

**Minutes of the Planning Board of the
Township Of Hanover
April 23, 2013**

Chairman Robert Nardone called the Work Session 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: Critchley, Deehan, DeNigris, Dobson, Donaldson, Ferramosca, Francioli, Nardone, and Pinadella

Absent were Members: None

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

Asked board secretary to confirm with Joe Giorgio that notice for joint EDAC meeting on June 7th was legally noticed.

Planning Board subcommittee Members Pinadella, Critchley, and Francioli

Member Francioli - Wants subcommittee and Mr. Burgis to give an update and presentation to the Planning Board before Joseph Burgis meets with Vision Equities so that the Planning Board can give their feedback before it is presented to the developer.

Planning Board requested that the impact study go forward and requested that the two developers involved, Sam Moreal and Joe Forgione post an escrow with the Township to cover the cost of the study.

Business Administrator Joe Giorgio will coordinate impact study escrow.

Board requested that Joe Burgis be present at the May 14, 2013 work session to give an update with the subcommittee on their work for development on the South Campus of 67 Whippany.

Chairman Robert Nardone called the Regular Meeting to order at 7:32 PM and The Open Public Meetings Act statement was read into the record:

Cases Presented

I. RESOLUTIONS TO BE MEMORIALIZED

- 1) **CASE NO.** **12-7-6**
 APPLICANT/OWNER **ARTHUR AND SUSAN PEACH**
 LOCATION: **355/361 MALAPARDIS RD.CEDAR KNOLLS**
 BLOCK: 101 & 102 **LOTS: 13.06 & 12 ZONE: R-25**

Applicant sought a fully conforming minor subdivision. Application approved March 19, 2013.

Motion to approve resolution as written.

Moved by Member Ferramosca, Seconded by Member Deehan

Members Voting "AYE" DeNigris, Donaldson, Critchley, Deehan, Dobson, Pinadella, Ferramosca, and Francioli

No Members voting against

II. MINUTES FOR APPROVAL - MARCH 19 & APRIL 9, 2013

Motion to approve minutes as written.

Moved by Member DeNigris, Seconded by Member Critchley

Voice Vote all present in favor

III. PUBLIC HEARINGS

- 1) **CASE NO.** **13-1-1**
 APPLICANT **FIMMM, LLC**
 OWNER **FIMMM, LLC.**
 LOCATION: **28 WHIPPANY ROAD WHIPPANY**
 BLOCK: 4204 **LOTS: 8 ZONE: BP-2**

Applicant is seeking site plan and variance approval to use a portion of the attic in an existing office building for office space. In addition two sections of split rail fence are proposed along portions of the two side lot lines. Applicant is seeking relief from sections 166-155 and 166-186.11A (14). **Board Action Date – JULY 2, 2013**

Carmine Campanile - Attorney of applicant - Application for site plan and "C" parking Variance approval, Requesting deviation to 17 parking spaces from require 19 spaces.

Frederick C. Meola - Sworn by board attorney - Engineer and Principal in FIMMM, LLC

Gerardo Maceira - Township Engineer - Sworn by Board Attorney

Frederick C. Meola - Engineer and Principal in FIMMM, LLC - Gave qualifications and was accepted by the board

- Reviewed the plans that were submitted to the board with Revision date of March 4, 2013
 - Requesting to use upper floor office area of 367 square feet upstairs for a total of 3,659 square feet of building space being used
 - Described the office space being used by F.C. Meola 1,700 square feet - basement level, 1,625 being used on first floor.
 - Left side of building has room for a small 367 square foot office; an insurance agent has been in discussion with Mr. Meola regarding the space
 - Mr. Meola is looking for a small architect, accountant, insurance agent, basically a one man operation
 - Described storage space within the office building - reverse gable limits storage space
- Exhibit A-1 - Photograph of the front of the building showing reverse gable
- Discussed previous waiver granted to eliminate loading space, and the handicapped parking area
 - No Changes currently proposed to the parking space
 - Discussed proposed fence - on two sides of property to dress it up a little, property has an aluminum estate type fence - requesting spit rail on ends of property to protect landscaping
 - 11 Total employees currently in the building with three tenants, Meola, Campanile and the insurance agent

Michael Sullivan – Board Attorney addressed Blais Brancheau's Township Planner report dated April 11, 2013. The report shows different gross floor area calculations that need to be addressed.

