

**Minutes of the Planning Board of the  
Township of Hanover  
JANUARY 12, 2021**

Chairman Peter De Nigris called the Regular Scheduled Public Meeting on Tuesday January 12, 2021 to order at 7:01 by Way of a Zoom Webinar Only and The Open Public Meetings Act Statement was read into the record.

**PUBLIC MEETING 7:00 P.M. VIA ZOOM WEBINAR ONLY**

**PUBLIC BUSINESS**

Board Secretary Kimberly A. Bongiorno, LUA., called the Public Meeting to order at 7:01 PM and read the Open Public Meetings Act into the record.

**I. STATEMENT OF COMPLIANCE** Kimberly A. Bongiorno, LUA

**II. ROLL CALL** Kimberly A. Bongiorno, LUA

The Board Secretary, Kimberly Bongiorno, called the roll.

In attendance were Members: Byrne, Critchley, Deehan, Chairman De Nigris, Dobson, Mayor Ferramosca, Gallagher, Glawe and Mian.

Arriving late were Members: Monzo and Olsen.

Absent were Members: None

Also present were: Board Secretary Kimberly A. Bongiorno, LUA  
Township Engineer Gerry Maceira, P.E.  
Township Planner Blais Brancheau

**III. APPOINTMENTS/REAPPOINTMENTS** Kimberly A. Bongiorno, LUA read the 2021 Appointments into the record

John Ferramosca Class I Mayor One (1) Year Term Ending 12/31/21

Thomas "Ace" Gallagher Class III Deputy Mayor & Director of Planning One (1) Year Term Ending 12/31/21

J. William Byrne Class II Member One (1) Year Term Ending 12/31/21

Phil Glawe Class IV Member Filling Four (4) Year Unexpired Term Ending 12/31/23

Robert Deehan Class IV Member Four (4) Year Term Ending 12/31/24

Charles Monzo Class IV Alt. 1 Member Filling Two (2) Year Unexpired Term Ending 12/31/21

Nadia Mian Class IV Alt. 2 Member Two Year Term Ending 12/31/22

#### **IV. REORGANIZATION**

##### **1) ELECTION OF CHAIRPERSON**

###### **Board Secretary Kimberly A. Bongiorno, LUA**

- Called for nominations of Chairman.
- Mr. Peter De Nigris was nominated by Member Deehan for Chairman of the Planning Board for the year 2021.
- No other nominations for Chairman were offered.
- Nominations for Chairman were closed.

A motion to approve the nomination of Mr. Peter De Nigris as elected Chairman of the Planning Board for the year 2021 was moved by Member Deehan and it was seconded by Member Glawe.

Members Deehan, Dobson, Glawe, Monzo, Mian, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the nomination and election of Mr. Peter De Nigris as Chairman for the year 2021.

##### **2) ELECTION OF VICE CHAIRPERSON**

###### **Chairman De Nigris**

- Welcomed everyone, particularly new Member Nadia and offered his help if and or when needed.

###### **Board Secretary Kimberly A. Bongiorno, LUA**

- For the record I see Member Monzo signed in.

###### **Mayor Ferramosca**

- Please let the record show that Member Olsen is on the line as well.
- Member Olsen please confirm your attendance.

###### **Board Secretary Kimberly A. Bongiorno, LUA**

- I can not hear him.
- Gave instructions on how he can join the meeting.

## **Mayor Ferramosca**

- Kim we can continue with our meeting ...

## **Chairman De Nigris**

- Called for nominations of Vice-Chairman.
- Mr. Michael Critchley was nominated as Vice Chairman for the Planning Board for the year 2021 by Member Byrne.
- No other nominations for Vice-Chairman were offered.
- Nominations for Vice-Chairman were closed.

A motion to approve the nomination of Mr. Michel Critchley as elected Vice Chairman of the Planning Board for the year 2021 was moved by Member Byrne and it was seconded by Member Glawe.

Members Deehan, Dobson, Glawe, Monzo, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the nomination and election of Mr. Michel Critchley as Vice Chairman for the year 2021.

## **Chairman De Nigris**

- Took a moment to thank former Chairman Mr. Pinadella for his contributions and provided an update on Mr. Pinadella's recovery.

### 3) RESOLUTIONS

- a. Designation of Official Newspaper
- b. Designation of Board Attorney
- c. Appointment of Board Secretary
- d. Adoption of Schedule of Meeting Dates for the Year 2021
- e. NJ Federation of Planning Officials Membership for the year 2021
- f. Designation of Completeness Officials

## **Member Glawe**

- Questioned if the newspaper is a good methodology due to decline in subscriptions.

