

**Minutes of the Planning Board of the
Township Of Hanover
March 24, 2015**

Chairman Robert Nardone called the Work Session Meeting to order at 7:10 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, Critchley, Deehan, DeNigris, Ferramosca, Nardone, and Mihalko.

Absent were Members: Dobson, Mayor Francioli, and Pinadella.

Also present was Board Attorney, Michael Sullivan , Township Engineer, Gerardo Maceira, and Township Planner, Blais Brancheau

Chairman Nardone reviewed the agenda for the evening.

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

The Board Secretary called the roll.

In attendance were Members: Byrne, Critchley, Deehan, DeNigris, Ferramosca, Nardone, and Mihalko.

Absent were Members: Dobson, Mayor Francioli, and Pinadella.

Cases Presented

RESOLUTIONS TO BE MEMORIALIZED

- 1) **CASE NO.** 13-6-11-R1
 APPLICANT CELEBRITY ITALIANO AUTO GROUP, LLC
 OWNER WHIPPANY-110 REALTY, LLC
 LOCATION: 110 ROUTE 10 WEST
 WHIPPANY
 BLOCK: 6601 **LOTS:** 1 **ZONE:** IB

Applicant sought amendment of their prior site plan approval and variance relief in order to allow for a display tower on the second floor of the subject building. Application approved with conditions March 17, 2015.

Motion to approve resolution as written.

Moved by Member Ferramosca, and seconded by Member De Nigris.

Members Ferramosca, De Nigris, Deehan, Mihalko, Byrne voted in favor of adopting the resolution as written and no members voted against the resolution.

- 2) **CASE NO.** 14-10-11
 APPLICANT/OWNER EMME COMPANY, LLC
 LOCATION: 265 ROUTE 10 WAT
 WHIPPANY
 BLOCK: 6001 **LOTS:** 2 **ZONE:** I-B

Applicant sought signage variance relief to allow two freestanding signs as well as variance relief for the proposed building mounted sign. Application approved with conditions March 17, 2015

Motion to approve resolution as written.

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

Members Ferramosca, De Nigris, Deehan, Mihalko, Byrne voted in favor of adopting the resolution and no members voted against the resolution.

- Dr. Garcia has lived at 1 Adams Drive for 21 years.
- He is a licensed physician in New Jersey.
- His offices were originally located at 53 Whippany Road but, the office was demolished recently to make access into the New Bayer Campus. He was at that location for 22 years.
- The office will be for the doctor to see patients and his wife Miriam, who is the office manager. There will be no other employees.
- The hours of operation proposed are Monday, Tuesday, and Wednesday from 1pm-6pm. Closed Thursday. Friday 10pm – 3pm and Saturday 8am – 11am.
- The appointments are approximately 20 minutes long. There are approximately 15 patient appointments per day.
- He will not have an X-ray machine and there will not be any patients staying overnight.
- A cleaning service comes in once a week and hazard materials are taken away once or twice a year.
- The Garcia Family will remain living in the home with his three children. He wants to keep up that residential feeling.
- He gave reasoning for the need of different rooms for the practice.
- The Garcias have four cars in the family.
- He gave an overview of the old facility and compared it to the new proposed facility.
- There are no medications delivered to the site.
- Office supply deliveries are made approximately once every three months. They are delivered usually by UPS. Lab work is picked up by a small car.
- Storage and office space are needed because of the amount of charts that must be kept.

7:52 – Opened to the Public

Michael Milano – 2 Smithfield Ave.

- Michael questioned if patient records could be stored at an off-site facility.

The Doctor explained that the records must be kept on-site so they are accessible to when the patients are in the office.

Scott Rosso – 38 Adams Drive.

- Mr. Rosso questioned if the patients were seen on an appointment basis and if the medical samples were left outside. He also questioned if medications left on the property were properly locked up and how many Pharmaceutical representatives visit?

Dr. Garcia

- Patients are seen on an appointment basis, unless there is an emergency.
- The medical samples can be picked up during office hours and/or a box could be bolted down outside.
- Pharmaceutical representatives only visit once or twice a year.
- Between 15 – 20% of the patients are township residents.

Danielle Batanjany – 7 Adams Drive

- Ms. Batanjany questioned the need for such an enormous building and asked why he could not merge with another physician.

Mr. Sullivan

- Clarified the single practitioner limitation ordinance.

Lorraine Jordan – 4 Smithfield Road.

- Ms. Jordan questioned the doctor's age and asked if he would practice for another 21 years?

Dr. Garcia

- Replied he is 60 years of age.

