

**LAWRENCE TOWNSHIP PLANNING BOARD
REGULAR MEETING
MONDAY, JULY 20, 2009, 7:30 P.M.**

Present: Keith Dewey
Philip B. Duran
Marcy Kleiner
Richard S. Krawczun (Class II)
Paul A Penna
Michael S. Powers, Council (III)
Pamela H. Mount, Mayor (I)
Falk Engel, ALT. #1
David C. Maffei, ALT. #2
James S. Kownacki, Vice-Chairman
Nathaniel Moorman, Chairman

Absent: None

Also Present: James F. Parvesse, P.E., Municipal Engineer
Philip B. Caton, Planning Consultant, Clark•Caton• Hintz
David M. Roskos, Attorney, Sterns & Weinroth
Sara A. Summiel, Recording Secretary

1. 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, the Trentonian and the Lawrence Ledger newspapers on Wednesday, July 15, 2009.

2. Public Participation : (None)

3. MINUTES FOR APPROVAL – Monday, May 4, 2009 (regular)

Vice Chair Kownacki moved and Mayor Mount seconded to approve the minutes.

Vote:

AYES: Dewey, Duran, Penna, Powers, Mount, Engel, Maffei,
Kownacki, Moorman

NAYES: None

ABSENT None

INELIGIBLE TO VOTE: Kleiner, Krawczun

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4. **Resolution of Memorialization 13-09 approving Minor Subdivision and Consolidation with Waivers Application No. S-1/09, THE APPLE HILL CONDOMINIUM ASSOCIATION, INC., 45 Carter Road, Tax Map Page 65.03, Block 6501, Lots 122 and 121 (formal action taken 5/4/09)**

Mr. Penna moved and Councilman Powers seconded to approve Resolution No. 13-09.

Vote:

AYES: Dewey, Duran, Penna, Powers, Engel, Maffei, Kownacki,
Moorman

NAYES: None

ABSENT: None

INELIGIBLE TO VOTE: Kleiner, Krawczun, Mount

5. **Application No. S-2/09 (ALLAN SALT, 88 Hughes Avenue, Consolidation of Lots and Minor Subdivision with Variances, Tax Map Page 20.01, Block 2010, Lots 2 – 4, and 17 – 19.)**

The public hearing was recorded. The Board took jurisdiction. Mr. Roskos stated that there was a slight error in the Notice with regard to the room location. He stated that a sign was placed on the door to direct attendees to the right meeting room. Mr. Roskos did not feel that the error was so significant to carry this matter. The Board accepted.

Allan Salt, the applicant appeared on his own behalf and was placed under oath. The applicant is requesting a minor subdivision approval for Block 2010, Lots 2 – 4 and 17 – 10. The applicant stated that the existing two-story dwelling would remain on proposed Lot 17.01. The applicant stated that proposed Lot 2.01 would remain vacant, as there are no plans to build at this time. The applicant addressed a correction to the plan sheet with regard to the public sewer and stated that the existing house is served by a well. The applicant proceeded to describe the subdivision and consolidation of the six undersized lots where the proposed Lot 17.01 would front on Hoover Avenue and Lot 2.01 would front on Hughes Avenue. In describing the surrounding area, the applicant stated that there are several trees on Lot 2.01 and no sidewalks along Hoover or Hughes Avenue. The applicant is seeking a front yard setback variance, where 30 feet is required and 13.3 feet is provided for existing dwelling at lot 17.01. The applicant reviewed the Township Professionals' Reports. With regard to the locations of utility poles on Hoover Avenue, the applicant agreed to show on the plan, as requested by Mr. Parvesse's Report dated July 2, 2009.

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Application No. S-2/09 - Continued

Also, the applicant agreed to comply with all the other conditions and comments noted in Mr. Parvesse's report. Mr. Caton reviewed his report dated July 10, 2009, and addressed the front yard variance. He stated that the required front yard variance is not as much to be imagined and that the variance is about five feet, not 17 feet. He further stated that the Ordinance does allow for an adjustment because of the proximity of the houses on either side of existing house's property line. A discussion followed by Mr. Caton and the Board with regard to the installation of sidewalks and whether the sidewalk development would affect the existing matured trees along Hoover and Hughes Avenue. With regard to the street trees, the applicant agreed to provide at both lots. Also, Mr. Parvesse shared the E-Mail comments from Evelyn K. Sokolowski of 103 Hoover Avenue, dated July 20, 2009, indicating that sidewalks should be installed. The applicant agreed to construct sidewalk along frontage on Hoover Avenue at time of building permit for construction and install roof drainage pipes to sewer inlet to help reduce freezing water hazardous to the sidewalk during the winter. With regard to the discussion and stated concerns by the Board about the septic system connected with the subdivision, the applicant agreed to offer an easement on the existing house lot, if deemed necessary. Mr. Caton addressed the exterior elevations and requested the applicant to provide architectural elevations to the Township Professionals for review to ensure there is compatibility with the houses in the neighborhood. (See Attachment No. 2)

