

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Regular Meeting  
Wednesday, June 15, 2016

Present: Joseph Blaney  
Grant, Sheila  
William B. Holmes  
Christine Hultholm  
Jeffrey Johnson  
Bruce Kmosko  
Peter Kremer, Vice Chairperson  
Charles Lavine  
Samuel Pangaldi, Chairperson

Absent: None

Excused Absence: None

Also Present: Brenda Kraemer, P.E., Assistant Municipal Engineer  
Brian Slauch, Planning Consultant  
Edwin W. Schmierer, Attorney, Mason, Griffin & Pierson  
John Hatch, Clark Caton & Hintz  
Susan Snook, Recording Secretary

**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 and the Trentonian newspapers.

**Minutes:** None

**Public Participation (for items not on agenda):** none

**Applications:**

Bulk Variance Application No. ZB-4/15; **Asim Mufti**, 2 Teak Lane; Tax Map Page 68, Block 6801, Lot 6

Daniel Graziano, Esquire who represented the applicant/owner gave a brief summary of the project location where the lot is undersized which requires some bulk variances for a single family home.

Witness #1: Alan Schectel, P.P. stated it is an undersized lot on 1.71 acres located on Teak Lane and is basically wooded with grass. The EP-2 zone requires a minimum acreage of 2.5 acres and the applicant has 1.78 acres. The applicant is looking for a lot area variance and meets all other requirements. The lot was approved per a subdivision in the 1950's and was zoned R-80 where 1.83 acres was required in size and is still an undersized lot.

This there are 17 lots, one has a day care, one is a detention basin owned by the Township and 14 lots have all single family detached dwellings and only Lot 7 that meets the required lot size, the other remaining lots are all undersized with the exception of Lot 5 which is 2.08 acres. The applicant's existing lot is larger than the average lot size on the block. Mr. Schectel referred to Exhibit A1 – Tax Map and stated there are 18 detached dwellings that range in size from 1.33 – 1.56 acres and the average lot size is 1.389 acres. It is a similar pattern development, they are all undersized, and they are all smaller than the applicant's lot.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Wednesday, June 15, 2016  
Page 2

The applicant tried to purchase Lot 7 along Teak Lane and other properties; however, no takers. He also offered his lot to others that are adjacent to him and also no takers. He cannot obtain any additional land it would make the existing lots more non-conforming then they are now.

Exhibit A2: Potential House Illustrative that shows the largest size dwelling that could fit on this lot; the dashed lines are the building envelope established utilizing the Lawrence Township Land Use Ordinance. A proposed single family home can fit on the lot and meet all the other requirements.

Ms. Kraemer stated she prepared a report dated May 12, 2016 and the detailed comments relate to the technical engineering that must be satisfied if lot was to proceed for development, copy attached. Mr. Graziano stated that Mr. Mufti reviewed the reports and all conditions are acceptable.

The Board members asked about the size of the house; if equivalent to what is there now and if larger than any other dwellings on this site because it is going to be an 8-bedroom home. Mr. Schectel stated it will be a 6,000 sf two-story home; did not study any other homes; however house can fit with the bulk requirements.

Appeal Application No. ZB-1/16; Care One Management, LLC; 3601 Lawrenceville-Princeton Road; Tax Map Pages 66.02 & 66.04, Block 6601, Lot 2

Julie Hirsch represented the applicant and stated this meeting is a continuation on an appeal within the jurisdiction of the Board and the appeal is from the denial of December 15, 2015 by Anthony J. Cermele, Construction Official from the demolition permit that was requested by Care One Management known as the Gulick House located at 3641 Lawrenceville Road and is in the Historic District but is not designated as State or National register building.

Ms. Hirsch stated from the last meeting Mr. Carabelli gave a report dated April 6, 2016 which was appraised the property value as \$1,525 million dollars. That value is after full rehabilitation of the house to bring it up to code; it is not the current value of the home. Additionally, Mr. Carabelli spoke about the 1993 tax assessment records which showed a valuation and evaluation of the property done in 1993 which rated the property as fair and fair in that case at that point in time in 1993, before Care One Management owned the property, it had already sunk down to 61% of its full market value.

