this considered? What about the area zoned 1-1, same as Bakers Basin, the Lawrenceville Elite have which is zoned 1-1 near Princess Road. It's just off Princeton Pike and close to I-95 and Route 1? How close is a residential neighborhood? What is the guideline used to determine a "What is considered close proximity to a residential neighborhood"? Why wasn't this area considered or why haven't more than one location been considered for a rehab/detox center?

I'll tell you why; we are Bakers Basin and Lawrence Station Road Residents forgotten by Lawrence Township. Home to a Fire School. Home to a former tile dump (Wenczel Tile). Home to wood chipper and recycling facility. Home to the Lawrence Township Maintenance Facility. Home to a new expanding Route 1 traffic jam which will only get worse during the upcoming construction phase.

Granted, Bakers Basin and Lawrence Station areas don't add much to the tax base of this township. However, it's one of the older sections of the township with a lot of history (Ice Pond) and Indian inhabitants near the Assunpink Creek areas. If Bakers Basin / Lawrence Station Road are tasked with this burden of taking on a detox/rehab center, then re-adjust our taxes? Why should the residents and land owners in this area take on the burden of an undesirable entity while the rest of Lawrence Township reaps the reward of saying we have a rehab/detox center in Lawrence? These burdens are shoved on Bakers Basin residents. I don't see any of you saying, I want that in my neighborhood. Bad enough we often had to contend with undesirables being relocated to Motels on Route 1.

If a not for profit detox/rehab center establishes itself in this area, will it add to the tax base? No, but it would bring the problems that commonly occur with rehab/detox centers. Google It! Who would come to this Detox or Psychiatric facility? You don't know. Let's say they allow, Sex Offenders and others into a facility within our township? You didn't want a hospital and it moved to Hopewell. Why does Lawrence have to be the first to accept a Rehab/Treatment facility? It doesn't but your mind has already been made up. It's a shame you use the residents and land owners on Bakers Basin Road and Lawrence Station Road to take what the rest of Lawrence Township doesn't want in their neighborhoods.



I believe, that all of this is a show tonight. Similar to what you do when running for office. None of you care about the citizens or tax payers who reside in this in this part of Lawrence Township. Maybe we ought to think about annexation. Unless you live in Lawrenceville "Proper" itself, we the citizens and landowners of Barkersville/Lawrence Station are forgotten. We know that Lawrence Township officials make back door decisions. It's happened to us many times before. You've already made one with respect to this present zoning question. Do you really care about the value of our properties? I think not. Do you care about us and what we think, I think not.

Ms. Naz Zamoyski, 3 Shinney Lane, stated that she owns property on Shinney Lane off Bakers Basin Road and she is concerned about the third paragraph of the ordinance where the Zoning Board of Adjustment mentioned the substantial negative impact the detoxification center could pose on the surrounding properties and asked if the Council could provide some insight on the negative findings and why those uses should be limited to a specific geographical area and not allowed in every neighborhood and zoning district in Lawrence Township to ensure everyone does their fair share.

Mr. Roskos explained that the residential medical detoxification center was proposed for a site on Federal City Road between two residential neighborhoods which were developed at a high density and that the Planning Board had recommended and the Council had adopted an ordinance years earlier prohibiting what was essentially a 24-hour operation in that portion of the town given the development of the two residential neighborhoods. Furthermore, the site was very small and was already developed with some existing buildings so the placement of a facility like the detox center in that location would have negative impacts on the two neighborhoods that were immediately adjacent. An at length discussion took place relative to negative impacts for each proposed location/use, the detox center not being appropriate for the Professional Office Zone (Federal City Road), which was truly developed to be a buffer from residential uses to county roads and the interstate highway and every use not being appropriate for every zone.

Mr. Daniel O'Connell stated he lives at 3 Shinney Lane just north of the EP-1 zone and from their perspective it is in pretty much in the wetlands and flood plains area and from his point of view the area cannot support a lot of new developments, as new developments cause a problem with the drainage and for those who live in that area know the more drainage there is, the more drainage goes into the canal, then the creek that comes parallel to the Canal from Princeton causes the canal to overflow into a spillway which floods that area. And indicated everyone speaks about all the damage from Hurricane Sandy; but, gave no attention to how badly their area was flooded by the hurricane when they had 4 feet on water on their property. So, in planning for the new facility they should very carefully consider how it will affect the area so that it does not create more of drainage problem. He then thanked the Council for their time and Ms. Zamoyski's who summed up everything very well.