## **Board Secretary Kimberly A. Bongiorno, LUA**

- It is required by the Municipal Land Use Law and further explained.

A motion to approve the resolutions as listed and stated was moved by Member Deehan and it was seconded by Member Dobson.

Members Deehan, Dobson, Glawe, Monzo, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the resolutions as listed and stated.



- Each building contains 10 units and went over the layout of each unit.
- Reviewed and described what is depicted in the floor plans.
- These are rentals and multifamily per building.
- 20 % is set aside for affordable housing.
- Went over the different site photographs.

**Board Secretary Kimberly A. Bongiorno, LUA**

- Gave an update on Member Olsen and on John McDonough's status

**John McDonough – Planner for the Applicant**

- Explained the planning rationale behind what the petitioner is looking for.
- The development needs more residential to drive the retail.
- The physical location, the back is more conducive to residential.
- This will not undermine the integrity of the 'WC – Zone
- This is going to be an isolated pocket on the site.
- Regarding Housing, this stacked home design really caters to the empty nesters and further explained.
- This is a site with frontage on 'Troy Hills Road' but not on 'Route 10' and briefly explained.

**Chairman De Nigris**

- You probably saw the memo that Mr. Brancheau wrote concerning the proposal, why '30' what would happen if you limited it to '24' units?
- Some of the things Mr. Brancheau pointed out would probably disappear.

**Tom Malman – Attorney for the Applicant**

- It is something that we could certainly think about.

**Member Glawe**

- I am curious if you put in place in this new development would it be sustainable in the future not just the short term?
- Are you reusing runoff water? Are you looking at solar ...?
- What are you doing for the long term as opposed of the short term?

**Lance Blake – Architect for the Applicant**

- We are using sustainable recycled materials and energy star appliances.

**Anthony De Tomaso– Winfield properties**

- We have been incorporating car charging stations.

**Member Glawe**

- What can you do to make it better for the future?
- We are looking at the long-term health of the community.

### **Member Byrne**

- I do not disagree with the concept, but this is just much too much.
- It is going to look funny.
- It is not good planning; I might support 20 but 30 is too much.

### **Member Deehan**

- Did you ever design or attempt to sale it as retail?

### **Anthony De Tomaso– Winfield properties**

- Yes, we have.
- I have been involved with the project now going on about 3 years.
- Gave an overview of the initial proposal and on how they came about the proposal being presented today.

### **Member Mian**

- Thinking of this as a residential site, you have residential ‘homes’ surrounding by parking, then you have the ‘CVS’ surrounded by parking, you have a possible ‘Starbucks’ surrounded by parking, you have your mixed used residential units surrounded by parking.
- How are you making this into a more walkable community?
- If you have all this residential, you know people coming in, living there, it seems to be a lot surrounded by parking and a lot by driveways.
- How are you making it safe for the community? If it is supposed to be this ‘Village type community’ what is being done to put these kinds of disjoint pieces together? And further explained.
- What is being done to make it a place as opposed to just a bunch of buildings?

### **Anthony De Tomaso– Winfield properties**

- In the center of ‘Whippany Village’ right behind the proposed site there is a 4,000 sq. ft. park and further explained.
- I believe the connectivity of that site happens with that park.

### **Township Planner Blais Brancheau**

- Referred to the plan shown on the screen; is there anything proposed in that empty area?
- What could be put there that would enhance the site?
- Do you intend on providing sidewalks on your side of the driveway there?

### **Tom Sherman – Winfield properties**

- Depending on how we end this conversation; this would be another area of recreating that we would try to join withing the slopes and integrated into the site.
- It would make the most sense.
- Right now, it is a slope vegetation that we are going to be planting all kinds of landscaping, but we would like to incorporate that into another area.

**Member Critchley**

- To follow up on Mr. Byrne’s comment.
- In total agreement with the current proposed sketch of the density and when you review Blaise’s memo certainly when you initially look at it; 4 to 5 pages of potential variances, I just feel it needs to be reworked.
- I know we made many changes and amendments on this property, but I cannot see doing further amendments as looking at Blaise’s memo.

**Tom Malman – Attorney for the Applicant**

- If we are going to go down this road, we have to modify the ordinance to allow more residential and further explained.

**Chairman De Nigris**

- The impression that I get from the Board Mr. Malman is that while we are not totally opposed to the idea, we need to cut back on some of the units and you heard the other comments.
- Density in my judgement is too great you might want to look at that.