The second witness was Mr. Brokenshire, a structural engineer did a report was dated March 1, 2015. He did a full evaluation of the exterior and interior conditions of the property on the various building systems and developed an opinion that basically the building in its current condition is structurally unsound and prepared a cost estimate of the cost to bring it up to code, not with items that are a historical code.

There were some unanswered questions from Mr. Carabelli and the structural engineer from the last meeting and will get to that at the end of the meeting if there is time, if not will have to be scheduled for the next meeting of August 17, 2016 regarding the cost estimate of his repair and have answers but did not have a chance to get the revised cost estimate to the Board members. Ms. Hirsch did not want to hand it out at the meeting and put the Board members on the spot to see the changes.

Mr. Carabelli explained the difference of the square footage from his report compared to Mr. Brockenshire's report. He stated the appraiser and assessor will measure the exterior and count any area above grade while an architectural goes to 1/8 of an inch. Another huge difference is the description of the building on how many stories it has. There are two different standards that are used in estimating and never seen once where an architect or appraisal are both the same square footage. All houses are measures by the same standard. The number 6,723 sf of gross structural area with a 2,987 square foot basement and based on the tax assessment records.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, June 15, 2016

Page 3

Mr. Slauch commented that the 1993 evaluation card to be fair and there is a disconnect contributed to its conditions off of the market value. Mr. Carabelli stated the cost section, 61% of the appraisal based on the age of the property when looked at in 1993. The 39% of the cost structure new has been depreciated, just the structure, not the property; 61% is the net condition of the improvements.

**Public Comment:**

Ed McDonald, Chairman of the Historic Preservation Committee stated that this house was compared to a house in Lawrenceville, did you include any houses from the Princeton area because it is so close to the border and it has a Princeton address. Would it make sense to because it would increase the value of the property. Mr. McDonald stated if you put in money to refurbish it to get a higher value.

Mr. Carabelli stated no, some of the sales do have a Princeton address but all the sales are in Lawrence Township. Princeton is unique and will stick with what he used.

Witness #2:

Mark Alan Hewitt, Architect. Mr. Hewitt current involvement with the Gulick House was in 2005 before this Board. In 1999 there was a specialist from Florida who gave a presentation. Mr. Hewitt described the house in 2005 as being in fair condition and in a much better condition than it is now. He also photographed the house; did not propose any renovations to the house but they were considering using part of the house for their facility. The pictures on the peeling paint were from 2005.

Criteria A: Is historic, architectural, cultural or scenic significance in relation to the criteria established in §1102. It is an elaborate Italian style house; the Gulick's did not inhabit the home very long so the fact is the family is of significance; the typical farm house addition in which a story and a half, jersey cape house, are very familiar in this area and described the examples. This is a very typical house and it is bigger than most of the houses he has seen. The one distinction it has is it very big, the ceilings are very high and to argue the house is surpassing significance as an example of the Italian style which is the only argument that is actually being put forth of the significance of this house in reality. There is no chance on getting on the national registry. This criterion is the most important per his report.

Criteria B: If it is in a historic district, its significance to the district as a key, contributing or non-contributing resource, and the probable impact of its removal on the district. There is a two stretches of road when you get to Lawrence Township you know you are in Lawrenceville, you see the School, The Village, some of the farmland surrounding the Township on the southwest side, but when you go North beyond Carter Road and Province Line Road. There is a section of no man land, Squibb is on left, on the right, Landfall Development and beyond Province Line Road, called the Princeton zone, and you see historic farms, 18<sup>th</sup> century houses so there is a distinct sense of place and this location there is no sense of place.

Having the house in this no man's land, does not give an attachment to anything that relates to Lawrenceville. It was put into the district because it was seen as a house of some distinction by the people who lived there. Being a contribution resource to the district, it is not a contributing resource because it is not attached to the district and we call it the "tout ensemble". It would not make it into a historic district.

Criteria C: It's potential for use for those purposes currently permitted by the Land Use Ordinance. It was also a potential for a bed or breakfast or restaurants. The kinds of things you see on Route 206 today. If Squibb, or the Township, or someone else purchased the property and decided to use it between the 1980's and now, it could have contributed something quite positive. The problem is it is in terrible condition and would take an enormous amount of money to rehabilitate it and thinking of its reuse now as opposed to 20 or 30 years ago, it is simply not in the kind of condition where it is going to contribute anything.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT  
Wednesday, June 15, 2016  
Page 4

Criteria D: Its structural condition and the economic feasibility of alternatives to the proposal. The first floor, where the upper floors are in relatively good condition, because they have a roof, the deterioration because of the dampness, termites and mold on the first floor framing has rendered that floor framing basically not workable, will not hold the house up. If left for another 3 to 5 years, it will cave in.

