

Minutes of the Board of Adjustment of the
Township Of Hanover
April 20, 2017

Chairman Stanziale called the Meeting to order at 7:35PM and The Open Public Meetings Act statement was read into the record:

Board Secretary, Kimberly A. Bongiorno, LUA, took the Roll Call.

In attendance were Members: Caruso, Donaldson, Fomchenko, Hingos, Iradi, Linfante, Neidhardt, Stanziale and Walsh

No Member was absent.

Also present were Board Attorney, Daniel Bernstein, Township Planner Blais Brancheau and Township Engineer, Gerardo Maceira, PE.

Public Business Presented

I. RESOLUTION TO BE MEMORIALIZED

- | | | |
|-----------|------------------------|-------------------------------|
| 1) | CASE NO. | 1792 |
| | APPLICANT/OWNER | Mar-Kids Properties Inc. |
| | LOCATION: | 116 Whippany Road
Whippany |
| | BLOCK: 4402 | LOT: 6 |
| | | ZONE: R-25 |

Applicant sought "D" Variance approval to expand a non-conforming use. The existing structure is to remain and an addition of a one (1) story partial structure to existing residential portion and attached two (2) car garage at rear of existing structure. Applicant sought relief from sections 166-168 and 166-169. Application approved March 16, 2017.

A motion was made to memorialize the resolution as written.

Moved by Member Linfante and seconded by Member Walsh.

Members Caruso, Fomchenko, Hingos, Linfante, Neidhardt, Walsh and Stanziale were all in favor to approve the above resolution.

II. MINUTES MARCH 7, MARCH 16 and APRIL 4, 2017

The minutes for March 7, 2017 and April 4, 2017 were approved as written.

Mr. Linfante noted that his comments on page 8 of 9 were questions and not statements.

The minutes for March 16, 2017 were approved with a minor change.

Voice vote, all Members present in favor.

III. PUBLIC HEARINGS

- 1) **CASE NO.** 1783
APPLICANT/OWNER JEFFERSON PROPERTIES MANAGEMENT
& DEVELOPMENT LLC
LOCATION: 40 SOUTH JEFFERSON ROAD
WHIPPANY
BLOCK: 2904 **LOT:** 4 **ZONE:** I

Applicant is requesting permission to use this site to park “Eagle” tow trucks as well as impounded vehicles, to park “Realin” trucks, to park “Cow” storage containers, to park limousines, to provide dead storage for Stephen Gould and to park Dimensional Dynamics vehicles. Applicant is seeking relief from sections 166-124 A 1-7, 166-15.3K(2), 166-15.3K(3), 166-155, 166-120.4A(5), 166-124A(3). **PARTIALLY HEARD AND CARRIED FROM JUNE 16, SEPTEMBER 15, AND OCTOBER 20, 2016 AND FEBRUARY 16, 2017**
CASE CARRIED TO THE JUNE 6, 2017 MEETING

Board decision due by: JUNE 30, 2017

Case carried to June 6, 2017.

Board Secretary, Kimberly A. Bongiorno read the letter into the record from the applicant’s attorney, Martin Newmark, dated April 18, 2017.

- c. If they were built in accordance with the current zoning they would not be able to read it from the street.
- d. The proposed signs are proportionate to the proposed building.
- In summary from a Planning standpoint the hotel being proposed is appropriate in size and scale for this area.
- There is good circulation around the site and it promotes the vision for the Rt. 10 corridor.

Mr. Neidhardt

- Questioned the visual rendering of the signs.

Mr. Chadwick

- Referred to Exhibit A-1 marked March 16, 2017 Springhill Suites rendering dated December 15, 2016.

Mr. Neidhardt

- Questioned the roadside monument sign measurements, size of the lettering and at what point would the people traveling on Route 10 be able to see the sign..

Chadwick

- Façade signs from 1,500 ft.
- Monument sign visible where you turn.

Mr. Maceira

- Plan is compliant because it provides a 24ft drive isle at the roadway by the rear of the building.
- Recommends that the road width be decreased to allow for greenspace to be increased as this is a low volume area for travel.

Mr. Chadwick acknowledged that the client agrees to Mr. Maceira's request.

Mr. Maceira

- Driveway should be 20 feet from the loading space to first parking space in the rear and is subject to the approval of the Fire Department.

Mr. Campanile agreed as long as the Fire Department approves.

