

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Wednesday, March 18, 2015

Present: John Gladwell  
Charles Lavine  
Frank Scangarella  
Samuel Pangaldi, Vice Chair  
Peter F. Kremer, Chair

Absent: None

Excused Absence: Christine Hultholm  
Bruce Kmosko  
Shabnam Salih  
Melissa Saunders

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer  
Brian Slauch, Planning Consultant, Clarke•Caton• Hintz  
Edwin W. Schmierer, Attorney, Mason, Griffin & Pierson  
James Kochenour, Traffic Consultant  
Susan Snook, Recording Secretary

1. Statement of Adequate Notice

Adequate notice of this meeting of the Lawrence Township Zoning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law; by filing the agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times, the Trentonian and the Lawrence Ledger newspapers.

2. Public Participation: (None)

3. Applications:

Continuation from the January 21, 2015 meeting; Bulk Variance Application No. ZB-4/14 and Major Site Plan – Preliminary and Final Approval Application No. SP-4/14; Spruce Street Partners, LLC, 1060 Spruce Street; Tax Map Page 7, Block 701, Lots 40 - 42.

Chairperson Kremer stated that the Board members will make a decision regarding voting because there are only five (5) members were present. Mr. Forschner stated the applicant understands there are five members present eligible to vote and will proceed with the testimony and hopefully the Board could move through this application but will reserve the right to vote over to the next meeting.

Mr. Forschner gave a brief summary that a recreational facility was being proposed with a secondary commercial building for office and retail space. The professional staff met with the applicant's professionals and the problems were ironed out. There was also a meeting with James Parvesse and the County Official's to get their input on the County right-of-way. The majority of the details have been ironed out and the primary purpose this evening is to go through that with the Board members and hopefully get your concurrence to what has been proposed and with the extensive input from the Township's professionals.

Mr. Forschner continued that there are two things that need to be addressed, one was with the another deed variance for the retail component and there is an understanding that the secondary building, the commercial building, be treated as a shopping center because of the number of uses and it is a permitted use in that zoning district does not require a variance as a result and gives the applicant some flexibility on the number of units. The parking requirements for a shopping center are less than some of the other uses. One thing the applicant wanted to maintain and

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Wednesday, March 18, 2015  
Page 2

continue to maintain is that building being either office or retail because it is unknown on what is going to come in. The frontage will be retail and the portions toward the rear are some sort of office use, but not knowing exactly how that building is going to be proposed to be used and would like some flexibility to use with consistent with the ordinance.

A more consecutive parking counts with regard to that building but because part of the retail has been eliminated and treating it as a shopping center. The uses will be a little staggered and the ordinance builds in a more flexibility with the parking requirements. There were separate conversations with Mr. Kockenour and Ms. Kraemer and how many parking spaces will be built now vs. how many will be banked.

The proposed parking spaces are satisfactory and enough parking spaces were proposed for the in-door recreation as well as for the commercial building and because of the lower parking count required for that building, it also reduces by 12-1/2 parking spaces, that amount that building requires.

There will be 50 banked parking spaces are in the rear of the site and have the Board say build those spaces or have the applicant say they need more spaces. The only other technically is because that banked parking is if the adjacent side opens up that might change in configuration and this has not been fully engineered and could be accomplished. Mr. Forscher stated to defer this issue to the professional staff so if the banked parking spaces are to be approved, the applicant will provide the professional staff with the more detailed engineering and subject to their approval administratively.

Mr. Slauch made a comment on the multi-tenant and that the highway commercial zone was amended in 2013 that required that shopping centers had to be on 20 acres and basically on Route 1. This location will meet the definition of a shopping center and there was also a change in §1.10B that allows more than one commercial use on a site and you can have a combination in a shopping center of an in-door recreational on the same site and as long as each individual tenant no smaller than 750 square feet.

Witness #1: David Wisotsky, Bohler Engineering. Presented Exhibit A8 – Site Plan Rendering dated March 16, 2015. It is the same rendering presented at the last meeting with the landscaping super imposed. The plan has changes from the last meeting with the professionals and the County.

