

**Minutes of the Planning Board of the  
Township Of Hanover  
May 21, 2013**

Chairman Robert Nardone called the Work Session Meeting to order at 7:00 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, 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.

Chairman Nardone reviewed the evening agendas

Michael Sullivan – Board Attorney – Explains the request for redevelopment will be carried to June 18<sup>th</sup> meeting

- Explained how motion should be made to carry to the meeting of the 18<sup>th</sup>.
- Board discussed briefly possible areas in town that may be able to be classified as redevelopment areas

Member Francioli – Requested Township Engineer Gerry Maceira speak to El Desimoni Property Maintenance and have her address the banner signs at the Lexus dealer on Route 10

Member Nardone - Discussed the topics to be discussed at the June 17<sup>th</sup> EDAC meeting

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

**Cases Presented**

**I. RESOLUTIONS TO BE MEMORIALIZED**

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

Applicant sought 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 sought relief from sections 166-155 and 166-186.11A (14). Application approved April 23, 2013.

Resolution approved as written.

Moved by Member Pinadella, Seconded by Member Critchley  
Members Voting "AYE" DeNigris, Donaldson, Critchley, Deehan, Dobson, Pinadella,  
Ferramosca, Francioli, and Nardone  
Members Voting "NO" None

**II. MINUTES FOR APPROVAL - April 23, 2013**

Minutes of April 23, 2013 approved as written.

Moved by Member DeNigris, Seconded by Member Pinadella  
Voice Vote All Present in Favor

Minutes of May 14, 2013 deferred to a later date

**III. PUBLIC HEARING – DETERMINATION OF AREA IN NEED OF REDEVELOPMENT**

**BLOCK:** 4001      **LOTS:** 9

Board will conduct a public hearing concerning whether or not the above mentioned property commonly known as the Aidekman Family Jewish Community Campus, qualifies as an "area in need of redevelopment".

Motion to carry to the June 18, 2013 Planning Board Meeting.

Moved by Member Francioli, Seconded by Member Pinadella  
Voice Vote All Present in Favor

**IV. CASE NO.** 13-5-9  
**APPLICANT** Metro West Whippany Senior Housing Urban Renewal, LLC  
**OWNER** Jewish Community Foundation of Greater Metro West, c/o  
Jewish Federation of Greater Metro West NJ  
**LOCATION:** 901 Route 10 Whippany  
**BLOCK:** 4001      **LOTS:** 9      **ZONE:** D-S, R-15 and B-P

Applicant is seeking Preliminary Site Plan, Minor Sub-Division Approval and Variance relief to construct a 115 unit affordable senior housing development at the Jewish Community Foundation's JCC Metro West Campus. Applicant is seeking relief from section 166-189C.

**APPLICATION WITHDRAWN BY LETTER FROM ATTORNEY DATED MAY 14, 2013**

## V. PUBLIC HEARINGS

- 1) **CASE NO.** 13-3-4  
**APPLICANT** 15-17 SADDLE ROAD LLC  
**OWNER** 15-17 SADDLE ROAD LLC  
**LOCATION:** 15-17 SADDLE ROAD CEDAR KNOLLS  
**BLOCK:** 701 **LOTS:** 18 **ZONE:** I

Applicant is seeking approval to install a natural gas generator.  
Application is variance free. **Board Action Date – May 31, 2013**

Arnold George - attorney for the applicant

Frederick Meola - sworn by Board Attorney - Applicants engineer and surveyor

- Briefly addressed prior approvals applicant currently proposing a Natural Gas Emergency Generator
- Described the fencing that would be around the generator for security
- Described the concrete pad that the generator would rest on
- Generator will comply with local and state noise ordinances not every tenant in the building will need the generator - but in an emergency additional tenants would be able to tap in to get a little bit of energy
- Will comply with Mr. Wynne's request in his HSA report will comply with all other professional reports

