

**Minutes of the Planning Board of the
Township Of Hanover
June 12, 2012**

Chairman J. William Byrne called the Work Session Meeting to order at 7:05 PM 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, Ferramosca, Francioli, Iannaccone, Nardone, Pinadella, Steiger and Williams

Absent were Members: None

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

John Negri – Caldwell Banker Realtor

- Gave overview of the South Jefferson Road Site
- The approved Iglesia Evangelica Church that was originally going to build on this site is not going to build they found an alternate location

Mike Barret - Project Manager for Bright Star

- Proposal - Hotel 107 rooms
- Home II is a Hilton product and will follow the Hilton rewards program
- Home II is an Extended stay hotel with a minimum of 3-7 day stays
- 107 room hotel and meeting room
- 57,000 square feet
- 4 stars Hotels
- Building would be 45 feet in height
- 208 parking spots proposed
- 10,000 square foot meeting space proposed in a separate building
- Photo Boards of prototypes shown of hotel – rooms – pools
- Discussed circulation around site
- Indoor pool proposed
- Discussed open walkways from the Hotel to the Meeting Facility

Michael Sullivan – Board Attorney clarified that as project stands it is a Board of Adjustment case

- Looking for changes in the zone
- Ideally 180 parking spaces would benefit this project
- Marketing visitors for no less than 3 days
- Not a transient project
- Destination project
- This project is extended stay

- Separate meeting room from main hotel is geared towards convenience of the hotel guests
- Meeting facility is not one large room it is broken into a main room - breakout rooms – partitions to separate rooms
- Hilton would not spend \$14 million if they did not think the project would be successful
- Fits perfectly into Hilton’s models

Mr. Patel – Hotel Owner - There is no cooking at building

- Would have to cater out

Chairman J. William Byrne called the Regular Meeting to order at 7:34 PM and The Open Public Meetings Act statement was read into the record:

Cases Presented

I. RESOLUTIONS TO BE MEMORIALIZED

CASE NO.	12-3-1
APPLICANT	CAE North East Training Center, Inc.
OWNER	LSAC Morris County L.P.
LOCATION:	4 Apollo Drive Whippany
BLOCK: 3901	LOTS: 18 ZONE: I

Applicant sought Preliminary and Final Site Plan and “C” variances. Applicant sought the following variance relief:

To permit three signs identifying it business where one is allowed.

To permit sign setbacks to the right of way of less than 37.5 feet.

To allow vertical sign dimensions greater than 4 feet

To permit maximum sign height greater than 8 feet

To permit illumination of proposed signs between 11:00pm and 7:00am

To permit signs located within a required buffer.

Application approved May 22, 2012

Motion to approve resolution

Moved by Member Steiger, Seconded by Member DeNigris

Members Voting “AYE” DeNigris, Steiger, Iannaccone, Deehan, Williams, Francioli, and Byrne

Members Voting “NO” None

II. MINUTES FOR APPROVAL - MAY 8, MAY 22, AND MAY 29, 2012

All Minutes approved.

Amendments made to the May 29, 2012 minutes and were approved by the board.

Moved by Member Ferramosca, Seconded by Member Nardone
All present in favor

III. PUBLIC HEARINGS

- 1) **CASE NO.** 11-7-4
APPLICANT/OWNER HANOVER AND HORSEHILL DEVELOPMENT, LLC
LOCATION: CORNER OF HANOVER AVE. & HORSEHILL RD.
CEDAR KNOLLS

BLOCK: 701 **LOTS:** 1, 2 & 3 **ZONE:** IB-3

Applicant is seeking preliminary and final site plan and variance approval for the development of a mixed retail shopping center including a supermarket, retail building and a pad site with associated driveways, parking areas, storm-water management facilities, signage, fencing and landscaping. Case partially heard and carried from September 27, October 25, November 15 & 22, 2011 and January 10 & 17, February 21 and 28, and March 20, 2012.

Board Action Date – JUNE 30, 2012

John Wychiskala - Attorney for applicant - court reporter is not present - will continue anyway

Court reporter arrives and sets up

John Wychiskala - Attorney for applicant - Continuation of public hearings

- Gave overview of previous hearings regarding missing pages of storm water report

Nancy Lottinville – Attorney for the opposition - Questioned notice - and the properties that were used for the notice in order to provide 200 foot lists

- Questioned Dendreon site not being called out in the notice - feels notice is deficient

John Wychiskala – Attorney for applicant - took conservative approach included sites that are not necessarily part of this application

- Plans do not call for any improvements onto Dendreon site

Nancy Lottinville – Attorney for the opposition - Feels Blanchard and Dendreon should be called out in notice

Michael Sullivan – Board Attorney - Look at notice in total - feel notice is sufficient

John Wychiskala – Attorney for the applicant - Will proceed this evening

Dave Wisotsky - Engineer for applicant - Civil Engineer - Previously sworn and still under oath, reviewed revised plans and revised storm water report

