

**Minutes of the Planning Board of the
Township of Hanover
January 26, 2021**

THE FOLLOWING IS AN AGENDA FOR SAID MEETINGS AND FORMAL ACTION MAY OR MAY NOT BE TAKEN ON A PORTION OF THIS AGENDA. THE PUBLIC IS INVITED AND MAY ATTEND SAID MEETINGS SUBJECT TO THOSE AREAS OF CONSIDERATION DESIGNATED, IF ANY, FROM WHICH THE PUBLIC MAY BE EXCLUDED PURSUANT TO SECTION 7B & 8 OF THE LAWS OF 1975.

PUBLIC MEETING 7:00 P.M. VIA ZOOM WEBINAR ONLY

PUBLIC BUSINESS

Chairman Peter De Nigris called the Regular Public Meeting on Tuesday January 26, 2021 to order at 7:01 PM by Way of Zoom Webinar Only and read the Open Public Meetings Act into the record.

I. STATEMENT BY PRESIDING OFFICER

II. ROLL CALL

The Board Secretary, Kimberly Bongiorno, called the roll.

In attendance were Members: Byrne, Critchley, Deehan, Chairman De Nigris, Dobson, Gallagher, Mayor Ferramosca, Member Glawe, Monzo and Olsen.

Absent were Members: Mian.

Also present were: Attorney for the Board Michael Sullivan
Board Secretary Kimberly A. Bongiorno, LUA.
Township Engineer David Leo, P.E.
Township Planner Blais Brancheau

III. RESOLUTIONS

1)	CASE NO.	17-5-6-E2
	APPLICANT	CELEBRITY ITALIANO AUTO GROUP, LLC
	OWNER	WHIPPANY-110 REALTY, LLC
	LOCATION:	110 & 130 ROUTE 10 WEST WHIPPANY
	BLOCK: 6601	LOTS: 1 & 13.01 ZONE: IB

Applicant sought a second extension of approvals for the preliminary and final site plan approval and variance relief to expand onsite parking lots and to provide for an internal interconnection between the two lots.

Application was approved with amendments and conditions October 24, 2017 and was granted a one-year extension on January 21, 2020 for one year to December 19, 2020. A second extension was granted January 26, 2021 for one year to December 19, 2021.

Member Gallagher

- Expressed his gratitude with Chairman De Nigris and all involved with the handling of this matter.

A motion to approve the resolution for second extension of time as written was moved by Mayor Ferramosca and it was seconded by Member Dobson.

Members Deehan, Dobson, Glawe, Olsen, Monzo, Byrne, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the resolution for second extension of time as written.

Board Secretary Kimberly A. Bongiorno, LUA

- Advised that Bryan Romanowsky – Attorney for the second case would like to make a request prior to starting the first hearing.

Bryan Romanowsky – Attorney for Carmela Polise Krauel Trust

- Made a request to carry case to the February 23, 2021 meeting.

Attorney for the Board Michael Sullivan

- Let us formally carry this matter which is the ‘Carmela Polise Krauel Living Trust’ at 563-565 Route 10 East, to the February 23, 2021 at 7:00 PM.
- If prior case is completed, you will be first otherwise you will be second.
- The sign in information will be on the Township’s website, there will be no further notice required.

A motion to carry this case to February 23, 2021 with no further notice required was moved by Mayor Ferramosca and seconded by Member Gallagher.

In voice all present voted in favor of carrying this case to February 23, 2021 with no further notice required.

IV. MINUTES – January 19, 2021

The Minutes of January 19, 2021 were deferred to a later date.

V. PUBLIC HEARINGS

Exhibit A – 2

- Site Plan Rendering prepared by Bohler Engineering dated 1-14-2021.
- Described what is being proposed.
- Explained the proposed improvements.
- Gave a brief overview of the proposed subdivision and its dimensions.
- Indicated where the proposed ‘Self Storage facility’ would be located it, its dimensions, setbacks, driveways locations and further details.
- Explained the proposed parking, its location, the circulation on site, and the proposed landscaping.
- Went over the variances requested.
- Went over the review letter comment from Blais and Gerry and further explained.
- Went over the proposed loading areas and their locations, we will comply with the request ‘to add additional stripping’.
- Utilities on this site aside from the traditional... we are also proposing silver panel on the roof and gave further details.
- The water with South East Morris County “MUA’ they are asking for a hot box to be added to the plan, everything is under ground, aside from that, a couple of minor piping modifications.
- Hanover Sewage Authority we have spoken to Mike Wynne and gave further details.
- Gave further details on the gas and electric, storm water and what is being proposed.
- Gave the hours of operation for employees and customers, the number of employees, specified who will be able to use the trash enclosure.
- Addressed Chairman De Nigris questions.
- Went over the proposed signage, the lighting and landscaping.
- Explained the proposed solar panel.

