

**Minutes of the Planning Board of the
Township Of Hanover
February 19, 2019**

Chairman Eugene Pinadella called the Work Session Meeting to order at 7:01 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: Byrne, Critchley, Deehan, De Nigris, Dobson, Ferramosca, Mayor Francioli, Nardone, Olsen, and Chairman Pinadella

Absent were Members: Glawe

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

A concept plan from Joe Forgione was presented.

William Hamilton – Bowman Consulting

- Gave an overview of the site.
- They are looking for an office use.
- Reviewed the proposed drawing.
- Proposing warehouse and office building.
- It meets all bulk requirements.
- There will be three employees.
- Parking away from single family homes.
- The main access point will be on Route 10.
- Will keep most of woods.

Joe Forgione

- The office will be roughly 2,000 sq. ft.
- Is looking for a place to store equipment and furnishings.
- The building will not be open to the public.
- Only needs 10 parking spaces and would bank the rest.
- Can accommodate ultimate parking but would bank.
- It would be 10,000 sq. ft. total for the building and two stories.

Mr. Brancheau

- His opinion is that this is not a primary use warehouse; it's an accessory to the office.
- There are three options:

- Get a use variance
- Amend the zone
- Create a new zone
-
- Wanted retail characteristics for Route 10.
- They did not want it to be a warehouse/industrialized.

Mr. Forgione

- There would be no signage.
- There would be no visibility from Route 10.
- The only signage would be the number for emergency responders.
- Can put the A/C units on the ground.
- Housing is above the site.
- If put on the roof they could do a fence on the property line to limit visibility.
- There are no wetlands on the property.
- Homes are in B-10 zones.

The Board feels that this is a good use and an improvement.

Mr. Brancheau

- Feels that the ordinance needs to be changed.
- The easiest way is to amend the ordinance.
- Will have something prepared for the March work session.

PUBLIC BUSINESS

Chairman Pinadella called the Public Meeting to order at 7:35 PM and read the Open Public Meetings Act into the record.

The Board Secretary, Kimberly Bongiorno, called the roll.

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

Absent were Members: Glawe

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

I. RESOLUTIONS

Members Critchley, Deehan, Dobson, Nardone, Byrne, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of carrying the case to March 26, 2019.

2)	CASE NO.	18-8-17
	APPLICANT/OWNER:	TR STERLING HANOVER LLC
	LOCATION:	2101 GLEN DRIVE
		CEDAR KNOLLS
	BLOCK: 2503 & 2701	LOT: 23 & 6 ZONE: R-M

Applicant is seeking preliminary and final site plan approval in order to install a dog run, two entrance signs, and extend the patio and grill station at the Clubhouse. Application is variance free.

Board Action Date – FEBRUARY 19, 2019

Jennifer Alexander – Attorney for the Applicant

- Gave an overview of the application.

Mr. Brancheau and Mr. Maceira were sworn in by the Board Attorney.

Anthony Facchino – Engineer for the Applicant

- Sworn in by the Board Attorney.
- Accepted by the Board.
- Gave an overview of the existing use and property.
- There are apartments and a clubhouse.
- There is a dog park proposed in the northwest corner of the site.
- It is approximately 100 ft. by 80 ft.
- It is made of synthetic turf material so the area will always look green.
- There will be various play equipment for the dogs.
- Referred to sheet 4 of 7.
- It will be 80 ft. by 110 ft. long.
- Smaller dogs will be separated by a chain link fence from the larger dogs.
- They will have a walking path made with cinders around the park.
- Will provide benches.
- They are proposing five 15 ft. high LED lights.
- The perimeter of the site will have various trees planted to screen from the roads and homes.
- The drainage will be handled by a system that exists today.
- They want to replace the outdated signs.
- Referred to sheet 6 of 7.
- There is one sign at the intersection of Glen Drive and Ridgedale Avenue and another at the senior entrance driveway that they would like to replace.
- The signs will have two pillars on each side and a weather-proof wood material in the middle.

- Those signs were built around 1985.
- Described the proposed signage.
- Described the surrounding area.
- Discussed the patio area.
- Referred to sheet 4 of 7.
- Will expand the patio 11 ft. by the pool and install two new grills.
- Referred to sheet 6 of 7.
- It will be a masonry frame structure with grill inserts.
- All improvements are permitted by code.

Chairman Pinadella

- Questioned the dog park and its hours as well as its proximity to other properties.

Mr. Facchino

- The dog park is not restricted to certain hours by ordinance.
- It will only be open until 10 PM.
- Maintenance will clean the receptacles and they will provide a stand with dog waste bags.
- It opens at 7 AM and closes at 10 PM.
- It is 34 ft. to the closest residential property line.
- Lights can be shielded.
- Will post signs regarding the health code and the noise ordinance.

Chairman Pinadella

- Questioned the signs that are being proposed and why they are so big.

Mr. Facchino

- The sign will probably be about 6 ft. tall by 8 ft. wide so it does not look too small.

