

LAWRENCE TOWNSHIP PLANNING BOARD MEETING
Monday, March 5, 2018

Present: Christopher Bobbitt, Mayor
Ian Dember
James Kownacki, Councilman
Terrence Leggett, Vice Chairperson
Doris Weisberg
Edward Wiznitzer, Chairperson

Absent: None

Excused Absence: Maria Connolly
Philip Duran
Kevin Nerwinski, Municipal Manager
Stephanie Pangaldi
Kim Taylor

Also Present: Phil Caton, Planning Consultant
James Kochenour, Traffic Consultant
James F. Parvesse, Municipal Engineer
Edward 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.

Oath of Office:

Ian Dember was placed under oath. Mr. Schmierer, Esquire administered the oath.

Public Participation (for items not on agenda):

None

Minutes for Approval:

December 18, 2017 minutes were approved.

Resolutions:

None

Applications:

Extending Period of Protection Application No. SP-2/07; **James G. McGuire and Hugh F. McGuire (Mabel Mews)**, Mable Avenue and Route 206; Tax Map Page 9, Block 902, Lot 8

Gary Backinoff, Esquire represented the applicant and stated the applicants living on Princeton Avenue. They have an oversized lot consisting of three acres. In 2015 the applicant received preliminary and final approval and there were conditions attached to that approval which has been difficult to finalize, most specifically the issues with the County, State and the Township regarding the intersection improvement of

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Mabel Avenue and Princeton Avenue. Mr. Buda was trying to get those issues resolved, making good progress, unfortunately he passed and since that time they retained Francis Goeke, who is picking up the charge to try to resolve those issues. The application was approved for nine lots and one contains their home, one lot for the detention basin and the balance was for seven lots along Mabel Avenue. There are has been no changes in the Land Use Ordinance or the Master Plan, which impact that particular neighborhood.

The applicant is asking for a one year extension so they can fulfill the conditions. Chairperson Wiznitzer asked if there was a previous extension. Mr. Backinoff responded that the applicant was here last year at this time for an extension which went to March 7, 2018. Chairperson Wiznitzer asked what the cause of the delay is. Mr. Backinoff stated there is controversy between the State, the County and some extend, the Township in terms of what should be done at the corner of Mabel Avenue and Princeton Avenue. The level of improvements that need to be done. The intersection around the corner to Route 206, there are three regulatory bodies involved to trying to resolve what needs to be done at that location. They also explored other options, including trying to inquire some additional land in the back, which might of allowed for a flow through to go up Mabel Avenue and back out the other street. There are some open negotiations in that regard and has not been resolved.

Mr. Backinoff stated it is a small subdivision which is kind of a working neighborhood and costs are always an issue. Some people think they should put in a brand new light, make all kinds of improvements and somethings might not be feasible to be done. Mr. Goeke will try to help the applicant work through this and trying to obtain a traffic engineer who could possibly help with this situation.

A letter from Kenny Chase & Costa, dated February 9, 2018 is attached. The extension was approved per unanimous vote.

Major Site Plan – Preliminary & Final Approval Application No. SP-7/16; **Suresh Desai – Candlewood Suites (Sleepy Hollow)**; 3000 Brunswick Pike; Tax Map Page 40.01, Block 4001, Lots 39 and 41

Eric Gold, Esquire represented the applicant and stated that the existing hotel, Sleepy Hollow, will be demolished and replaced with a Candlewood Suite, which is an 89 rooms, which is an extended stay facility. Candlewood Suites is a part of the IHG Company, which is the fourth largest hotel provider (Marriott, Choice Hotels and Holiday Inn). The proposed hotel will improve the property and an improvement to the community in terms of the customer base. The building is being elevated above the flood plain and an area with grass and plantings.

Witness #1: Michael Testa, Architect presented Exhibit A1: Colored Renderings of the proposed building to be built on the Site; Exhibit A2: Photographs of the existing Sleepy Hollow facility identifying structures that will be removed (handouts of Exhibit A2 were presented to the Board members); Exhibit A3: Photographs Showing Existing Conditions.

Mr. Testa stated the existing buildings on the site are a single story masonry buildings which are scattered throughout the property. A new structure that is approximately 49,200 sf, which will be three-stories with 89 rooms and a building height of 43'7". Exhibit A4: First Floor Plan which shows the new building on a ground level which consists of a small kitchenette; community space for meetings; a fitness room, laundry area and an elevator.

