

LAWRENCE TOWNSHIP PLANNING BOARD MEETING  
Monday, July 17, 2017

Present: Maria Connolly  
Philip Duran  
James Kownacki, Councilman  
Kevin P. Nerwinski, Municipal Manager  
Terrence Leggett, Vice Chairperson  
David Maffei, Mayor  
Doris Weisberg

Absent: None

Excused Absence: Stephanie Pangaldi  
Diego Samuel  
Kim Y. Taylor  
Edward Wiznitzer, Chairperson

Also Present: James F. Parvesse, Municipal Engineer  
Brian Slauch, Planning Consultant  
Michael Wright, Traffic Consultant  
Edwin Schmierer, Planning Board Attorney  
Susan Snook, Recording Secretary

**Statement of Adequate Notice:**

Adequate notice of this meeting of the Lawrence Township Planning Board has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law; 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.

**Public Participation (for items not on agenda):**

None

**Minutes for Approval:**

The May 15, 2017 minutes were approved per unanimous vote.

**Resolutions:**

Resolution No. 17-17 for Major Site Plan Preliminary & Final Approval Application Nos SP-12/16 & S-4/16; **Coleman Buick-Cadillac**; 300 & 500 Renaissance Boulevard; Tax Map Page 42.07, Block 4201.01, Lots 32.02 & 32.03 was unanimously approved.

Resolution No. 18-17 for Minor Site Plan with Variance Application No. SP-13/16; **United Development Ventures, LLC (Johnny Rockets)**; 3320 Brunswick Pike (Quaker Bridge Mall); Tax Map Page 42.08, Block 4201.01, Lot 3.01 was unanimously approved.

**Applications:**

Major Site Plan – Preliminary & Final Approval with Variance Application No. SP-2/17; **2470 Route 1, LLC**; 2958 & 2470 Brunswick Pike; Tax Map Page 21, Block 2101, Lots 1 and 40.01

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Gary Forschner, Attorney for the applicant and stated there was formerly two buildings there and they consisted of a furniture store in the larger building, which is an existing building and will be refurbished and the smaller of the two was previously a Pizza Hut site and both have been vacate for extended periods of time. The objective of this application is to try and take the two sites and repurpose them to something that makes some sense for both the community and the developer. The applicant acquired both sites and will allow for a cross parking access between the two sites. It also gave them an opportunity to add to some of the things that were not working. The application also adds some more parking spaces to the site. The relief is for taking an existing property and trying to repurpose them and put them into a productive reuse of the properties.

The parking for this site, the applicant used the most conservation parking requirements that could apply to this site, which requires a variance for a significant amount of parking spaces. The testimony that is actually being provided is comparable to ITE. There is ample amount of parking for this site and it is necessary because there are existing buildings there and necessary to accommodate those buildings. There is a user, the owner is going to occupy a portion of the furniture store for a low intensity use. There is no user currently for the Pizza Hut site, the most logical user for this site would be a mom and pop type store. There will not be a national chain at one of these locations and will be continued as a low intensity use.

The owner of the property has a business called Dress for Dance, which makes dresses like the show Dancing with the Stars, very high end that cost anywhere from \$5,000.00 to \$10,000.00, which are custom made dresses. It will be by appointment only, no more than one appointment a day and could accommodate two a day and possibly have walk-ins. There will be a show room, sales area and a storage area and an area for the sewing of the dresses. There will not be another Pizza Hut at this site or fast food.

Witness #1 – Louis Zuegner, PE, PP presented Exhibit A1 – Site Plan Rendering, dated July 17, 2017 which shows the two existing building with constraints. The existing site had multiple access for in and out from Business Route 1 and it is being proposed to simplify that. Driving northbound on Route 1 you would turn into the site and circulate around the small building and this would combine the two sites into one. These two lots are to be proposed consolidated and the larger building (17,000 SF) and 3,000 SF is a mezzanine on the second floor and will be used for retail. The former restaurant building, all on the first floor, is 3,600 SF and the total combined of the two lots is 2.57 acres. Parking is the key element to how the applicant makes this function going forward and 89 spaces were provided and what is existing is 76, which has been increased. The requirement is 118 vs. 89 is a gap of that requirement but can show this site functions very well with 89 spaces.

Mr. Zuegner continued to speak about shared parking and stated they did not do a shared parking analysis because we do not know the end users, and the shared parking does help the site. There is access to both of these sites from the front and there will be a pedestrian access between the two buildings. There is a gap between the two buildings and created some parallel parking spaces; added some spaces in the back corner. There is a requirement for a buffer for the residential and in the back of the retail is all existing as it is, unchanged, but there were some spaces added in the 40' buffer. The existing minimum distance between residential is currently 25' on the lower property and it is not closer than that. A fence will be added along the back corner which is a privacy fence and will wind into the woods into the existing vegetation to help that buffer.