Henry Pratrowsky – 3 Adams Drive

- Mr. Pratrowsky suggested eliminating the Belgium block curbing.

8:04 Closed to the Public

Nicholas Salerno – Architect for the applicant was sworn in by the Board Attorney.

- Mr. Salerno gave an overview of his educational and professional background.

Motion to accept Mr. Salerno.

Moved by Member Ferramosca and seconded by Member Byrne.

Mr. Salerno

- Gave an overview of the existing building. He referred to the existing conditions plan that was provided to the Board.
- He reviewed the proposed conditions plan. The addition was designed on the property that had the most open area and angled on the property as the existing house is.
- Described the flow of the proposed office along with the basement area.
- Reviewed the existing elevations plan and described the existing dwelling.
- Described how the proposed addition and the existing home would flow together.
- Described what the rear elevations of the proposed home would look like.
- The proposed addition will not be higher than the existing roof line. It will actually be 3 feet lower.
- Described the handicapped ramp and restrooms. The ramp will be designed to accommodate a first aid squad stretcher.
- The footprint of the existing home and the proposed addition are approximately the same size. They would be doubling the size of the existing home.

Mr. De Nigris

- Does not agree with the addition.

8:19PM Opened to the Public

Jessica Scally – 2 Adela Court.

- If this proposal is approved, how would it be sold in the future?

Mr. Salerno

- It depends if the doctor sells his practice and another doctor moves in or the new owner could convert to a single family home. Currently, you cannot access the medical office from the house.

Ron Sarrel – 21 Adams Drive.

- Mr. Sarrel questioned the drainage.

Paul winters – 37 Adams Drive.

- Mr. Winters questioned the access to and from the office.

Mr. Salerno

- The doctor does not want direct access into his home from the office.

8:26AM Closed to the Public

Debra DeMico – Engineer for the applicant was sworn in by the Board Attorney.

- Ms. DeMico gave an overview of her professional and educational background.

Motion to accept Ms. DeMico.

Moved by Member Ferramosca and Seconded by Member De Nigris.

All present members were in favor.

Mr. Sullivan

- Clarified the ordinance and its requirements.

Ms. DeMico

- Described the characteristics of the neighborhood.
- Described the existing conditions of the property and the layout of the existing home and its improvements.
- Described the proposed conditions and the improvements.
- Described the proposed parking and the number of spaces.
- Explained the switchback ramp for access to the site.
- If required by the Board, the doctor would put in curbing.
- Described the signage, the wording and the lighting. It would be a two-sided sign with a spotlight. It would be positioned so there is no glare.
- Referred to construction sheet #4 of 6. The Lighting Plan.

- Reviewed the light illumination levels and the low proposed light poles. The light poles would be a post style to fit in with the residential neighborhood. The lights would be LED and have no sky glare.
- Discussed the tree removal and the proposed replacement plan. The doctor is planning to use red maples as replacements.
- Described the three parking spaces that face Adams Drive. The landscaping will eliminate glare from car headlights. The doctor is proposing inkberries.

Mr. Sullivan

- Reviewed the Planning Memo dated March 23, 2015 with the applicant's professionals.

Ms. DeMico

- Addressed the issues that some cars may have backing out of the spaces.
- The driveway is 24 feet as required.

Mr. Sullivan

- Continued to review Mr. Brancheau's report with the applicant's professional engineer.
- Reviewed the Township Engineer's report dated March 19, 2015 with the applicant's professional engineer.
- The ordinance for standard parking was clarified. Seven spaces are being provided.

Ms. DeMico

- The proposed sign will be above grade level.

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

- Referred to Mr. Brancheau's report and clarified the parking concerns. Mr. Maceira gave his opinion to leave the design as is.
- Also talked about curbing and how to direct water.

8:58PM – Opened to the Public

Henry Patrowski – 3 Adams Drive.

- Mr. Patrowski is concerned with the drainage and the water heading in the direction of his home.

Ms. DeMico

- Agreed to install a drywell which would comply with the Township Engineer's review.

Mr. Patrowski

- Requested a berm along the property to defer water.

Ms. Demico

- All improvements on this property will help elevate runoff.

Mr. Maceira

- Will not guarantee that there will not be additional runoff that will affect neighbors. A pavement material that is more pervious would possibly help.
- Proposed to leave the drainage plan as it is now.

Mr. Patrowsky

- Is concerned with patients backing out of the driveway and into the street.
- Questioned the requirement that parking spaces need to be 5 feet away from the property line and they are proposing 4 feet.

