

**Minutes of the Board of Adjustment of the  
Township Of Hanover  
May 15, 2014**

Chairman Benjamin Stanziale called the Meeting to order at 7:32 PM and The Open Public Meetings Act statement was read into the record:

Board Secretary, Kimberly A. Bongiorno, LUA, took the Roll Call.

In attendance were Members: Caruso, Donaldson, Fomchenko, Hingos, Olsen, Stanziale, and Vigilante

Absent were Members: Linfante, and Neidhardt

Also present were Board Attorney, Daniel Bernstein and Township Engineer, Gerardo Maceira, PE.

**Cases Presented**

**I. PUBLIC HEARINGS**

- |    |                   |                             |
|----|-------------------|-----------------------------|
| 1) | <b>CASE NO.</b>   | 1747                        |
|    | <b>APPLICANT</b>  | Greater Morristown YMCA     |
|    | <b>OWNER</b>      | Saddle Road, LLC            |
|    | <b>LOCATION:</b>  | 25 Saddle Road Cedar Knolls |
|    | <b>BLOCK: 701</b> | <b>LOT: 9      ZONE: I</b>  |

Applicant is seeking Preliminary and Final Site Plan “C” and “D” variances to construct A Greater Morristown YMCA Youth Annex on currently vacant land located at the above address. **APPLICATION CARRIED BY LETTER TO AUGUST 21, 2014.**

***Board decision due by: August 21, 2014***

Board Secretary read letter from applicant’s attorney Brian Burns dated May 13, 2014 into the record

- |    |                        |                                      |
|----|------------------------|--------------------------------------|
| 2) | <b>CASE NO.</b>        | 1733                                 |
|    | <b>APPLICANT/OWNER</b> | Caldwell Investors, Inc.             |
|    | <b>LOCATION:</b>       | 36 South Jefferson Road Cedar Knolls |
|    | <b>BLOCK: 2904</b>     | <b>LOT: 5      ZONE: I</b>           |

Applicant is seeking Preliminary and Final Site Plan “C” and “D” variances to construct an indoor firing range with an area also for instruction/sales/mechanicals. Case partially heard on October 17, 2013.

***Board decision due by: May 31, .2014***

James Pryor - Attorney for the applicant - Described the design changes and changes to the site plan since the last meeting

- Reviewed the Witness list and the specialties of each who will be presented this evening

David E. Fantina, PE - Applicants site Engineer - Re-sworn by the Board

Attorney

- Added four parking spaces
- Moved some curb
- Changed the parking design
- The fire department issued a letter April 11, 2014 that they have met an agreement on the design

James Pryor – Attorney for the applicant - Read the fire department letter into the record

- Will the clarify the report number referenced in the Fire Chiefs report

David E. Fantina, PE - Applicants site Engineer - referred to sheet one of the plans last revision date 4-1-14

- Described the revisions made to the plan regarding the parking changes
- The detention basin revisions
- Moved and removed some AC pads some have been located in the rear and the front and will be screened by landscaping
- Reviewed the planners report dated May 15, 2014
- Described the building and why it is "L" shaped
- Addressed the inherent restriction of wetlands - More than two acres on this site is restricted due to those wetlands
- Due to the proposed uses there will be two rifle ports that need to be 75 yards long

Daniel Bernstein – Board Attorney - Swore in the Township Planner - Blais Brancheau and the Township Engineer - Gerardo Maceira

David E. Fantina, PE - Applicants site Engineer - The building cannot be moved to the wetlands and transition area

- Two Rifle ports are what generates the required length of the building and causes the front yard setback
- Addressed the parking issues and discussed the additional four spaces that they were able to locate on the property
- Addressed again how the wetlands restricts their area for parking
- Discussed the required 25 foot front yard buffer
- Would be able to provide more plantings but they are unable to meet the buffer requirements due to the length of the building that is required

- Requesting that utilities are able to remain overhead rather than underground
- Addressed the loading zone and that this is not the typical type of loading type zone -it is access to the building for a pickup size truck making deliveries
- The parking space associated with the zone will be designated as Employee parking only
- Reviewed the Engineers report of April 2, 2014
- Right now there are 33 spaces - 32 if they take out the parking space closest to South Jefferson Road that the Township Engineer requested to be removed

James Pryor – Attorney for the applicant - Addressed the Uses for the different rooms - Training Rooms - Firing range - Retail sales and simulation rooms

- Addressed the Chairman’s concerns regarding parking and what happens with this site if this business does not succeed and the next business needs more parking

Blais Brancheau – Township Planner - Read Section 166-153L into the record regarding reserved parking requirements - and feasibility of meeting the full parking requirements

- Described how the boards addressed parking variance issues and required parking

Daniel Bernstein – Board Attorney and Blais Brancheau – Township Planner - Discussed with the Applicants attorney what other uses could utilize this site if approved and the firing range did not succeed.

