

**Minutes of the Planning Board of the
Township Of Hanover
February 26, 2019**

Chairman Eugene Pinadella called the Work Session Meeting to order at 7:04 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: Critchley, Deehan, De Nigris, Dobson, Ferramosca, Mayor Francioli, Glawe, Nardone, Olsen, and Chairman Pinadella (arrived at 7:23 PM)

Absent was Member: Byrne

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

Chairman Pinadella

- Reviewed the resolution for the evening.

Mr. Brancheau

- Reviewed draft ordinances.
- Reviewed the ordinance for restaurant parking.
- Five categories:
 - o Quality restaurant or high-turnover (sit-down) restaurant with bar or lounge – 1 per 55 square feet of gross floor area or 0.55 per seat, whichever is greater.
 - o High-turnover (sit-down) restaurant, no bar or lounge – 1 per 65 square feet of gross floor area or 0.5 per seat, whichever is greater.
 - o Fast food restaurant with no drive through lanes/windows – 1 per 75 square feet of gross floor area or 0.65 per seat, whichever is greater.
 - o Fast food restaurant with drive through lanes/windows – 1 per 65 square feet of gross floor area or 0.6 per seat, whichever is greater.
 - o Other restaurant – 1 per 60 square feet of gross floor area or 0.55 per seat, whichever is greater.
- Reviewed the proposed ordinance with the Board.

The Board had an open discussion regarding the restaurant parking ordinance.

The Board discussed shared parking.

Mr. Brancheau reviewed the permitted uses in the B-10 zone. He also reviewed the changes made to the B-10 zone. It was delated to the work session on 3/12/2019.

PUBLIC BUSINESS

Chairman Pinadella called the Public Meeting to order at 7:38 PM and read the Open Public Meetings Act into the record.

The Board Secretary, Kimberly Bongiorno, called the roll.

In attendance were Members: Critchley, Deehan, De Nigris, Dobson, Ferramosca, Mayor Francioli, Glawe, Nardone, Olsen, and Chairman Pinadella

Absent was Member: Byrne

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

I. RESOLUTIONS

- 1) **CASE NO.** 18-8-17
APPLICANT/OWNER: TR STERLING HANOVER LLC
LOCATION: 2101 GLEN DRIVE
CEDAR KNOLLS
BLOCK: 2503 & 2701 **LOT:** 23 & 6 **ZONE:** R-M

Applicant sought preliminary and final site plan approval in order to install a dog run, two entrance signs and extend the patio and grill station at the Clubhouse. Application was variance free. Application approved February 19, 2019.

A motion to memorialize the resolution as written was moved by Mayor Francioli and seconded by Member Ferramosca.

Members Critchley, Deehan, Dobson, Nardone, De Nigris, Ferramosca, and Mayor Francioli all voted in favor of memorializing the resolution.

- 2) **CASE NO.** 18-10-18
APPLICANT: HARTZ MOUNTAIN INDUSTRIES, INC.
OWNER: 118 ALGONQUIN PARKWAY LLC
LOCATION: 118 ALGONQUIN PARKWAY
WHIPPANY
BLOCK: 6801 **LOT:** 2 & 5 **ZONE:** I

Applicant sought preliminary and final site plan approval in order to install a solar panel array consisting of 954 PV modules. Entire array will be enclosed via a fence. Current

area is an open field with no above ground utilities. Application was variance free. Application approved February 19, 2019.

A motion to memorialize the resolution was moved by Member Nardone and seconded by Member De Nigris.

Members Deehan, Dobson, Nardone, Olsen, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of memorializing the resolution.

II. MINUTES – February 19, 2019

A motion to approve the minutes as written was moved by Mayor Francioli and Member Ferramosca. A voice vote was held and all members present voted in favor of approving the minutes.