Jhon Wyciskala – Attorney for the Applicant

- Stated to agree with all items contained in Mr. Maceira’s report to which Mr. Tung to Lam concurred.
- Pertaining to item ‘# 3’ the applicant submitted documentation.
- We have accepted Mr. Wynne’s comments, he is no longer requiring the easements.
- Board of health had no comments.
- Mr. Donlon had a comment and we do comply. Further explained.
- The following had no issues; Emergency Management, the Police Chief, the Fire subcode Official, Public Works.
- Indicated Mr. Tung to Lam went over some of the comments from the Fire of Bureau Prevention and we will hear more from our architect.
- Mr. Tung to Lam agreed that the applicant will comply with the comments contained in Mr. Richard Smith, the Township Surveyor’s review letter.

Attorney for the Board Michael Sullivan

- Clarified; Mr. Wyciskala with respect to Mr. Wynne’s comments are you talking about his report of ‘December 14, 2020’ specifically comment ‘2’? and further elaborated.

Jhon Wyciskala – Attorney for the Applicant

- Yes, that is my understanding, Mr. Lam you can confirm that because you spoke directly with Mr. Wynne.

Attorney for the Board Michael Sullivan

- Typically, what we would do because we do not have confirmation of that; we would just leave that, and you work out that item with him.

Jhon Wyciskala – Attorney for the Applicant

- Yes, fine.
- We did not take issue Mr. Lam with any of the comments in Mr. Brancheau's report but if there is anything, I am missing you could just address it.

Township Planner Blais Brancheau

- Just so the record is clear, and further explained, if we can go over those and then resolve what you do and what you do not need variances for, or exceptions for.
- I am specifically speaking about starting on page 6 of my report. Items 15, 16, 17 and 18.

Attorney for the Board Michael Sullivan

- Are we clear Mr. Wyciskala that you agree with Mr. Brancheau's analysis with respect to those items and you are not seeking variance relief?

Jhon Wyciskala – Attorney for the Applicant

- Yes, we are clear.
- Further discussed the extended relief with Mr. Brancheau.

Attorney for the Board Michael Sullivan

- Clarified, Mr. Wyciskala with respect to Mr. Brancheau's report of 'December 31, 2020' the applicant is agreeable in the event of an approval to comply with items; 'B1' through 'B11', correct?

Jhon Wyciskala – Attorney for the Applicant

- Yes, I think some of these items he only asks for clarification in testimony, I will have Mr. Lam briefly go through those items.

Tung to Lam – Project Engineer for the Applicant

- Addressed items 'B1' through 'B11'.
- Addressed Mr. Brancheau's questions.

Jhon Wyciskala – Attorney for the Applicant

- I thought that Gerry had preferred striping, but I am not 100% and further explained.

Attorney for the Board Michael Sullivan

- So Blais so that I am clear, Items 'B1' and 'B2' you are okay with taking them off the list, is that correct?
- If the application is approved, they stay on as items that must be resolved if I take them off the list, they will not be subject to discussion post approval.

Township Planner Blais Brancheau

- 'B2' open item
- 'B1' I will leave that to the Board to decide, I do not need any testimony on the issue and the traffic testimony will shed some light on the issue.

Jhon Wyciskala – Attorney for the Applicant

- Continue to review Mr. Brancheau's memo

Tung to Lam – Project Engineer for the Applicant

- Continued with his review of Mr. Brancheau's memo.
- Addressed Mr. Brancheau's question regarding the trash enclosure.
- It is not for the customers use.
- Addressed Chairman's De Nigris question.
- Addressed one of Mr. Monzo's question.

Jhon Wyciskala – Attorney for the Applicant

- Mr. Mozo maybe hold that thought until our traffic engineer speaks and further explained.

Tung to Lam – Project Engineer for the Applicant

- Addressed Mr. Brancheau's petition to touch on item number '7'.
- Continued going over Mr. Brancheau's review memo.
- Agreed with Mr. Brancheau and stated that will be addressed as a separate application.
- Addressed Mr. Brancheau's comments on the replacement trees.

