

**Minutes of the Planning Board of the  
Township Of Hanover  
January 15, 2019**

Chairman Eugene Pinadella called the Work Session Meeting to order at 7:00 PM in Conference Room "A" and The Open Public Meetings Act Statement was read into the record.

Board Secretary, Kimberly Bongiorno took the Roll Call.

In attendance were Members: Critchley, Deehan, De Nigris, Dobson, Ferramosca, Mayor Francioli, Nardone, Olsen, and Chairman Pinadella

Absent were Members: Byrne and Glawe

Also present were: Township Engineer Gerardo Maceira, Township Planner Blais Brancheau, and Attorney for the Board Michael Sullivan

**I. APPOINTMENTS/REAPPOINTMENTS**

Ronald Francioli Class I Mayor One (1) Year Term Ending 12/31/19

John Ferramosca Class III Deputy Mayor & Director of Planning One (1) Year Term Ending 12/31/19

J. William Byrne Class II Member One (1) Year Term Ending 12/31/19

Peter DeNigris Class IV Member Four (4) Year Term Ending 12/31/22

Philip Glawe Class IV Alt. 2 Member Two (2) Year Term Ending 12/31/19

**II. REORGANIZATION**

**1) ELECTION OF CHAIRPERSON**

A motion was made to nominate Mr. Pinadella by Member De Nigris and seconded by Mayor Francioli.

No other nominations were made. Nominations were closed

All present members voted in favor of appointing Mr. Pinadella Chairperson.

**2) ELECTION OF VICE CHAIRPERSON**

A motion was made to nominate Mr. DeNigris by Chairman Pinadella and seconded by Member Ferramosca.

No other nominations were made. Nominations were closed.

All present members voted in favor of appointing Mr. DeNigris Vice Chairperson.

### 3) RESOLUTIONS

- a. Designation of Official Newspaper
- b. Designation of Board Attorney
- c. Appointment of Board Secretary
- d. Adoption of Schedule of Meeting Dates for the Year 2019
- e. NJ Federation of Planning Officials Membership
- f. Designation of Completeness Official

A motion was made to adopt all of the resolutions as written by Member DeNigris and seconded by Member Ferramosca. All members present voted in favor of adopting the resolutions.

### *REGULAR WORK SESSION OF THE PLANNING BOARD CALLED TO ORDER*

### **III. MINUTES FOR APPROVAL – DECEMBER 18, 2018**

A motion was made to adopt the minutes as written by Member Nardone and seconded by Member Critchley. All members present voted in favor of adopting the minutes as written.

### **IV. RESOLUTIONS**

- |                    |                               |                   |
|--------------------|-------------------------------|-------------------|
| <b>1) CASE NO.</b> | 18-7-13                       |                   |
| <b>APPLICANT:</b>  | NEIGHBORHOOD URGENT CARE      |                   |
| <b>OWNER:</b>      | JK BRUGMAN, LLC               |                   |
| <b>LOCATION:</b>   | 568 ROUTE 10 WEST<br>WHIPPANY |                   |
| <b>BLOCK: 7501</b> | <b>LOT: 2</b>                 | <b>ZONE: B-10</b> |

Applicant sought preliminary and final site plan and “C” variance relief in order to install an internally lit freestanding sign. Application approved December 18, 2018.

A motion was made to adopt the resolution as written by Member Nardone and seconded by Mayor Francioli.

Members Critchley, Deehan, Dobson, Nardone, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of adopting the resolution as written.

### **V. MANDATORY – MUNICIPAL EXCESS LIABILITY JOINT INSURANCE FUND LAND USE SEMINAR – PRESENTED BY MICHAEL SULLIVAN, ESQ.**

## **PUBLIC BUSINESS**

### **VI. OTHER BUSINESS**

The Board discussed the new ownership of the Whippany Village site and if the approvals are still valid.

Discussed the future of Whippany Village.

Chairman Pinadella discussed the need to get Whippany Village developed.

The Mayor discussed the Starbucks that is proposed at the Whippany Fire House.

Mr. Brancheau

- Starbucks is still part of the plan but they need to wait until the Fire House is sold.
- Gave an update on the status of the Whippany Village access.
- There is a problem with access from Whippany Village to the jug handle because the owner of the property will not allow access.

