

**Minutes of the Planning Board of the
Township Of Hanover
February 22, 2022
PUBLIC MEETING 7:00 P.M. VIA ZOOM WEBINAR ONLY**

PUBLIC BUSINESS

I. STATEMENT BY PRESIDING OFFICER

Chairman Peter De Nigris called the Public Meeting to order at 7:00 PM and read the Open Public Meetings Act into the record.

II. ROLL CALL

The Board Secretary, Kimberly Bongiorno, called the roll.

In attendance were Members: Critchley, Deehan, Chairman De Nigris, Mayor Ferramosca, Gallagher, Glawe, Monzo, Neidhardt, and Thomas.

Absent were Members: Byrne and Olsen.

Members from the Public: Terri Baird

Also present were Attorney for the Board, Michael Sullivan, Esq.
Board Secretary, Kimberly A. Bongiorno, LUA
Township Engineer, Gerardo Maceira, P.E.
Township Planner, Blais Brancheau, PP

III. RESOLUTIONS

1) **CASE NO.** 21-8-9
APPLICANT ECLIPSE VETERINARY CARE
OWNER HANOVER RENAISSANCE, LLC
LOCATION: 1 PAPERMILL DRIVE, WHIPPANY
BLOCK: 9001 **LOTS:** 1.01 **ZONE:** B-10

Applicant sought Preliminary and Final Site Plan approval for a change in use to a 24-hour Veterinarian Hospital. All proposed renovation work is interior. The only exterior improvements will be the installation of a mobile MRI unit, exterior signage, two new rooftop a/c condensing units and an emergency backup generator. The MRI unit and emergency generator will be located behind the existing fence in the former playground. There will be one new monument sign and one new wall mounted building sign along with the existing freestanding sign at the intersection of North Jefferson Road and Papermill Drive. **Application approved with conditions February 15, 2022**

Clint Allen, Esq. – Attorney for the Applicant

- Introduced the witnesses for the night.
- Gave a brief introduction explaining the location of the property, what they are proposing and the variances they are seeking.

Thomas Allman – Director of Construction and Development was sworn in by the Attorney for the Board, Michael Sullivan, Esq.

The Township Engineer, Gerardo Maceira, P.E., and the Township Planner, Blais Brancheau, PP were sworn in by the Attorney for the Board, Michael Sullivan.

Thomas Allman – Director of Construction and Development

- 78 Sharon Drive, Richboro, Pennsylvania
- We are based outside of Philadelphia, we buy and renovate buildings, we bought this one from Pennzoil Quacker State Company back in July 2021, since then we have worked with Gary to get an agreement to lease the space.

Open to the Public for questions

After hearing none, after seeing none

Closed to the Public

Gary Cancro – Represents the perspective tenant and was sworn in by the Attorney for the Board, Michael Sullivan.

Gary Cancro – Represents the perspective tenant

- 582 Parker Avenue, Brick, New Jersey.
- My title is Business Development in Northern New Jersey and the New York region for Universal Supply Company, LLC, I have been in the industry for over forty years.
- We are a warehouse distribution center, we sell roofing products, siding products and accessories that go with it.
- We sell to large contractors, wholesale distributions.
- We use transit vans to get the product out to customers.
- The kind of equipment on site are three types of vehicles, boom trucks, straight trucks, and a tractor trailer.
- There is a maximum of ten to twelve employees on site.
- Monday through Fridays we operate from six am to six pm, on Saturdays we have extended hours. We close in the winter usually after thanksgiving and we open from the Mid-February to the end of February those hours are seven to twelve, no Sunday operations.
- Stated which materials will be stored outside.
- Addressed Chairman De Nigris question regarding where the heavy equipment will be moving.

- Addressed Mr. Critchley’s question regarding the retail walk up business.
- Addressed Mayor Ferramosca’s question regarding the outdoor storage visibility from Jefferson Road.
- Addressed Mr. Neidhardt’s question regarding the storage of material outside of the building versus inside of the building.
- Addressed Mr. Thomas’s question regarding the location for the outdoor storage.
- Addressed Mr. Sullivan’s question regarding the extended hours and stated it is weather permitting from six am to noon.