Mr. Hewitt has been in the house twice and has seen the mold on the joists, tour recently with members of the Zoning Board and down in the basement at that point.

Criteria E: Its importance to the municipality and the extent to which its historical or architectural value is such that its removal would be detrimental to the public interest. It has not been attached to anything that would benefit to the public, this criteria does not apply.

Criteria F: The extent to which it is such old, unusual or uncommon design, craftsmanship, texture or material that could not be reproduced or could be reproduced only with great difficulty and expense. The fact that the cornices are run-of-the mill bracket types, they are not of distinctive craftsmanship. Since the house has no porch it renders its Victorian qualities "smooth". There is nothing in the house that is unusual enough to make it irreplaceable.

Criteria G: The extent to which its retention would promote the general welfare by maintaining and increasing the real estate values, generating business, creating new jobs, attracting tourists, students, writers, historians, artists and artisans; attracting new residents, encouraging study and interest in American history, New Jersey history and the history of the municipality; stimulating interest and study in architecture and design, educating citizens in American culture and heritage, or making the municipality a more attractive and desirable place in which to live.

There will be no significant investment in the house as it now stands.

Criteria H: Buildings that are approved for demolition shall be recorded by photographic and video graphic means prior to demolition or the removal of any artifacts from the building or site. The interior of each space, the exterior of the building and the grounds shall be documented. A report on the building and grounds explaining the visual documentation and its significance shall be submitted by a qualified architectural historian as part of the permanent historical record of the Township at the expense of the applicant. The owner will provide documentation if it has to be torn down or moved.

The main argument is when the letter recommending this or saying it was eligible for the registry is a windway survey occurred in 1990's, which means if a house could be on the national registry, but when you apply the real criteria, this house would not qualify for register designation, it has no significances that would give it that weight.

Mr. Hewitt reviewed Mr. Hatch's report, dated June 1, 2016. Mr. Hatch comments that the rooms are large and impressive. Mr. Hewitt commented that he was not impressed in them and that is a subjective judgement, these rooms are nothing special they are big. One of the features is lots and lots of cornices, ornaments, elaborate mantle pieces and some are even store bought, and does not see things in the house that are recognizable.

Mr. Hewitt continued with the survey, Exhibit A6: Inventory Form or Cultural Resource Survey, dated July 1987, copy attached, which is common and done by architectural historians in New Jersey for every county after the 1970's when funding became available. These historians drove around and from the windshield and library research deciding whether certain properties were eligible for national registries or not. It is a quick survey that allows State or County officials to see whether a building might be eligible for registry.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, June 15, 2016

Page 5

Mr. Hewitt read the comments on page 2 and explained the comment to of the four criteria used, if you are only going to rely on one of those four, your chances of getting on the register are dimensioned significantly. To his knowledge this type of survey were done to establish a base line of cultural resource inventory on a county to county basis and could not do interior inspections if the house was privately owned. Mr. Hewitt stated the problem with deterioration in historic house is one of acceleration. You can leave a house with paint, good roof for a couple of decades and not have it deteriorate significantly; however, once water gets into a building, deterioration will speed up every year.

Mr. Slauch understands that Route 206 is the Kings Highway historic district on the National registry, so why would this not be in that district. Mr. Hewitt responded that it is; he is stating it was placed in the district but it was so removed from the rest of the buildings in that district. This house is an out liar; it floats in space, not near anything that it could be attached to.

Mr. Hewitt did not look at the family and only knew he was a wealthy farmer and a good citizen. They discussed the family as being the founder of the Kings Highway with the first Stage Coach in the 1800's and how the owner had to make a major contribution to the history of the United States or the State of New Jersey.

Mr. Hatch spoke about Mr. Saunders letter and used the criteria of 2013 and a Kinsey Hand report. Mr. Hewitt commented that there was a recent report to the State by a consultant that seems to have influenced Mr. Saunders and his decision and would not meet the requirements.