Township Planner Blais Brancheau

- Further explained his comment regarding replacement of trees.
- I would like the Board to take note and if that is a condition; I would also suggest that it includes a provision that if we cannot work out the spacing to achieve the number of replacement trees, that the Board would authorize a payment in lieu of planting into the Town's Tree Fun.

Tung to Lam – Project Engineer for the Applicant

- Addressed the pavement thickness.

Township Planner Blais Brancheau

- ‘A14’ it is no longer an item needed for relief; it should be a condition of approval that the specification of the pavement be approved by the Township Engineer.

Tung to Lam – Project Engineer for the Applicant

- Addressed Mr. Olsen questions and deferred a question for the Architect.

Jhon Wyciskala – Attorney for the Applicant

- Addressed Mr. Olsen question.

Township Planner Blais Brancheau

- Addressed Chairman De Nigris question.

Tung to Lam – Project Engineer for the Applicant

- Addressed Mayor Ferramosca’s question.

Township Engineer David Leo, P.E.

- Addressed Mayor Ferramosca’s question.

Tung to Lam – Project Engineer for the Applicant

- Addressed Mr. Critchley’s question and made referenced to Exhibit A – 1’.

Open to the Public for questions

After hearing none

After seeing none

Closed to the Public.

John Corak – Traffic Engineer for the Applicant was sworn in by the Attorney for the Board Michael Sullivan.

John Corak – Traffic Engineer for the Applicant

- I am with Stonefield Engineering and Design, located at 92 Park Avenue, Rutherford, New Jersey.
- Gave an overview of his professional an educational background.

- All licensing is current and in good standing.
- Has testified before several Boards.
- Accepted by the Board.

Exhibit A – 1

- Gave the site location.
- Ridgedale Avenue supports high volumes of traffic and further explained.
- Explained the full movement driveways, it is a preferred design for full movement driveways and further explained.

Exhibit A- 2

- Colorized rendering prepared by Bohler Engineering.
- Explained the full movement driveway functionality.
- Gave the square footage of the proposed ‘Self Storage Facility’.
- Self-Storage Facilities are if not the lowest traffic generating use and further explained.
- Went over the trip generation calculations.
- No significant impact is forecasted or associated with this development.
- Went over the Access management design.
- Further Explained the on-site design.
- Stated the types of vehicles that the site can accommodate, and which types are the ones that would be mostly used on site.
- Parking on the site is sufficient to accommodate the demand.
- Addressed Mr. Deehan’s question.

Open to the Public

After hearing none

After seeing none

Closed to the Public.

Richard Bencivenga – Project Architect for the Applicant was sworn in by the Attorney for the Board Michael Sullivan.

Richard Bencivenga – Project Architect for the Applicant

- I am with T.A.O. Architecture Design, 1503 Glen Avenue, Suite 100, Moorestown, New Jersey, 08057
- Gave an overview of this professional and educational background.
- Licensed in 10 states and has testified before several boards in New Jersey.
- Accepted by the Board.
- Went over the configuration, layout, and location of the Building.
- Describe the materials used for building.
- Describes the proposed signs.

Exhibit A – 3

- Sightline sketch dated it 1/26/21.
- Explained how the rooftop equipment will not be visible.
- The ‘Solar Panels’ will be low in comparison to the parapet.
- Addressed the questions and comments from the Fire Marshal’s review memo dated 11/30/2020.
- It will be steel roof with metal deck.
- Addressed the comment for the Building subcode official, Sean Donlon’s report dated 11/20/2020.

Richard Bencivenga – Project Architect for the Applicant

- Addressed Mr. Critchley’s questions.
- Addressed Mr. Glawe’s question.

The Township Planner Blais Brancheau

- Clarified that the number of signs is not a violation and specified what the violations are.

Closed to the Board.

Open to the Public for questions

After hearing none

After seeing none

Closed the Public.

John McDonough – Professional Planner for the Applicant was sworn in by the Attorney for the Board Michael Sullivan.

John McDonough – Professional Planner for the Applicant

- 101 Gibraltar Drive, Morris Plains, New Jersey.

