

**Minutes of the Planning Board of the
Township Of Hanover
October 17, 2017**

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

Absent was Member: Critchley

Also present was Township Planner Blais Brancheau and Township Engineer Gerardo Maceira.

Work Session

Chairman Pinadella reviewed the agenda for the evening.

Blais Brancheau

- He reviewed the changes to the report on the report on the Re-Examination of the Master Plan from last week's meeting.
- Referred to page 27- Item number 3
- FCC Rule Adoption regarding cell antennas without variances to be consistent with the FCC rules.
- Map Change – Proposing to put Care One in the OB-RL Zone from the R-25 Zone.
- Discussed the State law that was passed about wind generating – amended code to be consistent with the State Law.
- It will be permitted but it must meet certain criteria.
- Will make consistent with current state of the law.

The Board wants an ordinance on wind generation.

Gerry Maceira

- Discussed the digital sign that the Cedar Knolls Fire Department is looking to acquire which would be 4' x 8'.
- Will be removing sign that says "volunteers needed" and will be replacing it with a digital sign.

Mr. De Nigris

- The sign will not be revolving messages and will cost approximately \$33k.

The Board had no recommendations for the Fire Department digital sign.

Mayor Francioli

- He met with the Whippany Fire Department Chief regarding the Rt. 10 property.
- The interested party assembled the Church, Bike Shop, Air Conditioning and Part of Mondeleze.
- Proposal included in states plan for concept from over 15 years ago.
- Walgreens is interested in the property at the corner of South Jefferson Road and Route 10, north bound side.

The Board had an open discussion regarding potential movement on corner lot.

Mr. Ferramosca wanted to discuss River Park in confidential session. Mr. Sullivan advised that the board could not go into confidential session except under one of the exceptions in the Open Public Meetings Act.

Mr. Ferramosca

- Board had met 6 month requirement and wants to know the status of communication between Inglessino and Semrau.

Mr. Sullivan will report next week after speaking with Mr. Semrau

Mr. Brancheau

- Reviewed 40:55D-66.11 Wind and Solar facilities and 40:55D-66.12 Municipal ordinances relating to small wind energy.
- He reviewed the regulations.

Mr. Brancheau

- Discussion about Affordable Housing and gave the status of the interviews they have met with.
- The Court has hired Richard Reddy because the municipalities and COAH are so far apart on the obligation numbers.
- Tom Alley does not want to move forward with the ordinance for Whippany Village and will meeting with him next Thursday afternoon.
- He also explained the differences between Conventional and Planned Developments.

7:40pm – Break

PUBLIC BUSINESS

Chairman Pinadella called the Public Meeting to order at 8:30PM and read the Open Public Meetings Act into the record.

The Board Secretary, Kimberly Bongiorno, called the roll.

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

Absent was Member: Critchley

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

I. PUBLIC HEARINGS

- 1) **CASE NO.** 17-5-6
 APPLICANT/OWNER HANOVER & HORSEHILL DEVELOPMENT LLC
 LOCATION: 178-190 HANOVER AVENUE
 CEDAR KNOLLS
 BLOCK: 701 **LOTS:** 1.01 **ZONE:** IB-3

Applicant is seeking preliminary and final site plan approval and “C” variances in order to expand the existing supermarket. The expansion will include 3,391 SF of additional mezzanine area, 3,852 SF roof top dining area and 17,757 SF of second story greenhouse. The site improvements include addition of 23 additional parking spaces, minor modifications to the existing drainage systems, landscaping, traffic signage, curbing and lighting. The improvements also include a proposed generator on the east side of the existing supermarket as well as picnic tables and a trash enclosure located near the northeast corner of the site. Partially heard and carried from September 19, 2017

Board Action Date – JANUARY 17, 2018

Damien Del Duca – Attorney for Applicant

- Gave an overview of application and the revised plan that was submitted.
- Referred to Exhibit A-4.
- Concerned over the thirteen parking spaces off of the main drive isle.
- Discussed Exhibit A-6 – Revised site plan dated 10/6/17 Sheet C-03.

- Three variances were eliminated and some variances were gained by the amendment of the site plan.
 - a. Variance for retaining wall height
 - b. Variance for retaining wall setback
 - c. Variance for parking sideyard setback
- Per the new ordinance it does not need any variances regarding the number of parking spaces.

Daniel Lee – Engineer for the Applicant

- Previously sworn in and still under oath.
- Gave the Board a brief overview of the changes that were made with the elimination of the thirteen parking spaces that is off of Central Drive which is off of Hanover Avenue.
- We are seeking a total of 558 parking spaces and 12ft. wall height for the retaining wall.

Chairman Pinadella

- He asked for clarification on the certain shaded areas on the plans.

Blais Brancheau and Gerardo Maceira were both sworn in by the Board Attorney.

