

**LAWRENCE TOWNSHIP PLANNING BOARD  
REGULAR MEETING  
MONDAY, MAY 4, 2009, 7:30 P.M.**

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

**Absent:** Marcy Kleiner (Absent/excused)  
Richard S. Krawczun (Class II) – (Absent/excused)

**Also Present:** James F. Parvesse, P.E., Municipal Engineer  
Philip B. Caton, Planning Consultant, Clark•Caton• Hintz  
Brian J. Mulligan, 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 Monday, April 27, 2009.

**2. Public Participation : (None)**

**3. SWEARING IN – NEW BOARD MEMBER**

David Maffei was placed under oath. Mr. Mulligan administered the oath.

**4. MINUTES FOR APPROVAL:**

**Monday, February 2, 2009 (reorganization & regular mtg.)**

Councilman Powers moved and Vice Chair Kownacki seconded to approve the minutes, As Amended.

This carried on the following voice call vote: AYES (7) NAYES (0)  
ABSENT (2) INELIGIBLE TO VOTE (2)

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**5. PLANNING BOARD ANNUAL MEETING SCHEDULE - Discussion re possible revisions:**

Chair Moorman suggested that the Board consider moving to a monthly meeting since a number of meetings have been cancelled; and if there are no applications, the Board could address planning issues. Mr. Parvesse gave a brief overview of the proposed schedule for submitted applications. Mr. Caton added that at a future meeting he would like to discuss the Re-adoption of the Fair Share Plan and review the Amendments to the Housing Element Plan. Following a brief discussion by the Board, the following meetings were cancelled:

**Monday, May 18, 2009, Monday, July 6, 2009, Monday, August 17, 2009  
Monday, October 19, 2009, and Monday, December 21, 2009**

**Mr. Engel moved and Mr. Penna seconded to approve the above changes to the schedule.**

**This carried on the following voice call vote: AYES (7) NAYES (0)  
ABSENT (2) INELIGIBLE TO VOTE (2)**

**6. EGGERTS CROSSING – HERITAGE PARK IMPROVEMENTS –  
Presentation by Harold Vereen**

The presentation was recorded.

Chair Moorman stated that he is a member of the Eggerts Crossing Civic League and would step down from the presentation. It was indicated that since the Board was not taking any voting actions, per the discussion, there would be no conflict.

Mr. Vereen, President of the Eggerts Crossing Civic League gave the Board an update on the Heritage Park Improvements. He stated that in 2002/2003 Rutgers University students performed a vision study and the Civic League has been using the study as a blueprint to revitalize the neighborhood. He gave an overview about some of the improvements with regard to the connection of the Greenway from Eggerts Crossing Road to Heritage Park for the community to enjoy, installation of sidewalk from Hillcrest Avenue to Heritage Park, and the donation of 23 trees from the Shade Tree Commission. Also, he stated that since the revitalization there have been five new homes constructed in the neighborhood and 12 trees donated by Mercer County. He commended the Township and sponsors for providing the Tree Foundation Grants and help with the Heritage Park Improvements.

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**EGGERTS CROSSING – HERITAGE PARK IMPROVEMENTS –  
Presentation by Harold Vereen - Continued**

Mr. Vereen encouraged the Board and community to volunteer at their “Work Day” on morning of Saturday, May 9, 2009. He stated that the Civic League continues to meet and work closely with the Township.

Also, present was Robyn Murray, Professional Planner & A.I.C.P., and member of the Eggerts Crossing Civic League. Ms. Murray gave an overview of the proposed Improvement Plan of Heritage Park and the Eggerts Crossing Village. She stated that a portion of the Greenway was completed last summer with the help of a \$25,000 grant from BMS. She stated that a paved fire lane will be constructed within the Heritage Village Park area. She added that, hopefully, that project will go out for bid this summer. Mr. Parvesse added that the Township obtained a grant for \$275,000 to help construct the Greenway Bridge connection that will continue on from Rider University into Ewing Township.

Mr. Engel commended Harold Vereen, the Civic League and Fred Vereen for the vision and effort that continues with the beautification of the Eggerts Crossing neighborhood.