- Addressed items on the plans that have been updated
- Central driveway pinch point - left and right turn in movements modified - emergency spillway now sod for aesthetic reasons
- Discussed the storm water management plan
- Plan meets DEP requirements including Geotechnical requirements

Nancy Lottinville – Attorney for the opposition - Requested sheet 5 be shown May 2, 2012 - updated plans and the Control Point Survey for the Updated March 29, 2012 plans

- Questioned the basin design on sheet 5 and the retaining wall

Dave Wisotsky - Engineer for applicant - described the retaining wall designed around the basin

- The wall is 11 feet high and 500 feet long
- 2nd retaining wall 7 feet high
- Basin at rear of supermarket
- Raised the bottom of the basin - explained the reasons for this
- A fence is provided to enclose the basin and guide rail along the curb line
- The chain-link fence encloses the basin so people will not fall into the basin
- Can add decorative fence around chain-link around both basins per Member Pinadella's request

Dave Wisotsky - Engineer for applicant Nancy Lottinville – Attorney for the opposition - Had a lengthy discussion regarding the detention basins

- Discharge onto the AT&T site - easement lines - tree removal

Member Ferramosca - Questioned if this plan went to the DEP

Dave Wisotsky - Engineer for applicant - DEP approved filling if isolated on the middle of the main site

Nancy Lottinville – Attorney for the opposition - Explained where this testimony and questioning is going

Member Byrne - Asked that opposing attorney please clarify where she is going - the board is lost

Nancy Lottinville – Attorney for the opposition Dave Wisotsky – Engineer for the applicant - Continued lengthy discussion regarding discharge - storm water management plan and discharge onto the Dendreon site

- Maintenance plan for the detention basins - pipe sizing
- Reviewed section 7:8-5.3 and the sections that were addressed in the storm water report

Break

Back on record

Opened and closed to public

Daphne Galvin - Engineer for applicant - still under oath

Nancy Lottinville – Attorney for the opposition - Questioned Daphne Galvin regarding -
Non-structural controls,
Exhibit O-23 aNJ Storm water Best Management Practices Manuel
Exhibit O-23 bNJDEP Nonstructural Strategies Point System (NSPS)

Daphne Galvin – Engineer for applicant - Discussed discharge point

- Discharge pipe size - off site stability
- Summarized recommendations
- Submit for LOI
- Confirm no other DEP Jurisdictional areas
- Instillation of pre-treatment devices
- Nonstructural strategies need to evaluated

John Wychiskala – Attorney for the applicant - Questioned Daphne Galvin regarding off
site stability and the Soil conservation district

Opened to public - and closed

John Wichiskala – Attorney for the applicant - Questioned Dave Wisotsky regarding pipe
sizing - pre-treatment- location of the outfall in proximity to the Wetlands

Nancy Lottinville - Attorney for the opposition - Re-crossed

Opened to questions from the board

Opened to the public and closed

Nancy Lottinville – Attorney for the opposition - Again renewed her objection to the
notice

Opened to comments from the public

Closed

Summation of Council

Nancy Lottinville – Attorney for the opposition - Summarized the objectors case and provided closing comments

- Biggest deficiency of plans - applicant has failed to demonstrate safe egress and ingress of the site
- Continued with her closing remarks - Brought into her closing arguments the Murder at the Morris County Mall 30 years ago and how the proposed site will not be safe for its visitors

John Wychiskala – Attorney for the applicant - Summarized his case

- Addressed the accusations of stonewalling the county and the safety at the proposed site

Board asked final questions and made statements

Member Pinadella - Summarized his concerns and suggestions

John Wychiskala – Attorney for the applicant - They do not have any issues installing water separated issues

Board Discussed sign variances - Overall feeling of the board is the logo signs are very important to branding

Member Ferramosca - Feels that the Horsehill side sign is not necessary

Michael Sullivan – Board Attorney - Summarized signage

John Wychiskala – Attorney for the applicant – Withdrew the “Shop-Rite” sign on the façade facing Horsehill Road.

Michael Sullivan – Board Attorney - Summarized

Motion to approve preliminary and final site plan Phase “A” Supermarket building, preliminary site plan phases “B” & “C” bank and retail buildings and freestanding signs and variances subject to conditions.

Motion to approve by Member Steiger, Seconded by Member Nardone
Members Voting “AYE” DeNigris, Pinadella, Steiger, Iannaccone, Deehan, Nardone,
Ferramosca, Francioli, Byrne
Members Voting “NO” None

Meeting Adjourned at 10:58 P.M.

KIMBERLY A. BONGIORNO, L.U.A.
BOARD SECRETARY

PLANNING BOARD
TOWNSHIP OF HANOVER
COUNTY OF MORRIS
STATE OF NEW JERSEY