Mr. Wisotsky was pushed back nine-feet toward the rear of the site off of the front to make room for the parking. The existing building had an 838 sf piece on the front that was removed for parking which would be reduced to 23,325 sf. And that allowed the front parking to be flip heading toward Spruce Street. The access isle in the front is now further away from the intersection of the main driveway. The front yard parking setback is 17.8' where the existing was 12.4' and the drive isle is now 34' from the drive isle or 45' from the curb-line of Spruce Street where it was only 10' which is better for ingress movements and stack more cars.

The main access between the buildings stays the same which was a full movement in out access is not now a right out only movement, which was the County concern. The pedestrian enhancements about increasing the sidewalk in front of the dome and the proposed retail spaces have been added and also lead to the existing sidewalk in the front.

Bick racks have been added by the dome and the retail stores. There were 194 parking spaces; 180 are now proposed with a loose of 14 spaces due to the configuration of the exit; pushing back the site and the truck movement improvement. The banked parking is behind the dome which is 50 spaces and brings it up to 230 spaces. There is a cross access easement to the west; two loading spaces were added (northeast corner of dome and to the north side by the

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, March 18, 2015

Page 3

retail office building); a turning radii was added for fire trucks per Mr. Kockenour's schematic; masonry trash enclosure was included at the rear of the dome; monument sign is proposed out front and the pylons will be removed; a water quality device was added to manage water quality requirements by Delaware & Raritan Canal Commission at the north end of the site, which is a mechanical device at the end of the pipe before it discharges it feeds into a vortex unit to relief sediment toward the bottom.

Ms. Kraemer stated two items should be discussed is the cross access easement and the banked parking area and decide how to move forward and what type of mechanism legally can be put into the resolution if approved to enforce construction of these items because they are not fully designed (Items 1 & 2 of report dated March 11, 2015, copy attached.)

Mr. Kockenour stated there were adjustments made to the front of the site and on the east side where the retail building is located and by moving the parking closer to the street as a motorist will have clearer line of sight to see if any spaces are available. The cross access provisions in front of and behind the dome, was the phase plans discussed with the County. Mr. Wisotsky stated when the cross access is built in and the property is developed, this secondary access point goes away and this site will have only one access and the access isle in front of the site along Spruce Street continues to the other site and that will tie into the main access to go to the signal traffic light that exists.

Mr. Kockenour stated the left turn out of the main turn will also be eliminated or the left turn will be prohibited from the site. Mr. Forschner stated that they can use the light but will not eliminate the full turning movement at that one driveway. Mr. Kraemer stated when the two sites are approved and it is a requirement in the HC Zone. Mr. Forschner stated this applicant will not provide for actual easements until the other half is provided and a condition of approval will be in the resolution that the applicant will provide the cross access easements at that time. Ms. Kraemer stated the Township usually gets them now for this site. Mr. Forschner stated to get the easement and not record it or record it. Ms. Kraemer stated to record the easement now and to be activated when the Township requests it and when the other parcels come in.

Mr. Slauch comment about the stop sign at the sidewalk. Mr. Wisotsky stated the sidewalk will be moved to the grass area. The members discussed the sidewalk to the Boys & Girls Club. Chairperson Kramer asked if this applicant will be responsible for the signal light and Mr. Kockenour stated the county would be looking for some type of fair share contribution toward the improvements for the signal. The application has been submitted to the County.

Chairperson Kramer stated if no parking space was available could he turn around or have to leave the property and go around. Mr. Wisotsky stated it is a two-way drive isle. Mr. Lavine stated on Spruce Street, the westerly 15' driveway that is going to be eliminated. Mr. Wisotsky stated the driveway will be eliminated if and when the cross access is established on the property to the west of the site; it will be built now and operable for this site but when the western site becomes developed, then a cross access driveway into that property from this site and then the westerly driveway will be taken out.

Mr. Forschner stated there were some comments the members and professionals made at the last meeting. Witness #2: Kevin Costello went over the 25,000 sf retail and office building because that was changed when the parking lot was flipped. Elevations were provided in black and white and colored elevations were presented at the request of the members. Exhibit A7 showed a bump out and Exhibit A9, dated January 20, 2015 which shows the layout being the same, a centrally located corridor with the possibility of more office space and now the bump out is squared off.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Wednesday, March 18, 2015  
Page 4

Exhibit A-10: Colored Elevations, dated March 18, 2015. Concept plan of conceptual elevations of what is being proposed and does a lot of factory conversions and warehouse conversions to exposed duck work (loft look); panelized cement (fiber panels), will take the paint off of the brick, keeping window openings with double pane glass. Mr. Forschner stated to keep the characteristics.