**7. LAWRENCE TOWNSHIP BICYCLE & PEDESTRIAN PLANNING ASSISTANCE STUDY – Presentation by Michael Baker Jr., Inc.**

The presentation was recorded.

Also, present were Regina DelVecchio, Project Manager, Michael Baker Jr., Inc., Barry Keppard, Representative, Michael Baker Jr., Inc., and Bill Rivere, Representative, NJDOT.

A brief power point presentation was given regarding the Bicycle and Pedestrian Planning Assistance Study performed in the Township of Lawrence under the NJDOT Local Planning Assistance Program for the purpose to identify needs and opportunities for improving bicycle and pedestrian mobility in the Township. Ms. DelVecchio gave a brief scope of the various services used in this task such as, data collection, sidewalk survey, bicycle facility assessment, intersections, regional trails, traffic calming, conceptual improvements, and public outreach. As part of the action plan, an Appendices and a Photo Portfolio was presented to the Board outlining the five conceptual improvement schemes as part of this study.

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**LAWRENCE TOWNSHIP BICYCLE & PEDESTRIAN PLANNING ASSISTANCE STUDY - Continued**

Mr. Keppard proceeded to review in the power point presentation, the potential connections of sidewalk improvements to be developed and organized into schools and recreation, the community, and state roads. (Attachment No. 1 – Action Plan Package & Power Point CD)

**Public Comment:**

- Ralph Copleman, 44 Titus Avenue, questioned if the study included any of the non-roadway access paths.

8. **Resolution of Memorialization 9-09 approving Preliminary & Final Site Plan with Waivers Application No. SP-7/08, RIDER UNIVERSITY – SYNTHETIC TURF FIELD, 2083 Lawrenceville Road, Tax Map Page 28/03+, Block 2801, Lot 24, and Block 2701, Lot 5 (memorializes formal action taken December 15, 2008)**

**(This item was removed from the agenda)**

9. **Application No. S-1/09 (THE APPLE HILL CONDOMINIUM ASSOCIATION, INC. (HAMILL FAMILY LIMITED PARTNERSHIP (UNIT 2) AND OLIVER HAMILL (UNIT 1), Carter Road, Consolidation of Lots and Minor Subdivision with Waivers, Tax Map Page 65.03, Block 6501, Lots 122 and 121.**

**The hearing was recorded. The Board took jurisdiction.**

**Due to a potential conflict of interest, Mayor Mount stepped down from the proceedings.**

**Dorothy Bolinsky, Esq., represented the applicant. Ms. Bolinsky briefly explained that the applicant is seeking a minor subdivision approval to reconfigure two existing condominium lots that consist of 82 acres into new existing lots, as a way to help distribute some of Mrs. Hamill's Estate. She gave a brief history about the application and explained that a few years ago the Tax Attorney needed to segregate some of the property into different Trusts. This action developed a land condominium on the property, which took the house away from some of the other acreages. Also, an interior existing road was setup, to create a common element to be shared by the two properties.**

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**Application No. S-1/09 - Continued**

She further explained that the applicant has no intent to construct any new development. She stated that a significant portion of the property has already been deed restricted to the Delaware & Raritan Greenway. She added that proposed Lot 121.01 (22.73 acres) would contain the existing house lot and Lot 121.02 (59.24 acres) would contain the undeveloped parcel. Ms. Bolinsky referred to the Mercer County Planning Board letter dated April 23, 2009, and stated that there may be some netting out of the total acreage to dedicate additional right-of-way to the County for the widening of Carter Road. The applicant's professional referred to Exhibit A-1 (Condominium Plan) and gave an overview of the property. The applicant further explained that once the subdivision is memorialized, the two new lots will no longer be considered a condominium. The applicant agreed, as a condition of approval.

