

**Minutes of the Planning Board of the
Township Of Hanover
August 19, 2014**

Chairman Robert Nardone called the Work Session Meeting to order at 7:02 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, Deehan, DeNigris, Dobson, Ferramosca (arrived 7:25), Francioli, Nardone, Pinadella (arrived 7:07)

Absent was Member: Critchley

Also present was Board Attorney, Michael Sullivan and Township Engineer, Gerardo Maceira

Chairman Robert Nardone reviewed this evening's agenda.

Mr. Sullivan reviewed three pieces of litigation.

Village Supermarket filed appeal. If carried though, will not be decided at least until April 2015.

Marucci Case Management Conference for today was cancelled.

Moroz matter reviewed by Mr. Sullivan

Michael D. Sullivan requested Authorization be given by the board to represent them in the matter of Moroz v Hanover Township Planning Board.

Motion for Mike Sullivan to defend Planning Board in the Moroz matter.

Moved by Member De Nigris, Seconded by Member Deehan – all members present in favor.

Mr. Sullivan explained to the Board that there was an issue with the recording equipment the night of the Moroz hearing and then explained how minutes may be able to be used. Both attorneys need to agree to this.

Township also was sued by Moroz. Michael Sullivan was in contact with Fred Semrau and Joe Giorgio. They must reach out to insurance company due to the fact Moroz is asking for damages.

The Mayor gave an update regarding meeting in Trenton with DOT.

Mack Cali ready to put shovel in the ground but they must wait for bat migration to be over.

Chairman Nardone discussed procedural issues regarding releasing the Rt. 10 corridor study. This document is still in draft form and is a deliberative work product.

Mr. Sullivan will check and let us know if it is releasable through OPRA.

Discussed zoning and procedures for dealing with developers.

Mr. Byrne feels the need to be flexible in order to get rid of some of the abandoned building on Rt. 10.

Chairman Nardone called the Public Meeting to order at 7:30 and read the Open Public Meetings Act into the record.

The Board Secretary called the roll.

In attendance were Members: Byrne, Deehan, DeNigris, Dobson, Ferramosca, Francioli, Nardone and Pinadella

Absent was Member: Critchley

Also present was Board Attorney, Michael Sullivan, Township Engineer, Gerardo Maceira

Cases Presented

I. MINUTES FOR APPROVAL JUNE 10 & JUNE 19 AND JULY 8, 2014

Minutes for both dates approved as written

Moved by Member Ferramosca, Seconded by Member DeNigris

Voice Vote all Present in Favor

II. PUBLIC HEARINGS

1) CASE NO.	14-3-3
APPLICANT	HANOVER BUSINESS ASSOCIATES, LLC
OWNER	HANOVER BUSINESS ASSOCIATES, LLC
LOCATION:	30 TROY ROAD WHIPPANY
BLOCK: 6902	LOTS: 2 ZONE: I

Applicant is seeking permission to install a natural gas standby generator in the lawn area to the rear of the existing building. This application is variance free.

Charles Lorber – Attorney for applicant from Mandelbaum Salsberg

Charles Thomas Jr. – Engineer with Omland Engineering – sworn by board attorney.

- Mr. Thomas described the application.
- The generator will be in the south side of the building.
- The Dimensions of the pad and the generator were reviewed.
- There are provisions for adequate noise production.
- The unit will be farther than 40 feet from the nearest property line and is completely centered within an Industrial Zone.
- The application is variance free.
- There is a large swamp across the street from the proposed location.
- The Generator will be exercised weekly during the daytime.
- The Generator is completely surrounded by lawn area. It is not near a parking area or driveway.
- Testing will be between 10:00am and 3:00pm.

Mr. Sullivan

- Reviewed the “As Built” testing condition.

Board

- Agreed that the “As Built” testing should be conducted.

Mr. Thomas

- The building is 17K sq. feet and the applicant occupies ½ of the building.

Mr. Maceira – Sworn by the Board Attorney

Mr. Ferramosca

- Question bollards to be put around generator to prevent lawn equipment striking the generator.

Mr. Maceira

- Feels that this would be a benefit.

Mr. Thomas

- Applicant agreed to install bollards.
- Addressed Mr. Brancheau’s report of August 18, 2014
- Item #4 – the parking layout has changed, but the required amount of parking spaces are still on site.
- Fencing will be put up around the drip line around the tree located near this generator so that the contractor does not harm or damage the tree.

