

**Minutes of the Planning Board of the
Township Of Hanover
March 19, 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: Byrne, Critchley, Deehan, De Nigris, Ferramosca,
Mayor Francioli, Olsen, Chairman Pinadella.

Absent were Members: Dobson, Glawe, Nardone

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

At 7:01 pm, The Board went into Closed Session:

Motion to adopt a resolution authorizing the board to go into Closed Session to discuss pending litigation of Docket No.MRS-L-002125-18. Anthony Ciullo V Planning Board.

Moved by Member Byrne.

Second in by Member Ferramosca.

All members present in favor.

At 7:17 pm, Motion to go back into Public Session:

Moved by Member Byrne.

Second in by Member Ferramosca.

All member present in favor.

Mayor Francioli and Blais Brancheau discussed property dispute at Dunkin Donuts.

Chairman Pinadella reviewed the agenda for the evening.

PUBLIC BUSINESS

Chairman Pinadella called the Public Meeting to order at 7:34 pm and read the Open Public Meetings Act into the record.

The Board Secretary, Kimberly Bongiorno, LUA called the roll.

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

Absent were Members: Dobson, Glawe, Nardone

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

1) RESOLUTIONS: NONE

2) MINUTES: NONE

3) PUBLIC HEARINGS

1) **CASE NO.** 18-11-19
 APPLICANT/OWNER Novartis Pharmaceuticals Corporation
 LOCATION: 220 East Hanover Ave.
 Cedar Knolls
 BLOCK: 601 **LOTS:** 1.01 **ZONE:** IB-3

Applicant is seeking Preliminary and Final Site Plan and Variance relief for the installation of an above ground 19-foot-tall CO₂ tank and associated improvements. The proposed improvements will allow the applicant to continue its operations while increasing its production capabilities to meet the standards and needs of the industry.

Board Action Date – April 13, 2019

James Weber – Attorney for the Applicant

- Stated this is an Application for preliminary and final site approval, seeking two variances because of the cumulative amount of above ground storage tank capacity on the site currently 8,000 gallons where

only 2,500 is permitted, the new tank approximately 19 ft. tall will have a capacity of 31,120 gallons of Carbon dioxide in a liquid form, it is then vaporized and delivered to the facility in a gas form by a tanker truck.

- There is a currently small CO2 tank inside the facility, and the facility requires the additional capacity in order to be able to manage and prepare and satisfied the very important therapeutic function that it serves

- The facility is a CART facility which stands for Chimeric Antigen Receptor T Cell therapy. A cancer therapy where they take a portion of blood from the patient, take the T cells out of that patient, reintroduced the blood back into the patient.

- The T cells are sent into this one facility in North America which is approved by the FDA for that therapy. The carbon dioxide is part of the process where the T cells are chimerically altered, redelivered to the patient.

- To his understanding these are patients have suffered from leukemia, young adults, juveniles, he stated has been told this is a therapy that comes after they have gone through radiation therapy, chemotherapy and they are on this last process.

- It is something that needs continuation, once the T cells reach the facility it has to go through, not sure how long it takes, days, but cannot be interrupted, once interrupted they have to go back again and for this patients this is a significant interruption

- Has witnesses as follows: Steve Hotra from Novartis pharmaceutical, Lisa DeDrolomo from PS&S a Civil Engineer and a Mechanical Engineer from Air gas

- Stated this is not a flammable gas.

- There is a second variance if the tank if visible form a surrounding property stated the tank is proposed in the rear of the building, it is not visible form Ridgedale Ave, it is behind Shoprite loading dock. Was corrected it is not visible from Hannover Avenue.

Steve Hotra from Novartis Pharmaceutical, Sworn in by the board Attorney Michael Sullivan, ESQ.

-Steven Hotra Resides at 220 East Hanover Ave, Cedar Knolls, NJ.

- He is a technical project leader and he is authorized to speak on Novartis' behalf on this matter

- Described the purpose of this application. There are only two facilities globally that do this process (CAR) and Novartis is one of them and the FDA has approved it. They are expanding their operations

and manufacturing within the facility, part of the manufacturing process includes carbon dioxide for the bio reactors for the t cells to grow over a 10 day process, for the overall process is 20 days.

- Currently have a 500 gallon tank in the facility draws out quickly and requires a lot of deliveries. The new tank is sized properly to service patients for the future years, about 6 K to 7 K patients in the next few years.
- To answer Chairman Pinadella's question, it jumps from a 6 ton tank to a 14 gallon tank ton tank, which is 3,120; there is nothing in between so had to go with the 3,000 gallon tank.
- Exhibit A-1 Visibility of the tank what is shown in front of the building. The front of the building is not the view from Hanover Ave. The view from our campus looking north, this is the front of our building versus the view of Hanover Ave. The tank is showing above the tractor trailer; the tank is consistent with the façade of the building.
- The CO2 will be delivered via truck delivery, with frequency of once every couple of weeks to few weeks.
- Once the trucker delivers the liquid CO2, is hooked up to the tank and it is distributed through the facility via piping system and it vaporized into a gas. Gas that it is used in the process for this CAR product.
- The hazards associated with CO2. What would happen in the event of a major leak within the tank itself? The liquid CO2 once exposed to the ambient air (atmosphere pressure) turns into a solid and over a 3-4 day period, depending how much CO2 is in the tank it would the evaporate into the air. From a safety perspective they don't see much concern.
- Is there a common term for frozen CO2? It is Dry ice
- Is it flammable? No it is not flammable
- Is it explosive? No it is not explosive
- If touched by the skin when it is dry ice can it burn? Yes it can but has there are safety parameters in place in the event that that happens. Air Gas has people that can address that matter to make it safe.
- It is monitored by Air Gas and Novartis internally, on and off site. There are sensors in the tank to let Air Gas know when a delivery is needed and a phone call doesn't have to be made every time it gets low
- In the event of an unanticipated release is there someone on site every day? The site is a 24/7 site, there is security personal at the front desk at all times in the event of an emergency there are parameters and SOP's in place to make phone calls to the right people in case of an emergency.
- Has reviewed the comments of the Board professionals, comments by Mayor Francioli, about the screening where reviewed regarding the view from the ShopRite's property 10 to 12 grade differential elevation between Novartis property and Shoprite's property you will only be able to see the top couple of feet from the top from ShopRite's property there is a significant distance between the two properties,

also a wooden buffer between the 2 properties. All these items allow for us to feel as if the variance could be granted for the CO2 tank.

- There is a nitrogen tank that this board has approved currently on site that has an 8 foot chain link fence. Are you proposing any slats inside the 8 foot tank fence or will be kept open or maintenance and inspections? It is being kept consistent not slats throughout the fence. If approved by this board agreed to have the white oak trees relocated and the proposed trees located too closed to be relocated.
- Had the opportunity to review the report made by Mr. DiGiorgio from the Fire Department dated 1/21/2019 in which a fire alarm was requested to be installed and discussed that with the representatives of Air Gas and there would be alarming functioning in the Novartis side and the Air Gas side.
- To the extend if approved the application, Steve Hotra agreed to the condition to consult with the Fire Chief of the Department to see if this is acceptable with him and to agree to follow his recommendations, having the right to come back to the board and seek deferral from that.
- Agreed to install the additional ballots alongside the parking lot and the tank.
- Mr. Ferramosca wants to know, why this tank is not being screen if there is an impact to the neighbor. Steve Hotra feels in terms of the distance, in terms of the elevation and it terms of the tree buffer, it wasn't required.
- Novartis looking in the direction of Shoprite for the picture we are looking at the loading ducks and tractor trailers. The visibilities of the tank will not be seen form the lowest neighbor on the west side of the facility because the tank is in the east side of the building and right around the left.
- There is no space in the east side of the property to plant trees for more screening. There are trees planted on the east side and they are not doing well and are dying.
- Exhibit A – 2, shows a photo of the back of the Shoprite property where Novartis is to the left and Shoprite is to the Right of the photograph. The tank will be 800 feet from East Hanover Ave.
- Mr. Byrne is not concerned that someone if somebody driving a truck in the back of Shoprite can see a tank that is 800 feet form East Hanover Ave.
- Do you have any outside machinery pumps, pressure gages, regulators, that will be working around the tank? Question deferred for John Sauer form Air Gas.
- Member DeNigris, when it turns into a solid in the tank, does it expand? Steve Hotra, no it does not.

Meeting Opened to the Public after seeing and hearing none.

Meeting Closed to the Public,

John Sauer from Air Gas, Mechanical Engineer was sworn by the board Attorney Michael Sullivan, ESQ.

- John Sauer, resides at 37 Marion Road, Verona NJ

- Qualifications, Mechanical Engineer with Air Gas, Director of bulk operations for the East region of Air Gas from NY to Virginia, Pennsylvania, Maryland, and Delaware. He is responsible for projects for bulk installations that are going to be put at customer's sites. Doesn't need to be licensed for every state that he deals with because he is not designing the concrete pads that the tanks are going into.

- Has experience with Air Gas for 20 years in various roles, national and regional, before that with BOC Gases in Murray Hill, NJ for 14 years.

- Primary hazard of CO2 is that it would displace oxygen, and if there was a large release it can potentially displace the oxygen into the air in that area; so you would want to stay away from that area to allow the tank to vent out.

- A board member asked what the pressure that we experience at sea level is. John Sauer; the pressure at sea level is 14.7 PSI. Mr. Sullivan, at 70 it is a much heavier pressure. John Sauer, once it gets to the pressure of the ambient in Hanover it would immediately turn in to solid, dry ice, and CO2 doesn't expand like water does when solid.

- A board member asked, how many complete ruptures have you witness, have been exposed to or heard about in his career. John Sauer stated has not been aware of any ruptures during the whole time he has been doing this.

- A board member asked what the safety features that this tank has are. John Sauer stated the tank is designed according to the ASME (American Society Mechanical Engineers), for pressure vessels and this is a special code due to being cryogenics but it is part of the pressure vessels codes. There are pressure relieve valves, dual relieve valves on the tank so the normal operating pressure of the tank is 300 PSI the design pressure is 350 PSI and if the pressure reached 350 PSI there is a relieve valve that would release the pressure from the head space of the tank in form of Gas to prevent a rupture

- The tank is operating at 300 PSI so it can be at gas and liquid at 300 PSI. There is some gas inside that can be released.

- A board member asked how this will be delivered to the facility, John Sauer stated it will be delivered as a liquid form in what is known as a vacuum jacketed tank so it is one tank inside another with a vacuum in between it, the reason that is done is because the vacuum is an excellent insulator the insulator you can get to maintained the liquid as a liquid and to prevent a heat leak from going in. Mr. Sullivan asked, as a result if you were to touch the outside of the tank then John Sauer stated it would be at an ambient temperature.

- It is vaporized at the pad, the tank would be at a concrete platform, the liquid would come out of the tank to the vaporizer where we use some electricity and heat to convert liquid into gas, and then it would go into a regulator to control the gas pressure that they need to supply inside the building.

- There is a level gage and a pressure gage so someone locally can look at those, there is also a wireless system, same kind of thing of your cellphone we can get a signal from the tank that shows what the lever and pressure inside the tank. There is a central dispatch center 24-7 that monitors those levels of oxygen for our customers.
- The issue with a tank below ground is that if it needs to be service the tank would be enclosed and you don't want the tank enclosed if there is any release you want it to go into the atmosphere. Could this tank be horizontal but because of footprint and space consideration we went with the vertical version.
- Mayor Francioli questioned the outside machinery, pumps or pressure regulators and what will the noises be, what are can be expected the pump. John Sauer stated not moving parts just the pump that is in the delivery truck and the noise will be during the filling process. The 300 PSI should be enough to push the liquid into the tank. The pressure relive valve will go off at 350, it will open and it will give a hissing sound. The duration of the release depends on what is causing the problem. The tank is set to keep a constant 300 PSI if there was a release hopefully it is a slight off set condition the pressure will drop and reopen. The pressure relive valve is within 10% of the set point so if it is 350, it would have to go 10% below that for it to reset. It could be noisy, but if the safety is going then it is because there is an issue it is not normal for the safety to go. The electronic device will catch it before it gets to that point.
- The drivers a train to look at the tanks and notify us if there is anything that doesn't look proper. There is also as part of an Air Gas procedure where annually we will send a technician to do an inspection to look at the gages so this either have to replace or remove and tested. The safety relieve valves are replace every 5 years.
- Steve Hotra stated the 500 gallon on site will remain on site and will be used as a backup.

Opened to the Public.

After seeing or hearing none.

Closed to the Public.

Opened to the Public for comments. After hearing or seeing none.

Closed to the Public

The Attorney for the Board, Michael Sullivan ESQ summarized conditions.

- The applicant stipulated they will comply with B3-and B4, It is necessary to carry B1 over, Mayor Francioli no it I don't think so.

- If here is a motion to approve the application preliminary and final site plan and variances subject to compliance items 1 and 2 in Mr. Maceira's March 18, 2019 memo, which includes the comments from the fire department, but also will be subject to compliance with items B3 and B4 Mayor Francioli March 18, 2019 report.

A motion to approve this application with conditions was moved by member Byrne and seconded by Mayor Francioli.

Members Critchley, Deehan, Olsen, Byrne, DeNigris, Ferramosca, Mayor Francioli and Chairman Pinadella all voted in favor of approving this application.

2)	CASE NO.	17-7-9-R1
	APPLICANT/OWNER	HANOVER & HORSEHILL DEVELOPMENT LLC
	LOCATION:	178 E. HANOVER AVENUE CEDAR KNOLLS
	BLOCK: 701	LOTS: 1.01 ZONE: IB-3

Applicant is seeking amended preliminary and final site plan approval and "C" variances in order to amend the previous approval for a 3,010 square foot bank with drive through. The improvements associated with this application include a 2,736 square foot bank with drive up ATM, 12 additional parking spaces, landscaping and other ancillary site improvements.

Board Action Date – JUNE 5, 2019

Damien Del Duca, Attorney for the Applicant.

- Represents Hanover and Horse Hill Development LLC, and owns the site in question.
- Proposing a Chase Bank, located on the corner of Horse Hill and Hanover, there have been multiple approvals on the site. Originally in 2012 were granted approval for the ShopRite on the site, known as phase A, also at that time were granted preliminary approval only for faces B and C. Phase B is what is an existing 10,150 sq. ft. retail building with various tenants including Starbucks and phase C was a Bank pack, originally 3,010 sq. ft., with 4 drive through lanes up along Hanover Ave near the driveway to the northwest way of the site
- In 2014 while the ShopRite was being built, my client came back for final approval for phase B the reetailed building which has been built, and phase C for the bank which was never constructed and the approval has been extended a couple of times.

Exhibit A-1, dated March 19th Rendering showing tank location.

- My client has recently entered into a lease with Chase bank and we are back for amended site plan and approval. It is an amended approval because you have already approved the bank at this location.
- The principal changes. The building is a smaller building with 2,736 sq. ft., with 1 drive through ATM lane, and 3 ATM'S inside (1 in the lobby and 2 inside for when the bank is open), no tellers. This Bank will have people working there offering financial services.
- Originally 4 variances were required, 3 variances have been eliminated, and today only 1 variance is required for 2 wall signs one in the front and one in the North side facing the driveway. Your ordinance only allows one wall sign. Chase has indicated can comply with the 3 sign related minor waivers. Seeking an amendment from the previous approval.

Exhibit A - 2 colored rendering of site plan sheet CO5

- Has review letters from your professionals, from Mayor Francioli's dated March 18, Mr. Maceira's dated March 18 we will identify a couple of clarifications very few.
- 2017 came here for approval to expand the supermarket, to put a hydroponic green house on the roof, a restaurant and site improvements approval granted in 2017. That plan has not been perfected as of this date; we will go forward with that plan. Expectations are that the bank will be constructed before go through with the 2017 plan approval.
- Chairman Pinadela, wants to see the driveway and parking improvements submitted with 2017 plan's approval, as a preliminary to getting the bank done.

Exhibit A-3 Colored site plan showing 2017 approval in green and the proposed bank in purple

- Damien Del Duca stated submitted sheet CO3 dated November 15, 2018,
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- Exhibit A- 3 showed the realignment of the driveway, added 18 parking spaces and some site changes associated with it all the way to East Hanover Avenue on the south side of the site.
- Chairman Pinadella stated this should be started and hopefully finished as the bank is being develop, Damien Del Duca stated will be discussed with client.
- Chairman Pinadella stated what's done on the roof of Shoprite can be delayed as long as ShopRite would like.

Kyle McKenna, Engineer for the Applicant – Bohler Engineering- sworn by Board Attorney Michael Sullivan, ESQ.

- Resides at 35 Technology Drive, Warren, NJ.

- Professional Qualifications, Bachelors in Science Degree for Civil Engineer from Rutgers University, Professionally Licensed Engineer in New Jersey, has been with Bohler Engineer for 7 years, working in site design and land development and has been intimately involved with this project since the beginning.
- License is current, Qualifies as a professional, expert Engineer.

- Overview of the site Plan changes proposed, from the factual statements in regards to the parking spaces from the site plan from 2017, there is a net increase of 19 parking spaces for the resolution.

- Reference to exhibit A- 2: it is a colorized version of the site plan sheet C05. The proposed improvements include a 2,736 sq. ft. bank where as the previous application proposed a 3,010 sq. ft. bank.

- Under the existing conditions the area in question proposed improvements is really just a gravel pad abounds by Belgium block curving drive outs and parking area beyond that. Outside access for vehicles will be provided mainly by the northern entrance of Hanover Avenue, where customers can circulate into the bank area.

- There will be directory sigs to navigate customers to the main entrance, the parking area, and drive up ATM.

- There is a net increase of 12 parking spaces, 7 of which are located immediately adjacent to the front of the proposed bank and the other 5 are located beyond the drive-up ATM; to the southern side of that drive out.

- Pedestrian access is also provided or maintained as in the previous application from Hanover Ave, via side walk and AD access is provided with curb bank with a cross walk to and from the bank.

- In regards to the signage, one of the signs has been eliminated that was in the original application. It is the everyday express sign.

- Mayor Francioli in his memo of March 18th, identified 4 variances based upon the plan that was submitted to the board, the one being address today is variance # 1. Variances #2, #3 and #4, the applicant advised will be revised to comply with the ordinance.

- The remaining variance is for location of the secondary building of its sign, it's a Chase sign, it is 27.5 sq. ft. The ordinance permits one sign per street frontage, so the sign in the front of the building is permitted per the ordinance. The ordinance allows a much larger sign approximately 70 sq. ft., where as we are proposing a 27.5 sq. ft. sign on both sides of the south west elevation of Hanover Avenue and on the North West Elevation facing the adjacent property.

- Marked as A – 4 Architecture elevation, dated 01/15/2019, submitted with our plan set. The lower left is the view of Hannover Avenue and the upper right corner is the view from the Driveway to the left of the Bank with the northwest side of the site. Each sign would be approximately 27.5 sq. ft. encompassing the total sign area. The proposed of 2 signs where the ordinance only allows 1. That is the only variance required at this time.

- The driveway into the center is not a public street
- The purpose of the sign is to provide assistance to the customers traveling north bound of Hannover Avenue as they approach that left turn in and to provide some extra visibility to the bank to allow customers to recognize the branch and make a safe left turn into the bank, and also to provide some visibility of the bank as they come into one of the main entrances of the shopping center
- One of the comments of Mayor Francioli's letter was that, there were trees of the north west of the property line area and may impact visibility of the sign. Even though the visibility would be limited to a degree by the trees we still believe that sign would be of great benefit and will help customers navigate to the bank.
- The signage with the proposal of the bank is consistent with the signage in the center and the surrounding area.
- Referred to Exhibit A – 2, There are currently 540 spaces in the property, and with the 2017 amended approval of the site with the supermarket we were proposing to add 18 spaces at that time for 558 parking spaces approved, Now we are adding 2736 sq. ft. Bank building but also adding additional 12 parking spaces for a grand total of 570 proposal parking spaces. Overall we are adding a bank and 12 parking spaces of what was previously approved in 2017.
- A comment from Mr. Maceira's letter in regards to the adequacy of the stacking length at that drive up ATM. Approximately 3 cars can stack up in that drive up ATM isle before extending out. Being that is not a traditional teller window, the expectation is that the stacking will be much higher at the drive up ATM, also the bank provides a 24 hour access ATM and the hope is that if there are more than 3 cars in the drive up ATM; the customers will be able to park in one of the 7 parking spaces in front of the bank and go to utilize the 24 hour ATM or either one of the 2 ATM's inside the bank.
- Can you deal with the lighting on the roadway? We are requesting a waiver for design requirements for lightning standards, however both waivers that we are requesting were actually previously approved and now are being observed by this application. There is a requirement of .5 ft. candle requirement at the property line; there is an exceedance of .26 ft. candles in the south of the Chase bank, along Hanover Avenue, that is actually from existing light bulb fixture that is out there today. It won't be exacerbated by the proposed lights that are part of this application.
- We are requesting a design waiver for the mounting height of the fixtures; proposing the light pole height the same to what is currently there. We are trying to maintain the existing fixtures height, which is 30 feet whereas 15 ft. is actually required.
- The exceedance of the illumination at the front of the Hanover property line is an existence condition. There are 3 light poles that are proposed in this application are immediately in front of the bank just to the north west of the corner. To the best of my knowledge this was previously approved the .6 as opposed to the .5

Gerardo Maceira P.E - Township Engineer and Blais Brancheau – Township Planner sworn by Michael Sullivan, ESQ Attorney for the board.

Mr. Brancheau:

- From the photo copy of the sign plans from the prior approval, colored in yellow is the property line, the .5 ft was within the property line accepted the driveways, in the current plan the .5 is moved beyond the property line; that is why in my report I didn't feel that has been granted. It was at a specific location that the board granted approval in the prior application.
- In addition this plan does not show the 3 light fixtures in front of the bank, I am curious how that existing condition was built in the location which is contrary to the signed plans.
- B- 1, lighting plan from previously approved site plan. Appears that has been a modification from the .5 ft. candle lights to the .6 ft. candle light height in the current plan at the Hanover property line. No other firm designed the current plan; our office designed both the prior and current proposals. The waiver previously granted differs from the current proposal.
- Mayor Pinadella, wants the spillage of light that is in violation to be corrected, to either be filtered or shielded.
- Mr. McKenna, the impact of the .5 versus the .6 is minimal and to the naked eye; you wouldn't be able to tell the difference.
- Mr. Byrne, this is so deminimis, why are we arguing about this. The board should decide if they want to grant the waiver or not.
- Chairman Pinadella, wants to know why you can't comply and the applicant to work with the township professionals to address the light spillage issue. There are ordinances to be followed by developers to be able to tell us why they can't comply this us and they should be able to tell us.
- Mr. Byrne wants to give the whole board the opportunity to decide whether they want to grant a waiver to go from .5 to .6.
- DelDuca, no objection to work with the township professionals but there are differences between being able to comply and being impractical to comply with this.
- Mr. Ferramosca, wants just continue with the presentation, as there is a solution in place.
- Mr Mckenna:
 - The comment forms the Police department's letter referencing the bollards in the front of the entrance of the bank. We don't have a practical objection to providing the bollards but it contradicts with the ordinance requirement that dictates that the 9 by 18 parking spaces are permitted in that area of the site, only if a 2 ft. overhang is made available for vehicles utilizing the spaces. Providing the ballers in that area would eliminate the 2 ft. overhang ability, so we would need to request a design waiver or variance for that requirement.
 - The applicant would install the bollards at the board's request.

- It contradicts a bit with comment #6 from Mr. Maceira's report dated March 18th 2019 letter.
- Mr. Maceira, they are a little bit in conflict, if we are to agree with the Police recommendation; the signs cannot be install within the bollards. The signs would stick up above the ballers and the signs above it. The Police chief must have had a security concern but without speaking to him can't say why he is requesting the bollards. It is not something seen typically. We have the existing retail building in the site, they have parking that is in front of the building with no bollards there in that location so I am not sure what makes this different than other retail establishments, where you have head on parking. We see it at Quickcheck's but because there is not curb there. A curb is usually enough indication for the driver to know that they have to stop and not hit the building.
- McKenna; there is a curb in that area.
- Mr. Ferramosca. Sides with the Police chief as he is our safety officer and will defer to the chief's decision on the subject of the bollards.
- Damien Del Duca, applicant Chase has confirm has not objection to comply with it, even though they are not required by ordinance and asks that is included with the approval if that is your preference.
- Mr. Brancheau, put it in the resolution to comply unless the chief withdraws the request.
- Mr. McKenna, the review letter from the fire retention dated 2, 20, 2019, and the comments site civil and architectural issues. As for the site civil comments and the applicant is willing to work with the fire official to satisfy any concerns stating in the report. Chase Bank is willing to make the architectural changes that require in this letter if required by building code if required by building code. The 1st comment recommends that the building to be sprinkler.
- Mr. Olsen, questions how will the applicant prepare the property for the parking mot while it is being construct, how many parking spaces will be loose
- Mr. Mckenna not sure yet, cannot say how or how many parking spaces will be loose during construction.
- Mayor Francioli, comments he is greatly relieved this is more of an ATM center than an active bank and to see in the design that the exit from that one lane faces those traffic islands; that is more like a dedicated driveway, giving further comfort that they won't have pedestrians and carriages walking through there.
- Mr. Pinadella, how will the walkthrough be differentiated from the black top. Will there be dumpsters?
- Mr. McKenna, the cross walk will be striping and it is very consistent and typical with engineering practices across the country and that is the appropriate way to handle it.

