

**Minutes of the Planning Board of the  
Township Of Hanover  
MAY 24, 2016**

Chairman Eugene Pinadella called the Work Session Meeting to order at 7:00 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, De Nigris, Dobson, Mayor Francioli, Nardone, and Pinadella.

Absent was Member: Ferramosca and Mihalko

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

The Chairman reviewed the agenda for the evening.

Board discussed upcoming work session topics.

The board secretary reminded all members to be mindful that the sign language interpreters will be attending this evenings meeting for one of our residents.

Chairman Pinadella called the Public Meeting to order at 7: 31 PM and read the Open Public Meetings Act into the record.

The Board Secretary, Kimberly Bongiorno, called the roll.

In attendance were Members: Byrne, Critchley, Deehan, De Nigris, Dobson, Mayor Francioli, Nardone, and Chairman Pinadella.

Absent were Members: Mihalko and Ferramosca

**PUBLIC BUSINESS**

**I. RESOLUTIONS TO BE MEMORIALIZED**

- |           |                    |  |
|-----------|--------------------|--|
| <b>1)</b> | <b>CASE NO.</b>    | 16-2-3                                     |
|           | <b>APPLICANT</b>   | KEYSTONE, NJP, LLC                         |
|           | <b>OWNER</b>       | ICON KEYSTONE NJP III OWNER POOL 4 NJ, LLC |
|           | <b>LOCATION:</b>   | 25 EASTMANS ROAD                           |
|           |                    | CEDAR KNOLLS                               |
|           | <b>BLOCK:</b> 3101 | <b>LOTS:</b> 8 <b>ZONE:</b> I-P2           |

Applicant sought Preliminary and Final Site Plan approval to install an exterior generator on the property. Application approved May 17, 216

Motion to adopt the above resolution as written.

Moved by Member Nardone.

Seconded by Member De Nigris.

Members Nardone, Deehan, Critchley, Dobson, Byrne, De Nigris, Mayor Francioli, and Chairman Pinadella all voted in favor of adopting the above resolution as written and no members voted against.

## II. PUBLIC HEARINGS

- 1) **CASE NO.** 15-4-5  
**APPLICANT/OWNER** RIVER PARK BUSINESS CENTER, LLC c/o AMY NEU  
**LOCATION:** 47 PARSIPPANY ROAD  
WHIPPANY  
**BLOCK:** 3801 **LOTS:** 2 **ZONE:** TC  
4101 1

Applicant is seeking Preliminary and Final Site Plan approval for the development and operation of approximately 364,544 sq. ft. of flex/warehouse space, consisting of five (5) buildings, with associated parking, utilities, detention basins, loading areas, lighting, landscaping and other site improvements. The applicant is also seeking variance relief from sections 166-207.3 and 166-155 as well as any and all other variances that may be required. Case partially heard and carried from March 22 and April 19, 2016

### *Board Action Date – May 24, 2016*

John Wyciskala, Attorney for the applicant.

- Gave an overview of the application and the status of the testimony. Mr. Keller will be the only witness today.

Chairman

- Gave an update to the members of the public of the rules and regulations of the meetings.

Michael Sullivan, Board Attorney.

- B-5 Letter from the Township Attorney and agreement between Hanover Township and the M&E Railroad dated 11/20/06.

Mr. Erik Keller – Previously sworn and still under oath. Will be testifying as a traffic and civil engineer.

- Referred to Exhibit A-7.
- Rosin Road is a privately owned piece of property. It is owned by Keystone.
- Gave an overview of the properties and owners in the area.
- A letter from JCF and Steris indicating they are not interested or willing to have access across their property into the River Park Site was discussed.