Mr. Sullivan

- Reviewed the conditions if approved.

Motion to approve with conditions.

Moved by Member Ferramosca, Seconded by Member Pinadella

Members Voting “AYE” DeNigris, Deehan, Byrne, Dobson, Pinadella, Ferramosca, Mayor Francioli and Chairman Nardone

Members Voting “NO” None

2)	CASE NO.	14-6-7
	APPLICANT	QUICKCHEK CORPORATION
	OWNER	JEFFERSON ROUTE 10 ASSOCIATES, INC LOTS 5-8 FARASAT MANNAN – LOT 4
	LOCATION:	1001-1025 RT. 10 & 6 SOUTH JEFFERSON RD. CEDAR KNOLLS
	BLOCK: 2902	LOTS: 4-8 ZONE: BP

Applicant is seeking to demolish the existing vacant non-conforming buildings on site and construct an approximately 5,496 SF QuickChek food store, as well as an approximately 52' by 132.5' canopy covering the fueling areas. Applicant is seeking relief from sections 166-125C(1), 166-130, 166-131G(1), 166-153H, 166-153M, 166-144C, 166-144D, 166-144F, 166-146A, 166-146C, 166-146D(1), 166-141M(8), 166-186.N(5) as well as any and all variances that may be required.

John Wychiskala – Attorney for the applicant.

- Reviewed the properties in question. He gave the addresses and the history of the site. (Restaurant, Gas Station)
- There is contamination on the site from the former gas station.
- The contaminated soils will be remediated if application is approved.
- Are aware of concerns of residential properties in the area. Project does propose buffering and measures to protect the residents in the area.
- Reviewed his list of witnesses.

A-1 # Sheet document including colored rendered site plan, existing conditions, photos and colored artist rendering photo.

Grayson Murray – Professional Engineer, Accepted by the Board.

- Reviewed the history of the ownership of QuickChek.
- The Durling Family of Durling Farms are the owners of the QuickChek Stores.
- Discussed Existing conditions

A-2 Aerial Exhibit dated June 9, 2014.

A-3 Existing conditions photo board.

- Reviewed the current conditions on the site.
- Current building on corner is extending into the RT. 10 right of way
- All existing structures will be removed.
- The property has 337 feet of frontage on Rt.10 and Ukraine Road.
- The property has 292 frontages on Jefferson Road.
- The turn radius at the corner is currently an issue and will be improved as they move forward.

- There are currently no sidewalks on this site.
- This property has a history of being used as a gasoline station.
- They will be removing contaminated ground soil and remediating ground water.
- Soil will be removed from the site following all required guidelines.

A-4 Photo Simulation depicting the improved conditions facing the southwest.

A-5 Rendered Elevations.

- The architecture of this site mimics what they approved at the crossroads site on Hanover Ave. and Ridgedale Ave.
- The size and architecture of the proposed building was described.
- Described the customer vestibule and signage.
- Described the sign package proposed for this site.
- Described exhibit A-4 showing the artist rendering of the proposed site.
- There is no indoor or outdoor seating proposed at this site.
- The internal operations of the building were reviewed.

A-6 Proposed floor plan.

A-7 Site plan exhibit.

- The Board was walked through the proposed floor plan.
- Described the open architecture and visibility of the store.
- Reviewed the layout of the different areas of the store.
- Beverage station, coffee station, deli area, cooler section, freezer section, center of the store gondolas, ADA compliant restrooms, banking station with “No Fee ATM”, self-check-out areas.
- Reviewed the exterior site plan layout.
- Discussed the fueling operations proposed on this site.
- Two low fuel diesel pumps are proposed for passenger vehicles only.
- Sixteen fuel positions.
- Three underground storage tanks are all state of the art and meet or exceed DEP requirements.
- Employee count can be anywhere from 20-32 for the food store component.
- Possibility of 50 employees including full and part-time employees.
- Approximately 12 employees per shift.
- The Overnight Shift must have at least 3 employees on the site.
- There are 32 security cameras. 16 Inside and 16 outside.
- Discussed site access. – Vetted with DOT and internal design team to provide an optimal design.
- Described the access driveways and the turning radius in order to accommodate tractor trailer maneuvers and the DOT right-of-ways.
- Ingress only from Ukraine Road. – No egress onto Ukraine Road.
- Described site circulation for the site.
- Addressed concerns with drive isle immediately east of the store.
- Exceeds the design standards by 5 feet.
- The parking spaces proposed are 10X20.
- 15 Feet on way drive isle on west side of the building.