Exhibit A5: Second Floor Plan which shows all extended stay rooms and are all different sizes depending on the type of occupancy desired. There are office spaces on each of the floors that can be used by the occupants for business. Exhibit A6: Third Floor Plan which is identical to the second floor and consists of a meeting room and office supplies and equipment.

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Exhibit A7: Shows building materials to identify the exterior of the building. There is only lighting at the main entrance as two wall mounted sconces and the rest of the building is illuminated by the proposed site lighting. The exterior doors will also have lighting. The base of the building and building materials is a stucco; roof is pitched (no equipment on roof) and allows for positive drainage.

Exhibit A8: Rear Elevation and Other Side Elevation which is consistent as the other sides. Mr. Caton wanted to make sure they are not proposing to have utilities on the roof and location of sconces. Mr. Testa stated they are individual heating and cooling units that are in the rooms, so no condensers around and on each side of the door will be a wall mounted sconce under the canopy. Councilman Kownacki stated with the elevator he does not see a generator; Mr. Testa stated there will be an emergency generator.

Witness #2: Daniel C. Hanrahan, II, Director with CBR Hotels and trains the staff; service provider and is a third party consultant. Chairperson Wiznitzer asked an expert witness in what field. Mr. Hanrahan stated in consulting such as financial projections, facility recommendations, brand selection, economic feasibility and market projections. Mr. Caton stated the Board could hear his testimony. Mr. Schmierer stated he is a factual witness and has a background in the hotel trade, we should hear him.

Mr. Hanrahan spoke about IHG, which is a large hotel in the world; they have different levels and offer eleven different brands and Candlewood is one. He stated Candlewood Suite is a moderate price extended stay; minimum of five days to 30 days; there is 300 sf to 400 sf of usable space; there are kitchenettes; small shop to sell goods and a laundry service. There are 350 across the country. The typical customer is more suitable for a suburban location than an urban location.

Mr. Hanrahan prepared a feasibility study, Exhibit A9, dated December 20, 2017, copy attached which was handed out at the meeting. Exhibit A10: Pamphlet from Candlewood Suites, copy attached. Mr. Caton asked that as Candlewood Suites is being the manager or the owner. Mr. Goldberg stated it is a franchise. Mayor Bobbitt asked if in his report there is a definition of group leisure. Mr. Hanrahan referred to Pages 22 – 24.

Witness #4: Suresh Desai, owner of the Sleepy Hollow stated it has been his family business for thirty years which was purchased in 1985. The applicant is submitting the application to make it a better product for his family and a business as well as Lawrence Township. He continued they have an emergency protocol for emergencies for flooding, they monitor the water, talk to the Township every hour. If there is a severe flooding they close the business and evacuate right away, at their expense they will pay for transportation and accommodations to a nearby hotel and the vehicles would be towed to higher ground.

Mr. Desai stated there will be 10 – 14 total employees; from 7:00 to 5:00 there will be six employees working at a time. The manager will be Mr. Desai's brother and both will be at the site at all times. There will be a generator for the essentials lighting, elevator and emergency lighting and any other circuits or areas that the Township and architects feel it is necessary to have power for.

Councilman Kownacki stated in 2011 that the Township has to send first responders to get people out with a front end loader because the applicant did not evacuate and needs a more concrete of the working with the Township when an order is issued to evacuate. Shopen Desai stated he was on the property that night and spent the night there. A school bus came and the hotel was evacuated before the water came; the lights were shut off at 3:00 a.m. Councilman Kownacki stated that the evacuation was not followed through and wants a guarantee that the building will be evacuated. Mr. Desai stated he will guarantee it and stated he will accept the guidance of the Township's discretion.

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Witness #6: Shri Kotdawala, P.E. testified the site is on a 5.94 acre property and includes two lots. Exhibit A11: Site Plan, Sheet 4 which shows the proposed elements. Currently there are five buildings on the site which has 50 rooms and the elevation is 54 to 54 1/2 and all the buildings are in a flood plain about 2' below the floodplain. The proposed building will be replacing all five buildings and the total footprint will be 0.75 smaller in acre. The number of parking spaces will be 65 to 100; impervious coverage will be reduced; there will be 3 to 4 trees that will be lost but 127 trees will be planted. The applicant has agreed to all of the comments of the Clarke Caton & Hintz report dated February 20, 2018, copy attached.