Exhibit A-11: Colored Version of the Smaller Building (6,000 sf reception Building). The garage bays will be infilled with block at the lower section and putting in windows with an awning over the door. Exhibit A-12 dated March 18, 2015 showed the interior & exterior showing the exposed duck work and will have a unique look. No tenant will be asking for 20,000 sf, they attract 2,500 sf tenant.

Witness #3: Corey Chase, PE, Atlantic Traffic & Design Engineers, Inc. Mr. Chase indicated at the meeting with the County that when the property to the west is developed they were going to require a full reconstruction of the traffic signal at Arctic Parkway. When the cross access is facilitated they will be subject to a full share contribution for that traffic signal.

Due to unique operation of a recreational dome, Mr. Chase performed a study and compared it to the dome in an existing facility in Gillette New Jersey which is about 32,000 sf in size. Mr. Chase performed a parking count and a trip generation during a typical day. A traffic statement was performed, dated March 3, 2015, copy attached. Mr. Chase described his report and described how he came up with the trip generation and the parking demand for this site using the Gillette site.

Mr. Kockenour stated in looking at your results for the capacity and level of service analysis basically for the contract what the level of service conditions would be at the different intersections with the existing lane configuration in place vs. a road diet, where Spruce Street would go from a 4 lane road to a 2 lane road (one lane in each direction with a center right turn) and the intersection that was studied actually showed an improvement in the level of service. Mr. Chase explained both lanes and as a one lane in each direction with a turn lane. You have a reduced amount of time that requires you to make a left into or out of an existing driveway because you are crossing one lane instead of two lanes like before. So the gap you need to make the entering or exit movement actually gets smaller so it allows more cars to process and with a center turn lane it allows a vehicle to make a turn into a site, actually in its own lane and allows a person exiting to make a left out which is a 2-stage left turn lane movement.

Break 8:24 p.m. to 8:32 p.m.

Witness #4: Richard Keller, PP. Mr. Keller summarized the property that it is a 1.67 parcel which 60% is being paved; part of the project was to focus the improvements on the already paved area and a net reduction of the overall pavement of .6 acres. Part of the other strategy was to reuse the two existing buildings; the front 24,000 sf Coleman collision center with the reduction of 838 sf will be a 23,375 sf and the old paint facility which was 6,550 sf.

There are a number of variances for this applicant and are permitted uses under §420.B. of the Lawrence Township Land Use Ordinance and several uses are permitted on a single lot. A height variance is request, 35' permitted, 76' is proposed; parking variance: the traffic engineer provided how the site will be phased and provided data for the parking demand, the site engineer used five spaces for 1,000' or 1 per every 200' and applied the standard to both vacant buildings and for an office it is 4.5 per 1,000 reduce the parking demand taken from 633 to 622 spaces.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, March 18, 2015

Page 5

A parking lot setback exception is required (Exhibit A8). The parking lot setback exception relates to the parking distance to the street, previously 10.3 was proposed and 0 exists today and taken out the 16.3. The access drive length exception, 75' is required and 0 exists today, at 10.7 with previous plan. Internal collector drives exception is required are only required in parking lots in excess of 250 spaces and this site has only 280 spaces; however, since the parking demand is more than 250 still provide the proofs for that waiver (§530.1.3.). A loading space exception is required for the one closest to the office building is slightly less than the 60' required where 53' x 15' is proposed. Parking lot screening exception is required is eliminated toward the front and are some areas that are visible from the front and the intent of the ordinance is being met.

Per §525.L.5.: no more than 25 spaces parked in a row and have 23 spaces along the left and was broken up with an island but pushed the building back to create a better circulation plan and flow and have large landscaped islands at each end.

Waivers from §420.F.2: Highway Commercial which states all buildings must be separated by 50' for parking or vehicular circulation and only have 46' from one point of the back to the point of the front building and this is a waiver (4' on either side).