Open to the Public for questions

Terry Baird

- What is the number of wholesale buyers or contractors that you will have in the building at any given time?

Gary Cancro – Represents the perspective tenant

- I would say no more than two or three at any given time and further elaborated on it.

Closed to the Public

Mark Janiszewski – Professional Engineer for the Applicant was sworn in by the Attorney for the Board, Michael Sullivan.

Mark Janiszewski – Professional Engineer for the Applicant

- One thousand Waterview Drive, Hamilton, New Jersey.
- Gave his professional and educational background.
- All his licensing is current and in good standing.
- Accepted by the Board.

Exhibit A-1

- The address is 55 South Jefferson Road, titled “Aerial Exhibit” dated February 02, 2022.
- The property is outlined in red.
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Exhibit A-2 – Was not entered into the record

Exhibit A-3

- Site Plan, sheet 3 of 6 titled the “Dimension Plan” it shows our proposed improvements.
- At the rear of the property there is a gravel area that is where we are proposing to store our outdoor materials and further explained where the fencing will be placed, and they type of fencing that is being proposed.

- The parking is in the norther portion of the building and further elaborated on it, also explaining the reduction of parking spaces.
- Indicated the location and fencing for the proposed additional dumpster.
- Went over the lighting.
- Addressed Chairman De Nigris question regarding the availability to add additional parking should the need arise.
- Addressed Member Neidhardt's question regarding the current lighting being shield and the willingness to do that if required.
- Addressed Mr. Brancheau's question regarding the location of the loading bays on the northern side of the building and the movement of the truck to get in and out of the loading bays.
- Addressed Mr. Brancheau's question regarding what is preventing the carboard box dumpster from being moved.

Gary Cancro – Represents the perspective tenant

- Addressed Mr. Brancheau's question regarding the bay area, /door on the south side of the building and the reasons for being enclosed.

The Township Planner, Blais Brancheau

- Gave his reasons for requesting a future reserved parking plan

Mark Janiszewski – Professional Engineer for the Applicant

- We can provide that plan and further elaborated on it.

Attorney for the Board, Michael Sullivan, Esq

- Blais, are you looking for a future reserve parking plan that has a minimum number of parking spaces so that at least we have some parameters?

The Township Planner, Blais Brancheau

- Addressed Mr. Sullivan's question.

Attorney for the Board, Michael Sullivan, Esq

- The question for the engineer is, do you believe you can provide a 'Reserved Future Parking Plan' that would add an additional thirty-seven parking spaces that would bring you up to the required "55" spaces?
- We need to quantify this; this is what I am concerned about.

Mark Janiszewski – Professional Engineer for the Applicant

- Addressed Mr. Sullivan's question.

The Township Planner, Blais Brancheau

- Addressed Mr. Neidhardt's question regarding the ADA parking and credits.

Open to the Public

Terri Baird

- 180 Parsippany Road
- My question relates to the trucks that will be coming in and out of the site.
- How is a tractor trailer going to maneuver in there and do you get many tractor trailer deliveries?
- Can you show me how the tractor trailer would maneuver?

Gary Cancro – Represents perspective Tenant

- Addressed Ms. Baird's questions.

Closed to the Public

Mark Janiszewski – Professional Engineer for the Applicant

- Addressed Mr. Brancheau's question regarding the circulation of tractor trailers for deliveries on site and if the loading docks are raised.

Thomas Allman – Director of Construction and Development

- Further elaborated and clarified to address Mr. Brancheau's questions.

The Township Engineer, Gerardo Maceira, P.E.

- As part of this application, I do not see any provisions for signage for this building, or the use and how that is going to be managed and whether is compliant with code.

Gary Cancro – Represents perspective Tenant

- I have to meet with someone tomorrow, to propose something to bring to Exeter and then to the town.

Clint Allen, Esq. – Attorney for the Applicant

- Addressed Mr. Monzo's question regarding photographs to be shown with the presentations.

Thomas Baglivo – Architect for the Applicant was sworn in by the Attorney for the Board
Michael Sullivan

Thomas Baglivo – Architect for the Applicant

- 301 East Germantown Pike, East Norriton, Pennsylvania.
- All his licensing is in good standing.