Ms. Olympia Perry stated she is a resident of Liberty Green, a community located behind Bakers Basin Road, and one of the reasons Lawrence is so established and still continues to be a flourishing community is because of its open space, sense of security and safety and it is a great place to raise a family, which is something they are putting in jeopardy if they build this residential medical detox center. And, she knows there could be benefits for the facility as well as the Township with regards to tax revenues; but as her neighbors pointed out they are an established community and a detox center in their area would do nothing but add to the congestion and existing traffic problems, be very detrimental to their property values, sense of safety and security risks and their peace of mind and indicated they want to continue to develop the community and support those who need help; but, their area is not suitable to add additional population to and suggested that they look at locations outside of the Township or other areas within the Township that are distant from established neighborhoods.

Mayor Lewis stated for clarification purposes there is no proposed facility or building at the present time. The Ordinance addresses a need to put the use someplace in Lawrence Township that would be beneficial if there ever was a need; because, if there was a proposal for a facility it would go before the Zoning or Planning Board and all of things they talked about this evening would be part of that consideration. Furthermore, there are other places throughout Lawrence Township where residential group homes and mental health facilities exist and that the Ordinance is about one particular type of use a Behavioral Healthcare Clinic and Residential Detox Center.

Mr. Lawrence Murphy stated he is a Civil Engineer by trade and a business owner within Lawrenceville and he deals with lot of applicants making applications before Lawrence Township and several other municipalities, and under the MX-2 zone in the LUO he would like to request some revisions for the future with regards to the outdoor recreation section and it being amended to include an indoor recreation section being he has had a number of applicants come to him looking to make applications for indoor recreation sports training, which is currently not permitted and must go before the Zoning Board for approval. And, since outdoor recreation is allowed it is a very complimentary to allow indoor use; and, although outdoor commercial is allowed it is less practical without an indoor component because it is hard for a business to survive operating seasonally. Therefore, he is requesting that going forward the Ordinance be amended to include indoor recreation in that area given the location is appropriate being it has large buildings and proximity to residential uses. Secondly, for clarification purposes he would like to request on Page 6 under (2d) that the definition of manufacturing and industrial use include defined language as it currently does not or be changed to light manufacturing that is defined in the Ordinance. A brief discussion followed relative to the use being conditional and the Township adhering to the recommendation of the Zoning Board and abiding by the LUO and Master Plan.

**Ordinance No. 2174-14**

**ORDINANCE AMENDING THE LAND USE ORDINANCE  
OF THE TOWNSHIP OF LAWRENCE TO ADDRESS  
SUBSTANCE ABUSE TREATMENT CENTERS**

**WHEREAS**, the Township Council of the Township of Lawrence (“Township Council”), a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals, and general welfare of the community shall be promoted by the revision and amendment of the Land Use Ordinance of the Township to address the growing need for facilities to treat substance abuse; and

**WHEREAS**, the Township Council takes note that the Legislature of the State of New Jersey has found, pursuant to *N.J.S.A. 26:2BB-1*, that alcoholism and drug abuse are major health problems facing the residents of this State and that the full resources of New Jersey including, counties, municipalities and residents must be mobilized in a persistent and sustained manner in order to achieve a means of addressing not only the systems of substance abuse but their root causes; and

**WHEREAS**, the Zoning Board of Adjustment of Lawrence Township (“Zoning Board”) heard and carefully considered application number ZB-14/10 wherein the applicant requested permission to operate a residential medical detoxification center which the Zoning Board found to create substantial negative impacts on surrounding property and substantial impairments to the zone plan as more fully set forth in its denials of the application per Resolution Nos. 16-11z (memorialized on August 17, 2011) and 18-12z (memorialized on November 28, 2012) on remand from Superior Court; and

**WHEREAS**, the Zoning Board recommended in its 2013 Annual Report (Resolution 9-14z) to the Township Council and Planning Board, pursuant to *N.J.S.A. 40:55D-70.1*, additional discussion on medical uses, such as residential detoxification facilities, that are not specifically addressed in the Lawrence Land Use Ordinance (“LUO”); and

**WHEREAS**, the Township Council finds that outpatient treatment for substance abuse utilizing buprenorphine hydrochloride (Subutex) and naloxone hydrochloride (Suboxone) by physicians certified in Addiction Medicine is permitted as part of medical care in the offices of the such physicians and furthermore that residential medical detoxification is a use allowed within a residential health care facility which is a principal permitted use in the Education, Government and Institutions zoning district; and