III. PUBLIC HEARINGS

- 1) **CASE NO.** 18-11-20
APPLICANT: PARSIPPANY HANOVER REALTY II, LLC
OWNER: **BLOCK 3401 LOT 1** CCMA NOMINEE LLC c/o
MACK-CALI REALTY CORPORATION
BLOCK 3401 LOT 2 PARSIPPANY HANOVER
REALTY II LLC c/o MACK- CALI REALTY
CORPORATION
LOCATION: 1400-1402 ROUTE 10
CEDAR KNOLLS
BLOCK: 3401 **LOT:** 1 & 2 **ZONE:** B-10

Applicant is seeking preliminary and final site plan approval and variance relief in order to construct an 8,620 sq. ft. restaurant, surface parking, stormwater management facilities, lighting, and landscaping on Block 3401 Lot 2 as well as sanitary force main connecting the proposed restaurant to the existing sanitary main located in Ridgedale Avenue in the vicinity of the Hyatt House Hotel. The sanitary force main will begin on the Applicant's property at Block 3401 Lot 2 and run across the adjacent property Block 3401 Lot 1 and connect to the main located in Ridgedale Avenue.

Board Action Date – May 15, 2019

Glenn Kienz – Attorney for the Applicant

- Gave an overview of the application.

Patricia Ruskin – Engineer for the Applicant

- Sworn in by the Board Attorney.

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

Ms. Ruskin

- Gave an overview of educational and professional background.
- Accepted by the Board.
- Exhibit A-1: Aerial photo of the overall campus area.
- Exhibit A-2: Colorized landscape plan.
- Lot 2 which is where the main development of the restaurant will be is 8.79 acres.
- It has frontage on Route 10, immediately to the west is the municipality of Parsippany, to the north are wetland areas, and to the east are more wetland areas.
- This is part of the Mack-Cali business campus.
- The site is currently undeveloped with the exception of a driveway off of Dryden Way.
- Described the paved driveway off of Dryden Way.
- There are wetlands on the site.
- They have an LOI from the DEP from 2016.
- Trees along the frontage on Route 10.
- The proposed 8,630 sq. ft. one story restaurant is a Seasons 52.
- The sister restaurant in directly to the west in Parsippany is 9,900 sq. ft.
- Described the proposed restaurant.
- 279 indoor seats and 29 patio seats for a total of 308 seats.
- Access to the site is through an existing driveway.
- Circulation is two-way throughout.
- There is a proposal to have a curb cut and a left hand turn lane.
- Deliveries to the site are proposed to be on the northeast side of the building.
- All deliveries will be during the off hours.
- There will be two loading areas and a service pad.
- Continued to describe the site delivery circulation.
- Larger delivery trucks will be able to circulate the site.
- There will be an 8 ft. high screened fence around the refuse area.
- The ordinance allows for a 6ft. fence and they are requesting an 8ft. one.
- It will not be visible from the street as it will be blocked by the building.
- The outdoor seating area will be on the front of the building.
- Will comply with the part of the ordinance regarding outdoor dining.
- Exhibit A-3: Colored rendering of Seasons 52 Hanover NJ #4555 11/9/18.
- This exhibit depicts the front of the building.
- It meets the principal building setback.
- This area was used when calculating the parking spaces.
- A total of 159 parking spaces are proposed for the Seasons 52 restaurants.
- The ordinance requires 230 parking spaces and they are proposing 159 spaces so they are requesting a parking variance.
- There will be 316 parking spaces total between Hanover and Parsippany.
- Discussed the parking islands and what could be done with them.
- The municipal boundary acts as a side lot line.
- Requesting a parking setback variance from the municipal boundary.
- One monument sign is proposed in Hanover Township southeast of the development area.