- 30.2 foot isle around the canopy.
- 31.5 distance between bollards at the fueling stations.
- This allows for all fueling stations to be full and still allow for a care to drive through the center of the lanes.
- Canopy is 52 feet x 132 feet.
- Providing pedestrian crosswalk and countdown timers. Improving safety conditions for pedestrians.
- Discussed parking and loading.
- 52 10x20 spaces proposed including ADA Spaces.
- The area around the building is a flush design which greatly improves flow and reduces tripping hazard and simplifies maintenance.
- The planting beds become a cut-through area and the plants become destroyed. It is not very appealing. They would prefer to not install the landscape islands.
- Truck turning exhibit dated May 8, 2014.
- Described the store and fuel truck delivery access to the site.
- The pathway around the site is a figure 8.
- Fuel trucks are limited to the Rt. 10 entrance.
- Can limit delivery time with WB50. All are during off peak times.
- Discussed the masonry trash enclosure that is proposed.
- To the east is a small shed contiguous to the trash enclosure. The roof is extended from trash enclosure to house Billy goat Vacuum.
- Variance is required for the shed because it is roofed in order to protect the Billy goat from the Elements.
- Store Deliveries are 5-6 times per week. Store will receive deliveries from small trucks 5-6 times per day.
- Trash will be hauled away 2-3 times per week.
- Utilities are already provided to this site.
- Will be bringing an entire storm water management system onto this site.
- NJDEP mechanical treatment device known as an Aqua filter will be provided on this site.
- Addressed lighting on the site. Single and double pole mounted fixtures. LED fixtures.
- Requesting relief from foot candle. The light level should remain as is for safety reasons.
- To reduce impact on the neighbors, there will be no light spill over to the west. Cut off light levels will be before the property line.
- Discussed the sign package.
- 267 plantings are proposed. Plant material will focus on the residential area.
- Described the proposed buffer.
- Tree removal calculations will be discussed with the arborist to work through the details.
- 66 trees proposed to be planted on this site.
- Along the west and south property line, a 6ft. board on board fence is proposed.
- Discussed the Fire chief's report and agree to all of the conditions that do not have to do with the sprinkler on the site. Sprinkling this site is not required.
- The convenience store will be closed between 10PM and 6AM. The gas operation will be 24 hours.
- Building mounted lights for the activity of deliveries. There will be no light spillage onto the neighboring properties.

Mr. Pinadella

- Questioned the reason for no outdoor or indoor seating at this site.

Mr. Wychiskala

- From feedback, seating is not recommended.

Mr. Murray

- No trucks will be stored on this site overnight.
- The employee count is dependent on the activity.

Mr. Ferramosca

- Questioned if they could change employee parking area to the closet residential zone. There will be less traffic activity in the residential area.

Mr. Wychiskala

- The trash pickup will be at acceptable hours and will be worked out before these hearings are concluded.

Mr. Ferramosca

- Questioned the access to the site from Ukraine Rd. Can it be eliminated??
- Questioned other safety measures in case of a spill.

Mr. Murray

- Computer based monitoring system measures the amounts of fuel in and out. There is corrosion protection, overfill protections, and a series of alarms.
- Trained personnel go through QuickChek University. They will know how to address people getting their cars properly aligned at the pumps.

Mr. Nardone

- Questioned removing the trash enclosure from the residential property lines.

Mr. Murray

- Addressed why the trash containment area is located where it is. Can it be moved and still keep in alignment for the truck access?

Mr. Pinadella

- Suggested architect look at the daycare center (Early Learning Center) across the street. Redesign to look more like a daycare center building. He feels the architect could do a better job designing the basic peaks and roof design of the building.

Mr. Nardone

- Remembered discussing the canopy. Try reducing the green appearing on the canopy.

Mr. Byrne

- Is not happy with the current architectural design of the proposed QuickChek.