**WHEREAS**, the Superior Court of New Jersey, the Hon. Mary Jacobson, A.J.S.C., has held in the decision of Docket No. MER-L-2325-II that

residential medical detoxification centers are inherently beneficial uses and that there is a statewide need for such facilities; a finding that such use heretofore had not been so designated; and

**WHEREAS**, the Township Council finds that new and specialized treatments for substance abuse have been developed since the LUO was adopted in 1997 and further finds that no other municipality in Mercer County has specific land use regulations for substance abuse treatment centers including residential medical detoxification centers; and

**WHEREAS**, notwithstanding that residential medical detoxification center is a permitted use in the Education, Government and Institutions zoning district as a type of residential health care facility, the Township Council finds that an expansion of the locations where such use is permitted is warranted but in such places where its negative impacts may be minimized consistent with the New Jersey Legislature's recognition that methadone substance abuse treatment facilities are appropriate in some zoning districts but not others in *N.J.S.A. 40:55D-66.10*; and

**WHEREAS**, the Township Council hereby declares that the Mixed Use 2 ("MX-2") zoning district is particularly suited for the provision of additional substance abuse treatment because of its proximity to the regional highway network, distance from established neighborhoods where a 24-hour operation would have a substantial impact, being served by a public sewer and water system, and with adequate land resources for new construction and with existing buildings suitable for conversion to such facilities; and

**WHEREAS**, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides a foundation for the appropriate use, regulation and development of lands in the Township in a manner which will promote the public health, safety, morals, and general welfare; and

**WHEREAS**, the Municipal Land Use Law at *N.J.S.A. 40:55D-62a* requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; however, a governing body may adopt a zoning ordinance or zoning map wholly or partly inconsistent with such land use plan element provided that the reasons for so doing are set forth in a resolution and recorded in its minutes; and

**WHEREAS**, the Planning Board has determined that the revisions and amendments to the Land Use Ordinance set forth herein are consistent with the goals and objectives of the Master Plan but inconsistent with the specific land use recommendations for this area of the municipality but that nonetheless represent sound land use regulation and therefore favorably recommends to the Township Council that the LUO be so amended; and

**WHEREAS**, this Ordinance involves a classification and/or boundary change not recommended in a periodic reexamination of the Master Plan pursuant to *N.J.S.A. 40:55D-89* and consequently individual public notice has been served in accordance with *N.J.S.A. 40:55D-62.1*.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Lawrence that the Land Use Ordinance be hereby amended as follows:

**Section 1.** §201, Definitions, as modified, shall be amended by the addition or revision of the following words and meanings:

**BEHAVIORAL HEALTH CARE FACILITY:** A building or portion of a building, whether private profit or non-profit, or institutional, principally engaged in providing services for inpatient and outpatient services for treatment of victims of addiction, psychiatric, psychological, or other behavioral health condition where care may be provided on a short term or long term basis whose operators are licensed to provide such services by the State of New Jersey, but not to include hospitals and other health care facilities, or residential medical detoxification centers; a Level I, Level II.1, Level II.5, Level III.1, Level III.5, or Level III.7 treatment facility as classified by the Division of Addiction Services, NJ Department of Human Services.

**HEALTH CARE FACILITY:** A building or portion of a building such as a hospital, whether private or an institution, principally engaged in providing inpatient and outpatient services for physical health maintenance, diagnosis (including testing) and treatment of human diseases, pain or other physical condition of patients; acute care facility; rehabilitation hospital; ambulatory surgical center. Care may be provided on a short term or long term basis. Outpatient services may also be provided as a secondary service. Such facilities may include laundries, cafeterias, gift shops, laboratories, and medical offices as accessory uses.

**MEDICAL CLINIC:** A public health facility, blood donor center, kidney dialysis center, or walk-in medical office not requiring prior appointment.

**OFFICE, MEDICAL:** A building or portion of a building principally engaged in providing services for health maintenance, diagnosis (including testing) and treatment of human diseases, pain or other physical or mental condition of patients solely on an outpatient basis, but not to include a behavioral health care center or residential medical detoxification facility. No overnight patients shall be kept on the premises. Examples of medical offices shall include but not be limited to general physicians, dentists, chiropractors, psychologists, cardiologists and other various specialties.

**OFFICE, RESEARCH AND DEVELOPMENT:** A building or portion of a building principally engaged in developing new products or procedures, or to improvement of existing products or procedures. Research and development

offices may include laboratory space, pilot manufacturing and production space and/or office space.

