

**Minutes of the Planning Board of the  
Township Of Hanover  
February 18, 2014**

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: Byrne, Critchley, Deehan, DeNigris, Dobson, Ferramosca, Francioli, and Nardone

Absent was Members: Pinadella

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

Board – Discussed River Park lawsuit

Discussed letter received by board members from resident Joseph Shatynski

Michael Sullivan - Board Attorney – Update – Wegman’s should be resolved by April

7:20 Member Pinadella Arrived

Chairman Robert Nardone called the Regular 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>    | 13-11-20  |
|           | <b>APPLICANT</b>   | NYSMSA Limited Partnership d/b/a Verizon Wireless |
|           | <b>OWNER</b>       | Cedar Knolls Plaza III Associates LLC             |
|           | <b>LOCATION:</b>   | 8 Ridgedale Avenue Cedar Knolls                   |
|           | <b>BLOCK: 1101</b> | <b>LOTS: 5</b> <b>ZONE: IP</b>                    |

Applicant sought Preliminary and Final Site Plan approval for permission to construct a wireless communication facility to be attached to the building located at the above address. The proposed wireless communication facility is proposed to consist of one antenna and related equipment cabinets attached to the building wall. Application approved January 28, 2014.

Approved as written

Moved by Member Pinadella, Seconded by Member De Nigris

Members Voting “AYE” DeNigris, Byrne, Deehan, Pinadella, Ferramosca, Francioli, and Nardone

Members Voting “NO” None

- 2) **CASE NO.** 13-11-19  
**APPLICANT/OWNER** Tiffany & Company  
**LOCATION:** 141 Parsippany Road Whippany  
**BLOCK:** 8901 **LOTS:** 11 **ZONE:** I-4

Applicant sought preliminary and final site plan approval in order to install on (1) 3,000 gallon above ground storage tank for additional diesel fuel capacity for emergency generator operation. Applicant is also sought relief from section 166-124.1B as well as any and all other variances that may have been required. Application approved January 28, 2014.

Approved as written

Moved by Member Ferramosca, Seconded by Member Francioli

Members Voting “AYE” DeNigris, Byrne, Deehan, Pinadella, Ferramosca, Francioli, and Nardone

Members Voting “NO” None

**II. MINUTES FOR APPROVAL** January 28, 2014

Approved as written

Moved by Member Ferramosca, Seconded by Member De Nigris

Voice vote all present in favor

**III. PUBLIC HEARINGS**

- 1) **CASE NO.** 13-12-21  
**APPLICANT OWNER** Andrew A. & Theresa A. Belusko  
Andrew & Theresa Belusko **Lot 36**  
Chris Bagley and Elizabeth Miniero **Lot 27**  
**LOCATION:** 61 Branford Road Whippany  
**BLOCK:** 7602 **LOTS:** 27 & 36 **ZONE:** R-15

Applicant is seeking approval to relocate the shared rear lot line between two lots.  
**Board Action Date – February 28, 2014**

David Brady - Attorney for the applicant - Gave overview of the proposed lot line adjustment

Michael Sullivan –Board Attorney - Swore in Theresa Belusko

Mrs. Belusko explained this additional property would be solely for outdoor use no construction proposed on acquired property

Opened to public      Seeing none

Closed to public

Michael Sullivan – Board Attorney - Reviewed condition

Motion to Approve

Moved by Member Byrne, Seconded by Member Ferramosca

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

Members Voting “NO” None

- 2)      **CASE NO.**                      13-10-16  
          **APPLICANT**                Novartis Pharmaceuticals  
          **OWNER**                        DCT Hanover, L.L.C  
          **LOCATION:**                    220 Hanover Avenue Cedar Knolls  
          **BLOCK:** 601                **LOTS:** 1.01                    **ZONE:** IB-3

Applicant is seeking Preliminary and Final Site Plan and Variance relief for the installation of a 3,000 gallon liquid nitrogen tank, the replacement of the 500 gallon generator fuel oil tank with a new 5,000 gallon tank and the installation of a perimeter security fence. ***Board Action Date – March 4, 2014***

James Webber - Attorney for the applicant

Gerardo Maceira – Township Engineer - Sworn by board attorney

James Webber – Attorney for the applicant - Gave overview of the proposed application

Jonathan Robert Smith - Sworn by board attorney - Head of Engineering of the Novartis Hanover Property

Exhibit A-1 - Rendering of Site Plan Colored

Exhibit A-2 - Colored rendering of site plan

Exhibit A-3 - Prospective of front of Novartis Property

Exhibit A-4 - Prospective of lot line and view of tanks from neighboring Shop Rite Property

- Described the location of the proposed Liquid Nitrogen Tanks
- Described the security fence that will be surrounding the site
- Two security guards are on site at all times
- Gave the reasoning for needing the larger 5,000 Fuel Tank
- Must have power back up due to the fact that the process being performed on the cancer patients blood cannot be interrupted during the treatment process
- Described the tanks and their design - for safety – bulletproofing - vehicle impact testing and similar testing
- Described the surrounding cinderblock walls and bollards surrounding the tanks
- The new tank will only be 8 feet high therefore the wall will not need to be higher than 8 feet so it will meet the ordinance requirements
- Tank is 420 feet from Hanover Avenue and 350 feet from the side property line
- Described the deliveries and the refueling of the tanks
- Described the Liquid Nitrogen tank - will be 16 feet high and 8 feet wide
- Described what Nitrogen is - an inert gas – non-flammable - delivered by a truck under low pressures - highly insulated in liquid form
- If there is a discharge of Liquid Nitrogen - it instantly evaporates
- Liquid Nitrogen tanks are placed outside because if there were to be a leak inside it would remove all of the oxygen from the confined space and could cause asphyxiation

