

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT
Regular Meeting
Wednesday, September 16, 2015

Present: Christina Hultholm
Bruce Kmosko
Samuel Pangaldi
Peter F. Kremer, Chair

Absent: Melissa Saunders

Excused Absence: Charles Lavine
Shabnam Salih

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer
Edwin W. Schmierer, Attorney, Mason, Griffin & Pierson
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. Resolutions:

Resolution of Memorialization 14-15; Use Variance Application No. ZB-7/12; Preliminary & Final Site Plan Application No. SP-9/14; **Berk-Cohen Associates (Berk's Walk)**, 180 Franklin Corner Road; Tax Map Page 39, Block 3901, Lot 10 was approved per unanimous vote as amended.

Mr. Schmierer stated one issue has come up and it concerns the condition where the dog park was on the plan and their attorney stated the Delaware & Raritan Canal Commission has not permitted that to put in a dog park and did not say why, just that the Commissioner was not in favor of having that area designated as a dog park. A change was made to the draft resolution to say if the commission did not approve a dog park where shown, then it would become open space and any other improvements would have to come through the Engineering Department. It would be just a part of the open space as part of the property. A conversation with Brenda was to put some language in the resolution that if the Delaware & Raritan Canal Commission does not allow it on the location of the property where shown, then maybe they should make an effort to try to find another location on the property or if the Commission drags feet, Ms. Kraemer will make a telephone call to find out if there is a problem. Paragraph 26, Page 11 of the Resolution of Memorialization change to add that an effort should be made to locate it where shown or locate it elsewhere on the property.

Resolution of Memorialization 15-15z; Variance Application No. ZB-3/15; **Rebecca & John Griffith**; 40 Carter Road; Tax Map Pages 66 & 66.01, Block 6601, Lot 23 was approved per unanimous vote as amended.

Mr. Schmierer stated one of the variances that the Board did not pick up, although they asked for such relief, was that once the new house gets built and the old house gets converted into a barn and the old attached garage remains there, technically they are in the front yard of the new house and that was discussed, for an accessory structures you cannot be in the front yard. On Page 5 regarding the roof ridge line (bulk variance).

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4. Minutes for Approval:

April 15, 2015 and June 17, 2015 minutes were approved by unanimous vote.

5. Applications:

Bulk Variance Application No. ZB-5/15; Foster & Deborah Krupa; 1988 Lawrence Road; Tax Map Page 30.02; Block 3004, Lot 156

Mr. Fleisher stated the Mr. and Mrs. Krupa are proposing to do an 15 x25 addition on the north side of the home on Lawrence Road and are requesting a relief for a side yard setback, it is permitted for a 15' setback and requesting a seven-foot setback. The reason that the addition is on the side of the property is because of the back it would affect the back entrance to the house, it would affect the driveway configuration and will impact a specific large tree that is in the rear of the house. The reason it is not located on the south-side of the house is because that is the driveway side; there is less privacy and would affect the driveway. The proposed addition is one-story, will have two rooms which will consist of a study and a bedroom with an accessible bathroom, which will be off the existing sunroom. It will be blocking off one window on the north-side of the house in the kitchen.

There will be a 25' long ramp that comes up from the driveway, on the east, to a small porch on the front. The other reason not to have the addition off the back of the house was because the grade falls off on the back and will wind up with a 40' long ramp to get to the addition. The addition will be tying into the same roof lines, looking at the west elevation, Exhibit A-1, Sheet A-1, dated July 15, 2015, attached, there is a lot of vegetation on the north side of the street that will block the addition from the street.

Chairperson Kramer commented that it is a corner lot and there is a house next to this one on the south side and there is no way to purchase property from that adjacent property owner and placement of the house and the driveway on the other side, it has to be on this side for no other practical alternative. Mr. Fleisher agreed.

Ms. Kraemer wanted Mr. Fleisher to explain why with respect to the interior layout of the existing house this is the best location perhaps it has something to do with the location of plumbing. Mr. Fleisher stated the utilities on that side of the house. Mr. Krupa testified about the utilities and that there will not be deck above the addition.

Ms. Kraemer stated for the Board's information, this property is in a zone that requires a 100' of frontage, so if it had a 100' of frontage, there would be more space on each side of the house to expand, so it is almost a function of the narrowness of the lot being 75' wide instead of 100' wide that you can't put an addition on the one side of the property.

Ms. Kraemer issued a report dated September 9, 2015, copy attached, and she concludes that, in her opinion, granting a variance would not impair the intent or purpose of the Lawrence Township Land Use Ordinance.

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Adjournment

There being no further business to come before the Board, the meeting was adjourned at 7:21 p.m.

Chairperson Kramer asked if anything else is coming up in the next couple of days. Ms. Kraemer stated she is still working with the nursing home people to revise their plan a little bit and do not have the revised plans yet so that means there will be no meeting in October.

112 Franklin Corner Road and they want to privatize some of the rooms instead of semi rooms and have no revised set of plans.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan Snook
Recording Secretary

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MINUTES APPROVED: 11/18/15