

**Minutes of the Planning Board of the  
Township Of Hanover  
April 17, 2018**

Chairman Eugene Pinadella called the Work Session Meeting to order at 7:02 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, Deehan, Dobson, Ferramosca, Mayor Francioli, Nardone, Olsen, and Chairman Pinadella

Absent was Member:                    Critchley and De Nigris

Also present were:                    Attorney for the Board Michael Sullivan, Township Planner Blais Brancheau, and Township Engineer Gerardo Maceira

Mr. Byrne

- Discussed variances and ordinance changes.

Mr. Sullivan

- Ordinances should be looked at.
- If you start granting substantive variances then you should look at the ordinances.

Chairman Pinadella

- Discussed how parking has been used as a guide to control building size.

Mr. Sullivan

- Generally discussed adequacy of notice and noted under case law it is not required to identify every variance sought.

The Board reviewed the agenda for the evening.

Chairman Pinadella

- Reviewed the new Board appointments and elevating two members status.

**PUBLIC BUSINESS**

Chairman Pinadella called the Public Meeting to order at 7:33 PM and read the Open Public Meetings Act into the record.

The Board Secretary, Kimberly Bongiorno, called the roll.

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

Absent was Member:                    Critchley and De Nigris

Also present were:                      Attorney for the Board Michael Sullivan, Township Engineer Gerardo Maceira, and Township Planner Blais Brancheau

**I. RESOLUTIONS**

1)    **CASE NO.**                               16-5-5  
      **APPLICANT/OWNER:**               MICHAEL RAUSHI  
      **LOCATION:**                            228 RIDGEDALE AVE.  
                                                  CEDAR KNOLLS  
      **BLOCK:** 1702       **LOT:** 7       **ZONE:** I-B3

Applicant sought preliminary and final site plan approval as well as “C” variance relief for a previously constructed addition off the rear of the building of approximately 420 sq. ft. (10’X42’) and an overhang for dry storage of sheet metal. The applicant is also proposing to pave an existing gravel driveway and parking area in the rear, remove the shed and add a handicapped parking space in the front yard. Application approved March 20, 2018.

A motion to approve the resolution as written was moved by Member Ferramosca and seconded by Member Nardone.

Members Nardone, Deehan, Olsen, Byrne, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor to approve the resolution.

**II. MINUTES** – March 20, 2018  
                  April 10, 2018

A motion to approve the minutes as written was moved by Member Ferramosca and seconded by Member Nardone.

All members present voted in favor of approving the minutes.

**III. PUBLIC HEARINGS**





Opened to the public

Seeing and hearing none

Closed to the public

Mr. Brancheau

- What are the hours of use of this shed?

Mr. Geffner

- It is a daytime operation and not a 24 hour operation.

Mr. Brancheau

- Questioned the overhead powerline.

Mr. Lanzafama

- The shed will clear the powerline.
- The hardy plank materials are the only materials from the site that are being moved to the shed.

Mr. Brancheau

- Wants to make sure that they understand that the outdoor storage remaining in the side yard is not approved, according to Township records and approval for storage has not been requested by this application.
- Suggests that the resolution states that the legal status of the outdoor storage (i.e., illegal or legally nonconforming) is unchanged by this application.

John Buchholz

- Licensed architect.
- Gave an overview of educational and professional background.
- Accepted by the Board.
- Reviewed the proposed architectural plans for the shed.
- All footings and caps are still there and will be used.
- There will be a new steel structure with steel rafters, a rubber roof, and the backside will have metal sheeting.
- There will be provided lights on a 14 ft. center.
- The lights are a 1x4 light fixture.
- It is not a high fixture and there will be even light across the bottom.
- The lighting will be at 14'6".

- The space will have an even spread of lighting.
- The northern side of the shed will be enclosed.
- Lighting will go off as it will be put on a time and will shut off after hours.

Opened to the public

Seeing and hearing none

Closed to the public

Chairman Pinadella

- Would like the arborist to look at this property to make sure there is enough screening and that the trees that are there are alive and well or if they need to be replaced.

Mr. Sullivan

- Reviewed the conditions.
- Paragraphs 1 and 3 in Mr. Maceira's March 19<sup>th</sup> memo.
- The outdoor storage issue will be addressed from Mr. Brancheau's memo.

A motion to approve with conditions was moved by Member Ferramosca and seconded by Member Byrne.

Members Nardone, Deehan, Dobson, Olsen, Byrne, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of approving with conditions.

The Board took a 5 minute break.

<b>3)</b>	<b>CASE NO.</b>	18-3-6
	<b>APPLICANT:</b>	RJ PARENT INVESTORS, LLC (LOWE'S)
	<b>OWNER:</b>	CRESTICON, INC.
	<b>LOCATION:</b>	230 HANOVER AVENUE CEDAR KNOLLS
	<b>BLOCK: 601</b>	<b>LOT: 1</b>
		<b>ZONE: IB-3</b>

Applicant is seeking preliminary and final site plan approval as well as "C" variance relief in order to construct a +/- 138,954 SF. Lowe's home improvement and garden center along with a +/- 5,585 SF convenience store and service station. The applicant further proposes parking areas and driveways, stormwater management facilities, associated utilities, landscaping and related site improvements.

