

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Regular Meeting
Wednesday, May 21, 2025

Present: Christina Hultholm
Jeffrey Johnson
Howard Cohen
Sarah Siggelakis
Bruce Kmosko, Alternate #1

Absent: Olga Dember

Excused Absence: Joseph Blaney

Also Present: Edwin Schmierer, Zoning Board Attorney
Brenda Kraemer, P.E., Assistant Municipal Engineer
Jennifer Lech, Recording Secretary

Statement of Adequate Notice:

Adequate notice of this reorganization and regular meeting of the Lawrence Township Zoning Board of Adjustment has been provided by filing the annual meeting schedule with the Municipal Clerk as required by law, and by filing this agenda and notice with the Municipal Clerk, posting prominently in the Municipal Building, and mailing to the Trenton Times newspaper.

Minutes:

March 19, 2025 minutes were unanimously approved.

Resolutions:

Resolution No. 9-25z: Bulk Variance Application No. ZB-1/25; Jitesh Patel, 6 Morrell Rd.; Tax Map Page 52.02, Block 5201.09, Lot 3, was approved per unanimous vote.

Resolution No. 10-25z: Bulk Variance Application No. ZB-5/24; Roy & Kathie Baldassari, 7 Bennington Dr.; Tax Map Page 55, Block 5503, Lot 5, was approved per vote of 3:1.

Public Participation (for items not on agenda):

There were no public comments.

Applications:

Bulk Variance Application No. ZB-2/25; Benjamin & Kristin Petrick, 163 Gedney Rd.; Tax Map Page 19, Block 1903, Lot 1

The Applicant has requested approvals for an existing at-grade deck and pergola that do not meet ordinance setback requirements. The improvements were installed without proper permits. Mr. Petrick advised that the deck and pergola are used generally for entertaining. He stated that he was unaware that permits and/or Zoning Board approval was required. The Applicants advised that they were unaware of any issues/complaints from neighbors regarding the location of the deck and pergola prior to receiving notification from the Township of the violation. The Applicants further stated that they choose this particular area of the yard due to the odd shape of the backyard and felt that this provided more useable yard space for their family.

LAWRENCE TOWNSHIP ZONING BOARD OF ADJUSTMENT

Regular Meeting
Wednesday, May 21, 2025

Public:

Eric Smith (Executor for 164 Roxboro Road) and Irene Smith, 120 Dispatch Drive, Washington Crossing, PA, voiced concern over the fact that these structures were built without the benefit of permits/inspections and that other structures and electric have been constructed/installed on the property without permits. Mr. Smith presented the Board with photographs of an existing treehouse structure to further his claim that the Applicants have completed multiple projects without the benefit of zoning and/or building department approval. Ms. Smith advised that complaints were not made because the neighbors assumed that the Applicant had the necessary approvals from the Township for the deck and pergola. Mr. Smith expressed concern that granting this application sets a bad precedent for future applications.

Christine Madzy, 155 Gedney Road, advised the Board that she was concerned over the use of the pergola, a "garage bar" and "toilet bucket" in the rear of the garage. Ms. Madzy stated that there have been numerous gatherings with significant disruption to the neighbors.

Greg & Jean Smiles, 160 Roxboro Road, Mr. and Mrs. Smiles expressed concern over the noise the pergola gatherings have caused.

Guy Hill, 63 Biser Road, Flemington, NJ, inquired as to the nature of the use of the pergola and the enforcement of the township noise ordinance. He was advised that any noise complaints would be handled by the police department.

The application was denied 4:1. The Board members that voted to deny the application felt that the Applicants failed to prove that there were any special criteria that would have prevented them from constructing the deck and pergola within the required setbacks and that testimony from neighbors shows the significant detriment it has caused. Mr. Johnson referenced the Board Planner's report which stated that the Board "will need to be satisfied that the intent of the setback standards, mainly the provision of adequate light, air and open space, is not substantially impaired by the grant of relief in this instance".

Other Business:

None

Adjournment:

There being no further business to come before the Board, the meeting was adjourned at 8:32 p.m.

Digital audio file of this meeting is available upon request.

Respectfully submitted,



Jennifer Lech
Recording Secretary

Minutes approved: 8/20/25