Michael Sullivan – Board Attorney - Reviewed January 13, 2014 Engineers report with the applicant

James Webber – Attorney for the applicant - Will comply with all of the engineer's reports and attachments

Jonathan Robert Smith - Head of Engineering of the Novartis Hanover Property

- Addressed again how the Nitrogen will be delivered

Michael Sullivan – Board Attorney - Reviewed the four variances addressed in the Township Planners report dated January 16, 2014

James Webber – Attorney for the applicant - Described the variances and the variances they have eliminated and the relief they are seeking for the remaining variances

Jonathan Robert Smith - Head of Engineering of the Novartis Hanover Property

- Run time for the Liquid Nitrogen tanks is 2 weeks
- There is a small containment area under the existing tank that they are not proposing to enlarge that containment area

Member Pinadella - Questioned what would happen if there was a rupture

Jonathan Robert Smith - Head of Engineering of the Novartis Hanover Property  
- Explained how it would evaporate back into the atmosphere if there was a leak

Member Pinadella - Wants a concrete containment area

Gerardo Maceira – Township Engineer - Described the safety and does not feel there is a necessity for a larger containment area

Jonathan Robert Smith - Head of Engineering of the Novartis Hanover Property  
- Novartis facility personnel is present while the refueling is taking place along with the delivery person  
- Described the reasons for needing the Liquid Nitrogen  
- Will put in the curbed spill containment area requested by the Board

Opened to the Public - Seeing None

Closed to public

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

Motion to approve with conditions

Moved by Member Ferramosca, Seconded by Member Byrne

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

Members Voting “NO” None

3)     **CASE NO.**                             13-9-15  
       **APPLICANT**                     Harms Software, Inc.  
       **OWNER**                             Harms Realty, LLC  
       **LOCATION:**                         28 Eastmans Road Cedar Knolls  
       **BLOCK:** 3002                     **LOTS:** 7.41                     **ZONE:** I-P2

Applicant is seeking preliminary and final site plan and “C” variance approval in order to construct an addition to the existing building in order to provide for a freight elevator accessing the basement together with a loading dock. Applicant is also proposing to relocate dumpster facility to existing paved area. Applicant is seeking relief from sections 166-207.12E (2), 166.207.12E (4),

***Board Action Date – April 22, 2014***

Steven Scheppis - Attorney for the applicant - Gave overview of application  
- Reviewed the history of the site - described the building and parking lot - Will be presenting 3 witnesses this evening

Seth Lieb - Licensed Professional Architect

Anthony Gianfarcaro - Licensed Engineer

Gerardo Maceira – Township Planner - Sworn by board attorney

Seth Lieb – Licensed Professional Architect for the applicant - Sworn by board attorney

- Described the existing building
- 3 stories along with a basement level that is completely underground
- Reviewed the floor plan of each floor
- Described the existing basement
- Proposing addition to the left side of the building to provide a one story addition plus the basement to create an elevator and a stair tower
- Proposing shipping and receiving area in the basement and offices to support that area
- The elevator is not a passenger elevator - it is strictly for the Pallets - it can hold two pallets at a time
- Reviewed the process of loading and unloading pallets
- The addition will be 17' 6.5" inches high
- Everything will be architecturally compatible
- This addition will be over 800 feet away from the nearest residence
- Described the reasoning for the placement of the addition on the site

Exhibit A-1 - Floor Plan Exhibit consisting of 9 Sheets

- Reviewed the Exhibit packet in detail
- Reviewed the parking requirements

Anthony Gianfarcaro - Sworn By Board Attorney - Licensed Engineer and Architect

- Described how they propose to grade the area - taking the grade and extending it out further
- Reviewed engineers report February 10, 2014
- Willing to put in small retaining wall on the south westerly side to keep the grade
- Willing to make any arrangements needed in order to protect any trees in the area
- Will meet all of the requirements in Township Engineers - Gerardo Maceira's report
- Will be relocating the dumpster slightly further back and extending the retaining wall

Michael Sullivan – Board Attorney - Brought up concerns in Township Planners Blais Brancheau's report

Steven Scheppis – Attorney for the applicant - All conditions are acceptable

Seth Leib – Licensed professional architect - The rooftop structures will be shielded in accordance with the Township Ordinance and will comply with all noise ordinances

Erik Sartistan - Facilities procurement manager for Harms Software

- 199 spaces required - 170 existing on site
- There are approximately 100 employees on site

Exhibit A-2 - Security camera photos showing parking consumption on the site

- There will be 104 employees on site at any one time - and maybe a maximum of 4 visitor vehicles on site
- Planning to expand to 170 employees and not all employees are not on site at one time

Steven Scheppis – Attorney for the applicant - Addressed the parking expansion and the possible area where it could be located

Mathew Scudder - Sworn by Board Attorney – Vice President of operations at Harms Software

- Addressed number of employees post expansion
- Planning to hire 20-30 people over the next 2-3 years
- Described the business - software development company

Anthony Gianfarcaro - Licensed Engineer and Architect - Addressed ultimate parking and believes that if necessary they could build out the parking to conform with the ordinance

- Described where he believes they could get the addition 29 parking spots if necessary
- It is possible it would require a setback variance if parking in front yard

Michael Sullivan – Board Attorney - Explained the parking variance and how it is being addressed

Opened to the Public Seeing none

Closed to the public

Steven Scheppis – Attorney for the applicant - Gave his summation

Michael Sullivan – Board Attorney - Summarized the conditions

Motion to approve with conditions

Moved by Member Francioli, Seconded by Member Pinadella

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

Members Voting “NO” None

Meeting Adjourned at 9:18 P.M.

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KIMBERLY A. BONGIORNO, LUA.

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