Chairman Pinadella

- It is important that we get something moving on Whippany Village.
- We need to start pushing stuff on Route 10 and get some development going.
- Had a discussion with the Board about attracting more business to Route 10.

The Board had an open discussion regarding the Whippany Post office site.

Mayor Francioli

- Discussed the Township purchasing the land for open space.
- Received a grant from the county for open space.
- The Planning Board has not weighed in on the issue yet.
- Questioned if the Board should comment on the land being used for open space.

Chairman Pinadella

- Thought that last year they agreed that the Board was in support of the Township trying to acquire that property.

Mayor Francioli

- Is just looking for support on his position, he is not speaking for the rest of his colleagues.

Chairman Pinadella stated that the Board has shown support for the Town taking that land for open space and that the Board has decided not to take a position on the historic proposals for the land.

Mr. Brancheau

- Handed out site plan for 26 Parsippany Road for the proposed development that is before the Board of Adjustment.
- Explained what was being proposed at 26 Parsippany Road.
- Explained that they want 11 units per acre which creates setback and density variances.
- Asked if the Planning Board feels that an ordinance to add some direction to the Planning Board or the Board of Adjustment when the site plan comes before the appropriate board would be something they are interested in.

Chairman Pinadella

- Clarified that the 11 units per acre was already set and they are essentially working around it.

The Board had an open discussion regarding zoning for the area of 26 Parsippany Road.

Mr. Brancheau

- Reviewed what violations of the current zoning ordinance the proposed application had.
- Discussed the setbacks that were being violated.
- They will need a height variance.
- They don't meet the open space requirement because it does not include the river and wetlands.
- Most of these violations are here because of the density that they are requesting.

The Board had an open discussion regarding the potential development requirements on the 26 Parsippany Road site.

Mr. Brancheau

- There are two questions.
- Should we do an ordinance?
- Do you agree with basing the ordinance off of the plan that has been submitted?

Chairman Pinadella

- I don't believe that we have much of a say in the matter of the plan.
- Feels the draft ordinance should be presented to the Township Committee based on the proposed plan.

Mr. Ferramosca

- The state is pushing a new program called community solar to help people get solar power that would otherwise be unable to.
- Wants a condition that an application to the community solar program should be required on this site.

Mr. Brancheau

- There are a lot of criteria for the program so even if we require it they may not be able to get it.

The Board agrees to send the ordinance to the Township Committee.

Mr. Brancheau - Performance and Maintenance Guarantees

- This ordinance is less restrictive to developers.
- The State said that developers should not have to post bonds for private improvements.

Mr. Nardone

- Questioned how this now goes after developers who start building things but then never finish them and leave half-finished projects.

Mr. Brancheau

- We don't normally get bonds for that kind of work.

Mr. Maceira

- We don't bond structures.
- Bonds are for site improvements.
- So a half-finished house would not be bonded but you might run into safety issues with an unfinished structure.

Mr. Brancheau

- Under this new law we will only be able to bond a few things.
- Public improvement, drainage and things like that, perimeter buffers that are privately owned, the safety and stabilization guarantee.
- Single-family home issues usually falls under property maintenance.

A motion to send the ordinance to the Township Committee was moved by Member De Nigris and seconded by Member Dobson. A voice vote was held and all members present voted in favor of sending the ordinance to the Township Committee.

Chairman Pinadella

- Asked for subject topic of the educational session in February.

Mr. Brancheau

- The Master Plan will be the first educational session topic.

Mr. Nardone

- Asked what was happening with the area in need of redevelopment on Route 10.

Mr. Brancheau

- Before any formal study is done a resolution needs to be passed by the governing body authorizing the Planning Board to conduct this study.
- Discussed the affordable housing ordinance requirements and what was happening with the status of affordable housing.
- Discussed the status of area in need of redevelopment.
- Will share with the Board next meeting what he has found.

A motion to adjourn was motioned by Mayor Francioli and seconded by Member Ferramosca.

Meeting Adjourned at 9:16 PM

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KIMBERLY A. BONGIORNO, LUA.  
BOARD SECRETARY  
PLANNING BOARD  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY