

**Minutes of the Planning Board of the
Township of Hanover
April 27, 2021**

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

PUBLIC BUSINESS

I. STATEMENT BY PRESIDING OFFICER

Acting Chairman Michael Critchley called the Public Meeting to order at 7:01 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: Byrne, Critchley, Deehan, Mayor Ferramosca, Gallagher, Glawe, Mian, Monzo and Olsen

Absent were Members: De Nigris and Dobson

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

III. RESOLUTIONS: NONE

IV. MINUTES – APRIL 20, 2021

The Minutes of April 20, 2021 were deferred to a later date.

V. PUBLIC HEARINGS

- 1) **CASE NO.** 21-2-1
APPLICANT/OWNER HANOVER TOWNE CENTER, LLC (Commercial Phase A)
HANOVER TOWNE CENTER RESIDENTIAL (Residential Phase B)
LOCATION: 831 ROUTE 10, 99 MT. PLEASANT AVE.,
851 ROUTE 10, 859 ROUTE 10, 92 MT. PLEASANT AVE.
BLOCK(S): 4221/8803 **LOT(S):** 10,11,12,13,14/17 **ZONE(S):** B-10 subject to Redevelopment plan adopted 7/9/20 & last amended by ordinance 12/10/20.

Applicant is seeking Preliminary and Final Site Plan, Preliminary and Final Major Subdivision and "C" variance relief. The applicant proposes a commercial component (Phase A) with an approximately 162,000 sf. "big box" building and gas station and a residential component (Phase B) with 60 for-sale market-rate townhomes, together with associated parking areas, storm drainage, utilities, lighting, landscaping, and other improvements consistent with the Redevelopment Plan for the property.

CASE PARTIALLY HEARD AND CARRIED FROM APRIL 20, 2021

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

<https://www.dropbox.com/sh/gmb4j9kko42mnr6/AABZZ7Ri3a8YJkqZaLc90OK4a?dl=0>

Board Action Date – MAY 31, 2021

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Gave the number and types of professionals that will be their witnesses for the night.

Nicholas Verderese, P.E., - for the Applicant was sworn in by the Attorney for the Board Michael Sullivan

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

Nicholas Verderese, P.E., - for the Applicant

- 1904 Main street, Lake Como, New Jersey.
- Gave his professional and educational background.
- Accepted by the Board.
- We prepared a Traffic Impact study dated January 27, 2021.
- It all follows New Jersey Department of Transportation standards.
- We included existing traffic counts that were adjusted to pre pandemic levels.
- We identified future traffic conditions and then we perform some pre and post development traffic analysis explaining it further.
- The residential development generates about 40 peak hour trips, gave the counts for the existing conditions.
- The change in this project is going to have a reduction of traffic on that residential portion. It will be a different type of traffic.
- Listed the accesses for the residential site, the parking for the commercial portion, and briefly mentioned the truck circulation.
- Addressed acting Chairman Critchley's question.

Attorney for the Board Michael Sullivan

- Our Board Engineer's report indicated that there is an exception required from the residential site improvements standards because there is not a 50 ft. tangent provided on road 'A' between buildings '3, 4, 9 & 10' Do you agree with that?
- I wanted to see from a traffic standpoint what the basis for granting a de minimis exception would be.

Nicholas Verderese, P.E., - for the Applicant

- Addressed and further explained Mr. Sullivan's question regarding the 50 ft. tangent.
- Addressed Mayor Ferramosca's question regarding the emergency access to the residential development.
- Addressed Mr. Brancheau's question regarding analyzing where the traffic would go and what the impacts from that would be.

Open to the Public for questions

After seeing none

After hearing none

Closed to the Public

William Hamilton P.P. and P.E. – for the Applicant was sworn in by the Attorney for the Board Michael Sullivan

William Hamilton P.P. and P.E. – for the Applicant

- 53 Horse Hill Road, Cedar Knolls, New Jersey
- Gave his professional and educational background, has testified before this and many other boards.
- Accepted by the Board.
- Went over the 3 requested variances, the first one is from section '166-146 B' it relates to the canopy of the gas station.
- Explained what is being proposed and changes made as suggested by Mr. Brancheau on his memorandum.
- Explained his reasons to believe the variances can be granted.
- The two other variances relate to building signage on the East Façade of the proposed primary structure, the first one is from section '166-144 B 1C 4B' and further explained.
- These two signs would exceed what is allowed and gave his reasons for the two proposed signs to be appropriate.
- Based on his testimony the waivers requested, I believe are reasonable and within the general intent of the regulation.

Attorney for the Board Michael Sullivan

- I believe with respect to the residential component there is a request for exceptions relating to driveway slopes on a number of those lots, do you care to address those?

William Hamilton P.P. and P.E. – for the Applicant

- Mr. Brancheau brought that up on his letter and I believe that our engineer did touch on it as well and he gave some detailed testimony regarding the exceedances of that 8% slope and how it is measured.
- I can tell you, from a planning perspective that the exceedance is minimal, and they are certainly standard for a project of this nature with an attached structure that has driveways in close proximity.
- I would say that relief is justified and warranted and there will be no negative impact to the granting of that relief.
- Addressed Member Glawe's question regarding the facility being destined to be a discount club and signage.
- Addressed Acting Chairman Critchley's question and what signs the applicant is requesting relief for.
- Clarified his earlier statement regarding the ordinance not differentiating as to the size of the building and the different signs.

Township Planner Blais Brancheau

- Is it your testimony and is it understood then that your sign would be a channel letter sign of the same size just different content? And that in the change from Retail Building to the tenant's name it would go to a box sign for example?

William Hamilton P.P. and P.E. – for the Applicant

- Yes, that is exactly right it would fit with in the box that we are asking for relieve for this evening.

Member Byrne

- Gave his input regarding signs, their purposes, and his thoughts on this matter.
- Part of the purpose of the sigs is marketing.
- This does not appear to me to be unreasonable.

Member Gallagher

- I also have no problem with the proposed size signs, I agree with Mr. Byrne I think it is consistent with other buildings of that size, so I have no problem with what they are proposing.

Acting Chairman Critchley

- I agree with Mr. Byrne's comment in terms of we have no pile on signs, we have had a lot of discussions of that over time. It is nice not to have to deal with that.

William Hamilton P.P. and P.E. – for the Applicant

- Addressed Mr. Racioppi's question regarding signage if this was a shopping center.
- Addressed Mayor Ferramosca's question regarding the gas station being open to the public or to members only.

Mayor Ferramosca

- Explained the reasons for the need for signage to access a building this size.

Member Byrne

- Suggested that Mr. Hamilton might want to double check his statement regarding the gas station being accessible to club members only.

William Hamilton P.P. and P.E. – for the Applicant

- Mr. Byrne that was my thought only, I will defer this to Nick or to the potential tenant to answer it.

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Mr. Byrne is correct, in New Jersey you cannot, so it is not limited to members only.
- No retailer big box gas can be limited.

William Hamilton P.P. and P.E. – for the Applicant

- I apologized for that mistake.

Mayor Ferramosca

- Given the fact that this gasoline station is open to the public, to include members additional canopy signage might be facilitating to the operational motorist who is not looking to go retail shopping, but it is looking to buy gas.
- I think the canopy signs then would become valuable to the traveling motorists.

Open to the Public for questions

Terri Baird

- 180 Parsippany Road, Whippany.
- I was hoping to hear from the housing architect, is the architect for the housing portion present this evening?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- The Architect is available for questions.

Kathleen Kelleher

- 1004 Meadow Brook Ct., Whippany.
- I moved 10 years ago in to the Grand, there was a small shopping center across the street, and it was fine, when we heard, it was going to turn into a housing complex and more stores that was fine and suddenly it became a big box store which is going to take a big hit to our property values due to...

- My question is to the board members, do they have any concerns about the condominium community across the road?

Acting Chairman Critchley

- I think the question is of the witness, there will be an opportunity to have comments concerning the testimony then might be the appropriate time for you to bring that question up.

Closed to the Public

Scott Nehring – Architect’s Assistant for the Applicant was sworn in by the Attorney for the Board Michael Sullivan.

Scott Nehring – Architect’s Assistant

- 30 Jackson Road, Suite A-4, Medford New Jersey, 08055.
- Gave his professional and educational background.

Terri Baird

- 180 Parsippany Road, Whippany.
- Because we are looking at the plans from the sky looking down at the plan, it is two dimensional, I am curious as to the differences in heights that will be seen from the houses on Legion Place from the North to the South line of these condominiums or town houses, because right now the shopping center seats on a kind of a whole in the back which would be the south side.
- What would be the differences in elevations compare to the current part of the Pine Plaza and how it will be seen from the elevation of the Houses on Legion Place?
- What will it look like from the houses along Legion Place when they look in their backyard how much of the building, of a townhouse are they are going to see rising above their yards?

Scott Nehring – Architect’s Assistant

- Addressed Mrs. Baird’ question.

Terri Baird

- The actual current look of the actual land itself that the ‘Pine Plaza’ sits on is not going to change? Or are you going to raise that elevation?

Scott Nehring – Architect’s Assistant

- It looks like from the exhibit that is up on the screen ... it does slope down from the property line in that area, the site engineer can probably speak better to this but the slopes along the property line or somewhere around 255- to 251, our finished floors are at 253. That is the bottom floor.

Terri Baird

- So, they are basically going to be higher than the houses on Legion Place?
- What are they going to see when they look over at these townhouses?
- How much is it going to be raising out from whatever level of slope is from their back yard?

Scott Nehring – Architect’s Assistant

- That is more of an answer for the site plan engineer.

Attorney for the Board Michael Sullivan

- Chirag, you are still under oath, so you understand.

Chirag V Thakkar P.E. – Engineer for the Applicant

- Yes, I do understand.
- There is about a 5 ft. drop here, additionally from the property line to the finished floor we are lowering the grade 4 ft. and explained it further.

Terri Baird

- So theoretically they are going to see 33 ft. sticking up out, correct?

Chirag V Thakkar P.E. – Engineer for the Applicant

- Correct and further explained it.

Terri Baird

- What about further North those building seem to be larger, what is their height to the peak?

Scott Nehring – Architect’s Assistant

- It is approximately 38 ft.

Chirag V Thakkar P.E. – Engineer for the Applicant

- So again, the same grade follows and explained it further.
- Referenced ‘Exhibit A – 1’ to further explain his answer to Mrs. Baird.
- Held and open conversation to better explain the buffer in this area.

Terri Baird

- What are the number of bedroom configurations for this development?

Scott Nehring – Architect’s Assistant

- Right now, we are showing three-bedroom units for both and addressed Mrs. Baird's question regarding the base floor of these townhouse units.
- Addressed Member Olsen's question regarding the possibility of providing charging stations for electric vehicles, stating it is an option for the homeowner.

Chirag V Thakkar P.E. – Engineer for the Applicant

- To address member Gallagher's question regarding the height of the existing building stated not to have an exact answer to that and provided a further explanation.
- Indicated the location of the guard rail addressing member Monzo's question.

Attorney for the Board Michael Sullivan

- I just want to go back and go over a couple of points before the Board acts if I could.
- Mr. Racioppi let us go back to Mr. Maceira's April 20, 2021 memo so we can get clarification so it can be properly memorialized in the resolution.
- Item number '9' Mr. Maceira had recommended that sidewalks be provided along the public right of way, along State Highway Route 10, the rather proposed cold de sac to connect the existing asphalt walk on Mount Pleasant, sidewalk connection to the Discount club front entrance, public sidewalk shall also be provided.
- Does the applicant have a problem with installing them as suggested by Mr. Maceira?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Mr. Verderese can you answer the question about where you think the sidewalks should properly go and where we would put them?

Nicholas Verderese, P.E., - for the Applicant

- If you work away from East to West, we are essentially putting sidewalk from the driveway towards Mount Pleasant, so we have covered that side.
- You cannot put sidewalks along Route 10 and further explained the environmental reasons.
- Then we have crosswalk and crosswalks at the intersection, then when you go West of our westerly driveway because of guardrail and grading through there you will not be able to build sidewalks there either.
- Specified location where he may suggest putting sidewalks.

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Mr. Sullivan that is what we would propose.

Township Engineer Gerardo Maceira, P.E.

- I do understand the practical difficulties ...I think what has been proposed and discussed at this hearing and at the prior hearing is acceptable to me.

Attorney for the Board Michael Sullivan

- So, there is going to be some sidewalk along Route 10, is that correct? Or is it just along the driveway?
- If that is installed does that satisfied your concerns with respect to item number '9'
- Does the Board have any issues with that?

Township Engineer Gerardo Maceira, P.E.

- Whether it is on the right of way or not I am still not clear on that, but it is from the signalized intersection down to the discount club entrance or close to there.
- Yes, it does.

Attorney for the Board Michael Sullivan

- Let me read what my notes reflect and see if this works out, we had suggested that the Plan may need to be revised to relocate existing 'Patriot's Path' to allow for a connection between the existing easement on lot 9 and the southern end of the residential component and construct a pathway and compliance with the 'Redevelopment Plan'
- The relocation of the easement must be subject to approval from the Township Engineer and the Township Planner and that may include removal of up to '9' parking spaces located in the Northeasterly portion of the parking area, adjacent to Route 10.
- Subject to compliance with section '166-153 L' which would allow us to waive or make them as potential future parking spaces if we choose to eliminate them.
- Mr. Maceira, we are not sure as to what the best path to go is, as I understand it, but you are willing to seat with the applicant and try to reach agreement to what the best plan would be to address this concern?

Township Engineer Gerardo Maceira, P.E.

- Yes, but what I think it is critical here is whether the elimination of that bank of parking is something that the Board would consider because that does free up the ability to get that segment of the path from the parking lot and onto turf areas.
- I think the question of the Path rerouting at the southern end, the 'JCC' boundary, I think that I can work out with the engineer as to what the best option is.
- I was more concern about how the Board felt at this location here near Route 10.

Attorney for the Board Michael Sullivan

- This is the point where if the Board has any issues with respect to the possible loss of those '9' parking spaces they should speak out now.

Board

- No issues with the removal of those '9' parking spaces?

Attorney for the Board Michael Sullivan

- Mr. Racioppi there was some testimony and some unfinished business regarding the phasing of this project and there was concern from the Board professionals, that was the timing between the demolition of the existing improvements and the filing of the plat.
- Also, in that regard, the acquisition of Mount Pleasant Avenue, where is the applicant with respect of those two items?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- With respect to the demolition, I believe we already have the demolition permit.
- We would agree to demolish any buildings that straddle any property lines. That is with respect to any demolitions. Any new property lines, prior to filing the subdivision plat and explained it further.
- Addressed Mr. Brancheau's questions.
- We would be happy with any reasonable conditions in that regard.

Township Planner Blais Brancheau

- The problem is without knowing specifically what structures we are talking about; it is difficult as I sit here today to say 'that is going to be a problem if you leave it' I do not know.
- I am only asking that there is some condition that gives the Township Engineer the right to require the removal of something if it in any way interferes with the public health or safety during the construction period and explained it further.

Attorney for the Board Michael Sullivan

- So, the attachment here would have to write the requirement of the removal of the structure if it is going to cause a public health safety kind of concern but in the event no later than the issuance of a 'C of O' for the property. For whatever component we are in.
- Let us continue with the review of Mr. Brancheau's report dated April 20, 2021.
- Item '7' let me reiterate what I think the arrangement is and it relates to items '7 & 10'
- Mr. Racioppi, the testimony was that there would be a 'HOA' that was created for the residential component and that 'HOA' would maintain the exterior of all the yards, the buffer, etc., with exception of the principal structures on these lots.
- The 'HOA' would also in response to Mr. Brancheau's inquiry; you indicated it they would not permit fences, sheds, play equipment and light on these 'B' simple lots.
- Also, then the 'HOA' the governing documents would have to provide easements to get and allow maintenance of these areas.
- What is the timing on Mount Pleasant Avenue?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- That is correct.
- The contract is signed, so it is just the deed.

Attorney for the Board Michael Sullivan

- So, you will be able to do that prior to filing the subdivision plat?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Absolutely.
- I want to make clear that we are not planning to do any work until the appeal's period has expired so all of these is sort of post appeal's period.

Township Planner Blais Brancheau

- There are two aspects to Mount Pleasant Avenue, one of them is the property right's issue which we just heard about.
- The other will be done prior to the filing of the subdivision plat, so the subdivision plat will reflect that as part of the property and not as a separate lot.
- The other part relates to the actual construction and deconstruction of the existing turnaround, construction of the new turnaround, any related sidewalks and so forth.
- That will be done as part of whichever face gets there first and it will be covered by the blanket statements that was made previously and that it needs to be removed because it interferes with something then it will be removed.

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Yes.

Attorney for the Board Michael Sullivan

- Let us go back to Mr. Brancheau's memo, item '12' and further explained what Mr. Brancheau's recommendations are.
- Mr. Racioppi have you had the opportunity to look at that again?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Our landscape plan currently shows 100 green giants between the commercial and residential component.
- We are proposing to add that times by 40% and the fence, continuing to further explain their proposal.

Township Planner Blais Brancheau

- It is a step in the right direction. It is not a quantitative issue; it is a design issue and explained it further.
- It is a detail design issue that it will be difficult for me to say quantify, 40 might be enough but until I see and actual design, I do not want to say that it satisfies everything.

Attorney for the Board Michael Sullivan

- Would you be satisfied as part of that item in the resolution to say we would reference those additional plantings and say it would be subject to additional modifications on your review?

Township Planner Blais Brancheau

- Yes, I think that would work.

Attorney for the Board Michael Sullivan

- Mr. Racioppi, is that okay with you?

Nicholas Racioppi Jr., - Attorney for the Applicant

- Yes, it works for us.

Attorney for the Board Michael Sullivan

- The last item I have is number '14' it talks about that 'Redevelopment Plan' requires that appropriate screening of the proposed big box loading and trash compactor areas that are exposed to view from Route 10, through such measures as grade change, fencing, walls etc., but indicating the details are to be addressed at the time of Site Plan review.
- Did you get to the chance to look at that item?

Nicholas Racioppi Jr., - Attorney for the Applicant

- Yes, we are proposing to move the fence that is proposed there, 2 ft. over with an 8ft. height vinyl fence and add some shrubs between the fence and the roadway.

Open to the Board for questions and comments

Member Gallagher

- Expressed his gratitude for all the work done and questioned the 8 ft. vinyl fence along Route 10 and the potential issues that can arise between the vinyl fence and the plantings, the possibility of considering other types of fencing and the maintenance of the same.

Nicholas Racioppi Jr., - Attorney for the Applicant

- I do understand it Mr. Gallagher and we would be happy to meet with the professionals and work with them on alternatives.

Member Deehan

- On the residential roadway I see there are parking spaces added up and down there, I see the space where somebody can park on the street there but there is not parking on the street, correct?

Chirag V Thakkar P.E. – Engineer for the Applicant

- Yes, that is correct, there is not parking on the street and further explained it.

Member Olsen

- Who is going to be responsible for 140 trees?
- Is it going to be the maintenance people?

Chirag V Thakkar P.E. – Engineer for the Applicant

- These trees are required by the redevelopment plan to be planted on the commercial side to comply with the redevelopment plan and that is what we have done.
- Since they are in the commercial component they will be maintained by the commercial component.

Member Gallagher

- Further commented on the maintenance program following up on Member Olsen’s question.

Closed to the Board

Open to the Public for questions and or statements

Carol Fomchenko was sworn in by the Attorney for the Board Michael Sullivan

Carol Fomchenko

- Malapardis Road, Whippany, New Jersey.
- I would like to know if we have a definite answer as to whether or not the ‘HOA’ will be responsible for snow removal and garbage pickup within the residential area?
- Who makes that determination as to whether or not who gets reimbursed?

Nicholas Racioppi Jr., - Attorney for the Applicant

- As I understand it, they contract with private haulers to take care of those services but if they qualify, they will seek reimbursement from the town.

Attorney for the Board Michael Sullivan

- That is through the Governing Body.
- The applicable statute is the ‘Municipal Services Act’ and it is found at ‘**N.J.S.A 40:67-23.2 et seq**’ but this board does not make this determination.

Member Gallagher

- I have a more direct answer and I checked with Fred after our last meeting.

- It says that the Municipality would reimburse them, but it is only a fraction of the cost per law roughly 10%, that is from our Municipal Attorney.

Kathleen Kelleher

- 1004 Meadow Brook Ct., Whippany, NJ.
- The tree line that would protect the Grand from the view of this major box store is maintained by the box store. What if they do not maintain it and they are all dead? who will deal with that?
- I was told there was an area that needs remediation in the Pina Plaza, where a dry cleaner emptied toxic chemical, is that going to be dealt with?

Township Engineer Gerardo Maceira P.E.

- The question regarding the environmental cleanup as I understand it is on the way, they have a license mediation professional addressing that issue plus any issues that come up during the demolition and explained it further.
- The 'Site Plan Approval' is their approval so if any landscaping dies and it is not replaced it is technically a violation of their approval, also the property site maintenance officer in the town has enforcement over issues on properties that are not maintained properly, so there are controls.

Kathleen Kelleher

- So, if all the trees die the town manager can enforce replanting.

Township Engineer Gerardo Maceira P.E.

- Yes.

Leonard Wassil was sworn in by the Attorney for the Board Michael Sullivan

Leonard Wassil

- 107 Stone Creek Court, Whippany, NJ – Grande Condominiums.
- I missed the part where you were saying how municipalities can apply for plowing the roads for HOA? How do you go about that? And who determines if the 10% is reimbursed or not?
- Maybe we can apply for a 10% reimbursement at the Grand.
- As a resident of the Grand we pay our own snow plowing, how do we apply? Do we have to go through the town for that?

Attorney for the Board Michael Sullivan

- I cited the 'Municipal Services Act' and what I said was; that is not a determination that the Planning Board would make and explained it further.
- The Governing Body, that is the Mayor and council, are the ones who that request goes through.
- Yes, you would not come to us, go through administration of the Town.

Closed to the Public for questions and or comments.

Attorney for the Board Michael Sullivan

- Mr. Racioppi do you have anything in conclusion you would like to say before the Board discusses the application?

Nicholas Racioppi, Jr., - Attorney for the Applicant

- No, Mr. Sullivan I have nothing further.

Attorney for the Board Michael Sullivan

- The Redevelopment agreement required that two resolutions be adopted so I would suggest we first do the commercial component and then the residential component.
- Let us review what is involved with the commercial component; it is an application for 'Preliminary and Final Site Plan, Preliminary and Final Subdivision' and variances related to sign height and number of signs.
- There are various exceptions related to height of light fixtures, illumination levels at the property line, allowing concrete curving and having to do with the base core of the driveway.
- That is the relieve being sought.
- We just went through in detail a lot of conditions, let me just highlight some of them because anything that we have stipulated before is going to make its way into the resolution
- The applicant is going to comply with comments '1' through '19' contained in the Township's engineer review memorandum.
- We supplemented a number of those items so they will be included in the resolution if the Board acts favorably.
- The same course of action with respect to the Township Planner's report and its comments on paragraphs 'B1' through 'B20'.
- Mr. Brancheau's report was dated April 20, 2021.
- We modified a number of those conditions and supplemented them, and they will find their way into the resolution.
- The approval would be subject to compliance with the terms and conditions contained in the settlement agreement between the Township of Hanover and Hanover Towne Center LLC, dated January 19, 2021.
- We will set forth with some specificity on how we are going to deal with Patriots Path's easement and the ability to eliminate those '9' parking spaces which would require relief pursuant to section '166-153 L'.
- There was note that needed to be change on the vinal clad fence on sheet 'CS-501' that Mr. Brancheau picked up as to its height.
- The light fixtures that are designated as fixtures 'B' on the parking area closest to the residential development shall be turn off or deemed one-half hour following the closing of the building of the big box retail building.
- The plan will be revised to eliminate that one canopy sign on the rear façade which the applicant agreed to remove.

- It will also specify elimination of the sign that we are granting the variances, both signs on the east elevation of the big box building so that they are channel letters and we do not end up seeing something different from the depiction of the plan.
- The applicant has to comply with all applicable laws, rules, and regulations.
- Other than that, again as I said there will be stipulations made as part of this process regarding demolition of buildings and structures that will be contained in the resolution.
- Went over the board members that are eligible to vote.

A motion to approve the application for the commercial component with conditions was moved by Member Deehan and seconded by Member Byrne.

Members Deehan, Glawe, Olsen, Monzo, Byrne, Acting Chairman Critchley, Gallagher, and Mayor Ferramosca voted in favor of approve the application for the commercial component with conditions.

Attorney for the Board Michael Sullivan

- Let us now turn to the residential component and the applicant being Hanover Towne Center LLC, they are seeking Final and Major Site Plan, Preliminary and Major Subdivision.
- There are exceptions related to permit driveway slopes is excess of 8% and the fact that there is not a tangent, a reverse curb and specified location.
- There is not a 50 ft. tangent provided that requires an exception from the residential Site Improvement Standards.
- The conditions would be as we have stated thus far, compliance with the engineer's and planner's reports as indicated.
- Compliance with the settlement agreement, complies with all applicable laws and again reiterating everything that was discussed here today will make its way into the resolution.

A motion to approve the application for the residential component with conditions was moved by Member Byrne and it was seconded by Member Olsen.

Members Deehan, Glawe, Olsen, Monzo, Byrne, Acting Chairman Critchley, Gallagher, and Mayor Ferramosca voted in favor of approve the application for the residential component with conditions.

Nicholas Racioppi, Jr., - Attorney for the Applicant

- Thanked everyone for their time and effort put into this project.

VI. OTHER BUSINESS

None

VII. ADJOURNMENT

A motion to adjourn was made by Member Olsen and seconded by Member Deehan.

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

Meeting Adjourned at 8:57 PM

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