David E. Fantina, PE - Applicants site Engineer - This building would not lend itself to an office building use but would lend itself to warehouse space where there is not a high demand for parking

- Could provide a formal analysis to show that this site would work as a warehouse

James Pryor – Attorney for the applicant - Will present and rely on an alternative scheme for this site and show how it will work

- Will submit additional material to the board for their consideration

David E. Fantina, PE - Applicants site Engineer - Described flex use buildings that use much less parking than local ordinances require

Member Olsen - Questioned the location of the dumpsters

David E. Fantina, PE - Applicants site Engineer - Showed on the site plan how the garbage trucks would enter the site and maneuver the site - they would have to coordinate with the disposal company to pick up the trash in the off hours

Blais Brancheau – Township Planner - Questioned the operational difficulties of locating the utilities underground

- Questioned what size truck is using the overhead door

David E. Fantina, PE - Applicants site Engineer - A pickup truck or commercial size van nothing larger that would be delivering firearms - ammunition or accessories

Opened to the public

Lane Miller - Attorney for the Rainbow Academy - Questioned the nature of the use and the necessity for the variance

Seeing no others - closed to public

Stephen Bias - Architect for the applicant - Sworn by board attorney - referred to revised architectural plans dated April 14, 2014

Exhibit A-3 - First Floor plan at 1/8 scale

- Described the changes made to the plans
- Largest change was the size of the ports 9 ports are 75 feet and 2 ports are 75 yard for rifle lanes
- Building shape has stayed the same but some of the uses of the areas have changed
- A simulate room and storage area has been added to the short area
- Long area is the range - two training areas – offices - retail sales area - on deck area restrooms and firing lanes
- Described what a sound block is - two doors cannot be opened simultaneously to help reduce sound and increase security
- Outside walls are prefabricated 9" concrete walls
- Described the inside walls and the glass being used total of 11 ports
- Described the prefab concrete - 8 foot wide panel 28 feet high
- Described the construction of the building - bar joist ceiling - drop ceiling below bar joist to comply with noise requirements and addressed the other layers of the suspended ceiling

Exhibit A-4 - Action Target boiler plate to show required construction of firing range - 5 page 8 1/2 X 11 sheets

- Described the layers of protection and safety that will be provided with the construction of this building
- Discussed the architecture of the building - Proposing a textured face on prefabricated concrete – will be able to imprint a texture into the concrete wall
- Proposing a natural color for the exterior of the building

Exhibit A-5 - Colored rendering of the proposed building

Member Donaldson - Questioned the circulation of the building

Stephen Bias – Architect for the applicant - Described the flow of the building and how traffic will flow throughout the building

- Briefly addressed the airflow of the building fresh air and recycled air

- Will find out how frequently the air is circulated and bring information to the next meeting
- Addressed the Board Attorneys questions regarding the building codes for this type of use

Blais Brancheau – Township Planner - Addressed the need for the north side elevation to be supplied

Stephen Bias – Architect for the applicant - There are no architectural features on the North side

- Can provide some architecture to break up the look of the solid wall
- Addressed the two required emergency access doors

Board and Stephen Bias – Architect for the applicant - Discussed different options for building designs and lengths of the lanes

Lane Miller - Attorney for objector - Questioned the necessity of the 75 yard lanes

Stephen Bias – Architect for the applicant - There are law enforcement officials who are looking for an indoor range as long as possible to accommodate their training

Seeing no other questions - closed to public

The board took a 10 minute break

Matthew Murello - Applicants Acoustic expert - Sworn by Board Attorney

- Accepted by Board as an Acoustic Expert
- Addressed the from which point the noise regulations would be enforced
- Discussed the calculations and limits of noise and the regulations
- Addressed how short noises are regulated and measured
- Described the locations that the sound tests were conducted
- Described how they conducted the test for this particular location and what the projected noise levels would be
- The closest property line would not exceed 60 DB
- Does not believe the guns would be audible anywhere off of the subject property 99% of the time
- Does not feel any sound will be heard outside of the building,
- Gave the reasons for the sound not being heard outside of the building and gave an example of the only way a sound may be heard coming from the proposed site but the likelihood of hearing any sound form this site is highly unlikely
- Test date Thursday December 19, 2013 between 12:30 & 1:30
- Open discussion with Board Attorney regarding different studies and scenarios to address the ambient and impulsive sound

Member Stanziale - Would like to know can they construct a building that NO sound would be heard from the outside of the building

Matthew Murello - Applicants Acoustic expert - Would have to go back and meet with the engineer and architect to discuss the redesign of the building

Opened to public

Lane Miller - Attorney for objector - Questioned that if the doors were opened could the sound be heard outside

Matthew Murello - Applicants Acoustic expert - There are safety doors that do not allow all doors to be opened at once for safety and sound reasons

Lane Miller – Attorney for the objector and Matthew Murello – Applicants Acoustic expert - Had a lengthy discussion regarding different scenarios for sound being heard

James Pryor – Attorney for the applicant - Questioned the days and time that the test was taken - rather than taking the tests on a weekend day when it is quieter

Matthew Murello - Applicants Acoustic expert - Gave the reasons why the test was conducted at the time it was and that there would not be a significant difference in the outcome of the test if it was conducted on the weekend rather than a weekday

James Pryor - Attorney for the applicant - Carried the case to June 19th  
- Extension of time to June 30, 2014 with no further proof of notice required

Meeting Adjourned at 10:31 P.M.

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KIMBERLY A. BONGIORNO, L.U.A.  
BOARD SECRETARY  
BOARD OF ADJUSTMENT  
TOWNSHIP OF HANOVER  
COUNTY OF MORRIS  
STATE OF NEW JERSEY