Mr. Kramer asked about the demo criteria and who inspects it. Ms. Hirsch stated it is in our Lawrence Township Land Use Ordinance under §1109 – Historic Demolition Criteria and the criteria that should be used by the Board and by the Historic Preservation Advisory Committee whether the demolition could go forward.

**Public:**

Douglas Sargent of the Historic Preservation Advisory Committee comment that the house is not in the district, it stops at Carter Road. The original district was put in the 60's and this was designated individually. The Historic Preservation Advisory Committee set up designated, about a half a dozen houses, outside the district because of the importance of the Township. It does not fit in the local district it is beyond the limit. There were two professional surveys done, first one in 1986 by GRAM (windshield survey) and make a list of 30 houses and second on the list was the Gulick House.

In the 1987 the second survey was done by Suzanne Hand and she made recommendations of 24 or so houses. These houses are important to Lawrence Township.

Max Hayden, Architect. Mr. Hayden stated there were no houses from Carter Road to Province Line Road that were not of significance and mentioned several homes (Glen cairn Inn). How long is the Meadow District. Spoke about the Sadam and were noted as farmers and the Van Horne house is remarkable and important to that area. Any Italian style homes in Hopewell Township stand alone, Ewing, Hamilton. Lived both in Mercer County and Somerset County that a lot of people do not go into Hillsborough and other Township that have quite a lot of Italian style homes with a fewer models down here. The Gulick House does represent something, it is more important here. He spoke about Hillsborough on River Road have examples of this type of homes. There is a book which mentioned the Gulick House; there is also a Gulick House in Princeton which was the grandfather who found the stage coach and one in Montgomery. Hired by the Friends of the Gulick House.

Mr. Hewitt stated nothing that stands out and now is an historic inn. Meadow District is about 3 miles long. Van Horne house did a paint job and does not know why it is on the register and not a very distinguished house and the guess if the Van Horne family is important.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, June 15, 2016

Page 6

Ms. Kraemer asked Mr. Hayden that what he stated that the Gulick house is a rarity in this area. Mr. Hayden stated he believes it is and most distinguishing before it experienced the neglect, it was a landmark and it was on the corner of the Kings Highway and Province Line Road. Province Line Road separated the provinces of east and west Jersey. Mr. Gulick wanted that house there for that reason. His family helped with the establishing Province Line.

Billy Joe O'Neill, Jr. commented that his house is on the National and State register and he prepared the nomination, it is the Steven's house, and it was nominated and accepted based on just Criteria C even though someone in the Township in the 1900's did own it. It was also on the list with the other 24 houses. Is there someone from that office could come and give their opinion to see if Criteria C would be significant and he believes it might be. It was in 2005 when the nomination was received favorably by the State and six months later by the Federal Government. It is 10 years ago, has there been significant changes that would not have that favorably received as it would have been in 2005. If I were to nominate my house now and only using Criteria C, would it be a lesser chance of being nominated.

Mr. Hewitt stated they put together a new form with more information on it about 2 years ago and have found that the State Preservation Office in the past 3 years has clamped down tremendously on nominations.

Mr. Hatch of Clarke Caton Hintz stated there is not a significant difference since 2005 on how nominations are reviewed and the State Preservation Office is under staffed and not clamping down on nominations.

Break: 9:06 p.m. to 9:18 p.m.

John Hatch, P.P., Clarke Caton & Hintz gave a presentation per his report dated June 1, 2016 in which he responded to each of the criteria. Criterion A: Mr. Hewitt was addressing only one aspect of this and disagreed on how he addressed it and was only the architectural significance as well as the architectural significance of the house. The house is large and has some lovely details on the exterior and the interior is simple but this is the function of its age (1855). Some of the historic features have been stolen and because renovations done in 1920's which were colonial rival renovations.

There are two styles of the house (original Italian features and the 1920 it was updated to reflect the type that had become popular is interesting in its own right). The cultural and scenic significance it sits in a very important corner and before the site was so overgrown it was an important landmark and scenically very important.

Criterion B: The house is not in the Lawrence historic district, it is located within a State and National historic district and contributing structure in the State in the Kings Highway National District. He continued that he disagrees with Mr. Hewitt's assessment and feels it is an important reminder of what Lawrence Township was like when it was first built and a surveyor of Lawrence's history.