Clint Allen, Esq. – Attorney for the Applicant

- Exhibit A-2 is a property survey, and it was not put on the easel.
- That survey was included as part of our application.

Thomas Baglivo – Architect for the Applicant

Exhibit A-4

- Sheet EX-01, EX-02 & EX-03 are the architect Plans.
- EX-01, shows about 95 percent of the existing conditions, the women's' room is being added to the plan, there is a communication room being added room 115 and the portion of the ramp that is going to connect to the entrance.
- EX-02, it is the second floor that is existing, and we are adding a storage door.
- EX-03 it is an overall plan of the building.

Open to the Public

Terri Baird

- 180 Parsippany Road, Whippany
- Which of the files in the cloud that the applicant you are talking about?
- Where is the showroom where the contractors will be coming in to see what you have?

Mark Janiszewski – Professional Engineer for the Applicant

- Addressed Ms. Baird's question and shared his screen showing EX-01, EX-02 and EX-03 plans.

Thomas Baglivo – Architect for the Applicant

- Addressed Ms. Baird's question regarding the showroom and its location.

Closed to the Public

Mark Janiszewski – Professional Engineer for the Applicant

- We have applied for the NJDEP for the Wetlands letter of interpretation and further elaborated on it.

Open to the Public for comments and or questions

Terri Baird was sworn in by the Attorney for the Board, Michael Sullivan, Esq.

Terri Baird

- Is there any landscaping that is going to be done?

Mark Janiszewski – Professional Engineer for the Applicant

- Addressed Ms. Baird’s question.

Closed to the Public

Mark Janiszewski – Professional Engineer for the Applicant

- Addressed Mr. Neidhardt’s question regarding whether the storage will be on the existing gravel and if the gravel conforms with the code.

Clint Allen, Esq. – Attorney for the Applicant

- Summarized and gave his closing statement.

Attorney for the Board, Michael Sullivan, Esq.

- Clarified with Mr. Brancheau the number of parking and conditions of approval for it.
- Clarified with Mr. Brancheau if he agreed that a variance for building setback would not be required.
- With respect to this application this is a Preliminary and Final Site Plan Approval as well for a variance for the number of parking spaces.
- If the Board thinks approval is warranted, it would be subject to the applicant must comply and satisfy with items “1” through “5” contained in Mr. Maceira’s February 18, 2022, memo.
- The applicant would also be required to comply with and to satisfy paragraphs “B1” through “B.7” contained in Mr. Brancheau’s February 17, 2022, memo.
- Again, with respect with the one item dealing with the future parking plan, we will set it up as a separate condition. The applicant is required to provide a minimum of eleven additional future parking spaces for a total of twenty-nine spaces, the applicant would also be required to maximize that number of future spaces and that would be subject to review and approval of Mr. Brancheau and Mr. Maceira.
- The applicant will be bound by all representations made on his behalf by his attorney and professionals during the course of the Public Hearing.
- The applicant is also required to be responsible for the payment of all escrow charges incurred with respect to review of this matter.
- Any new signs shall comply with applicable ordinances.

A motion to approve this application with conditions was moved by Member Deehan and seconded by Member Neidhardt.

Members Deehan, Monzo, Glawe, Neidhardt, Thomas, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the application with conditions.

VI. OTHER BUSINESS

Chairman De Nigris

- Gave an update on live meetings.
- Congratulated Mayor Ferramosca on his birthday!

Member Monzo

- Do we as a board provide to a prospective applicant anything of a guideline or with a package that they use to help them prepare their case?

Board Secretary, Kimberly A. Bongiorno, LUA

- There is an application packet that is given out depending on the type of application, there is a check list that goes out with the application, we go through completeness review via zoom prior to the application getting to you.
- For homeowners, there is a more detailed instructions list because they do not do this on a regular basis like land use attorneys do.

Member Monzo

- For the past couple three sessions I might have not been the nicest of persons because there are components of these presentations that are lacking.
- As an example, I asked a question this evening about photography and the answer was none provided, I asked that question at our friends at Eclipse and none was provided, it would have been nice at Performance Ford which is under construction and further elaborated on it.
- It makes me wonder; do we provide may be more appropriately called a list of expectations on behalf of the board members as to what we want to hear about.
- Phil has not in a while talked about EV stations on some of these things, and even tonight thank goodness Ms. Bird was in the audience to speak on behalf of the public and further elaborated on it.
- The applicant should know in advance that these are the hot buttons that we have as a community, and they should be prepared even if it is a two-minute explanation to address those hot buttons over and above the things Kimberly that perhaps they get as an applicant, the check list that they perhaps have to check the box for the fire department, the police department, etc.