- Even if they have access granted by the railroad, there are still other property owners that do not want to grant access.
- Discussed access property at Parsippany Road.
- Exhibit A-2 – Site Line Exhibit – Parsippany Road.
- Described the location of the existing driveway.
- The cross buck for the railroad is right at the edge of the driveway.
- This is why Eden Lane access is being requested for large trucks. A variance is needed for the large trucks to access Eden Lane.
- Reviewed previous Master Plans to re-examine what was envisioned for this area.
- Eden Lane was identified as an arterial street in 1997.
- Circulation plan element in October 2012. Whippany Road is a high county road.
- Eden Lane and Elm Street are the only streets that get you east/west across the town.
- There are no roadways defined as Minor Arterials.
- Streets like Jefferson, Ridgedale, Cedar Knolls, and Algonquin are major arterials.
- Eden lane is a 40 ft. wide rd. - 12 ft. travel lanes - wide shoulders and is not a narrow roadway - improved roadway improved a number of years ago and has capability to carry a variety of traffic volumes
- Eden lane has 4 ton truck limit.
- A truck limit fortunately means that it cannot be used as a through roadway for trucks.
- Trucks have the ability to make local truck deliveries- not use it as a through road
- This type of use while it will have tractor trailers - that is not the primary type of traffic - the amount of truck traffic related for this type of use and the way it is marketed does not generate a large amount of tractor trailer truck traffic
- The wetlands on JCC property are deed restricted - but not impossible to get offsets - it is very difficult and time consuming to do – Plus they do not have a willing land owner in the JCC
- Wetlands on the property itself out towards South Jefferson Rd - There is no deed restrictions on this property
- Wetland rules - general permit #10 - fairly easy to get from DEP - there is provision if you disturb the wetlands or transition area
- There is a utility pole on the frontage of the property - have to skirt the wetlands and travel through the transition area - which the DEP does not like - rules state if skirting wetlands - have to show there is no other reasonable access to the site.
- These are forested wetlands that have a higher level of protection - getting access across wetlands is not a doable permit unless the utility pole is moved - however it is part of a large system- there are a number of lines to it and they are all high voltage
- Have had discussions with the applicant and the township for a different development on this site but the ordinance that is in place permits the use that is

being proposed - permits residential today as 100 unit age restricted housing on this property

Chairman Pinadella

- Wants Mr. Keller to Review Mr. Brancheau's report dated February 22, 2016 and review Additional comments to be addressed at a different meeting

Member Nardone

- Why can't come across rd. from Apollo drive and make a sharper turn to connect - does not seem prohibitive

Mr. Keller

- Tractor trailers sharp turns of any kind are not desirable
- There are physical constraints to try and make the turns - still crossing the JCC property
- Client is not looking to spend money

Mr. Brancheau and Mr. Maceira were both sworn in by Board attorney

Mayor

- Questioned weight limits on roads
- Do we have any understanding of weight limits on Eden Lane - must explore
- Maximum weight limit on articulated tractor trailers - 88,000 lbs.
- Mr. Maceira to get weight limits on Eden lane
- Questioned if Mr. Keller has physically walked Apollo Drive
- Apollo is a finished road - 40ft wide - not significant impact to existing on Apollo Rd
- Questioned access to Apollo - gave Mr. Keller area to explore

Mayor and Mr. Keller - had a discussion regarding access from Apollo Drive

Mr. Keller –

- Getting across JCC's is the biggest sticking point
- There will not be much tractor trailer traffic based on the type of users of a site like this

Mr. Maceira

- Questioned if traditional Traffic testimony will be given

Mr. Keller

- Stated he gave trip generation at last meeting
- Focus has been access to the site
- Not our intent to do full traffic study - roadways today handles a variety of vehicle movements -whatever is a limitation today is not a limitation that will be caused by this development

Mr. Brancheau

- Even permitted uses usually have traditional studies and recommends that a traffic study be done

Mr. DeNigris

- Asked of a site line study was done on Eden Lane

Mr. Keller

- The existing driveway is not being used and the new driveway would be in a different location and will be much larger/wider, will be providing a turning lane from Eden lane

Mayor

- Questioned Left turn from the site - and sending truck traffic to Whippany Road

Opened to public for questions

Deloris Bocian

- Questioned testimony of some tractor trailers and the amount of loading docks - doesn't jive with testimony that there will not be heavy tractor trailer

Mr. Keller

- The design of the building is to be flexible
- Does not believe they have any buildings with 40 ft. Ceiling heights
- The clear span is not anywhere near 40 feet

Jim Neidhardt - Appleton Way

- Questioned distance to Rte. 10 by going Jefferson or Eden lane to Whippany Rd
- What would categorize Eden Lane as an arterial road

Mr. Keller

- From a functional standpoint - Eden lane is a major collector

Mr. Neidhardt

- Which road would be most ideal as a traffic point and how much time has been spent on the access issues for this site?

