

**Minutes of the Planning Board of the
Township Of Hanover
February 10, 2015**

Chairman Robert Nardone called the Work Session Meeting to order at 7:05PM 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, Francioli, Nardone and Dobson

Absent were Members: Mihalko and Pinadella

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

Chair reviewed the agenda for the evening.

Mr. Sullivan explained ordinance 1-2015 FAR and how it affects 67 Whippany Road Applicant.

Mr. Sullivan reviewed the Moroz lawsuit and explained what being remanded back to the Planning Board by Court means.

Motion to approve Mr. Sullivan to execute the final judgement by consent.

Moved by Board Member Ferramosca, and Seconded by Member De Nigris.

All members present in favor.

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

The Board Secretary, Kimberly Bongiorno called the Roll Call.

In attendance were Members: Byrne, Critchley, Deehan, De Nigris, Dobson, Ferramosca, Francioli and Nardone

Absent were Members: Mihalko and Pinadella

Public Business Conducted

I. MINUTES FOR APPROVAL

JANUARY 20, 2015

Motion to approve the minutes as written.

Moved by Member Ferramosca, Seconded by Member De Nigris

Voice Vote – All present members in favor.

II. PUBLIC HEARINGS

1)	CASE NO.	14-11-13
	APPLICANT/OWNER	ISOMEDIX OPERATIONS, INC
	LOCATION:	9 APOLLO DRIVE WHIPPANY
	BLOCK: 3901	LOTS: 26
		ZONE: I

Applicant is seeking Preliminary and Final Site Plan in order to install an emergency gas powered generator and associated improvements. Application is variance free.

Board Action Date – MARCH 1, 2015

Frank P. Luciano – Attorney for the applicant.

Mr. Luciano is seeking conforming application for an emergency electric natural gas powered generator.

- Scott Comstock, Plant Manager for Isomedix, was sworn by the Board Attorney.
- The building is being used for offices and warehouses.
- Mr. Comstock described the generator.
- A sound abatement package was purchased.
- Tested 10 minutes at a time.
- Described the different reasons they have experienced power outages in the area.
- This business sterilizes medical devices and pharmaceutical products.
- Power outages prevent them from performing their business functions.

7:56PM Open to the Public – Seeing None.

7:56PM Closed to the Public

- Joseph Mara, planner for the applicant, was sworn by the Board Attorney.
- Mr. Mara gave an overview of his professional and educational background.

A motion to accept was made by voice vote by the Board.

- Exhibit A-1 – Colored sheets of SP1 and E1 of plans were colorized.
- He gave an overview of the layout and location for the proposed generator.
- On the northern side is 300 feet of wooded buffer to a parking lot.

- On the eastern side is a heavily wooded buffer.
- There are railroad tracks on the south side.
- Exhibit A-2 – January 5, 2015 is a letter from PK Environmental.
- The letter described the environmental investigations that PK Environmental performed.
- The generator location is outside the required 50 foot wetlands buffer.
- Sound readings were discussed and how they are obtained.

Mr. Sullivan – Usually there is a condition added to the resolution that testing is limited to Monday through Friday – 10:00AM to 3:00PM and following installation of the generator an as-built noise test will be conducted.

- Mr. Luciano – Agreed to these two conditions.
- Mr. Luciano also agreed to conditions in Mr. Branchaue’s report. He will satisfy paragraphs 2 & 3 in the planners report.

- Mr. Mara – because there is no vehicle impact in this area, there is really no need for bollards at this site.
- The concrete pad sits 6 inches above grade.
- Mr. Mara stated that they could install a security fence.

-Mr. Ferramosca is concerned that mowers might strike the generator.

- Mr. Mara – A minimum of 18 inches of concrete that is above the grade by 2 inches minimum would protect the generator from a lawnmower.
- Mr. Mara suggested a chain link fence rather than bollards due to the expense of adding bollards.

- Mr. Maceira was sworn by the Board Attorney.
- Mr. Maceira stated the property is already fenced in but the security fence around the generator will just give added security protection.
- He feels the fence should be at least 6 feet in height.

8:11PM – Opened to the Public – Seeing None

8:11PM – Closed to the Public

-Mr. Sullivan summarized conditions

Motion to approve with conditions.

Moved by Member Ferramosca, and Seconded by Member Byrne

Members voting in favor, De Nigris, Deehan, Critchley, Dobson, Byrne, Ferramosca, Mayor Francioli and Chairman Nardone and no members voting against the application.