Board Secretary, Kimberly A. Bongiorno, LUA

- No, that is not what the check list is, and the check is what is required on the site plans, the applications, some of the outside agencies, different things like that.

Member Monzo

- Would it be asking too much to ask for you to share that list with us, so we know that they are getting?

Board Secretary, Kimberly A. Bongiorno, LUA

- Blais, was it this board or the Governing Body that had to approve the checklist?

Attorney for the Board, Michael Sullivan

- The Governing Body ultimately had to approve the checklist.
- The checklist is important because that is how completeness is determined, so if all the items are provided and the application is deemed complete the timing in which the board must act commences so if it is a variance is one hundred and twenty days, certain site plans are forty-five or nine five days and that has to be approved by the Governing Body.
- That is a formal way to do it.
- Some of these items that we are talking about site photographs, you can put those on a check list with that process would then have to go back to the Governing Body to get approved or you can do it informally as part of your first completeness review where you can mentioned to the applicant that the board typically likes to see some sort of site photographs so they can be familiar with the site.

Member Monzo

- I like the second way because the more we try to formalize it, the more red tape it has to go through.

Member Glawe

- There could be a suggestion list to make it simple and easy on the board, so we are not spending a lot of time and saves us time on questions.
- A picture is worth a thousand words.

Member Gallagher

- Chuck, I really appreciate your recommendations; it think it would make it a lot easier. As far as the recommendations to send it to the Governing Body I would like to talk to John about that.

Member Neidhardt

- I would like to see what Blais thinks of this, because I tend to agree with the comment that if you try to formalize it then you have to try to cover every situation and then it is like they have to do it.
- I think when Blais, and Kim and Gerry are looking at these during a completeness review they kind of know what we would like to see and if we give them some direction on that, the informal way is the way to go.

Township Planner, Blais Brancheau

- When Gerry and I meet with the applicants we have a one size fits all check list, we used to have about twenty-five check lists, and it was a nightmare.
- Further elaborated and explained what it means to have a “one size fits all” check list.
- We are trying to strike a balance between making the applicant spend a lot of money on and a lot of time preparing documents that are not really necessary for their case or not providing enough information.
- If the Board would like to routinely see something let Gerry, Kim and I know and we will emphasize that more during our completeness reviews, but at the same time we are not trying to be punitive with the applicants by making them do a lot of stuff that is not relevant for their case.
- In a new building or an addition, we always require elevations drawings that would shows us what you are looking for.
- In a new development or in a substantial development we would ask for landscaping plans and things like that and further elaborated on it.

Mayor Ferramosca

- Blais, I believe the deputy Mayor as Director of Planning has put forward that he wants to discuss this with me, I will be discussing it with him, and we are going to ask you to provide us with for our next planning work session a recommendation on how best to address this, but this is not the time or the place.

Township Planner, Blais Brancheau

- No, I just wanted to explain the process and we can talk about it more in the future.

Member Monzo

- Thanked everyone for hearing him.

Pete De Nigris

- Blais, is there any requirement that we as Board Members visit the site?

Attorney for the Board, Michael Sullivan

- Let me answer that, there is not a requirement for a site visit, the case law says that if a Board Member goes to a site and if anything, that he sees is part of the basis for his decision, then he needs to put the findings on the record and further explained it.
- Addressed Member Monzo's comment regarding the notification of their findings when visiting a site to the professionals. It is part of the record if that issue comes up and there is something you saw raise it at the public hearing, so the applicant has the opportunity to address it.
- What we do not want to happen is have board members do site inspections and then have discussions outside the confines of a public hearing, everything has to be done in the public hearing.

VII. ADJOURNMENT

A motion to adjourn was made by Member Monzo and seconded by Member Glawe.

In voice all present voted in favor of adjourning the meeting.

Meeting Adjourned at 8:42 PM

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