Mr. Murray

- Addressed the design of the Jefferson Rd. right turn. How is it designed so that drivers do not turn into the site from Jefferson Rd? Access for drivers going north on Jefferson Rd. would be from Ukraine Rd.
- Reviewed the Planners report dated August 18, 2014. Section B.

Mr. Maceira – Sworn by the attorney

- Recommends 3 spaces on the north side of the convenience store be removed.

Mr. Murray

- Disagrees with item #8 regarding planted islands.

Mr. Maceira

- Requested Copies of the Remedial Action Reports

Mr. Murray

- Reviewed the Engineers review dated August 18, 2014.

BREAK

BACK ON RECORD

Opened to the public for questions only.

Susan Kostick - Margaret Kicak at 1031.

- Questioned the ranch home located at 1025.

Mr. Wychiskal

- The home at 1025 will be removed.

Mrs. Kostick

- Questioned the lighting and the 15 Ft. light poles.

Mr. Murray

- Addressed how the lighting has a cutoff shield and will prevent light from spilling over onto the residential property.

Mrs. Kostick

- Concerned those plantings will be too small.

Mr. Murray

- Addressed the different sizes of the trees and explained that they are nursery stock sizes.
- Agreed there will not be unloading and trash activities during the hours of 10PM and 6AM

Mrs. Kostick

- Questioned demolition activities.

Mr. Murray

- Addressed dust control and demolition hours. Addressed hours of demolition.

Mr. Maceira

- 7AM to 7PM are the allowable hours for construction activity.

Mr. Murray

- The trees will grow larger than 15 ft. in height.

Mr. Pinadella

- Questioned being able to turn the lights off at the back of the property at 10PM. Providing different lighting after 10pm.

Mr. Maceira

- There is vegetation on site that they are looking to preserve, especially along the west property line.

Mr. Murray

- They are looking to preserve a lot of the plantings and adding to it to provide a substantial buffer as well as the grade change. This will help with the light height. He will look into this further.

Carol Fomchenko – 38 Malapardis Road.

- Questioned the buffer.

Mr. Murray

- The buffer is 25ft. and complies with ordinances.

Ms. Fomchenko

- Questioned access from Ukraine Rd. Also questioned where the dividing line for the zone is.

Mr. Maceira

- The dividing line is the center of Ukraine Rd.

Ms. Fomchenko

- Referred to the ordinance 18-2013 and the changes.
- 166-129 Access to non-residential zones and uses.
- Questioned the box on Jefferson Rd. and Ukraine Rd. Also questioned if developer is going to put in a flashing sign that says do not block the intersection.
- Questioned the frontage required.

Paula Deuer – 51 Malapardis Rd.

- Questioned permitted hours of operation and hours of the parking lot vacuuming.

Mr. Wychiskala

- Must comply with the township ordinances regarding noise.

Judy Iradi – 43 Locust Dr.

- Questioned if this is similar to the Whippany Road site.

Virginia D’Peter – 67 Malapardis

- Questioned closing the Ukraine Rd. entrance.

Mayor Francioli

- The traffic expert will address those questions.

Charles Olivio – Stonefield Engineering and Design

- Provided educational and professional background.
- Professional Engineer.
- Traffic Engineer for the site.
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A-9 Aerial View of roadway network.

- Described the existing roadway conditions and the existing jug handles.
- Discussed the days and times that the traffic counts were taken.
- The busiest time of day was the evening hours.
- Discussed the vehicle trips of Rt. 10 and Jefferson Rd.
- Almost 90% of the traffic would be visiting this site is already on the road before this site is even built.

Mayor Francioli

- Asked Mr. Olivio regarding the access and traffic onto Ukraine Rd.

Mr. Olivio

- The third approach lane that is being added will reduce traffic at the light.
- The traffic coming out of the jug handle will not impede the traffic making a left onto Ukraine Rd.

Mr. Pinadella

- Questioned the 500 cars going south on Jefferson and the cars trying to make a left onto Ukraine Rd.
- The only cars trying to get onto Ukraine Rd. now are those that live there. Access to the station from Ukraine Rd. would greatly increase traffic onto Ukraine Rd.

Chairman Nardon – stopped the meeting due to the late hour.

Motion to carry case to September 23, 2014

Moved to adjourn by Member Ferramosca, Seconded by DeNigris.

III. ADJOURNMENT

Meeting Adjourned at 10:30P.M.

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