8:34PM Opened to Public – Seeing None

8:34PM Closed to Public

- John Burke – Architect for applicant still under oath from prior meetings.
- Mr. Burke described how they will address light spilling out from the building.
- There will be occupancy sensors on the lighting.
- There will be shading devised on the windows operated by sensors.
- He spoke with Chief Cortright on February 5th, 2015.
- Discussed turning radius on the apparatus.
- Discussed stretcher access and ambulance access into the parking structure.
- The service elevator will serve the stretcher and the elevator in the parking garage will be modified to accommodate a stretcher. All these items satisfied the Fire Chief.
- The fire utility truck will clear the height of the parking deck and will be able to access the parking deck.
- Discussed the Fire Chief report and the items they will comply with.

- Mr. Nardone - Questioned how much taller this building will appear because it is 100 feet closer than what the ordinance allows.

- Mr. Burke replied the building would look approximately one story taller.

8:43PM – Opened to the Public – Seeing None.

8:43PM – Closed to the Public

- Paul Phillips – was sworn by the board attorney, and is the licensed planner for the applicant.
- Mr. Phillips gave his professional and education background.
- It was accepted by the Board.
- Discussed the proposed variances.
- Variances can be justified by C2 criteria.
- Addressed the height variance.
- 201 Foot setback along Whippany Road frontage.
- The applicant will be improving the grade change. It will provide a built in buffer.
- The proposed enhanced landscaping will provide visual relief.
- There are benefits to be gained by supplementing the reduced setback.
- Mr. Phillips addressed all of the variances and the justification for requesting the variances.
- All the setbacks were discussed.
- Discussed the buffer area variance to the Care One site.
- Also discussed the rooftop structure height variance.
- Addressed tree replacement variances.
- Complied with items B4 and B8.

- Mr. Brancheau – does not have the side yard to the parking deck as a variance.
- Determined a variance is not required for section 166-144 C4B and read the ordinance. He gave his reasons for determination that a variance is not required.
- Mr. Brancheau feels that some variance discussions should be post sub-division.

9:26PM Break

- Mr. Malman continued direct examinations of Mr. Phillips
- Mr. Phillips – discussed parking space and overhangs and stall lengths.
- Also discussed signage.
- Items 11 & 13 in Mr. Brancheau’s report will be removed.
- Mr. Murray – Stated that item 12 variance has been eliminated.
- Mr. Brancheau – discussed directory signage and which set of standards apply to the Eden Lane sign.
- Open Discussion – Board Members, Mr. Brancheau and Mr. Phillips had a discussion regarding signage.
- Mr. Byrne was concerned with the setback variances. It should be able to be built with zero setbacks.
- Mr. Phillips gave reasons why he feels this is a better plan than one that would have conforming setbacks.
- Mayor Francioli questioned the front yard parking and questioned if it is a necessity.
- Mr. Murray gave his reasons for not moving the parking to the rear of the building which is due to the significant grade changes.
- Mr. Byrne suggested floating balloons so they can get a feel as to how high the building will appear from the road.
- Mr. Phillips, Mr. Murray and Mr. Ferramosca had a discussion regarding the grading and what the visual impacts would be.
- Mr. Critchley asked for the site line study at a later date so the board has a better idea.

10:10PM Opened to the Public

- Fred Meola questioned the height of the berm and is it on the plans on file.
- Mr. Murray replied yes, it is on the plans currently on file.
- The berm in 12 feet above Whippany Road.
- Mr. Meola questioned the parking garage.
- Mr. Murray gave the reasons why doing such would make it impractical.
- The berm and the plantings work in concert to screen the building.

10:17Pm The Board carried to 2/17/15 with no further proof of notice required.

Moved by Board Member Ferramosca, and Seconded by Member Byrne.

Members voting in favor, De Nigris, Deehan, Critchley, Dobson, Byrne, Ferramosca, Mayor Francioli and Chairman Nardone. No Members voted against carrying the case.

III. OTHER BUSINESS

Referral of ordinance 1-2015 – Floor Area

Motion to approve as written.

Moved by Member Ferramosca, and Seconded by Member Byrne

Members voting in favor, De Nigris, Deehan, Critchley, Dobson, Mihalko, Byrne, Ferramosca, Mayor Francioli and Chairman Nardone. No members voted against the ordinance.

Referral of Ordinance 3-2015 – Zone R-15A

Motion to approve as written.

Moved by Member Byrne, and Seconded by Member De Nigris

Members voting in favor, De Nigris, Deehan, Critchley, Dobson, Mihalko, Byrne, Ferramosca, Mayor Francioli and Chairman Nardone. No members voted against the ordinance.

IV. ADJOURNMENT

Meeting Adjourned at 10:21P.M.

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