Mr. Sullivan

- Clarified the section of the ordinance that applies to this application.

Scott Rosso – 38 Adams Drive.

- Questioned the need to have the sign lit.

Mr. O'Connor

- The applicant is withdrawing the two spot lights on the sign as part of the application.

Mr. Rosso

- Why was this proposal not designed with the entrance off of Whippany Road?

Ms. DeMico

- We are using the existing curb cut.
- Addressed the traffic impact of the patient visit.

Mr. Rosso

- Is concerned with the traffic and its effect on the crosswalk at the light on the corner.

Ron Sarrel – 21 Adams Drive

- All of the professional offices on Whippany Road face front on Whippany Road.
- Concerned patients will start to park on Adams Drive and not in the parking lot.

Michael Hart – 6 Adams Drive

Ms. DeMico

- Does not anticipate street parking.

Doris Harris – 34 Adams Drive

- Concerned about a backup onto Whippany Road and cars parking on Adams Drive.

Jessica Scalley – Adela Drive

- Concerned with lighting and light shining into her windows.

Ms. DeMico

- The foot candle has zero spillage off the property line.

Michael Milano – 2 Smithfield Road.

- Questioned the visibility of people on the sidewalk.
- Will the plantings obstruct the view of those exiting the driveway?

Ms. DeMico

- The proposed planting will not obstruct views.

Mr. Milano

- Questioned the impervious square footage.

Ms. DeMico

- The impervious coverage is less than 5,000 square feet.

Michael Hart – 6 Adams Drive

- Questioned the snow removal from the property and questioned where the snow would go.

Mr. Milano

- Questioned the modifications to the handicap ramp to accommodate a stretcher.

Mr. O’Conner –

- Questioned Ms. DeMico on the variance criteria.

Ms. DeMico

- Gave the reasons why the variance relief is required.
- The benefits outweigh the detriments.

Maryanne Cohen – Highland Avenue - Sworn by the Board Attorney

- Sees no problems with the proposed plan.

Gay Collins – Woodfield Drive – Sworn by the Board Attorney

- Is concerned about the practice expanding.

Doris Harris – 34 Adams Drive - Sworn by the Board Attorney

- Does the Township have control over the time periods that the doctor can have office hours?

Ina Caranuto – 15 Adams Drive – Sworn by the Board Attorney

- If this application is approved it will turn this area into a very commercial looking area. It will take away from the residential appeal. Also concerned with the removal of the mature trees on the property. Dr. Garcia has been a good residential neighbor. We do not want a commercial neighbor. Ms. Caranuto would request that this application be denied.

Micheal Hart – 6 Adams Drive – Sworn by the Board Attorney

- Mr. Hart is concerned that patients may miss the doctor's driveway and have to make a u-turn in neighboring driveways. He is also concerned about the number of variances being requested. He thinks this project should be denied.

Danielle Batanjany – Sworn by the Board Attorney

- Echoed what the other residents have stated and asked the Board to deny this application.

Henry Patrowsky – 3 Adams Drive – Sworn by the Attorney

- Mr. Patrowsky asked the Board to deny this application. The property size is just too small to accommodate what the doctor is asking to do. He is not interest in this type of development in his neighborhood.

Lorraine Jordan – 4 Smithfield – Sworn by the Board Attorney

- Ms. Jordan asked the Board to deny this application because it does not fit into the neighborhood.

Jessica Scalley – 2 Adela Court – Sworn by the Board Attorney

- Ms. Scalley does not feel this application fits into this neighborhood.

Elania Silvestry - 1 Adela Court – Sworn by the Board Attorney

- Ms. Silvestry agrees that this is not the correct area for this type of application.

Michael Milano – 2 Smithfield - Sworn by the Board Attorney

- This application is a commercial application. There will be parking on the street. Mr. Milano requests that the application be denied.

John Sorrato – Adams Drive – Sworn by the Board Attorney

- Questioning if it is time to move away from Whippany.

Mr. O'Connor

- Gave a closing statement.

Mr. Sullivan

- Should hear Board comments before outlining conditions.

the proposed trailer installation. A conforming number of off street parking spaces are proposed.

Board Action Date – June 10, 2015

Mr. Henshaw, attorney for the Emilcott Case # 14-12-14, suggested carrying to April 28, 2015 because their case would not get heard this evening.

Motion to carry Case 14-12-14 to April 28, 2015

Moved by Member Ferramosca, and Seconded by Member Byrne.

All present in favor.

ADJOURNMENT

Meeting Adjourned at 10:20P.M.

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