- Going back to exhibit A – 3, the bank will have access and will be able to utilize the existing dumpster; located to the south of the site. It is a very low refuse producing site and it is not needed to have one specifically for the use of the bank.
- Mayor Francioli, questioned the concrete pads in the drive through the ATM, there is no step, there are 2 concrete pads.
- The concrete Pad is where the vehicle will be sitting while using the ATM; it is very standard for high vehicle use seating areas more for maintenance purposes.
- Mr. Brancheau, to clarify on the phasing, once all the conditions including outside government approvals revised plan, etc., developer's agreement have been satisfied then the plans are signed. Is it the intent that there be two separate sets of plans signed, one with the existing condition with the bank modifications and then later when the greenhouse and that driveway realignment occurs; there would be a separate set of plans
- Damien Del Duca answering to the above statement by Mr. Brancheau, stated that is the expectation.
- Mr. Brancheau, Will there be any problem in revising the 1st set which will not include the driveway relocation to depict current existing conditions in those areas that have not yet been done.
- There are 2 sets of signed plans; one with the existing conditions at the shopping center with the changes for the bank modifications, then later once the driveway realignment and parking expansion, the restaurant and greenhouse are done there be a separate set of plans that the chairmen would sign for that.
- The plans that the board has, includes both together, there is no obligation for the applicant to move forward with that later face or it could be a delay for a period where we would not have a plan that shows what it will look like after the bank it's built. Is there an objection to including that set of plans, we don't need all the details, is basically a lay out plan showing the existing conditions along with the bank changes?
- Damien Del Duca, no objection.
- Mr. Brancheau, on the plan from the last approval with the greenhouse, etc. On that plan there are shown a number of trees on both sides of the driveway, but those trees are not shown in this plan. Will those trees be removed or where they omitted from this plan.
- Mr. McKenna, those approved trees are intended to remain, they were omitted due to the scope of the survey that was completed it for this application and in order to address Mayor Francioli's comment regarding the sidewalk and the supplemental survey for that area.
- Mr. Brancheau, There are two sets of signs, your second set of signs have 2 trees in front of that sign, which also for someone traveling east bound on Hanover Avenue; the visibility of that secondary sign will be affected. I wanted to bring it to your attention and the boards' attention that it may impair the visibility of that sign. I am saying that the trees may be relocated elsewhere or a fee pay for that, if the trees are required.

- **Exhibit B – 2**, is an excerpt from the site plans for case # 17 – 7 – 9 R1.
- Damien Del Duca, our decision is to have that flexibility to either leave the trees where they are or to replace them in accordance by the ordinance by replacing them by a different species or placing them somewhere else.
- The applicant is willing to start the building of the driveway improvements at the same time. I would like to keep them as two separate plans since they were approved 2 years apart. The applicant will agree to start this work and will work diligent to complete it. I don't know that they will be finished when the bank opens but would not want to keep the bank from opening in case that they are not finished. The conditions of that have not been satisfied. We will commence them before the town issues the CO for the bank and diligently peruse them until complete it. There is no intention of starting and stopping will probably all be done at the same time but in case that there is a lag I don't want to hold up the bank.
- Mr. Brancheau, allow separate construction periods to let one thing finish then the other, as with all these projects with construction at the same time in a heavily used parking area will have a significant impact on the public and to prevent the site being disrupted by construction and avoid creating a real problem.
- At the conclusion, let's get the Chase property first if approved by tonight and prior of granting the CO for chase property; let's agree that within a 3 month period depending on weather and timing will start the other site improvements, driveway and parking area, not concern about the greenhouse, the applicant is willing to agree to that.
- Mr. Ferramosca, presents recommendation that the applicant has the flexibility to initiate the driveway change whenever it feel fit provided that it is no longer than the completion of the bank. When the bank is open we expect to have the driveway complete.
- Damien Del Duca, Our concern is not to tide the completion of the 2017 site improvements with the opening of the bank.
- Mr. Pinadella, I originally asked for the construction of the green area to begin at the same time as the bank but Mr. Brancheau has advised us that construction of that area at the same time of the back going on would hinder the traffic flow around the property. So what I asked for, when the bank gets the CO, within 3 months of the bank getting the CO; they will begin the construction on that green area, and then the other improvements are to be completed in a reasonable of timeframe.
- Michael Sullivan, ESQ. – Attorney for the board.
- The applicant will commence construction and improvements of the driveway and the parking areas as depicted in green on exhibit A – 3, no later than 3 months after issuance of the CO for the Bank and thereafter will be diligent to achieve completion.