Michael Sullivan - Board Attorney - Addressed testing and as built conditions if approved

Frederick Meola – Applicants engineer and surveyor and Board discussed the vinyl fencing and they do not feel it is necessary at this time

Member Ferramosca - Questioned some type of protection such as bollards to prevent the unit from being struck

Frederick Meola – Applicants engineer and surveyor - There is a concrete block wall in front of where the unit would be but he will have bollards installed to protect the unit

Opened to the public

Seeing none closed to the public

Michael Sullivan - Board Attorney - Summarized the conditions if the application were to be approved

Motion to approve with conditions

Moved by Member Ferramosca, Seconded by Member Francioli  
Members Voting “AYE” DeNigris, Donaldson, Critchley, Byrne, Deehan, Pinadella, Ferramosca, Francioli, and Nardone

No board members voting against the application

- 2) Adoption of the amendment to the Land Use Plan Element of the Master Plan involving changes in the plan in order to create a new R-10A single family residential zone district on North Jefferson Road and to amend the policies of the existing B-P Business -Professional zone district along Route 10

Open to public

Mike Mihalko 36 Legion Place - Questioned what this amendment is

Michael Sullivan explained the effect of the adoption of the Land Use Amendment.

Motion to adopt the amendment to the Land Use Plan Element of the Master Plan as written by Township Planner Blais Brancheau

Moved by Member Critchley, Seconded by Member De Nigris

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

Members Voting "NO" None

- 3) **CASE NO.** 12-12-11  
**APPLICANT** NORMAN GALE BUICK, GMC, CORP  
**OWNER** 1247 GALEMBO REALTY, LLC  
**LOCATION:** 1247 ROUTE 10 CEDAR KNOLLS  
**BLOCK:** 1102 **LOTS:** 1 **ZONE:** I-B  
Applicant is seeking Preliminary and Final site plan approval and variance relief to construct an addition and related improvements to an existing automobile dealership. The applicant is seeking relief from section 166-147C (3) and 166-147D (2), (3) and (4) as well as any other variances that may be required. **Board Action Date – August 7, 2013**

Richard Schneider - Application seeks to modernize the site and hopefully increase the dealerships visibility

- Will be presenting three witnesses this evening

Michael Sullivan – Board Attorney - Addressed 05-4-8 case approved on July 19, 2005

Richard Schneider - Stated this case is being superseded by this application case 05-4-8 will be closed and accounts closed

David Galumbo - Owner/operator gave history of the different brands that the dealership has carried over the years

- Small expansion will increase the waiting room
- Currently lacks visibility from Rt. 10 and does not have identification on the Ridgedale Ave side of the property

- Setback of building is over 350 feet from Rt. 10
- Existing berm precludes the visibility of the vehicles on the site Ridgedale and Rt. 10 vacant lot with very tall trees limit visibility of the site

Exhibits A-1 through A-6 Photos taken by Mr. Galumbo May 20 & 21, 2013

A-1 & A-2 Shows site when you come off of Route. 287 on Westbound side of Route. 10

A-3 & A-4 Route 10 Eastbound before Ridgedale intersection

A-5 & A-6 Showing dealership right before and past the Ridgedale intersection

- Can Comply with all of the Fire Chiefs request with exception of the sprinkler system

Opened to the Board for Questions

Opened to the public

Seeing None Closed to public

Peter Serpico - Licensed Architect for applicant - Sworn by Board attorney - Gave overview of Education and professional experience

Accepted by the Board

Exhibit A-7 Colored Architectural Rendering of what is proposed if application approved described the existing floor plan and the proposed modifications to the existing floor plan

- Proposing a drive through service department
- Addressed the signage that is being removed the newly proposed signage
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Exhibit A-8 Photo showing existing wall signage

- Current wall signage approximately 210 square feet being removed
- Described the proposed signage
- Signs are backlit with LED lights and acrylic faces
- Panels are aluminum composite panel
- Sign band is aluminum panel
- GM is requiring Mr. Galumbo to paint the Composite Block

Member Francioli needs to leave the meeting at 8:25pm- excused from meeting

Peter Serpico - Continued testimony regarding proposed architecture

- Addressed where the mechanical rooftop units are located and if screening will be needed

Opened and closed to public

David Galumbo - Clarified what facing will be used for the building

Richard Schoemer- Engineer and Planner for the applicant - Sworn by the board attorney and accepted by the board.