Mr. Caton referred to his report dated March 17, 2009, and questioned the targeted area for the Mercer County Farmland Preservation Plan. A brief discussion followed by the Board regarding the existing conservation easement and the limitations. The applicant gave additional testimony regarding the Cherry Hill Farm and stated that the proposed action will have no impact on the preserved farmland or the existing conservation easement. Mr. Caton addressed the lot configuration exceptions and stated no objections. With regard to the Professionals' Reports, the applicant agreed to comply with the recommendations and the required plot recording of the condominium delineation within 30 days of final subdivision approval. *Mr. Mulligan advised the applicant that if the houses were ever to be sold, a new subdivision request would be required to be submitted to the Board. The applicant agreed to comply and stated that no development is intended at this time.* (See Attachment No. 2 – Reports)

**Exhibits:**

**A-1 Condo Plan, Colored (Condominium Association)**

**Witness placed under oath:**

- **Oliver Hamill, Applicant**
- **Kenneth R. Raike, Professional Land Surveyor & Expert**

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**Application No. S-1/09**

**Public Comment:**

**Cheryl Mills, Van Kirk Road, questioned whether there would be more or less developable land after the configuration. Also, she questioned the current amount of preserved farmland and the amount after the configuration of lots. She proceeded to question whether the configuration would promote new development.**

**Vice Chair Kownacki moved and Mr. Dewey seconded to approve the application, including consolidation of lots, minor subdivision, and waivers, subject to all conditions and recommendations contained in the Township Professionals' reports.**

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

**ABSENT: Kleiner, Krawczun**

**INELIGIBLE TO VOTE: Mount**

**10. REFERRAL FROM COUNCIL – An Ordinance of L. T. Amending the Land Use Ordinance of Lawrence Township – COAH Fees (per 4/24/09 memo © from Municipal Clerk) – (See Attachment No. 3)**

Mr. Caton gave a brief explanation and stated that the Referral by Council is consistent with the Master Plan and the current Housing Element. He stated that it is a model ordinance based on a standard that COAH has imposed, which enables the Township to impose one and a half percent (1.5%) fee for residential development and two and one-half (2.5%) percent for non-residential developers. He stated that the 2.5 percent fee was set by State Statute in July 2008. He explained that one of the benefits of Development Certification the Township receives is the ability to collect and retain the 2.5% non-residential fee for use within the Township. He stated that the Amendment is a way of cleaning up an existing development fee ordinance that is already on the books. He proceeded to explain what the funds could be utilized for and named a few of the eligible activities set forth in the Housing Element and Fair Share Plan, such as “affordability assistance” and “administrative expenses”. He added that “beautification” would not be eligible for funding. A brief discussion followed by the Board with regard to the Township’s Spending Plan, the Third Round mandates and the Growth Share methodology.

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**REFERRAL FROM COUNCIL** – Continued

Mayor Mount added that the Township and Mr. Caton should be commended, with the Township receiving recognition for being among the first Towns to get their 3<sup>rd</sup> Round Certification.

**Following a brief discussion by the Board, the following action took. Vice Chair Kownacki moved and Mr. Dewey seconded to recommend to Council for approval and felt the action to be consistent with the Land Use Ordinance. All present voted yes.**

**11. Old Business/New Business/Correspondence:**

**New Business**

- **Spruce Street** - A brief discussion took place about the zoning density and future meetings to review a four lane road vs. a three lane road. Chair Moorman suggested a subcommittee to review highway commercial vs. mix use. Mr. Caton stated that before a subcommittee meets, that he and Mr. Parvesse would need to meet. The following individuals volunteered to meet as a subcommittee: Mayor Mount, Chair Moorman and Falk Engel.

**Chair Moorman suggested the following planning issues for future discussions:**

- **Sustainability Element** – Future discussion to address pending Legislature and ways to strengthen, or amend the sustainability element of the Master Plan.
- **Appropriateness of Solar Panels & Alternative Solar Energy** – A subcommittee consisting of Paul Penna, James Kownacki, Philip Duran and Mayor Mount to gather information for future applications.
- **GEPNA** – Chair Moorman suggested that the Board invite GEPNA to give an overview of their current activities and plans.
- **Route 1 Redevelopment Committee** – Chair Moorman suggested that the Board address and review the redevelopment zone of Route 1 to determine what the Township can do to encourage strip malls from closing. Mayor Mount stated that the Committee is meeting and have been interviewing the Route 1 Businesses.

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**12. Adjournment**

**There being no further business to come before the Board, the meeting was adjourned at 9:50 p.m.**

**Digital audio file of this meeting is available upon request.**

**Respectfully submitted,**



**Sara A. Summiel  
Recording Secretary**

**MINUTES APPROVED:** July 20, 2009