Opened to the public.

After hearing and seeing none.

Closed to the Public.

**Patrick Jones – Senior Project Architect, - Core States Group - sworn by Michael Sullivan, ESQ
–Attorney for the board.**

- 46 East Main Street, Summerville, NJ.
- License is current and valid in the State of New Jersey.
- Has attended to at least a dozen board meetings.

Exhibit A – 4: - Architectural elevations

- The Architectural elevations accurately depict what we proposed in terms of the building at this location.
- The way that the HVAC system are designed for this building as follows; there's 2 systems, they are in the south east side of the building, adjacent to ATM the drive up.
- Both systems are approximately 4 ft. tall, one a little bit taller than the other and they are on about an 8 inch curb
- On the left side of the north east elevation, the unit that is in front is about 10 ft. behind the parapet you see in the left hand side, that is 8 to 10 inches above that curb. This is the rear of the building.
- The Front of the building is the south west elevation, that unit in the right hand side sticks up about 15 inches; the total height of that unit is approximately 15 inches about the height of the parapet wall.
- Could raise the parapet in the front about 15 inches to cover the machines. We can try to do something to conceal the unit or swap the units, they are visible form 90 ft. to 100 ft. away, and the ordinance stated that it is not supposed to be visible form the town street.
- The road grade is about 387 in front of the bank and the grading of the plan is about 387.5.
- If you are sitting in a car you won't be able to see them.
- The applicant has agreed to swap the machines so that the HVAC units are not visible.

Opened to the Public

After seeing and hearing none

Closed to the Public

Damien Del Duca

- Has no other witness.

Michael Sullivan, ESQ. Summarizes the conditions.

- It's an application for amended preliminary and final major site plan and 1 variance now, which relates to the maximum number of principal wall signs, two are proposed, one is allowed, the applicant has indicated that will comply with the remaining 3 variances that were requested originally
- Will not repeat the improvements of the driveway and parking areas as I just said that.
- As per Mr. Maceira's report, we know under comment 1; we are going to deal with the police department report and he may retract that if he doesn't we will grant proper relive to comply with the request to add the bollards.
- As far as the fire prevention bureau report with respect to the sprinklers; at the required by the applicable building code, they will be installed.
- The applicant stipulated as number 2 they will do that, all of the other comments need to be carried except for item #3 that can be eliminated that will be a condition of approval, that will also be a condition of approval.
- With respect to Mayor Francioli's March 18th report a number of comments under paragraph B, you want the phasing plan in item number 1, as per what you are stating we don't need number 3 unless you are expecting something more on that as it was address in testimony, number 4 would be a finding of the board; don't need to carry that forward just to be reflected in the resolution. Number 1, 2 and 5 should be included.
- With respect to the request to the exception of the illumination level, the applicant will take a look at it and they can't comply and it has to stay at .6 then, they will have to tell us why and then if the engineer agrees with the reason why; then we will grant the waiver.
- As per what Blais' recommendations are; pertaining the trees that will either be removed or replaced, you are stating that some of that will be address in the phasing plan but if the board wanted to allow an alternative planting scheme to replace what is shown in compliance to the ordinance then that should be reflected in the resolution.

A motion to approve this application with conditions was moved by member Ferramosca and seconded by Mayor Francioli.

Members Critchley, Deehan, Olsen, Byrne, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of approving this application.

OTHER BUSINESS

REFERRAL OF ORDINANCE NO. 12- 2019 AMENDING SECTION 166-155, REQUIREMENTS FOR OTHER THAN RESIDENTIAL ZONES, IN ARTICLE XXIII, OFF-STREET PARKING AND LOADING, OF CHAPTER 166 OF THE CODE OF THE TOWNSHIP ENTITLED LAND USE AND DEVELOPMENT LEGISLATION, IN ORDER TO REVISE THE PARKING REQUIREMENTS FOR RESTAURANTS AND AUTHORIZING CHAIRMAN TO SIGN LETTER ADDRESSED TO THE TOWNSHIP COMMITTEE.

Referral of Ordinance 12-2019 authorization letter to sign all the parking revisions motioned moved by member De Nigris, seconded by Mayor Francioli.

Members Critchley, Deehan, Olsen, Byrne, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of the ordinance referral and letter.

ADJOURNMENT

Meeting Adjourned at 9:32 PM

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