New Jersey Department of Environmental Protection has regulations that will force them to be one-foot above the flood elevation, which is 125% of the 100-year flood elevation and if you use FEMA map they want one-foot and another foot (2' above FEMA flood map) and this particular location, the elevation will be 57' instead of the existing 54', which will make the new hotel three-feet higher. The hotel will be built above the flood elevation. The water flow will be improved because it will go from grass to a forest by increasing the infiltration by 20% which will also be a habitat for birds and animals.

Mr. Kotdawala stated each unit will be 325 sf; there is an interior hallway; there will be 89 occupancy rooms; 99 parking spaces are being proposed; New Jersey Department of Environmental Protection wants the access land to be above the flood plan; however, the access road will be in the flood plain. Referring to Exhibit A12: Flood Plain Map over a New Jersey Department of Environmental Protection Aerial Map which shows the access road in the flood plan where there will be nine-inches of water in the parking lot (access from Route 1) based on the 100-year flood, copy attached.

Mr. Parvesse stated the level of flooding that used to encompass the site, especially in front of the building, will be substantially less in terms of depth of water during a storm. Mr. Kotdawala agreed with the comment. All the buildings are at 54 and 54 1/2 and the new building is at 57, which will be above the elevation of the parking lot and that is why New Jersey Department of Transportation wants trees to be planted there such as Red Maple or Sweet Plum or Pin Oak can survive in water.

Mayor Bobbitt stated his major concern is that the biggest issue for this application is the flooding and trying to understand that you can't fill it all the way because you push the flood waters to a different location; but what the correction elevation is to evaluate it. Mr. Kotdawala stated it is two-feet above the FEMA map elevation and the elevation of Route 1 which is 56 1/2 and the building is at 57, which will be up from Route 1. The trash collection system will be raised to be out of the flood waters; on the south side of the parking lot which is a dead end (an existing parking lot) and will be 25' from the stream without change in the grade; no access to the parking lot and there will be eight-foot parking islands. Mr. Kotdawala presented the circulation of the parking lot (two access and two exit) changing to one access and one exit to Route 1. There is no loading area being proposed because the owner stated the operation does not require deliveries from large trucks only small box trucks.

Landscaping, Exhibit A13, Sheet 5 shows that 13 trees will be planted by Route 1; how the trees can't be too tall because of the power lines so the species will be changed because of the height. New Jersey Department of Transportation will dictate the trees along Route 1.

There were three façade signs and two will be removed and one will remain, refer to Exhibit A14: Signage which shows one free standing sign along Route 1 and will be pushed back to the 15' setback line which is 130 sf., Mr. Caton stated the exhibit is not to scale. The directional sign is 3' x 3'. The façade sign will be as shown. The curb cuts will be used for drainage along the southern parking lot which will be depressed curb. A conservation easement will be provided.

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There is a large area for the trash collection with one recycle bin and one garbage bin. Mr. Kotdawala described the variances and waivers for the sidewalks along Route 1, which serves no purpose; floodplain buffer; access drive length which is 45' and 50' is required; loading area is not needed for this proposed use; minimum slope area less than 1.5% for the existing grade and no change in signage.

The Board took a break from 8:54 to 9:11 p.m.

Witness #7: Maurice Arched, Traffic Engineer stated the traffic for this site is not very critical and referenced his report dated June 15, 2016, copy attached. This is an existing site with two driveways off of Route 1 with one ingress and egress. The future development will maintain the same driveway configuration. The trip configuration, page 2 of 3, the existing site generates 36 trips in the am peak, 40 trips in the pm peak. The proposed site will generate 61 trips in the am peak and 67 trips in the pm peak, which will be increase of about 20 trips in the am and pm peak.

Mr. Rached spoke about the identifying the number of occupied rooms and discussed how in the analysis. He assumed 100% occupancy and that New Jersey Department of Transportation has their own regulations and rules and their rate is .52, which means if there is 89 rooms, it would be 46 trips in am peak and the pm rate is 6.1 which is 54 trips in the pm (in and out). The trip generation and the trip demand for the site is not of high intensity. It does not rise to the level of New Jersey Department Transportation requires a study for, which means when they apply to New Jersey Department of Transportation, they will not ask for a traffic study. Mr. Rached continued that he looked at the site distance and the circulation.