Exhibit A-9 - Colored sight layout plan

- Described the sight and its location and orientation
- Described access to the property
- Creating additional parking and removing some curbing
- Improving handicapped access
- Wants to allow area to display vehicles

- Along western side - providing more delineation for the parking spaces and pattern
- Not proposing any changes in access to the site
- Described why GM is requiring a drive through
- Showed where the two display pads would be
- Described ground level lighting
- 128 square feet is the total for the wall signs
- Route 10 freestanding sign will be replaced with a larger sign
- Gave dimensions of newly proposed sign - total 289 square feet existing 255 square feet proposed - reducing the square footage of the signs on the site

David Galumbo – Owner/operator - The banner sign on Ridgedale is a protest sign it is not theirs - they are being protested because they will be using non-union labor

Richard Schoemer – Engineer and Planner for the applicant - Because of the configuration of the property visibility is difficult and signage is very important described the proposed signage and how it affects the sight and how it impacts those looking for the site and the reasons for requesting the size free standing sign that they are

- Explained the requested change in the berm height

Members Byrne and Pinadella - Do not want the berm to be removed - fought very hard for it in the initial approval and wants to see them remain

Richard Schoemer – Engineer and Planner for the applicant - Addressed May 18 & 20, 2013 reviews by Blais Brancheau Township Planner

Gerardo Maceira - Township Engineer Sworn by Board attorney

Michael Sullivan – Board Attorney - Reviewed the Engineers report dated May 16, 2013 and Planners reports with the Applicant Attorney and Engineer

David Galumbo – Owner/Operator - Appealed to the board to reduce the height of the berm to at least 3 feet to help improve visibility

- The berm is currently 6 feet high

Michael Sullivan – Board Attorney - Reviewed conditions if application were to be approved

Board will vote on variances separately - Will take 3 separate votes

Richard Schneider - Read the prior resolutions with the conditions for the Berms from cases in 1980

David Galumbo – Owner/Operator - Suggested Ground level plantings at 2-3ft in plantings

- Took variance votes and site plan separately all motions approved Meeting of May 28, 2013 cancelled

Variance for signage package

Motion to approve with conditions

Moved by Member Pinadella, Seconded by Member DeNigris

Members Voting "AYE" DeNigris, Donaldson, Critchley, Byrne, Deehan, Dobson,  
Pinadella, and Nardone  
Members Voting "NO" Ferramosca

Preliminary and Final Site plan 2 foot plantings with 2 foot berm. Motion to approve  
with conditions.

Moved by Member Ferramosca, Seconded by Member Byrne  
Members Voting "AYE" DeNigris, Donaldson, Critchley, Byrne, Deehan, Dobson,  
Pinadella, Ferramosca and Nardone  
Members Voting "NO" None

Motion to approve variance for pads items 1 & 7 of planning report. Motion to approve  
with conditions.

Moved by Member Byrne, Seconded by Member Critchley  
Members Voting "AYE" DeNigris, Donaldson, Critchley Byrne, Deehan, Dobson,  
Pinadella, Ferramosca and Nardone

Moved by Member Critchley, Seconded by member De Nigris

Members Voting "AYE" DeNigris, Donaldson, Critchley, Byrne, Deehan, Pinadella,  
Ferramosca, Francioli, and Nardone  
Members Voting "NO" None

Meeting of May 28, 2013 cancelled

Meeting Adjourned at 9:51 P.M.

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