Criterion C: There are a number of uses the house could be used for such as a single family house, small hotel, bed and breakfast, and because of the size and configuration it could also be used as professional offices. Funding could be granted if the property is owned by a public entity; however, because it is on the State and National registry of historic places it could be eligible for a number of historical preservation plans from private sources. When privately owned and produces an income, commercial use, multi-use resident that is when it becomes eligible for historic tax credit.

Criterion D: Mr. Hatch was surprised on how structurally sound that the house still is because he read the reports before going to the house and from the outside it look in poor condition (described the outside) and feels its looks worse than it is. If you look at the photographs it looks terrible; but the structural issues are isolated, even on the first floor, the fire to the structure is small; some limited mold and termite damage, but not extensive and could be dealt with. Generally the rooms are in pretty good condition.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, June 15, 2016

Page 7

Mr. Hatch spoke about the paint, moldings, base boards and main stairway. The building is in poor shape because it has not been secured or stabilized where people were allowed to get in so that added to the condition of the building (demolition by neglect).

Criterion E: Mr. Hatch commented that the building has not been opened to the public. Most of the properties along Kings Highway are privately owned and not opened to the public and considered to be contributing. They are contributing because of their character, prominence and because who is associated with it. The Gulick House is very important to Lawrence Township to that Historic District and to the region. It sits in a very important corner and it was prominently sited and an important and historic landmark in the area. Mr. Hatch stated he supports the letter by Dan Saunders of the New Jersey Historic Preservation Office.

Criterion F: If it hard to reproduce that is reasons to keep it because it means it is rare and unusual and it is significant to the area and to Lawrence Township.

Criterion G: Mr. Hatch agrees with Mr. Hewitt that if the Gulick House were to be restored it would bring in jobs and visitors to the Township. The Gulick House does provide an important time to Lawrence Township's history.

Mr. Hatch read through the State National Registry and the nomination for the Kings Highway Historic District and did note the Gulick family appears prominently for this nomination and read a quote from under the Kingston Branch Turnpike Section "After the Trenton New Brunswick Turnpike, which is now Route 1, opened in 1804, the stage coach traffic on Princeton and Kingston Road diminished. The Gulick family with strong business interest in Kingston and Princeton decided to remedy matters headed by Major John Gulick, a group of a prominent local residents incorporated the Princeton and Kingston branch turnpike company in 1807. Gulick may have been particularly interested because he had a partner who owned the Nassau Inn and were particularly concerned about traffic along the Kings Highway". This is from the nomination for the Kings Highway State and National Historic District.

Mr. Hatch spoke about the four criteria for getting listed on the State and National registers. There are different levels and you need to have significance nationally or have state wide significance or local significance.

Mr. Holmes is having difficulty getting the point because he cannot understand how two or three experts in the field cannot agree on what is structurally sound and what is not structurally sound and what is or is not deterioration. Mr. Hatch is seeking to demolish explained about the conclusions of the experts. Mr. Holmes stated there are clear lines that whether the building should be saved or demolished. Mr. Hatch commented there are guidelines and criteria and are subject to interpretation and argument. Mr. Hatch commented that the State Historic Preservation Office stated the house is eligible to be individually listed and he agrees with that assessment, which rarely happens.

**Public – none**

Ms. Hirsch presented Mr. Hatch questions regarding his report; Mr. Hatch presented his case. Ms. Hirsch requested a copy of the Nomination form from the Kings Highway Historic District from which Mr. Hatch read from. Mr. Hirsch also wanted to know if the discussion regarding the Gulick family and other members if it appears in the documents submitted to the Historic Preservation Advisory Committee for the request for a Certificate of Eligibility.

It is continued to the August 17, 2016 meeting. Mr. Schmierer asked when the site visit was. The walk through was on May 10, 2016 with Care One and members of the Board were invited. No further noticing from the applicant.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Wednesday, June 15, 2016

Page 8

**Adjournment**

There being no further business to come before the Board, the meeting was adjourned at 10:05 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan Snook  
Recording Secretary

g:\engineering office\z b minutes\2016 minutes\june 15, 2016 doc

MINUTES APPROVED: Sept. 21, 2016