Mr. Kockenour referred to his report dated February 26, 2018, Page 2, copy attached, stating that Mr. Rached trip generation is spot on and this application is not going to rise or fall on the bases of the amount of traffic this development is going to generate. Mr. Kockenour asked Mr. Rached his opinion about the trip generation characteristics about the Candlewood brand of hotel vs. a not extended stay. Mr. Rached commented that there is a new edition and NJDOT has a new edition called the HAPS trip generation table and there is a hotel land use code and a hotel/all suites land use, which may represent this type of hotel because they are more like suites than rooms. The publication for the am peaks are the same and the pm trips, the all-suite hotel generates less trips; so the all-suites hotel the same amount in the morning but less in the pm peak. For a business person, the trips in and out of the hotel are most likely outside the peak hours.

Mr. Caton agrees the traffic is not a key issue, one of the standards of the conditional use has to do with traffic and that is the trip generation shall not exceed that other of permitted uses in the highway commercial zone. Mr. Rached did an analysis and looked at the permitted uses and calculated a trip generation for the permitted uses. However, since the uses are not defined, so there are approximate numbers and referenced shopping centers: 20,000 sf that would generate 204 trips in the pm peak; offices: 100,000 sf that would generate 191 trips in the am peak, 119 trips in pm; convenience store: 5,000 sf that would generate over 300 trips in the am and pm peak. This is probably one of the least intense uses you can put on this property according to the permitted uses. Mr. Kockenour asked that Mr. Rached give documentation of his summary.

Witness 8: James A. Miller, PP testified that the hotel is a conditional use and stated what surrounded the property. The applicant is proposed to replace the existing motel with a new extended 89 unit extended stay hotel. The existing motel looks like it is from the 1950's and is showing wear. There are two variances, one because the hotel is within the flood plain area and the buffer is 100' and the directional sign is six-feet in area and the area is four-feet. Mr. Goldberg stated this is for safety concern so people can see it coming down the highway.

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Mr. Miller explained the variances and hardship criteria. The hardship for this site is that the entire site is in the floodplain. The primary benefit that it allows an update more moderate and aesthetic use of the property. There are environmental benefits; the current buildings are below the flood elevation and these conditions will be mitigated by removing the existing buildings, which were in the flood way and that would be a significant enhancement of the site; the first floor elevation of the structures will be out of the flood area; flood specie type trees will be planted and the building proposed is more attractive and appropriate to the Route 1 corridor.

The free standing sign is more compliant; directional sign is larger because it would be visible and a safety enhancement; the sidewalk is not connecting to the north or south so the sidewalk would be isolated; both the north and south of the tract are open waters and a lot of issues with creating a sidewalk especially in the wetlands area where to have to cross the stream and not sure if a permit would be granted. There is no detriment to the public welfare and will mitigate environmental issues attached to the existing facilities on the site because the new project will mitigate many of those conditions.

Mr. Caton stated that there is going to be a 15' sign with Candlewood Suites coming north; the arrow is the most important thing about this sign and does not agree with Mr. Miller about the sidewalk because his report states a sidewalk should be provided along the entire site frontage to provide a connection to the D&R Canal path and pedestrian/bicycle bridge across Route 1, Comment 4.7. Mr. Caton stated this is a difficult application because the entire property is in the floodplain but there is a standard that requires a 100' setback from a flood plain and you can't get one-foot of the floodplain from this property, so it is a unique situation.

Mr. Caton stated the existing five buildings are below the flood plain by a couple of feet and if the buildings are constructed, at least the first floor elevation will be three feet higher about a foot above the 100-year floodplain that is an improvement. Mr. Caton wants to know if there are ways that the proposed development can be less impact on the flood plain and the stream corridor because they have the obligation to do that.

Public Comments:

Maureen Hamerstone, 135 Villanova Drive: She stated Mr. Hanrahan did interviews with local like businesses, did he interview any businesses that would be their customers and the sizes of the businesses, which businesses did he approach and how many. No interview on who will supply the demand and sizes.

Mr. Hanrahan stated the research is conducted by telephone and can't recall how many businesses. The value of a telephone survey is challenging so in addition to that with no surveys, interview is with hotel operators and their knowledge of their customer base and their demand patterns, their pricing. There was a telephone survey done with a number of companies in the extended area and not sure how many were conducted. It was Bristol-Myers Squibb, companies in Carnegie Center and there is a foundation of knowledge from demand patterns and consumptions by different corporations.