**Tom Malman – Attorney for the Applicant**

- It is very helpful for us that is what exactly we were hoping for, having a frank discussion to give us some guidance we will certainly take that back and hopefully we will see you again.

**Chairman De Nigris**

- I assumed that in terms of appearance you are going to make it compatible to the structures that are going up right now, is that correct?

**Tom Malman – Attorney for the Applicant**

- Yes, Mr. Blake designed the building that is under construction, he is also designing the new building, he is doing it so that they look as if they go together.
- I appreciate your time so we will be in touch, thank you very much.

- **Draft Ordinance Amending the Stormwater Regulations for Major Development – Blais Brancheau, Gerardo Maceira**

### **Township Planner Blais Brancheau**

- Explained what these changes apply to.

### **Township Engineer Gerardo Maceira, P.E.**

- The focus of the 'D.E.P.' with this ordinance was to promote green infrastructure and further explained.
- We may be seeing a lot of applications requesting a variance or lot waivers to these rules and we have to make sure we have proper justification for these variances if we are going to grant them because every time we grant a variance to the storm water rules we have to notify the 'D.E.P.' and provide the justification.
- **Draft Ordinance Amending Chapter 141, Floodplain Management** – Blais Brancheau, Gerardo Maceira

### **Township Planner Blais Brancheau**

- It is merely updating the 'maps' that we are using to determine that area of special flood hazard and the flood elevations.
- The maps that are currently in the code are outdated.
- FEMA updated the maps, they are called 'Preliminary maps' but they are the best available data that we have.
- We have been using these already, it is just bringing the code in line with what we have already been doing.

### **Township Engineer Gerardo Maceira, P.E.**

- I know there are still preliminary maps and I do expect to see some changes to those maps just because they were not adopted.
- Some of the towns further down the stream in the 'Passaic Rive area' objected to some of the results of those so the 'D.E.P.' is reanalyzing these.
- At some point we will see new maps come out which may affect the maps here in Hanover Township.
- **Draft Ordinance Repealing Article XIXA - Transfer of Development Credits** – Blais Brancheau

### **Township Planner Blais Brancheau**

- 20 years ago, we adopted an ordinance on the Transfer of Development Credits.
- 4 years after that the State adopted a statewide transfer of 'Development's Rights Act' and this is implementing something that we put in our 'Reexamination Report' when we did our reexamination.

- Based upon the new State Law you have to do a whole lot of additional studies, calculations and analysis before you can do a transfer of development rights and further explained.
- So, you are transferring rights from underdeveloped or undeveloped areas to more heavily developed areas and continue to explain.

**Chairman De Nigris**

- Will any of these new ordinances have an impact on Whippany Village?

**Township Planner Blais Brancheau**

- Depending upon the amount of disturbances I suspect that what we talked about tonight would be subject to this regulations and further explained.

**Chairman De Nigris**

- Blais and Gerry would it be of us to make them aware of this?

**Township Engineer Gerardo Maceira P.E.**

- I think that a lot of developers are aware of these new rules and some of them are trying to beat those deadlines coming just to try to stay under the existing rules, so I am sure they are aware.

**Member Mian**

- It is not going to hurt to include some of those green infrastructures in some of these developments and further explained.
- Is there anything else against using it?

**Township Engineer Gerardo Maceira P.E.**

- No there is not. The point I was trying to make is; there are a lot of different strategies on how to handle the green infrastructure but a lot of the ones that deal with the subsoil conditions are the ones that are going to be affected.
- A green roof is a great example of a green infrastructure that really does not deal with the soil conditions and ground water conditions.
- Storing and reusing rainwater for irrigation or other purposes again that is a green infrastructure strategy that does not rely on the subsoils.
- I was just really pointing out the subsoils and further explained.

**Township Planner Blais Brancheau**

- The purpose for presenting it to the Board was just to get your input before introduction and further explained.

## **VIII. OTHER BUSINESS**

### **Township Planner Blais Brancheau**

- We are nearing the end on our 'Affordable Housing.'
- It has been 20 years so far; we are in the 3<sup>rd</sup> round nearing the end.
- Because of timelines that we are dealing with, with the 'court' and with the 'Storm Water Regulations' we have been asked to introduce a 'Zoning Amendment', an 'Ordinance Amendment' on one of the 'Affordable Housing sites' in the next few weeks.
- Further explained the process.

### **Chairman De Nigris**

- Thanked Blais for all the hard work he has done.

## **IX. ADJOURNMENT**

A motion to adjourn was made by Member Byrne and seconded by Member Glawe. All present members in favor of adjourning

Meeting Adjourned at 7:58 PM

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