***Board Action Date – August 15, 2018***

James Lott – Attorney for the applicant

- Will present four witnesses this evening, reviewed the witness list.
- Gave a background of the application

Mr. Brancheau and Mr. Maceira were sworn in by the Board Attorney.

Chirag Thakkar – Licensed professional engineer

- Sworn in by the Board Attorney.
- Exhibit A-1: A Cedar Village aerial view of the existing conditions.
- The proposal is for a two phase construction.
- Lowe's is phase one and the gas station/convenience store is phase two.
- Gave an overview of phase one of the project.
- Exhibit A-2: A site plan comparison exhibit. Lowe's application compared with previously approved BJ's application.
- The amount of impervious coverage is slightly smaller than the previously approved BJ's.
- Reviewed the lighting foot candles and pole heights.
- Briefly reviewed the variances being requested.
- The Lowes garden center is 20,000 sq. ft.

Mr. Brancheau

- Requested additional variances that were identified in his report to be addressed.
- Does the applicant plan to eliminate these variances or address them in testimony?

Mr. Thakkar

- Reviewed the surrounding wooded area that will remain.
- Addressed the note of a metal plate shown on sheet CS-101, it will be removed.
- They have secured approvals from the county for road widening.
- Will put a split rail fence with wire screening around the detention basin.
- There is a post and rail fence along the rear of the property and around the detention basin.

Board Questions

- Loss of parking compared with prior BJ's application
- Variances being sought.
- Hours of operation.
- Proximity to residential areas.
- Improvements to Hanover Avenue.
- Stormwater basin depth; fencing.

Opened to the public

Seeing and hearing none

Closed to the public

David Koerner – Construction and development director for Lowes

- Sworn in by the Board Attorney
- Gave an overview of the business perspective and the operational structure.
- This site is slightly smaller than the Lowe's that was proposed at the Crossroad site.
- The lumber location for this site will be on the side of the building and they will keep trailers and deliveries on the side and out of the parking field.
- The hours Monday through Saturday will be 7am to 10pm and on Sundays they will be 7am to 8pm.
- They are asking to be allowed to open at 6am on Monday through Saturday and at 7am on Sunday if the demand is there.
- Parking is proposed for this site and even though it does not meet the ordinance it will more than meet the need for the site.
- Will more than likely only use 75% of the proposed parking at their highest need time which is during spring and Christmas.
- Recycled appliances will be stored in trailer boxes and will not be stored outside.
- They will get about 40 trucks per day on the site, a combination of FedEx, box trucks, and tractor trailers.
- There will be about 10 tractor trailers per day, approximately 2 per hour.
- Tractor trailers are allotted a time that they can be delivered, and deliveries will only be made during store operating hours.
- There is no idling of tractor trailers on the site.
- The number of employees is 140 but they will not all be there at one time.
- There will be seasonal, part time, and full time employees.
- Described how Lowe's determined its parking needs.
- Large angled parking spaces will be in the loading zone in front of store so a contractor can pull in with a trailer and be fully covered in order to load, they will pull through parking spaces at the canopy.

Opened to the public

Seeing and hearing none

Closed to the public

Mr. Brancheau

- Would like to know what the parking plan at this site was based on.

Mr. Koerner

- A store of 160,000 sq. ft. used 300 parking spaces; therefore the proposed parking on this site is more than adequate.

Mr. Nardone

- Would like to know what the studies were and how they support the requested parking variances.

The Board wants to know what was studied and how the parking number was reached.

Mr. Koerner

- Gave an overview of how parking numbers were determined and who from Lowe's is involved in the decision.
- The number was based upon the knowledge that Lowe's has as a company from its operations in other locations.
- There is not an official study or document for this site; it is just based on a business judgement.
- Lowe's would not short itself on parking because it would hurt business.
- They entered into a long term lease agreement on this site and they want the site to be successful.

Mr. Ferramosca

- Wants the information from the last five stores built and their approved parking.

Mr. Koerner

- It is based on market need as it is market driven and customer driven.
- Reviewed how they research the area and how they meet the need of the area, Lowe's needs, the developer's requirements, and Hanover Townships requirements.
- The model proposed is what Lowe's feels will meet the needs of this area.