Ms. Hamerstone stated a comment that the extended stay and are there time limits, 5 days to possible 30, if there is a time limit. Mr. Desai responded there is not a time limit beyond a certain point there are some changes in the taxes they might pay, but the franchise does not limit how long someone can stay as long as they are a paying customer.

John Ryan, 112 Villanova Drive: Mr. Ryan wanted to know about a loading zone, if having 89 rooms how the linens get washed and in and out. Filling in the wetlands you would have to have truck loads, so how many cubic yards. The sidewalk should be installed along Route 1.

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Mr. Desai stated the linens are done in-house with commercial washers on the property. They are not the same ones used by the guests they have separate washers and dryers. The only time you will see a delivery is for linens when new ones are purchased. The snacks are delivered by smaller box trucks, no rigs.

Mr. Kotdawala stated the dirt will be moved in the property and will not have excess dirt.

Nick Sferra, 116 Oaklyn Terrace: His concern is that the applicant is building in a floodplain and that dirt is not being moving, but being that is it being relocated is the flood waters going to be pushed to a different area to impact the area around it. You are not putting more into there, but if you change the footprint, you built it up so you are changing where the water will go and will not impact the area around. The sidewalk do need to be in place because there was an incident where a person was killed trying to access the stores across the street. Lawrence Commons was developed and sidewalks were installed and it would be nice if it was connected for people to access the areas. In his opinion, it would make it safer for the residents, if they are using that area. As far as a safety aspect as well, do not agree with not having a loading area, understand only small box trucks, but you will have people coming in and out and would rather have vehicles drop off behind the building.

Mr. Sferra asked if a list will be provided of the other 30 properties that is owned because the concern is that have renovations been done over the past 30 years, and have been driving past that place and nothing has been done and would like to see it built up, hard time believing it will be kept up.

Mr. Kotdawala stated the flood storage is being improved and the water will flow without obstruction, it will stay within that same footprint. What actually is being done will make the flow path easier. Mr. Desai stated there is also a side door for deliveries but Fed Ex will use the front door. Mr. Desai stated the rooms were renovated only and nothing other than that. The new franchise makes inspections and we have certain rules that must be done or you could lose your franchise. If there is one complaint from a guest, we do get fined.

Mr. Caton asked Mr. Desai is one of the unsettling aspects of the application is the thought of vehicles having to drive through nine-inches of water to get to the entrance in the event of the 100-year storm. There is Lot 41, which is not being used, is there a way of, if the priority was to have a dry route from Route 1 to the front door and back out, in the event of an emergency, is there a way to rebalance the cut and fill that is being done, even using part of that adjacent lot to make it so emergency vehicles would not have to be driving through water.

Mr. Kotdawala stated he will make it to the front entrance from Route 1 and will raise the entire road to the front entrance within that property, out of the floodplain.

Mr. Parvesse stated the applicant agreed to all the comments but if there are comments that you do not agree with please contact him and they can discuss them. Mr. Goldberg stated there are comments about the variances and exceptions being requested, there is nothing that can be done with the buffer area; however, some of them for the sidewalks and loading area, in the event that the Board requests them, no issues whatsoever, they will withdraw those requests and if the Board wants those items to be there, certain no issue. In terms of the signage, part of questioning was do they want something bigger than six-feet, maybe that is something to consider and they can provide that.

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Mr. Kockenour would like responses to the comments that were made and could be added as a condition of approval that all the professionals' comments be addressed. Mr. Goldberg stated in case, if the Board requests any information because it feels that additional information is needed, otherwise the application could be denied, please let him know now, if there is something else that is requested. If the Board wants the sidewalk, that request for a waiver is withdrawn. Mr. Dember commented that it is not fair to tell them to put in the sidewalk, if they can't get it through the State.

Mr. Ryan stated if approved and in construction sites you will be going in and out, is there going to be a sweeper because you are going to have a lot of mud. Mr. Parvesse stated a soil disturbance permit is required and that gets monitored during construction to make sure they comply.

Old Business / New Business / Correspondence:

None

Closed Session Resolution:

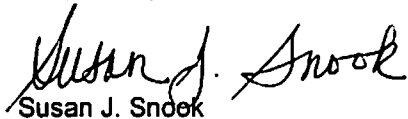
None

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 10:11 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Susan J. Snook
Recording Secretary

Minutes approved: 6/18/18