Frederick C. Meola - Engineer and Principal in FIMMM, LLC - Clarified the discrepancies 3,659 square feet is the correct square footage of the building

- Mr. Meola stated he has never run out of parking spaces for the clients visiting the site.

Opened to the public for questions

Anesti Markoglu - 22 Whippany Road –

Questioned the zero loading zone

Mr. Markoglu stated the office building at 28 Whippany gets mail, FedEx, DHL so he feels the Zero loading zone is not accurate

Mr. Markoglu stated that if Mr. Meola installs a new fence at the corner of the property he will not be able to get his car out of his driveway at 22 Whippany Road

Closed to public

Joseph Staiger - Sworn by board attorney - Gave background educational and professional credentials - Testifying as traffic expert and Professional Planner - Board moved to accept

- Reviewed Traffic report dated April 2, 2013

- Described how he assessed and analyzed the parking at 28 Whippany Road
- Maximum number of parked spaces was 12 at any given time
- Believes the variance can be granted without any substantial detriment both in his opinion as a planner and a traffic engineer
- Believe this application fits in with the C2 variance criteria

Member Pinadella - Feels that the ways the township currently calculates parking is perfect as it stands and does not feel it needs to change

- Does not feel that the 17 spaces on this site are enough
- Does not feel that the UPS, DHL and mail trucks are a problem and they do not need a specific loading dock space - that is intended for much larger vehicles

Frederick C. Meola - Engineer and Principal in FIMMM, LLC –
Stated that the fence being proposed will be fully on Mr. Meola's property

- The Total square footage of the stair tower within the office building is 632 sq. ft.

Opened to the public

Anesti Markoglu - 22 Whippany Road's – Stated that his driveway is currently partially on Mr. Meola's property

Frederick C. Meola - Engineer and Principal in FIMMM, LLC - Will install fence one foot off of the driveway

- Purpose of fence is to try and keep leaves off of 22 Whippany Road to address Mr. Markoglu's complaints

Member Pinadella feels that this is a reasonable compromise by putting the fence in 1 foot off of property line by 22 Whippany Road and put black mesh to prevent leaves from going onto 22 Whippany Road's property

Opened to the public

Anesti Markoglu - 22 Whippany Road - Gave statement - Brought to board members attention Exhibit O-1 - Brief letter dated April 19, 2013 submitted to board

- Feels applicant deviated from original approvals
- In his opinion feels that health issues and violations exist at 28 Whippany Road
- Does not believe any variances should be issued for 28 Whippany Road

Frederick C. Meola - Engineer and Principal in FIMMM, LLC - Described the existing storm water management plan and drainage

- Referred to Exhibit O-1 picture 4 - shows catch basin - wall is ready rock - each block weighs up to 2,000 lbs. and is not moving
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- One block is cut into a pie shaped piece to fit into the wall and then secured with masonry glue

Michael Sullivan – Board Attorney - Summarized the conditions if application is approved

Gerardo Maceira – Township Engineer - Reviewed his report briefly

Michael Sullivan – Board Attorney, stated approval would be Subject to comply with the Township’s Planner and Engineers reports

Board - Wants mesh that will be installed on the new section of fence to be permanent

Motion to approve with conditions as outlined by Mr. Sullivan.

Moved by Member DeNigris, Seconded by Member Pinadella

Members Voting “AYE” DeNigris, Donaldson, Critchley, Deehan, Dobson, Pinadella, Ferramosca, Francioli, and Nardone

Members Voting “NO” None

Anesti Markoglu – 22 Whippany Road - Continued to complain to board even after the meeting had concluded regarding property at 28 Whippany Road.

IV. OTHER BUSINESS

Referral of Ordinance # 14-2013 revising the development regulations for directional signs and pennants to the Township Committee and giving authorization for the Planning Board Chairman to sign referral letter to the Township Committee.

Motion to approve and authorize the Referral of Ordinance 14-2013 Directional Signs - Ordinance and authorization to sign letter .

Moved by Member Francioli, Seconded by Member De Nigris

Members Voting “AYE” DeNigris, Donaldson, Critchley, Deehan, Dobson, Pinadella, Ferramosca, Francioli, and Nardone

Members Voting “NO” None

Meeting Adjourned at 8:38 P.M.

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