Chairman Pinadella

- Asked about buffering around the pool.

Mr. Facchino

- There is arborvitae around the perimeter of the pool.
- They could add a tree buffer screening around the patio if the Board would like.

Chairman Pinadella

- Feels this is a horrible location for a dog park and asked if they could scale it down and move it somewhere else.

Mr. Facchino

- The area they chose is extremely underutilized.
- There are no other spaces to put this dog park.
-

Mr. De Nigris

- Asked Chairman Pinadella why he disliked this so much.

Chairman Pinadella

- It is too close to the road, the lights will be on the road, and it is too close to single family residences.
- If it was further into the property it would be different but it is his opinion that this is the wrong spot for it.

Mr. De Nigris

- Asked how many units are in the complex.

Mr. Facchino

- There are 316 units on this site.
- The use of the dog park is strictly for the development and not for public use.
- This is going near the dog approved buildings.
- Will comply with all of Mr. Maceira and Mr. Brancheau's reports.

Opened to the public

Seeing and hearing none

Closed to the public

Elsie Bouchie – Property Manager

- Sworn in by the Board Attorney.
- There are 316 units including 56 senior units.
- 64 units have dogs which is 25% of the units.
- Dogs are currently walked throughout the site on the sidewalk and grass in the complex.
- She has been on site since 2011 and many residents have asked for a dog park.
- A few residents have not renewed their lease because there was no facility for their dogs to play.
- The only building that does not permit dogs is the senior units.
- All regular units allow dogs.
- Discussed the enforcement of noise regulations.
- They are sent a letter regarding policies for the site.

- There is a mechanism in the lease agreement to enforce the ordinances.
- There is also an addendum to the lease regarding dogs that makes sure other residents are not being disturbed by the dogs.
- The dog park hours would be 7 AM to 10 PM which are the same as the quiet hours for the complex.
- There are no other options on this site for the dog park.
- This is an apartment complex not a condo association so they do not need to get tenants approval for this dog park.
- Discussed the proposed grills.
- Wants something more than mobile grills onsite.
- Would like them to be more appealing and modern since they have been doing some renovations.
- The area is used often by residents.
- The pool was built in 2000-2001 along with the clubhouse.

Mr. Maceira

- The pool was part of the original Forgione-Sterling Parc approval.

Mr. Ferramosca

- Questioned alternate locations and distance for the dog park.
- Questioned enforcement.

Mr. Facchino

- It would be across the street if it was put on Elm Place.
- It would be 20 ft. away from the senior

Ms. Bouchie

- The tenants tend to self-regulate.
- The maintenance manager lives onsite.

Chairman Pinadella

- Asked Mr. Brancheau if this was considered an accessory used even though there is no roof.

Mr. Brancheau

- Yes, it is an accessory use not an accessory building.

Mayor Francioli

- Questioned how many properties Ms. Bouchie manages.
- Asked if she had experience with dog properties.

Ms. Bouchie

- Only manages Sterling Parc.
- They are a group that manages properties in this area.
- Most of the sites are in NJ and NY.
- 85% of the properties have a dog park and pet spa.
- This was done based upon requests from residents.
- They were waiting to inform the tenants of the dog park in case it was not approved.
- It would have a positive impact on the community to have dogs in one area rather than walking dogs all over the community.

Mr. Ferramosca

- Asked how the dog parks at the other sites are buffered for the residents.

Ms. Alexander

- They are putting in trees and other buffers, posting signs with rules, and if it is confirmed that they are becoming a nuisance they can ban the dog from the park and even begin with eviction proceedings if needed.

Opened to the public

Seeing and hearing none

Closed to the public

Chairman Pinadella

- Does not have an issue with the signs, the grills or the patio.
- Has an issue with the dog park.
- Thinks it is too close to a major road.
- Believes that if it was on a different spot on the property it would be better.
- Does not think the dog park should be approved.

Mr. Byrne

- This is a variance free application.
- There would need something with a basis to vote no.
- Does not have an issue with this site.

Mr. Nardone

- The risk of this operation is on the property management and if it becomes an issue they can close it down.

- Does not have a problem with the dog park.

Mr. Ferramosca

- Is concerned that there will not be enough buffering between the site and the neighbors.

Mr. Facchino

- Feels there is sufficient buffering but could add at least 2 more trees if Mr. Brancheau is alright with that.
- There are already existing trees in this area to buffer the residential home.

Mr. Brancheau

- Does not know the tree situation without looking at it in more detail.
- A solid fence might be more effective than vegetation as a buffer.

Ms. Alexander

- Would not have an issue putting in a solid fence to buffer the residential property.

The Board had an open discussion with Mr. Facchino about where else on the property the dog park could be moved to.

Mr. Ferramosca

- Thinks that the dog park is a good idea but is very concerned with the noise.
- Thinks they should move the dog park as far south as possible and put up a 6 ft. vinyl fence to deal with the noise.

Mr. Maceira

- Moving it 10 ft. to the south west would not create an issue but he would not move it more than that.