**RESIDENTIAL MEDICAL DETOXIFICATION CENTER:** Medically monitored intensive inpatient treatment for substance abuse that provides 24-hour per day physician-supervised evaluation and withdrawal management in a permanent facility with beds based on substance-specific clinical protocols and policies and that may include Suboxone induction, or similar medication, for opioid dependence; a Level III.7D facility as classified by the Division of Addiction Services, NJ Department of Human Services.

**URGENT CARE CENTER:** A type of medical clinic in a building or portion of a building, whether private or institution, principally engaged in providing walk-in, extended-hour access for acute illness and injury care that is beyond the scope or availability of the typical primary care practice or other medical clinic. Patients shall be served solely on an outpatient basis and such services shall not include overnight stays.

**Section 2.** §422, Limited Industrial 1 (I-1) District, shall be renamed the Mixed Use 2 (MX-2) District and shall be amended by adding conditional uses for residential medical detoxification center, behavioral health care facility, and other revisions, as follows:

§ 422           Mixed Use 2 (MX-2) District.

- A. **Purpose.** The Mixed Use 2 (MX-2) district is intended for low intensity uses in areas characterized by environmentally sensitive lands. The district is intended to provide locations for offices, limited residential, limited specialty medical office uses, light industrial, recreational, open space, landscape nursery and contracting uses.
- B. **Permitted Uses.** In the MX-2 district, no lot shall be used and no structure shall be erected, altered or occupied for any purpose except the following:
1.       Offices and medical offices.
  2.       Research and development offices.
  3.       Laboratories.
  4.       Light manufacturing.
  5.       Wholesale distribution and warehouses.
  6.       Agriculture.
  7.       Garden centers.
  8.       Animal hospital and veterinarian clinic.
  9.       Animal kennel, provided that any such use is located a minimum of 200

feet from a residential use.

10. Outdoor commercial recreation, including, but not limited to, golf driving range, canoe and bicycle rental, batting cages, and miniature golf, but not to include amusement and go-cart rides, water parks, and arcade games or similar theme park uses.
11. Detached single-family dwellings.
12. House of worship.
13. Long term care facility; hospice.
14. Governmental use.
15. General and landscape contractors; design-build establishments.

C. **Accessory Uses Permitted.** Any of the following accessory uses may be permitted when used in conjunction with a principal use:

1. Off-street parking.
2. Fences and walls.
3. Signs.
4. Garages, storage buildings and tool sheds.
5. Restaurant or employee cafeterias as part of a principal building or as the entire use of an accessory building, provided the cafeteria is limited in service to the employees of the principal use designated on the site plan as approved by the Board.
6. Rectory, parish house, priest house or similar house for a religious leader(s) in conjunction with a house of worship.
7. Satellite dish and television antennae.
8. Accessory uses for residential uses shall be as permitted by §401.C. only.
9. Accessory uses customarily incidental to a principal use.

D. **Conditional Uses Permitted.** The following use may be permitted when authorized as a conditional use by the Planning Board in accordance with §705:

1. Public self-storage facility limited to a maximum FAR of .20 conforming to the following conditions:
  - a. No storage of hazardous or combustible materials shall be permitted.
  - b. No sale of material shall be permitted from the premises, except for the purpose of satisfying unpaid rent pursuant to law.
  - c. No animals or livestock shall be permitted on the premises.
  - d. No outside storage shall be permitted except that boats and recreational vehicles may be stored in the rear yard provided

that they are properly screened from the traveling public in accordance with §525.H.

- e. Buildings shall be separated by a minimum of 30 feet except where the buildings' long axes parallel each other, in which case the minimum separation shall be 25 feet.
  - f. Every self-storage facility shall be fully enclosed with fencing or walls, or a combination thereof a minimum of six feet in height. Fencing and walls facing a public right-of-way shall be decorative, including but not limited to, wrought and cast iron, painted aluminum picket, split face and polished concrete masonry units, and brick acceptable to the Board of Jurisdiction. Any other enclosing material may be used in other locations, except that any chain link or similar wire fencing shall be coated with vinyl or other suitable material in a subdued color.
  - g. The facility shall be landscaped in accordance with §525.
  - h. A single residential unit for the use of a caretaker and immediate family shall be permitted.
  - i. Each gate controlling entry to the self-storage facility shall have a minimum of two vehicle stacking spaces in front of the gate without blocking access to drive aisles, parking aisles or parking spaces.
  - j. Any other provisions not herein modified shall apply.
2. Behavioral health care facility and residential medical detoxification center, conforming to the following conditions:
- a. Such use shall be located east of Rt. 1 and south or west of I-295.
  - b. The minimum lot area shall be 3 acres.
  - c. The maximum number of patients served at the location of the facility shall not exceed 50 persons.
  - d. The use shall not be combined with a single family detached, manufacturing or industrial use.