Opened to public

Seeing and hearing none

Closed to public

Hussein Ibrahim – Applicant's Engineer

- Was reminded that he was previously sworn in by Board Attorney.
- Addressed decreasing the width of the driveway per Township Engineer's request.
- Has no problem as long as the Fire Department gives approval.

Mr. Walsh

- Questioned the variance for the height of the light poles.

Mr. Ibrahim

- Proposing a 25 ft. light where 15 is allowed believes this height is needed for safety.
- Higher lights give better lighting and they are within the allowable foot-candles and there is no spillage onto neighboring properties..
- With having higher light poles it will require less light poles.

Opened to the public

Seeing and hearing none

Closed to the public

Mr. Neidhardt questioned shielding of the lights from the hotel so that the guests are not disturbed by the lights.

Mr. Ibrahim

- Will provide shields on lights so that they do not project a glare onto to the building.

Mr. Brancheau

- Reviewed his February 16, 2017 report.
- Discussed page 7 section C item 2- clarified if all parking spaces are being built.
- Explained that the spaces can be banked if the applicant feels they do not need all the parking required by the ordinance.
- Suggested not building the spaces closest to Rt. 10.
- At this time bank them and build only if necessary in the future.

Mr. Campanile

- Originally had 141 spots, had to lose spots to allow for circulation and can only build 130 spaces.

Mr. Brancheau

- Feels that the five spots closest to Route 10 can be banked.

Mr. Campanile agreed that they will bank the five spaces by Route 10.

Mr. Brancheau

- Referred to the letter dated March 5, 2017 addressed to Mr. Brancheau from Mr. Campanile responding to comments.
- The letter dated March 5, 2017 was marked as Exhibit B-1
 - a. Wants to make sure there is no conflict between tree roots and utilities.
 - b. Wants tree plantings to be per the approval of Township Planner and Engineer.
- Questioned the driveway connection and hotel site. There is a curb that comes from Route 10 towards the applicant's site back around Sunoco and back to Route 10. Why is that curb line not on the property line?

Mr. Campanile

- Agreed to move the curb to the property line.

Mr. Linfante

- The Sunoco site is up for auction. Questioned what happens with the easement then.

Mr. Campanile

- Explained that the easement runs with the land.
- His client did put in a bid for the Sunoco property and as of yet has not heard the results of the big opening.

Mr. Linfante and Mr. Brancheau discussed the Route 10 Corridor plan and connectivity

Mr. Linfante - Would like to see a multipurpose path as an option on this site.

Mr. Linfante and Mr. Brancheau Continued their discussion regarding future connectivity

Mr. Maceira

- Wants the area of the potential connectivity to be clear of obstruction from the edge of the road and 4ft back from the utility poles.
- Recommended a 6ft wide easement along the front of the property.

Mr. Bernstein

- Stated that we cannot force a contribution for something that may never happen.

Mr. Campanile stated that his client agrees to the easement.

Mr. Brancheau recommended a sidewalk from building to the loading dock.

Mr. Ibriahm agrees to this recommendation.

Mr. Brancheau continued to review his report with the board and applicant.

Mr. Maceira

- Reviewed report dated February 15, 2017
- Reviewed items that need to be included as conditions.
- Items 1, 2, 16 and 18 in the report should be conditions, ambulatory easement, decreasing width of driveway per fire department approval and the tree replacement

Ms. Iradi

- Questioned if this hotel will this fit in with the Route 10 corridor ordinance that is being proposed?

Mr. Brancheau

- The ordinance is not complete at this point but discussions to date allow for hotels as a permitted use but on larger tracts of land.

Opened to the public

Seeing and hearing none

Closed to public

Mr. Campanile summarized the application before the Board.

Mr. Bernstein

- If the Board approves, it is on the site plan the board saw tonight. If there are substantial changes they must come back to the board.

Mr. Bernstein reviewed the conditions.

Mr. Neidhardt requested clarification on some of the variance being requested.

A motion to approve the application for site plan approval with conditions and an extension of variance approval granted was made by Member Walsh and seconded by Member Hingos.

Members Caruso, Hingos, Linfante, Neidhardt, Walsh and Chairman Stanziale were all in favor.

Member Fomchenko voted against the site plan approval and extension of variances

IV. ADJOURNMENT

Meeting Adjourned at 9:29PM

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