The existing basin will function for this site and slight modifications will be made to the outlet structure. Mr. Zuegner stated there is an existing sign, which belonged to Pizza Hut and it will be removed. A new single monument sign near the entrance which will identify the new users, retail or restaurant. There is a building

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mounted sign on the building and will remain the same. Site lighting will be revamped and will be brought to compliance and will have timers for low level security lighting. In the rear of the Pizza Hut building there is a dumpster area which is an older design and contains landscaping around it with a fence and this is being changed. The new trash enclosure for the large building will not be built right away because they do not produce that much trash. The loading dock will remain the same. The Pizza Hut building will require on-going management in terms of how the vehicles will be loading and unloading.

Mr. Zuegner compiled a list of the identifying reliefs and went through the items from the professionals reports, copies attached and there is no detriment to the public good. Exhibit A2 – Photograph of Building as Exists now which shows the façade which is modern; the sidewalk will be repair; there will be no architectural changes; the other building is based on the future on whoever the user is and what their needs are and will require some work; some time in the future there will be modification to the roof line on the Pizza Hut building and will be determined when a user is chosen; this is a unique opportunity to take both lots and put them together because they function better as one parcel than on their own.

Councilman Kownacki asked about the drive thru, the back end one that is 12' wide and up in the front it is 14' wide and his concern is that the biggest apparatus can get through that area. Mr. Zuegner replied that radius and circulation will be worked on and the largest apparatus will circulate this building, not from a fire fighting standpoint, from a circulation standpoint, this sit exists like this and it was maintained the same functionality or improved the circulation, and it not sure if that apparatus ever got around the back of this building and for this to be accomplished, a tremendous amount of parking will be lost in the back. Councilman Kownacki stated that this should be discussed with our professional staff.

Mr. Slauch commented that the line between the buildings is not straight and this is what creates the pinch point. Mr. Wright asked about the retail building and wanted to know what the square footage of the uses in each building and the owners operation may take most of that operation and may be an opportunity to lease to someone else and any other use that may come into that building will not need additional parking than what is shown. Mr. Zuegner replied to take the total square footage and maximize the requirement from the ordinance, so the relief is based on all retail in this building. It will be a low parking demand because of the type of retail.

Mr. Forschner summarized stating the current user, the owner will employ 10 or 11 and with the customers that come to the shop, one at a time at most, two at any given day, you are anticipating one or at best two customer cars at any given time, so it a very low intensity and some of the area is storage, not long term storage, only while they working on the product, the retail use and all produces the same amount of traffic and parking demand.

Ms. Weisberg's concern is on the restaurant portion of the building, not only the use as a restaurant, you identified it as a mom and pop type of restaurant and going along Route 1 it is chains and franchises, how you can be sure this will not be occupied by a chain or a franchise or a fast food and how will that effect the ingress and egress and the parking. Mr. Forschner responded they are assuming by the building and the layout, they are not proposing to guarantee anything, would like to have a good user at this site is probably the thing Lawrence and the community want to see because it means other sites in this area would end up in a productive reuse. Mr. Zuegner responded that the application is asking for a relief and believe the number is sufficient for the site.

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Mr. Slauch commented that if you think how long the Pizza Hut has actually been empty and they certainly were trying to get another chain to go in there and were not successful, so that tells you where the market is because that site, they really bought it to make the north site work, as opposed to the south site, which will work from a functional standpoint. The Township is getting a Johnny Rockets, Habitat Burger and Shake Shack, the concentration is at the Mall and thinks that is where the national chains will be because they want to feed off of the number of people coming there. It is more likely an expansion of a successful small mom and pop restaurant, looking to expand.

Mr. Forschner referred to the professionals reports (Municipal Engineer report, dated June 6, 2017; Clarke Caton & Hintz, dated July 11, 2017; Arora & Associates, dated July 10, 2017; Shade Tree Report, dated May 22, 2017; Fire Sub-code Official report, dated May 8 2017 and had discussions regarding comments from the reports. Mr. Wright wanted the Board to know that the property fronts on Route 1 and the applicant is going to need an access permit from New Jersey Department of Transportation and that should be a condition. Mr. Forschner stated the applicant will apply for the permit.

**Public Comment:**

Paul Larson, Chairperson, Open Space and Trails Advisory Committee and wanted to bring up and might not be feasible, from the back of the property is putting a trail in down to Colonial Lake Park because as it stands right now there is no way to access Colonial Lake Park until you go all the way down to the corner of Colonial Lake Drive and Hopatcong Drive, along the north side.

Mr. Forschner stated for an easement and no improvements. The owner stated there is a 45' drop; Mr. Larson stated he is throwing it out as a possibility and he did not walk the site extensively. Mr. Forschner is concerned about the impracticality of doing it because of the drop off and the suggestion was to have that deferred to a conversation between the applicant's professionals and the Board's professionals.


Mr. Schmierer summarized the conditions of approval.

**Adjournment:**

There being no further business to come before the Board, the meeting was adjourned at 8:21 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,

  
Susan J. Snook  
Recording Secretary

Minutes approved: Sept. 19, 2017