

**Minutes of the Planning Board of the
Township Of Hanover
January 11, 2022**

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 7:00 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 A. Bongiorno, LUA, called the roll.

In attendance were Members: Byrne, Critchley, Deehan, De Nigris, Mayor Ferramosca, Glawe, Gallagher, Monzo, Neidhardt, Olsen, and Thomas.

Absent were Members: None

Also present were: Attorney for the Board Michael Sullivan, Esq.
Board Secretary Kimberly A. Bongiorno, LUA
Township Engineer, Gerardo Maceira, P.E.
Township Planner, Blais Brancheau

- III. APPOINTMENTS/REAPPOINTMENTS** Kimberly A. Bongiorno, LUA

Board Secretary Kimberly A. Bongiorno, LUA

Read the 2022 Board Appointments into the record

John Ferramosca Class I Mayor One (1) Year Term Ending 12/31/22

Thomas "Ace" Gallagher Class III Deputy Mayor & Director of Planning One (1) Year Term Ending 12/31/22

J. William Byrne Class II Member One (1) Year Term Ending 12/31/22

Michael Critchley Class IV Member Four (4) Year Term Ending 12/31/25

Charles Monzo Class IV Member Four (4) Year Term Ending 12/31/25

James Neidhardt Class IV Alt. 1 Member Two (2) Year Term Ending 12/31/23

Charles Thomas, Jr. Class IV Alt. 2 Member Filling unexpired Two-Year Term Ending 12/31/22

IV. REORGANIZATION

1) ELECTION OF CHAIRPERSON

Board Secretary Kimberly A. Bongiorno, LUA

- Called for nominations of Chairperson.
- Mr. Peter De Nigris was nominated by Member Olsen as Chairperson for the Planning Board for the year 2022.
- No other nominations were offered and nominations for Chairperson were closed.

A motion to approve the nominations of Mr. Peter De Nigris as elected Chairperson of the Planning Board for the year 2022 was moved by Member Olsen and seconded by Member Critchley.

Members Deehan, Monzo, Glawe, Olsen, Byrne, Critchley, Gallagher, and Mayor Ferramosca voted in favor of approving the nomination and election of Mr. Peter De Nigris as Chairperson for the year 2022.

Mister De Nigris abstained his vote.

2) ELECTION OF VICE CHAIRPERSON

Chairman De Nigris

- Mr. Michael Critchley was nominated by Member Deehan as Vice Chairperson for the Planning Board for the year 2022.
- No other nominations were offered for Vice Chairperson and nominations were closed.

A motion to approve the nomination of Mr. Michael Critchley as elected Vice Chairperson of the Planning Board was moved by Member Deehan and seconded by Member Olsen.

Members Deehan, Monzo, Glawe, Olsen, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the nomination of election of Mr. Michael Critchley as Vice Chairperson for the year 2022.

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 2022
- e. NJ Federation of Planning Officials Membership for the year 2022
- f. Designation of Completeness Officials

A motion to approve the resolutions as listed and stated, was moved by Member Critchley, and seconded by Member Olsen.

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

REGULAR WORK SESSION MEETING OF THE PLANNING BOARD CALLED TO ORDER

V. MINUTES FOR APPROVAL DECEMBER 21, 2021

There were no questions, comments or corrections offered by Board Members.

A motion to approve the Minutes of December 21, 2021, as written, was moved by Member Deehan and seconded by Member Glawe.

In voice all present voted in favor of approving the Minutes of December 21, 2021, as written.

VI. RESOLUTIONS:

- | | | |
|----|--------------------|--|
| 1) | CASE NO. | 17-1-1-E1-2-3 |
| | APPLICANT | LIDL U.S. OPERATIONS, LLC |
| | OWNER | LOTS 3&4 KRAL REALTY, LOT 5 ROY ROCK LLC |
| | LOCATION: | 234, 238, 242, 244 RIDGEDALE AVENUE |
| | | CEDAR KNOLLS |
| | BLOCK: 1702 | LOTS: 3, 4, 5 ZONE: IB-2 |

Applicant sought two allowable periods of protection for approvals granted March 21, 2017, and resolution memorialized on March 28, 2017. Applicant sought Preliminary and Final Site Plan approval and bulk variance relief to construct an approximately 35,962 square foot grocery store and install 181 parking spaces. Applicant also proposed two façade signs and one pylon sign to identify the grocery store. Applicant proposes to install associated improvements including but not limited to parking, drainage improvements and landscaping. Application was approved with amendments and conditions. **EXTENSION OF APPROVALS UNTIL DECEMBER 4, 2022, GRANTED DECEMBER 21, 2021**

There were no questions, comments or corrections offered by Board Members.