**E. Area, Yard, Height and Building Coverage.** Except as otherwise modified, the following bulk standards shall apply to all lots:

- 1. Behavioral health care facility and residential medical detoxification center.
  - a. Lot size shall be as indicated in –D.2.b hereinabove.
  - b. Minimum lot frontage: 200 feet
  - c. Minimum lot width: 200 feet
  - d. Minimum lot depth: 300 feet



- e. Minimum front yard: 50 feet
- f. Minimum side yard: 50 feet
- g. Minimum rear yard: 50 feet
- h. Maximum floor area ratio:
  - i. Individual principal use in single building .10
  - ii. Combined principal uses in single or separate buildings .15
- i. Maximum impervious surface ratio: .30
- j. Maximum height: 35 feet
- 2. Non-residential uses.
  - a. Minimum lot area: 5 acres
  - b. Minimum lot frontage: 300 feet
  - c. Minimum lot width: 300 feet
  - d. Minimum lot depth: 300 feet
  - e. Minimum front yard: 125 feet
  - f. Minimum side yard: 75 feet
  - g. Minimum rear yard: 75 feet
  - h. Maximum floor area ratio:
    - i. Light manufacturing: .20
    - ii. Wholesale distribution and warehouses: .20
    - iii. All other non-residential uses: .10
  - i. Maximum impervious surface ratio: .30
  - j. Maximum height: 35 feet
  - k. Accessory uses.
    - i. No accessory building or use shall be located in a front yard.
    - ii. Minimum side yard: 50 feet
    - iii. Minimum rear yard: 50 feet
    - iv. Minimum distance to other building: 50 feet
- 3. Residential uses.
  - a. Minimum lot area: 3 acres
  - b. Minimum lot frontage: 200 feet
  - c. Minimum front yard: 50 feet

- d. Minimum side yard: 50 feet
- e. Minimum rear yard: 50 feet
- f. Minimum buildable area: 1 acre
- g. Minimum useable yard area: 20% of each yard
- h. Maximum impervious surface ratio: .12
- i. Maximum height: 35 feet
- j. Accessory uses.
  - i. No accessory building or use shall be located in a front yard.
  - ii. Maximum height: 35 feet
  - iii. Distance from property line: A distance > than the structure's height

- 4. Parking area setback.
  - a. From street line: 50 feet
  - b. From any other lot line: 25 feet

F. **Additional Regulations for Non-residential Uses.** The following additional regulations shall apply to a non-residential use in the MX-2 district:

- 1. No merchandise, products, waste, equipment or similar material or objects shall be displayed or stored outside unless specifically approved as part of a site plan submission.
- 2. All buildings shall be compatibly designed whether constructed all at one time or in stages over a period of time. All building walls facing any street or residential district line shall be suitably finished for aesthetic purposes.

**Section 3.** §415, the Mixed Use (MX) District, shall be renamed the Mixed Use 1 (MX-1) District and its name and symbol revised throughout the section.

**Section 4.** §423, the Limited Industrial 2 (I-2) District, shall be renamed the Limited Industrial (LI) District and its name and symbol revised throughout the section.

**Section 5.** §300, Zoning Districts, shall be modified by renaming the Mixed Use (MX) District, Mixed Use 1 (MX-1) District; inserting the Mixed Use 2 District and its symbol MX-2 after the Mixed Use 1 (MX-1) District, removing

the Limited Industrial 1 and its symbol I-1, and renaming the Limited Industrial 2 (I-2) District to Limited Industrial (LI).

**Section 6.** §301, Zoning Map, as modified, shall be further revised by revising the legend to rename the Limited Industrial (I-1) District, Mixed Use 2 (MX-2); rename the Mixed Use District, Mixed Use 1 (MX-1) District; rename the Limited Industrial 2 (I-2) District, Limited Industrial (LI) District, and to revise the symbols representing such zoning districts as required.

**Section 7.** Continuation. In all other respects, the Land Use Ordinance of the Township of Lawrence shall remain unchanged.

**Section 8.** Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Land Use Ordinance as a whole, or any other part thereof.