Mr. Sullivan

- Reviewed conditions.
- Compliance with comments 1-4 in the Engineers report.
- Compliance with comments 1-9 in the Planners report.
- The hours of use for the dog park would be limited between the hours of 7AM and 10PM.
- The entire dog park will be relocated 10 ft. to the south west and the plans must be corrected accordingly.
- It will be subject to review by the Township Planner and Township Engineer.
- The applicant will add a solid 6 ft. high fence along the northerly portion of the dog park subject to review by the Township Planner and Township Engineer.

- Accepted by the Board.
- The project is for a solar panel array to provide net metered power to the Hartz Mountain site.
- Exhibit A-1: aerial exhibit of the site.
- Reviewed the site and the surrounding area.
- There is an industrial area to the north, the existing sewer plan to the east, the railroad right of way to the south, and the western boundary is Algonquin Parkway.
- There are two driveways to the site.
- One serves the trucks and loading area to the south.
- The other leads to the parking areas for the employees of the facility.
- They are proposing a 300 kilowatt solar panel array.
- They will not be a producer of energy; it is only covering about 40% of their needs for this site.
- Each module of the 957 panel is roughly 40 in. by 80 in.
- Exhibit A-2: site plan drawing dated 11/5/18.
- Explained how solar panels work and how they provide energy.
- Exhibit A-3: shows the cross section of the racking system.
- The site gets visited quarterly for maintenance to be inspected and to make repairs to the system.
- The area under the panels will stay as a lawn.
- There will be an access gate at the lower corner of the array.
- The fence proposed is 7 ft. high and galvanized steel fence.
- There will be no increase in impervious coverage.

Mr. Sullivan

- Questioned the addresses and the consolidation of lots.

Mr. Rosati

- It appears that the owners of the two lots are different but the mother company is the same.

The Board and the applicant clarified the different sets of plans that were being looked at.

Chairman Pinadella

- Asked if they had written permission from both LLC's that own these lots even though they have the same parent company.
- Asked what buildings were being served by the solar panels.

Mr. Ratikin

- They are part of the same entity and they have a vice-president of both companies here tonight and he can confirm that they do consent to this project.

Mr. Rosati

- The only building that will use the energy from the solar panels is the one on the site.

Chairman Pinadella

- Questioned the note that said these were part of zone X and what zone X is.

Mr. Brancheau

- Zone X is a FEMA term.
- Explained FEMA flood map designation.

Mr. Rosati

- Reviewed the Planners report.
- Exhibit A-4: sheet S-1 modified 2/19/19
- Proposing to add an additional 13 evergreen trees along Algonquin Parkway.
- In regards to item b they are not planning on having any reflective material as they want to be absorbing as much of the sunlight as possible.
- They are proposing a 7 ft. high galvanized chain-link fence around the array.
- Would like it for security purposes and does not feel that it would cause a negative impact.
- Exhibit A-5: old parking layout plan titled Proposed MI Movers Building Ultimate Drainage Plan and dated November 9, 1999.
- If necessary the panels could be raised to allow for a car port system to address the parking deficit.
- Showed the Board that they have other options on the site to add parking if ever needed.
- Addressed the tree removal and they will comply.
- Continued to address the Planners report.
- Showed the revision of the gate widened from 3 ft. to 12 ft. at the southwest corner of the array.
- Reviewed the Engineers report.
- Agreed with items 1 – 5.

Mr. Maceira

- Clarified that there were no issues with the sewer easement.

The Board wants a courtesy review done by Morristown Airport to make sure the glare will not be an issue.

Opened to the public

Seeing and hearing none

Closed to the public

Mr. Sullivan

- Summarized the conditions.
- Compliance with items 1-5 on Mr. Brancheau's report.
- Compliance with items 1-5 on Mr. Maceira's report.
- The lot consolidation should be filed before they are issued a CO.
- Trees added by Algonquin Parkway are subject to review by Township Professionals.
- A courtesy review will be given by Morristown Airport.

A motion to approve with conditions was moved by Mayor Francioli and seconded by Member Ferramosca

Members Deehan, Dobson, Nardone, Olsen, Byrne, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor approving the application with conditions.

IV. OTHER BUSINESS

Referral of Ordinance 6-2019 – Amending Article X Performance and Maintenance Guarantees including sections 166-63 through 166-73 under chapter 166 if the code of the Township entitles Land Use and Development Legislation in order to make said chapter consistent with the New Jersey Municipal Land Use Law and authorizing the Chairman to sign referral letter to the Township Committee.

A motion to refer the ordinance to the Township Committee was moved by Member Nardone and seconded by Member De Nigris.

Members Deehan, Dobson, Nardone, Olsen, Byrne, De Nigris, Mayor Francioli, and Chairman Pinadella all voted in favor of referring the ordinance to the Township Committee.

Member Ferramosca abstained from voting.

A motion to adjourn was made by Member Ferramosca and seconded by Member Byrne. All members present in favor of adjourning.

Meeting Adjourned at 9:20 PM

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