A motion to approve the resolution as written was moved by Member Deehan and seconded by Member Critchley.

Members Deehan, Glawe, Olsen, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the resolution as written.

- 2) **CASE NO.** 20-1-1-R3
 APPLICANT 1515 PARSIPPANY LLC
 OWNER LOT 12 SMCMUA
 LOT 13.01 1515 PARSIPPANY LLC
 LOT 14.01 1515 PARSIPPANY LLC
 LOT 10 NJ DOT
LOCATION: OFF MALAPARDIS RD., REAR CROSS RD., ROUTE 10
BLOCK(S): 303 **LOT(S):** 12, 13.01, 14.01 **ZONE(S):** REDEVELOPMENT
BLOCK(S): 1002 **LOT(S):** 10 AREA

Applicant sought a modification to a condition of the resolution for case # 20-1-1-R1 that was memorialized on October 12, 2021, where the applicant sought Preliminary and Final Site Plan approval for a phased development to modify an existing stormwater basin and related conveyance system, parking area and access driveway modifications, a pad for a future hotel and related improvements. Application for development approved with conditions September 21, 2021. **APPLICATION FOR RESOLUTION MODIFICATIONS APPROVED DECEMBER 21, 2021.**

There were no questions comments or corrections offered by Board Members.

A motion to approve the resolution as written was moved by Member Deehan and seconded by Member Olsen.

Members Deehan, Olsen, Critchley, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the resolution as written.

VII. PUBLIC BUSINESS

- 1) **CASE NO.** 21-12-11
 APPLICANT/CONTRACT PURCHASER
 190 PARK AVENUE REDEVELOPERS URE, LLC
 OWNER LSREF THREE/AH CHICAGO LLC%RYAN LLC
 LOCATION: 190 PARK AVENUE, WHIPPANY
 BLOCK: 4802 **LOT(S):** 1 **ZONE:** O-S

REQUEST TO AMEND MASTER PLAN LAND USE ORDINANCE TO ALLOW FOR A MINOR SUBDIVISION

William Hamilton – Engineer for the Applicant

- Went over his presentation of the Plan titled ‘Concept Minor Subdivision Plan & Zone Change’
- Gave the reasons for the proposed subdivision and the need for the requested amendment.

Attorney for the Board, Michael Sullivan

- In looking at the application and just hearing the application, for the record I would like to straighten out the addresses for the property so that everyone is clear. The Hyatt Hotel is '194 Park Avenue' and it is owned by 'LSREF3'
- The lot 2 in Block 4802 that has an address of '190 Park Avenue' and it is owned by 'Cedar Knolls One, LLC', I just wanted the record to be clear.

Joseph Forgione – Applicant

- There is an easement that would separate lot 2 from 1.02 and it is useless area for the Hotel.
- It would be of great benefit to us if we are able to put some outdoor seating area, a dog park, and some banked parking in case we ever see the need to build it.
- The number of units would not change.

William Hamilton – Engineer for the Applicant

- Addressed Chairman De Nigris question regarding the access to the site, confirmed that there are not additional residential units.
- Addressed Member Neidhardt's question regarding the acreage of lot 2.

Joseph Forgione – Applicant

- Addressed Mr. Brancheau's question regarding the intentions of merging the subdivided portion with lot 2.
- Addressed Mr. Brancheau's question regarding the intent of the subdivided piece would merely be zoned 'RM-7' but would not require a new redevelopment study or designation.

Open to the Public

After hearing none and or seeing none

Closed to the Public.

Attorney for the Board, Michael Sullivan

- This is an application, requesting amendment of the Master Plan, Land Use Ordinance, to allow for rezoning and minor subdivision.

Township Planner, Blais Brancheau

- What I would suggest the next step would be if the Board is in favor, to authorize me to examine this in more detail, and prepare an ordinance to amend the zone map and if necessary, amend the zone standards.
- I would also like to check for any problems that could raise for the hotel, if everything works out the next step would be an ordinance and map change to do what is requested here and further elaborated on it.

A motion to approve the Township Planner, Blais Brancheau to examine and to prepare a draft ordinance amendment, was moved by Member Byrne and seconded by Member Critchley.

Members Deehan, Monzo, Glawe, Olsen, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving the Township Planner, Blais Brancheau to examine and to prepare a draft ordinance amendment.

2) DRAFT PROPOSED ORDINANCE – IMPROVEMENT COVERAGE IN THE SINGLE-FAMILY RESIDENTIAL ZONES - BLAIS BRANCHEAU

Township Planner, Blais Brancheau

- There was a definition change, the other change was to remove landscape mulch from improvement coverage.