§521: Retail Building Design Standards. 50% retail stores and 50% glass windows is need and it is at 30%, not all entrances face the street, and section 3 prohibits the use of concrete block on any visible from the public street. A number of exceptions were eliminated.

Exhibit A-13 (1 of 4): Plan View, dated March 18, 2015 - shows the 35' required

Exhibit A-14 (2 of 4), dated March 18, 2015: Longitude and Latitude, dated March 18, 2015: provides width of soccer field that generates the height, length is independent for a full size field.

Exhibit A-14 (3 of 4), dated March 18, 2015: Dimension showing Maximum heights

Exhibit A-14 (4 of 4), dated March 18, 2015: Dimension showing Maximum heights. The full height is at 156' back from the right-of-way line about 160' back from the travel way of Spruce Street. The 35' height is at 47' from the left side property line (Exhibit A-14), Site Section, dated March 18, 2015 on the lower section shows dome cross section into the Tiffany Woods development.

A balloon test was performed at various points (Exhibit A-13, Sheet 2): 20'; 60'; 127' and at centerline it was raised for elevations and took photographs. Exhibit A-15 (First Photograph), dated January 15, 2015, was between each of the townhouses and took photographs. They also spoke with residents. The worse was between the office building and the Boys & Girls Club was the biggest view and photo shopped the dome in and it was about 430' from the structure.

Mr. Keller stated the first house will see a clip of it and the next two houses have no view of the dome building at all and the next building you get a frame view of the back of it. There is 630' to the closest line of a house and estimated the height of the floors and looked at the commercial building between them, which is about 34' height in total and on the ground the site line look 30' to 40' over the dome and described if you were on the second floor of the home. The 60' tree provides additional screening and blocks the view of the dome.

Mr. Keller spoke about the height variance per §455.D.6. of the Lawrence Township Land Use Ordinance, a variance is required because the proposed height exceeds that by more than ten-feet because an excessive height can affect the intensity of use and could have a large impact on the neighborhood. Mr. Keller summarized why this is a good opportunity for this site and is not a negative detriment to the public good. Mr. Keller spoke about the gray color of the dome; downward lighting on the inside (translucent panel on the top) which means during the day the lights will not have to be lite because the light will come through the top panel; will produce no noise or traffic issues and summarized the benefits and the benefits to the Boys & Girls Club, Exhibit A-5.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, March 18, 2015

Page 6

Mr. Forschner spoke about the minor items regarding roof mechanicals, which have not been designed and if visible they will be screened; max to min lighting is complied with; and with the multiple uses in our Lawrence Township Land Use Ordinance gives the flexibility to do a project like this that works for the site and makes a lot a sense.

Mr. Schmierer summarized the conditions of approval: the pylon sign would be changed to a monument sign; the banked parking (50) spaces would be bank and should be done by administrative approval; report from Brenda Kramer Items 3 – 8 which are standards items; provide turning templates for trunk turning movements on the property; the County phasing plan for the traffic light improvements and will make this subject to the Mercer County Planning Board approval and all the conditions they will have; the cross access easement language will have to be worked and the policy is to have it now and recorded and will be implemented when the property to the west is developed and will be connected through.

Mr. Kockenour stated to Mr. Costello explain how long it takes to reach the maximum occupancy of 150. Mr. Costello stated no immediately probably like the Gillette facility up to 2 to 3 years. Mr. Kockenour then asked one year after the Certificate of Occupancy would be to have a parking study done to monitor where you are and have this as a condition of approval, because to see where you are participant wise after a year on how much parking the participants are generating. Mr. Forschner stated instead of doing the parking study; maybe the applicant can provide the information directly instead of from a traffic engineer. M. Kockenour stated the comments from the March 17, 2015 that have not been completed satisfied be addressed especially the ones related to the site plan, copy attached.

The Zoning Board members gave their comments

5. Minutes:

December 17, 2014 and January 21, 2015 minutes were approved by unanimous vote.

Adjournment

There being no further business to come before the Board, the meeting was adjourned at 9:41 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan Snook  
Recording Secretary

g:\engineering office\z b minutes\2015 minutes\march 18, 2015.doc

MINUTES APPROVED: \_\_\_\_\_

June 17, 2015