Mr. Brancheau

- He clarified the parking requirements and how they are calculated.

Mr. Maceira

- He questioned the drive isle behind the retail pad and commented that it seems very tight.

Mr. Lee

- We can shift up spaces to give at least two feet of space to widen the landscape islands as we can't modify to the west.
- The parking field to the east can be adjusted to the east two feet.
- The concrete island will be expanded to the satisfaction of the Township Engineer.

The Board discussed that if a parking space needs to be lost to widen the concrete aisle the Board would be okay with that.

Opened to the public
Seeing and hearing none
Closed to the public

John Sumas – Principal of Village Supermarket

- Sworn in by the Board Attorney.
- Due to the changing market patterns we are proposing a restaurant and green house on top of the Shoprite, so we can expand our offering in order to stay competitive.
- It would be a full service restaurant and bar with waiters and waitresses.
- It would be open for breakfast and it would not be open later than 10:00PM.
- Our hope is to make Shoprite a preferred supermarket in the area.
- The busiest time for Shoprite is early in the day and the restaurants busiest time would be dinner time.
- Discussed the Greenhouse.
- The greenhouse will be farm to table and we would also sell the produce in the supermarket.
- Customers would not be allowed in the greenhouse area of the store.
- The parking demand for the greenhouse will be for only the greenhouse employees which we will have approximately three employees per shift.

Mr. Deehan

- He questioned if the restaurant is going to be high end or casual.

Mr. Sumas

- We have not yet finished the analysis yet and that high end restaurants are struggling.
- The product that will grow in the greenhouse on this site will be only sold on this site.
- Our focus is to use the greenhouse products in what is being cooked in the restaurant and sold on site.

Opened to the public
Seeing and hearing none
Closed to the public

Erik Keller- Traffic Engineer for the Applicant

- Sworn in by the Board Attorney.
- The onsite plan changes and new layout are safe and efficient for the site and is a drastic improvement over the existing circulation.
- He gave an overview of the parking studies that have been done.
- The overall parking occupancy is 64% as per the parking counts of June 2017.
- Studied the 6:00pm-7:30pm timeframe and the parking amounts went slowly down over the 1.5 hours.
- The parking demand is lower than the other typical accessory uses to a supermarket such as a pharmacy.

Mr. Maceira

- Discussed his concerns with the crosswalk and pedestrians.

- The stop sign needs to be revised so that the sign and crosswalk are not behind the cars.
- Concerned with the pedestrians crossing outside the intersection.

Mr. Keller

- We will move the crosswalk to be more in line with the intersection.

Mr. Maceira

- Reviewed the Engineers Report dated September 18, 2017
- He discussed Item 8, in which he stated that there should be a stop sign in conjunction with the painted stop bar.

Mr. Keller

- At the rear of Retail "B" we will create a panicle and also add a stop sign.

Opened to the public
Seeing and hearing none
Closed to the public

Mr. Brancheau and the Applicant reviewed his report dated September 19, 2017.

Craig Rahenkamp – Planner for the Applicant

- Sworn in by the Board Attorney.
- Gave an overview of his educational and professional background.
- He questioned the parking ordinance 19-2017, and if it applies to the greenhouse as an accessory use?
- The greenhouse requires less parking than normal accessory uses to a supermarket.
- He gave support of the parking variance if it should be necessary.
- He reviewed the requested variances.

Mayor Francioli

- He questioned the vestibule area and if it is a common area which there will be no sales or service in.

Mr. Rahenkamp

- There will be no merchandise for sale in the vestibule area.

Opened to the public
Seeing and hearing none
Closed to the public

Mr. Brancheau

- He questioned the loss of the five parking spaces from the last plan.

Mr. Lee

- Clarified the number of parking spaces.

Opened to the public
Seeing and hearing none
Closed to the public

Mr. Del Duca

- Gave a summation of the application before the Board.

The Board determined that the Greenhouse is unique as an accessory use.

Mr. Sullivan summarized the conditions.

A motion to approve with conditions was made by Member Byrne and seconded by Member De Nigris.

Member Byrne was certified eligible to vote on October 17, 2017.

Members Nardone, Deehan, Dobson, Mihalko, Byrne, De Nigris, Ferramosca, Mayor Francioli and Chairman Pinadella were all in favor.

II. REEXAMINATION OF MASTER PLAN AND DEVELOPMENT REGULATIONS – ADOPTION

A motion to the adoption of the Re-Examination of the Master Plan and Development Regulations was made by Member De Nigris and seconded Byrne.

Members Nardone, Deehan, Dobson, Mihalko, Byrne, De Nigris, Ferramosca, Mayor Francioli and Chairman Pinadella were all in favor.

III. ADJOURNMENT

Meeting Adjourned at 9:45PM

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