Witnesses placed under oath:

- **Allan Salt, Applicant**
- **Z. Thomas Grybowski, Land Surveyor & Expert**

Exhibit:

A-1 Minor Subdivision Plan

Public Comment:

- **Laura Schreibersdorf, 81 Hoover Avenue, was placed under oath. Mrs. Schreibersdorf stated that she lives next to the vacant lot. Also, she stated that there is no sidewalk from Foch Avenue down to Glenn Avenue. She stated that in order to install sidewalk in that area, the applicant would have to remove a specimen tree.**

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Application No. S-2/09 - Continued

Mr. Dewey moved and Mr. Duran seconded to approve the application, including consolidation of lots, minor subdivision, and variances, subject to all conditions stated and recommendations contained in the Township Professionals' reports.

Vote:

AYES: Dewey, Duran, Kleiner, Krawczun, Penna, Powers, Mount, Kownacki, Moorman

ABSENT: None

INELIGIBLE TO VOTE: Engel, Maffei

6. Application No. S-3/09 (CHRISTOPHER ZSENAK & UMBERTO NINI, 187 Millerick Avenue, Consolidation of Lots & Minor Subdivision with Variances, Tax Map Page 24, Block 2404, Lots 1 – 4.)

The public hearing was recorded. The Board took jurisdiction. Mr. Roskos verified the applicant's distribution and mailing of the Notice.

The applicant Christopher Zsenak and Umberto Nini, appeared on their own behalf and were placed under oath. The applicant stated their request for a small subdivision approval for Block 2404. The applicant stated that the property has all utilities and water connections. The applicant stated that one lot would be created for the existing dwelling (Lot 1.01) and one, for a new building on Lot 1.02. The applicant is proposing to construct a 2,400 sq. ft. house to be compatible with the neighborhood on the proposed new building lot. The applicant explained that there are a few large trees on Lot 1.02 and is proposing to remove a specimen tree located behind the existing house that is in poor condition. Mr. Caton referred to his report dated July 9, 2009, and stated that the front yard setback is adequate under the Ordinance. With regard to the removal of the specimen tree, Mr. Caton suggested that the applicant make a contribution for future replacement trees, as outlined in the Ordinance for the tree replacement requirements. The applicant agreed to work with the Township Professionals in determining whether the tree can be saved. The applicant agreed to provide a tree expert. Also, the applicant agreed to the tree replacement fund, if needed. Mr. Caton addressed the design of the proposed dwelling and requested the applicant to provide the architectural elevations for the Township Professionals' review once the design is known. Mr. Roskos addressed the existing driveway and questioned the 10-foot wide easement noted on the Minor Subdivision Plan prepared by Joseph Mester, Professional Engineer/Professional Land Surveyor.

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Application No. S-3/09

He proceeded to request the applicant to provide a copy of noted Easement for the Township's review of any restrictions set forth for egress and ingress, as a condition of approval. The applicant agreed. With regard to the sidewalk, Mr. Caton did not think it would be feasible. The Board accepted. Mr. Parvesse referred to his report dated July 9, 2009, and requested the applicant's compliance with regard to the road opening moratorium and need for utility connections to be relocated out of the dripline. The applicant agreed to comply and work with the Township Professionals. (See Attachment No. 3)

Exhibits: None

Public Comment: None

Mr. Krawczun moved and Mrs. Kleiner seconded to approve the application, including consolidation of lots, minor subdivision, and variances, subject to all conditions stated and recommendations contained in the Township Professionals' reports.

Vote:

AYES: Dewey, Duran, Kleiner, Krawczun, Penna, Powers, Mount, Kownacki, Moorman

ABSENT: None

INELIGIBLE TO VOTE: Engel, Maffei

7. Old Business/New Business/Correspondence

Subcommittee - Sustainability

Chair Moorman stated that a Subcommittee meeting would be scheduled in the near future to include Beth McManus, the Environmental Resource Committee and ANJEC. Mr. Caton asked the Board to review the Model for Sustainability/Environmental Sustainability Plan Element upon receipt via E-Mail and to identify top priorities. The Township will notice the Subcommittee meeting. Chair Moorman encouraged the other Board Members, not on the Committee, to attend.

Chair Moorman advised the Board that the August 3, 2009, is being cancelled.

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Old Business/New Business/Correspondence – Continued

Mayor Mount gave a brief update about the Green Team and its commitment in working on more than 100 points for certification and the check-off list. The deadline is at the end of August. Also, she stated that the group is in the process of adding extra award categories and that the Leadership Award on Sustainability will be devoted to the Mayor's Committee for the Green Future at the League of Municipalities Tuesday's Luncheon.

Mr. Engel gave a brief update about the changes and input for the Sign Ordinance Draft. He stated that another draft would be available soon before going to the Council.

8. Adjournment

There being no further business to come before the Board, the meeting was adjourned at 9:05 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,


Sara A. Summiel
Recording Secretary

MINUTES APPROVED: September 21, 2009