Rich Petrillo – Architect for the applicant

- Gave an overview of educational and professional background.
- Accepted by the Board.
- Gave the Board an orientation of how the building is laid out.
- Reviewed the elevations of the proposed Lowe's building.
- A height of 49'4" is proposed.
- The roof pitches towards the rear of the building.
- The building is earth tone colors and split face block.
- Parapet height is intended to screen mechanical units. A line of sight diagram will be provided to demonstrate units will not be visible.
- Signage is consistent with what was previously approved at the Crossings site.
- Fencing: there will be a 20 ft. high fence surrounding the garden center that drops to 11'3" at the entrance to the garden center, and 10' high fence at the staging area.
- Roof top units will comply with all State noise ordinances.

Chairman Pinadella

- Wants to make sure the roof top units are also shielded from the side.

Mr. Nardone

- Questioned the overhead doors and what they are used for.

Mr. Petrillo

- Described that the doors are where the store receives and is fed product.

Chairman Pinadella

- Asked for a more interesting design of the front of the building.

Mr. Petrillo

- Will add pilasters on the front and side to break up the architecture, will be on the street side and the side turning the corner that is visible on the Hanover street side.
- They will be using painted split faced blocks.
- Discussed the peak of the Lowe's sign and why it is necessary.

Opened to the public

Seeing and hearing none

Closed to the public

Eric Keller – Testifying as Traffic Engineer and Planner for the applicant

- Sworn in by the Board Attorney.
- Accepted by the Board.
- Did a trip generation comparison.
- Described how they reached the peak hour numbers.
- Did a capacity analysis.
- Went over the traffic impacts.
- Exhibit A-3: a trip generation comparison dated April 17, 2018.
- Addressed variances.
- Reviewed the Township planner's report dated April 17, 2018.
- Gave justifications for the requested variances, maximum building height, minimum side yard, architectural variations, street façade, maximum outdoor sales and storage area.
- Reviewed the MLUL 40:55D-2 for purposes of the act.
- Asking for relief from the minimum number of parking spaces, minimum setback from side lot line parking and drives in the side yard, and minimum width of landscaped islands in the parking area.
- Violations 9 through 11 in the planner's report are for design waivers.

- Will fix and comply with number 9 minimum dimensions for parking spaces.
- Would like relief from minimum aisle width and direction of travel for angled parking.
- Would also like minimum loading space dimensions.

Mr. Lott

- Requested preliminary and final site plan approval for convenience store and gas station.

Mr. Brancheau

- Phase II convenience store and gas station should only be granted preliminary, not final approval, because the application does not have architectural plans for the building, pump canopy or signage.

Mr. Lott

- Will agree to only seeking preliminary approval at this time for phase II.

Mr. Keller

- Continued to review the requested variances and provide justifications.
- Maximum area, freestanding sign.
- Maximum number of wall signs.
- Maximum vertical dimension of wall signs.
- Maximum number of wall signs.
- Maximum quantity of temporary construction signs.
- Maximum area of temporary construction signs.
- Temporary signs would be opening soon, grand opening, and now open banners.
- Cart corral signs.
- Maximum retaining wall height.
- Maximum fence height.
- Maximum light fixture height.
- Reviewed compliance determination.
- Roof design.
- Pavement specifications.
- The temporary construction signs will comply with the setback.
- Summarized variances requested.
- Gave positive criteria justifications.
- Reviewed negative criteria.
- Addressed the police chief's comment of no left turn onto Hanover Avenue from the site.
- Does not believe there should be restrictions and gave justification as to why there should not be restrictions.
- The freestanding sign illumination will be off between the hours of 11pm and 6am.
- The generator is a double walled diesel generator and has bollards all around it.

The Township Engineers Review dated April 17, 2018 was reviewed.

Mr. Thakkar

- Is OK with all issues in Mr. Maceira's report.

Mr. Maceira

- Is concerned with a truck turning for fuel delivery.

Mr. Keller

- Will move the underground tanks to the front.
- They are not going with the Chief's recommendation restricting left hand turns onto Hanover Avenue.

Mr. Lott

- They will comply with outside agency reports.

Opened to the public

Seeing and hearing none

Closed to the public

Mr. Sullivan

- Summarized the conditions
- The points brought up in Mr. Maceira's report and Mr. Brancheau's report that were just addressed.
- Phase II is for preliminary only.

The Board discussed if they want fencing around the retention basins.

The Board was polled. Chairman Pinadella voted in favor of fencing around the retention basin. Members Nardone, Deehan, Dobson, Olsen, Byrne, Ferramosca, and Mayor Francioli voted against fencing around the retention basin. Per the poll fencing will not be required around the retention basin.

Mr. Sullivan

- Continued to summarize conditions.
- They will add pilasters to the conditions as was discussed regarding architectural detail.
- One month after the store opening temporary signs will be removed.

A motion to approve with conditions was moved by Member Nardone and seconded by Member Byrne.

Members Nardone, Deehan, Dobson, Olsen, Byrne, Ferramosca, and Mayor Francioli voted in favor to approve with conditions.

Chairman Pinadella voted against the approval.

The application was approved with conditions.

There will be no meeting next week.

Meeting Adjourned at 10:33 PM

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