3) DRAFT PROPOSED ORDINANCE – SETBACKS FOR PATIOS, DECKS, POOLS AND OTHER OUTDOOR RECREATIONAL STRUCTURES - BLAIS BRANCHEAU

Township Planner, Blais Brancheau

- We over the existing and the proposed changes further elaboration on it.
- Explained the proposed changes to ingress and egress structures.
- Explained the zoning officer's recommended changes.
- Went over the proposed changes for awnings, roofs and canopies over ingress and egress structures.
- Went over the proposed changes for the setback for accessory structures.
- Went over the proposed changes for patios, porches, and decks.
- Went over the proposed changes for pools.

4) DRAFT PROPOSED ORDINANCE – AH-2 OVERLAY ZONE, PU ZONE AMENDMENT AND ZONING MAP AMENDMENTS - BLAIS BRANCHEAU

Township Planner, Blais Brancheau

- After conversations with the Town attorney today, it was decided to split those two amendments into two separate ordinances and further explained
- I have the amendment that was as a result of the Monarch Housing rezoning application.
- Went over and explained the proposed amended zoning map.
- Section one is changing the title of the section.
- Section two is changing the zoning map.
- Section three is changing the title of a section and amending the requirements for residential uses and zones, and it is exempting independent assisted living facilities from the requirement to have a garage space for each dwelling unit.
- Section four is dealing with an amendment to the schedule of parking requirements other than residential zones and further explained it.

- Section five is an amendment to the PU-Zone standards, there was a change in the side yard requirements, a minor change in the affordable housing requirements, these are already law whether we say it or not.
- Parking for residential, non-residential, and further explained it.
- Addressed Member Monzo's question regarding the proposed setback for pools.
- The 'AH-2 OVERLAY ZONE' is not included.

A motion to approve sending the 'DRAFT PROPOSED ORDINANCE – IMPROVEMENT COVERAGE IN THE SINGLE-FAMILY RESIDENTIAL ZONES' to the Governing Body for Introduction was moved by Member Byrne and it was seconded by Member Monzo.

Members Deehan, Monzo, Glawe, Olsen, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving to send the 'DRAFT PROPOSED ORDINANCE – IMPROVEMENT COVERAGE IN THE SINGLE-FAMILY RESIDENTIAL ZONES' to the Governing Body for Introduction.

A motion to approve sending the 'DRAFT PROPOSED ORDINANCE – SETBACKS FOR PATIOS, DECKS, POOLS AND OTHER OUTDOOR RECREATIONAL STRUCTURES' to the Governing Body for Introduction was moved by Member Critchley and it was seconded by Member Monzo.

Members Deehan, Monzo, Glawe, Olsen, Byrne, Critchley, Gallagher, Mayor Ferramosca and Chairman De Nigris voted in favor of approving to send the 'DRAFT PROPOSED ORDINANCE – SETBACKS FOR PATIOS, DECKS, POOLS AND OTHER OUTDOOR RECREATIONAL STRUCTURES' to the Governing Body for introduction.

A motion to approve sending the 'DRAFT PROPOSED ORDINANCE – PU ZONE AMENDMENT AND ZONING MAP AMENDMENTS' to the Governing Body for Introduction was moved by Member Critchley and it was seconded by Member Byrne.

Members Deehan, Monzo, Glawe, Olsen, Neidhardt, Thomas, Byrne, Critchley, and Chairman De Nigris voted in favor of approving to send the 'DRAFT PROPOSED ORDINANCE – PU ZONE AMENDMENT AND ZONING MAP AMENDMENTS' to the Governing Body for Introduction.

For the record Mayor Ferramosca and Member Gallagher abstained their vote.

Joseph Forgione – Applicant

- Will this ordinance be in this Thursday's township committee meeting?

Board Secretary, Kimberly A. Bongiorno, LUA

- I do not know that I do not manage the township committee meetings.

Township Planner, Blais Brancheau

- I am sending it to the Clerk and Business administrator tomorrow, it will be up to them and the Township Committee to finalize the agenda.

- Addressed Mr. Hamilton's question regarding in which meeting this will potentially be.
- Addressed Mr. Forgione's question regarding the appeal period.

VIII. OTHER BUSINESS

NONE

IX. ADJOURNMENT

A motion to adjourn was moved by Member Olsen and by Member Byrne.

In voice all present voted in favor of adjourning the meeting.

Meeting Adjourned at 8:14 PM

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