

**Minutes of the Planning Board of the
Township Of Hanover
AUGUST 18, 2015**

Chairman Robert Nardone called the Work Session Meeting to order at 7:03 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, De Nigris, Dobson, Mayor Francioli, Nardone, Mihalko, and Pinadella.

Absent were Members Critchley and Ferramosca.

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

The Chairman explained that a new Vice-Chair will need to be elected due to Mr. Byrne taking on a special position with the Township.

In a general discussion Mr. Pinadella asked about designs for prohibiting left hand turns in order to make the traffic flow safer.

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

The Board Secretary, Kimberly Bongiorno called the roll.

In attendance were Members: Byrne, Deehan, De Nigris, Dobson, Mayor Francioli, Nardone, Mihalko and, Pinadella.

Absent were Members: Critchley and Ferramosca

Public Business and Cases Presented

I. ELECTION OF VICE CHAIRMAN

Due to the change of class of Member Byrne from Class IV to Class II it became necessary to nominate a new vice-chairman for the remainder of 2015.

Motion to nominate Eugene Pinadella as Vice Chairman. Seeing and hearing no other nominations.

Moved by Member De Nigris, and Seconded by Member Deehan.

Members voting in favor, De Nigris, Deehan, Dobson, Mihalko, Byrne, Mayor Francioli and Chairman Nardone.

Mr. Pinadella abstained from voting and no member voted against.

II. MINUTES FOR APPROVAL

JULY 28, 2015

Motion to approve the minutes for the date of July 28, 2015 as written.

Moved by Member Pinadella

Seconded by Member De Nigris

Voice Vote – All present in favor.

III. PUBLIC HEARINGS

- | | |
|--------------------|---------------------------------------|
| 1) CASE NO. | 15-6-7 |
| APPLICANT | WHIPPANY ROAD DEVELOPERS |
| OWNER | EMMANUEL ORTHODOX PRESBYTERIAN CHURCH |
| LOCATION: | 325 WHIPPANY ROAD |
| | WHIPPANY |
| BLOCK: 4701 | LOTS: 29 ZONE: R-10A |

Applicant is seeking Preliminary and Final Site Plan approval to construct 25 single family homes and all related site improvements. Application partially heard and carried from July 28, 2015

Board Action Date – September 26, 2015

Craig Alexander, attorney for the applicant.

the William Hamilton, was reminded by the Board Attorney that he is still under oath from last hearing of July 28, 2015.

- Gave a brief overview of the amendments made to the plans.
- Exhibit A-3 – Site plan rendering dated 8/18/15.
- Revised plan to show an RSIS approved cul-de-sac at the end of Road B.
- The Whippany Road exit was re-configured with a concrete island and no left hand turn.
- 23 deciduous trees were proposed. The Board wanted to beef up the evergreen planting.
- Mr. Hamilton reviewed Mr. Brancheau’s memo dated 8/18/15.
- He reviewed the proposed variances and additional comments from Mr. Brancheau’s report.

Mr. Sullivan

- Clarified the waiver that the applicant was requesting.

Mr. Hamilton

- If the Board feels that they do not want to restrict left hand turns and wants the elimination of the island, we would like to install speed tables.

Board

- OK with the speed tables at crosswalks.
- OK with leaving the island.
- Take out the no left turn sign.

Mr. Hamilton

- Could install extra speed humps.

Board

- Does not feel extra speed hump is needed.

Mr. Maceira

- Some of the condo complexes in town require title 39.
- Others do not want title 39.
- Speed limits within these developments range from 15 – 25MPH.
- In terms of police enforcement, it is up to each condo development.
- The Board can request whatever speed limit they would like to see on this site.

Mr. Hamilton

- Will grant Title 39 and 15MPH speed limits and this will be included in the homeowner's documents.
- Continued to review Mr. Brancheau's report dated 8/18/15.

Mr. Sullivan

- Mr. Brancheau, Mr. Maceira, and the zoning officer will review the compliance documents for the floor plans and facades.

Mr. Hamilton

- There will be a minimum of five facades proposed for the development.
- We will increase the length of the ornamental fence.
- We will work with the Post Office as to the location of the mailboxes.
- Will put something in the homeowner's documents to address lighting and spillage onto adjacent properties.
- Any lighting on the rear of the homes will be directed downward, as to not allow spillage onto surrounding properties.
- Prior to the issuance of a building permit, the applicant shall provide a zoning compliance plan with respect to floor area ratio, building coverage and improved coverage requirements subject to review and approval by the Township Engineer, Township Planner and Zoning Officer.
- Reviewed Mr. Maceira's report dated 8/17/15.

Mr. Deehan

- Questioned turning arrows on Whippany Road.

Mr. Maceira

- This is part of the improvements that are required as part of the approval from the 67 Whippany Road Investors.

8:27PM Opened to the Public for questioning and comments.