**Section 9.** Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

**Section 10.** Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

Ordinance 2174-14 was approved on the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Brame	X					X	
Mr. Kownacki	X						
Dr. Maffei	X						X
Mr. Powers	X						
Mayor Lewis	X						

---

**Manager’s Report –**

Mr. Krawczun submitted invoice listings for the month of March 2014 in the amount of \$837,950.41.

Mr. Krawczun stated on Saturday, April 12 Lawrence Township will be participating in the Stony Brook Millstone Watershed Association Stream Clean-up and individuals who would like to volunteer for that program can meet at Colonial Lake Park on the 12<sup>th</sup> between 1-3 pm.

~~~

Mr. Krawczun distributed copies of a draft Ordinance regarding Panhandling for the Council to review and advised that the ordinance comes as a recommendation from the Township's Police Department and it will prohibit aggressive panhandling in Lawrence Township. And, if they have any questions, comments, etc. it can be discussed at the next meeting.

~~~

Mr. Krawczun stated the last item in his report is the 2014 Budget and asked if the Council had any questions, concerns or directives relative to the Recommended Budget; and, if the budget is satisfactory he will begin preparing the State document for the formal introduction of the budget at the next meeting or for further discussion whatever is the Council's pleasure. After some discussion regarding the budget, it was the consensus of the Council that the Municipal Manager move forward with the introduction of the budget at the next meeting. They commended him on the great job he did in weathering the great recession 2008-2010, making the tough decisions with respect to layoffs, doing more with less from an operational standpoint and the overall proposed 2014 budget looking good.

---

**Attorney's Report –**

There was no Attorney's report.

---

**Clerk's Report –**

There was no Clerk's report.

---

**Old Business –**

Mr. Powers inquired about the credit card issue that was previously discussed and was advised by Mr. Krawczun that the last time he reported on that issue they had a data testing period with a company at no charge to the Township and they were not satisfied with the results of that test. So, they are now moving in a direction toward a firm that will charge the town a fee and they are awaiting those final figures. There will also be a per transaction charge to the user and the staff in the Tax Collector's Office will not be able to personally process credit card transactions. They will have a computer setup in their office

for public use where the customers will actually have to go online and process their own tax payments and they expect the proposal to be back relatively soon.

---

**New Business –**

There was no new business.

---

**Public Participation (3-minute limitation per speaker) –**

---

**Resolutions**

Resolution Nos. 120-14 (17-B) thru 129-14 (17-K) were approved by the following roll call vote:

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Brame	X						X
Mr. Kownacki	X						
Dr. Maffei	X					X	
Mr. Powers	X						
Mayor Lewis	X						

Cited Resolutions are spread in their entirety in the Resolution Books of the Township of Lawrence.

~~~

Resolution No. 119-14 (17-A) was approved by the following roll call vote:

| COUNCIL      | AYE | NAY | PRESENT | ABSENT | ABSTAIN | MOVE | SECOND |
|--------------|-----|-----|---------|--------|---------|------|--------|
| Mr. Brame    | X   |     |         |        |         |      |        |
| Mr. Kownacki | X   |     |         |        |         |      | X      |
| Dr. Maffei   |     |     |         |        | X       |      |        |
| Mr. Powers   | X   |     |         |        |         | X    |        |
| Mayor Lewis  | X   |     |         |        |         |      |        |

Cited Resolution is spread in its entirety in the Resolution Books of the Township of Lawrence.

---

**Council Initiatives/Liaison Reports –**

Councilmember Brame's report:

- Advised that he attended the Recreation Advisory Committee meeting and he can report that they are moving at a fast pace to continue to find ways to expand the scope of services at no additional cost and they are looking pretty good.

Councilmember Maffei's report:

- Advised that the Senior Executive Committee is having trouble with buses for their trips as Lawrence Shopping Center has closed their parking lot down for use by the seniors' bus trips for liability purposes.

Councilmember Powers' report:

- Advised that the Shade Tree Advisory Committee Arbor Day will be coming up in April and they have had a tradition of doing a tree planting at one of the local elementary schools and Ben Franklin Elementary School is who they will be working with this year.

Councilman Kownacki's report:

- There was no Liaison report.

Mayor Lewis' report:

- Advised that Lawrence Township received a grant in the amount of \$20,000 for the Compost Initiative and moving forward the Volunteer Committee will be telling people how they will allocate those funds as they roll out their plan.

---

**Written Communications –**

- A. There was no written communication.

---

There being no further business to come before this Council, the meeting adjourned.

8:19 p.m.

Respectfully submitted by,

---

Kathleen S. Norcia, Municipal Clerk

Attest:

---

Cathleen M. Lewis, Mayor