Exhibit A – 1

- The area that we are looking at is primarily non-residential.
- Described what is surrounding the site and what is consisted with what is being proposed.
- Gave the dimensions for the proposed ‘Self-storage Facility’ and the number of parking spaces, and other details.
- Went over the reliefs that the applicant is seeking and referenced Mr. Brancheau’s report page ‘2’ and further explained.
- Went over the project benefits.
- Went over the ‘Building Elevations’ and continue reviewing the reliefs being sought by the applicant.
- Addressed Mr. Glawe’s question.
- Addressed Mr. Critchley’s question.

Closed to the Board.

Open to the Public for questions

After hearing none

After seeing none

Closed to the Public.

Jhon Wyciskala – Attorney for the Applicant

- Confirmed with Mr. McDonough if he talked about the minimum trunk caliper for replacement trees or if it was talked about with the Engineer during previous testimony.

John McDonough – Professional Planner for the Applicant

- Addressed Mr. Wyciskala question.

Township Planner Blais Brancheau

- The difficulty with the ‘Saplings’ it seems to me that the argument would be applicable to all sites and explained what his concerns are with going down that road.
- When I questioned Mr. Tung to Lam earlier, I thought the understanding is that we would be planting regular size trees and further explained.
- Addressed Chairman De Nigris question.

Attorney for the Board Michael Sullivan

- Blais how would you resolve that because we were talking about a condition where in the number and spacing of the whips, would be worked out between you and the Township Arborist and then if we fall short of the number then it would be a payment in lieu.
- Do you go back to the Oath and determine that?

Township Planner Blais Brancheau

- Addressed Mr. Sullivan’s question and explained further.
- What I am saying is; absent a wet soil condition where whips are the only thing that would survive, I am saying you should not be granting relief and you should be planting fewer trees that can grow without crowding each other out and further explained.
- The best I can offer would be to say, ‘The Board grants relief only to the extent that a whip is necessary for survival to be determined post-approval as a condition and if it cannot be demonstrated then that relief would not apply, and full size is necessary.’

Jhon Wyciskala – Attorney for the Applicant

- That sounds fine.

Close to the Board.

Open to the Public

After hearing none

After seeing none

Closed to the Public.

Jhon Wyciskala – Attorney for the Applicant

- Summarized and thanked everyone for their time and ask the Board votes in favor of this application as presented.

Attorney for the Board Michael Sullivan

- This is an application for minor subdivision, preliminary and final site plan approval, variances, and exceptions if the application is approved, the conditions that I have so far would be ‘it would be subject to compliance with the Township Engineer’s review memorandum dated January 8, 2021, with respect to Mr. Brancheau’s memo dated December 31, 2020, the applicant would comply with comments “B 2, 3, 4, 5, 6, 7, 8, 9 and 11” with respect to “B-6” would be exclusively by office personal, with respect to the pavement thickness that shall comply with the ordinance provisions and plans revised accordingly unless approved by the Township Engineer and then with respect to our last condition; if the applicant can demonstrate to the satisfaction to the Township’s Arborist and Mr. Brancheau to permit whips due to soil conditions that would be satisfactory otherwise they must plant the appropriate conforming number of trees and where not feasible on site would be permitted to make a lieu of payment in accordance to the ordinance.

A motion to approve the application with conditions was moved by Member Dobson and seconded by Member Deehan.

Members Deehan, Dobson, Glawe, Olsen, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the application with conditions.

2)	CASE NO.	20-5-7	
	APPLICANT/OWNER	CARMELA POLISE KRAUEL TRUST c/o Gerald Oliverie, TTEE	
	LOCATION:	563-565 ROUTE 10 EAST WHIPPANY	
	BLOCK: 4203	LOTS: 5	ZONE: B-10

Applicant is seeking Preliminary and Final Site Plan and “C” Variance relief to stripe the rear paved area for parking and dumpster area. A variance is requested for parking

setback where the current pavement is less than 5 feet from the side yard. New lighting (full cutoff) is proposed for the rear parking area.

Copies of the filed Application forms and supporting documents submitted by the applicant can be reviewed at the following link:

<https://drive.google.com/drive/folders/1OaUrqTh4bbgw65ixYdEvm4fkKm8XTE29?usp=sharing>

Board Action Date –FEBRUARY 28, 2021

Case carried to February 23, 2021 at 7:00 PM with no further notice required.

VI. OTHER BUSINESS

None.

VII. ADJOURNMENT

A motion to adjourn the meeting was made by Member Olsen and it was seconded by Member Glawe. All Members present in favor of adjourning the meeting.

Meeting Adjourned at 9:39 PM

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