Len Fariello – 336 Whippany Road.

- Requested three houses that are at the point of Whippany Rd. and Park Ave. be eliminated to lessen the density.
- Suggested a deed restriction on the Open Space Area.

Mr. Sullivan

- Any construction of significance would have to come before the Board.

Mr. Alexander

- We will comply with the density requirement and will not reduce the number of homes.

Ms. Lois DeCaro – 114 Park Avenue

- Would like clarification as to what type of fencing is going up.

Mr. Hamilton

- 6 Foot high, board on board fence.

Ms. DeCaro

- Feels that type of fence will look awful and wants a living fence.

Mr. Sullivan

- Reviewed the fence requirement in the ordinance.
- What is being proposed is compliant with the ordinance.

Mr. Pinadella

- It is acceptable to the Board to not construct the fence.

Board

- The applicant, the developer and a township official, such as the arborist must agree on the plantings and screening.

Mr. Hamilton

- Gave the C1 & C2 criteria for granting the variance if not installing the fence.

Len Fariello

- Would like the decks to be eliminated on the 3 homes that back up to Park Ave. and Whippany Park.

Mr. Hamilton

- The 3 units are well screened and private from the roadway and they do not want to eliminate the patios on the 3 homes that back to Whippany and Park. These are patios not decks.

8:43PM

Closed to the Public.

Mr. Sullivan

- Reviewed the conditions.

Motion to approve the construction of 25 single family homes subject to the following conditions outlined by the Board Attorney.

1. The applicant shall comply with and satisfy paragraphs 1, 2, 3, 7, 8, 9, 10 and 11 contained in the Township Engineer's review memorandum dated August 17, 2015.
2. The plans shall be revised to provide a minimum set back of 20 feet from the road to the porch for Building 23 in compliance with Section 166-176.5C(2).
3. The plans shall be revised to provide the proposed light fixtures shall be shielded to avoid the direct source of illumination from being visual on public streets or adjacent residential properties as required by Section 166-104F(3) and additional fixture detail shall be provided to confirm compliance.
4. The applicant shall meet the minimum 236 tree planting requirement in accordance with Section 166-131H(2)(b).
5. The applicant shall obtain Morris County Planning Board approval.
6. The plans shall be revised to depict the proposed curb radii for Roads "A" and "B."
7. Prior to the issuance of a building permit, the applicant shall provide a zoning compliance plan with respect to floor area ratio, building coverage and improved coverage requirements subject to review and approval by the Township Engineer, Township Planner and Zoning Officer.

8. The applicant shall implement a minimum of five difference façade designs and shall be permitted design flexibility as relate to individual dwellings as follows:
 - a. Minimum and maximum variation in building footprint, roof design, façade material and design. There should be sufficient variation to avoid excessive repetition and monotony.
 - b. Minimum variation setbacks from the roadway. The buildings should vary in their setback from the private street in order to avoid a “barracks” appearance.
 - c. Variation in driveway locations, without impacting the number of on-street parking spaces.
 - d. Variation in grading, without adversely affecting building height calculations, drainage issues and visual impact to surrounding properties subject to review and approval by the Township Engineer.
9. The architectural plans shall be revised to be more legible and the depth dimension of the second floor of the Griffith model shall be included.
10. A number of the proposed plantings are located near the property boundary. These plantings should be relocated where they will not encroach onto adjacent property or into the street right-of-way. Such locations include the following: the Whippany Road frontage in the northeast corner of the site, the Park Avenue frontage and the easterly property line, adjacent to Lots 28 and 30.
11. All buffer plantings including but not limited to a tree in the buffer located directly opposite a stormwater outfall shall comply NJDEP regulations for such plantings and the species utilized shall be tolerant of the soil moisture levels in these locations.
12. The fence and screen plantings proposed between the cul-de-sac bulb and Park Avenue shall be extended in both directions to provide greater visual screening of the pavement and headlights.
13. The applicant shall demonstrate if any environmental contamination is present on the subject property, and if so, that same has been remediated in accordance with State and Federal requirements.

14. The applicant shall be responsible for payment of a mandatory development fee for affordable housing at the time of building permits and certificates of occupancy for the dwelling units.

15. The condominium and homeowners association documents shall be subject to the review and approval by the Township prior to the issuance of any certificates of occupancy and shall include provisions as follows:

a. Requiring yard areas and other open areas not occupied by buildings, and including private roadways, be maintained in single ownership and the maintenance of such areas to comply with the provisions contained in Section 166-103F.

b. Outdoor lighting on the rear of dwellings facing adjacent residential properties shall be downward mounted and shielded to eliminate glare and excess spillage on adjacent properties.

c. The posted speed limit for Roads "A" and "B" shall be 15 miles per hour.

d. The property shall be subject to Title 39 enforcement subject to approval of the municipality.