Mr. Keller

- Going out to Apollo would be the most efficient
- Does not know how many hours have been spent to try and work out the access issues from Apollo

John Blind

- Questioned access and safety - turning onto the site

Mr. Keller

- There is adequate site distance along Eden lane

Tony Lauro - 1803 Appleton Way

- Does not understand why site cannot be access from Parsippany Rd

Mr. Keller

- Cannot see approaching vehicles due to site line constraints

Mr. Lauro

- Drove a van onto and off of the site at this access and didn't see an issue

Mr. Keller

- View towards Billy's Redroom - North
- Looking south there is a curve and vegetation
- Described the 305 ft. sight distance standard

Trisha Tierney - Appleton Way

- Questioned how they came up with Data for the traffic study

Mr. Keller

- Gave overview of how they come up with their numbers

Andrew Flaghen

- Questioned lane width of an average road and the distance from Driveway to Jefferson

Mr. Keller

- 900 feet from driveway to stop bar at Jefferson Rd
- Will only have a dedicated left in turn lane not a dedicated right turn in lane
- Traffic volume is based on the character of the building
- This site will have a small amount of tractor trailer traffic

Geoff Wilson

- Questioned Peak hour traffic

Mr. Keller

- Approximately 5 vehicles a minute - during peak hour

John Kovian (through his interpreter Stephen Toth)

- 2604 Portland lane
- From the warehouse strictly truck traffic driving to 287
- Concerned about blockages and very sharp angles and trucks getting stuck

Mr. Keller

- There are some corners and intersections that are more difficult to maneuver than others.

Chairman

- Clarified Mr. Kovian's question - can a truck make the turn without crossing over into oncoming traffic - or without clipping the corner at Eden lane and Jefferson Rd.

Mr. Keller

- Has not done a turning template - but we are a permitted use - but can look at and see if and will look at what the existing right of way is in that location

The Board took a short break

Gina Dudley - 17 Eden Lane

- Questioned weight limit

Mr. Keller

- It is a township Ordinance - does not have the pages of the code with him
- Township has established limitation on any type of traffic - local deliveries are considered - even if there is a weight ton limit on sections 267-42 trucks over certain weights are excluded - unless for pickup and delivery on the streets where the limit is ???

Does not know what the hours of operations will be for this site

Mr. Brancheau

- There is not an hour restriction for this type of use

Mayor

- We will be looking at the weight limit of the bridge

Geoff Wilson

- 804 Appleton Way
- Questioned if weigh limit would be waived due to the deliveries to this site.

Tina Lipson - Appleton Way

Mr. Keller

- What we are proposing on this site is consistent with the township zoning - part of the request would be to have access to Eden lane - even if we had access from another site

Ms. Lipson

- How much of your site plan has taken into consideration the fact that there is a residential development on Eden Lane

Mr. Keller

- We are guided and controlled by the zoning for this site - what we are providing is allowed under the TC zone district
- Referred to Exhibit A-1 - This sis a use permitted by the Township Zoning

Ms. Lipson

- Questioned if the township has an ordinance to limit the number of cars on a road at a particular time

Mr. Maceira

- We cannot control the number of cars on the  
Mayor

- Gave overview of settlement - court order  
Mr. Sullivan

- Ordinance amendment in 2004 - in 2008 there was a settlement agreement entered into
- New ordinance adopted per settlement
- Ordinance now being challenged in court by applicant
- This site has a long and tortured history

Michael Lynch - 19 Eden Lane

- How would you characterize 4 ton weight limit ordinance - exemption and this is to be the exception not the norm

Mr. Keller

- The road could support 300 vehicles per hour - not just trucks all types of vehicles

Ira Lipson - 1401 Appleton Way

- Can't town just put up a no left turn lane so the trucks cannot go towards the residential areas?