16. The applicant shall coordinate mailbox locations with the Postmaster.

17. The form of all required easements shall be subject to the review and approval by the Township including but not limited to a deed and easement description for the proposed sidewalk easement prior to recording.

18. The plans shall be revised to eliminate the fence along the easterly boundary tract.

19. Following installation of landscaping, the applicant shall meet with the owners of Lots 28 and 30 in Block 4701 to confirm the adequacy of the landscape screening. In the event the screening is not determined to be adequate by the adjacent property owners, the applicant shall install additional screening as required by the Township Arborist.

20. The plans shall be revised to eliminate the “no left turn” sign at the intersection of Road “A” and Whippany Road.

21. The plans shall be revised to redesign the island at the intersection of Road “A” and Whippany Road to permit left hand turns and allow adequate and safe ingress and egress for emergency vehicles.

22. The two proposed road crosswalks shall be raised to reduce vehicular speed subject to review and approval by the Township Engineer.

23. The applicant shall be responsible for the payment of all escrow charges incurred in connection with the review of this matter.

Moved by Member De Nigris, and Seconded by Mr. Deehan

Those voting in favor Members De Nigris, Deehan, Pinadella, Dobson, Byrne, Mayor Francioli and Chairman Nardone.

Those Opposed: Member Mihalko

2)	CASE NO.	15-7-10
	APPLICANT	JEWISH COMMUNITY HOUSING CORPORATION OF METROPOLITAN NJ
	OWNER	JEWISH COMMUNITY FOUNDATION OF GREATER METROWEST, INC.
	LOCATION:	903-905 ROUTE 10 EAST WHIPPANY
	BLOCK: 4001	LOTS: 9 ZONE: DS/R-15

Applicant is seeking Preliminary and Final Site Plan approval to install three natural gas generators and associated improvements.

Board Action Date – September 3, 2015

Craig Alexander, attorney for the applicant.

Harold Colton Max, CEO of the Jewish Community Housing Corporation, was sworn in by the Board Attorney.

- Lester Senior Housing is a non-profit housing organization for senior citizens.
- There are 120 Independent Living Units and 55 Assisted Living Units.
- The reasoning behind requesting three emergency generators is that Senior Housing was without power for eight days during Super Storm Sandy and we are requesting the generators for emergency purposes only to avoid their residents being without power for any extended period of time.
- Mr. Colton-Max gave an overview of the housing on the property.
- The current generator provides your basic emergency power for elevators and emergency lighting.
- Additional generators will allow for all of the common areas, commercial kitchens, and hallways to be lite, cooled, or heated in the case of a power outage.
- The facility is fully kosher. There is a separate dairy/milk kitchen and a meat kitchen that would be serviced by the generators.

7:41PM Opened to the Public for questioning.
Seeing none, hearing none.
Closed to the Public.

Michael Relton, architect for applicant, gave an overview of his professional and educational background and was accepted by the Board.

Mr. Relton reviewed the proposed plan.

- There are 3 generators being proposed.
- There will be 2 sizes of generators. One for the kitchen and one the bulk community.
- There are 2 larger generators proposed by the loading area.
- The smaller generator will be for some independent living areas.
- Mr. Relton gave an overview of the sizes of the generators.
- They will be a considerable distance from the property lines.
- We are proposing 6 bollards around the two larger bollards.
- There are no bollards being proposed for the smaller generator.

Board

- Does not feel that any other additional bollards are necessary.

Mr. Relton

- Will comply with all other comments in the Planners and Engineers reviews.

Mr. Gerry Maceira, Township Engineer, was sworn by the Board Attorney.

- Feels that the generator testing should have restricted hours of testing due to the residential component of this property.
- He does not feel that the sound test is required.

Mr. Relton

- Service will be provided to just the common areas and kitchens.

7:50PM Opened to the Public for questions and comments.

Seeing none, hearing none.
Closed to the Public.

Mr. Sullivan

- Summarized conditions.

Motion to approve three natural gas generators and associated improvements subject to the following conditions as outlined by the board attorney:

1. The applicant shall comply with and satisfy paragraph 1 and 2 contained in the Township Engineer's review memorandum dated August 13, 2015.
2. The applicant shall comply with and satisfy paragraphs 2 and 4 contained in the Township Planner's memorandum dated August 18, 2015.
3. Testing of the generators shall be limited to Monday through Friday 10:00 a.m. to 3:00 p.m.
4. The applicant shall be responsible for the payment of all escrow charges incurred in connection with the review of this matter.
5. The applicant shall be bound by all representations made on its behalf by its attorney and professionals during the course of the public hearing.

Moved by Mr. Pinadella, and seconded by Mayor Francioli.

Those voting in favor were Members De Nigris, Deehan, Dobson, Mihalko, Byrne, Pinadella, Mayor Francioli and Chairman Nardone.

IV. ADJOURNMENT

Meeting Adjourned at 8:49P.M.

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