Chairman

- It can be looked at and would have to be determined by the governing body

Mayor

- Would involve TC, Public safety officer, Fire Department

Deloris Bocian - Appleton Way

- Questioned if the traffic is based on today's projections - or future projections

Mr. Keller

- Truck traffic is based on today's demographics

Tom Miller

- 1902 Appleton way
- Why couldn't the driveway be shaped so that trucks can't turn left onto Eden Lane

Mr. Keller

- Because of the line of site would be impaired

Stephanie Tasin - Boxwood Court

- Really no weigh limits on the trucks because they will be making pickups and delivery and there is no hour limits

Mr. Keller

Mr. Byrne

- We need to do more study - the whole 4 tons thing is very confusing

Ms. Tasin

- Questioned number of units within the warehouse

Mr. Keller

- 5 building total 360K + sq. feet

Ms. Tasin

- Wasn't Parsippany R. the entrance for the Whippany Paperboard Company and has something changed so that now that entrance not safe

Mr. DeNigris

- The area has not changed that it has made it unsafe - there has not been much change in that area

Mr. Keller

- Based on his review does not meet stopping distance for today's standards - and should not be used for main access to this site

Mr. Brancheau

- The paperboard did not go out until the early 80's

Mr. Keller

- Could not safely use Parsippany Rd access without tearing down buildings

Ms. Tasin

- Why can you not pursue an entrance that was previously used without a problem - the buildings were there when the paperboard company was there and now all of the sudden it is not safe
- How can you feel that putting an entrance on Eden lane near parks, pathways and bicycle lanes is safe?

Jim Neidhardt - Appleton Lane

- If Township lowered speed limit on Parsippany Rd would it lower the site distance requirement

Ms. Tasin

- Is the site plan already approved?

Chairman

- No - we are here for both site plan and part of that is access

Mr. Byrne

- The Use is permitted but the site plan had not been approved

Mr. Keller

- Reviewed parking variance
- Proposing 619 parking spaces - do have an ultimate parking plan that could add an additional 328 spaces for a total of 947 spaces - 1 space for every 385 sq. feet - Requirement is

Mr. Brancheau

- A recalculation is needed because the variance may not be needed since the parking calculation has changed since this application has been submitted

Mr. Keller

- 1 per 800 for warehouse space and 1 per 250 parking required 696 spaces and proposing 619
- At this point have to anticipate not knowing the tenant space - will still request the parking variance for 77 parking spaces
- Planner will be back and can give testimony regarding parking requirements and relief needed

Mr. Keller

- variance requested for a series of walls - each wall exceeds the Township code wall 1 along east side of access drive - averages 7 ft. in height with maximum wall height of 15.3 feet with wall on top of it - need for wall is to limit the disturbance in the wetland area - if we tiered wall would increase the disturbance and would increase disturbance and removal of trees
- 2nd wall - averaged 7 feet in height adding fence height of 13 feet and guiderail along the entire length so we stay out of the pond area -
- Exceeds 4 feet and not a tiered wall
- All 3 runs along north side of access drive wall averages 8.5 in height with fence on top maximum of 19.5 feet variance for height and for property line setback
- Wall 4 extends from access drive westerly side of parking lot for building 5 for approx. 240 feet 7.5 feet in height with fence 16 feet in height -
- Wall 5 extends 3/4 of the detention basin earn averages 10 feet in height with fence 15.5 feet with guiderail
- No walls will be visible from Eden lane or the adjoining properties
- Case will continue on June 21, 2016 and Mr. Keller will be back with one other witness
- Mr. Wyciskala carried to June 21, 2016 and gave extension of time until July 30, 2016 with no further notice required.

Adjourned

- **III. ADJOURNMENT**

Meeting Adjourned at 10:31 P.M.

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