- Several variances are being requested for the sign.
- One 20 ft. sign is proposed that is 150 sq. ft.
- The sign will show both restaurants and directions.
- The proposed monument sign at the end of the driveway is in Parsippany showing both restaurants.
- Variances for the size of the sign and the location of the sign are being requested.
- Discussed the parking lot lights.
- Plans to illuminate the parking lot with the pure form parking lot light.
- It is 230 watts and LED.
- It is proposed to be 30 ft. tall.
- With a taller structure they will be able to have a smaller number of light poles.
- The structures are internally shielded.
- They will be shifting the lights to help reduce spill over.
- Lights will be maintained for one hour after the business closes.
- The latest business hour proposed right now is 11:00 PM.
- They are proposing to remove 70 trees throughout the property.
- 33 trees are proposed to be replaced within the development.
- Quite a bit of landscaping is also being proposed along the perimeter.
- Exhibit A-4: Landscaping and west view of the building.
- Exhibit A-5: Additional landscaping and view from the south of the building.
- Exhibit A-6: Utility plan.
- They are aiming to minimize earth work on the site.
- Discussed the grading and drainage.
- The grading is designed to have the drainage go into a proposed drainage basin.
- Described the retaining wall system.
- It is a double walled retaining wall system, two 6 ft. high walls separated by 6 ft.
- On top of the upper tier is a 3 ft. fence for fall protection.
- They are requesting a variance for the height of the retaining wall.
- The project is considered a major development per stormwater management regulations.
- To address that they have 2 detention basins.
- They have two water filtration systems as well.
- All of the runoff in Hanover will go to the detention basin in Hanover.
- Discussed the maintenance manual.
- Received approval from the DEP.
- Discussed the waste system for the site.
- Will have a gravity sewer coming out of the restaurant.
- Will have a grease trap to address any kitchen waste that will go to a sanitary pump station.
- Gas for the development will be provided by NJ Natural Gas.
- Water will be provided through Parsippany.
- All utilities will be underground.
- Maximum building height is 28.83 ft. which is conforming.
- Colors are standard for Seasons 52 branding.
- HVAC will be on the roof screened by a parapet.
- Addressed the Township Engineers report dated February 26, 2019.
- Discussed the refuse area and pickup.
- A truck can make the maneuver into the loading area to make the refuse pickup.

- Addressed the fire equipment access on the site.
- They would be able to fit through the site.

Mr. Kienz

- Is willing to give Title 39 jurisdiction on this site.

Ms. Ruskin

- Described what is between the loading space and the building.
- There is a screened in dumpster area.

Mr. Kienz

- On March 13, 2019 the Parsippany case will start.

Chairman Pinadella

- Asked for clarification on the refuse pickup area.

Mr. Maceira

- Clarified his comments regarding dumpster access.
- Was unsure if a dumpster truck could access the dumpster directly.
- Asked if the roof drains are tied into the stormwater system.

Ms. Ruskin

- Dumpster trucks are able to directly access the dumpster.
- Addressed how trucks access the site and dumpster, there is front load dumpster access.
- The roof drains are tied into the stormwater system.

Mr. Brancheau

- Asked what the material of the refuse enclosure is.
- Asked for clarification on the number of seats.

Ms. Ruskin

- It is the same material as the building on three sides and the front will be a gate.
- 308 is the correct amount of seating there will be and the plans will be changed to reflect that.

Mr. Brancheau

- There is a slight change in the parking requirement because his numbers were based on the incorrect number of seats show.
- Clarified different aspects of the Architects testimony.

Mr. Kienz

- Believes that this is similar to the Wegmens project.

Mr. Brancheau

- Discussed the phasing of the project.
- Asked what would happen if one restaurant was ready before the other.

Mr. Sullivan

- Clarified light spillage with the applicants engineer.

Chairman Pinadella

- Questioned the applicants engineer regarding the following:
- The DEP letter of 2016.
- Deed restrictions.
- Clarified the Parsippany pumping station and well house.
- What is gabion wall?
- Clarified the grease interceptor was part of the sewer line.
- Questioned the aluminum step.

Ms. Ruskin

- The letter of interpretation is good for 5 years.

Mr. Kienz

- They would prepare deed restrictions when necessary.

Ms. Ruskin

- A gabion wall is essentially a stone wall.
- It is a manhole step.

Mr. Ferramosca

- Questioned the access road.

Ms. Ruskin

- The access road will have full access.

Mayor Francioli

- Questioned the architectural siding material on the building.

Mr. Kienz

- That will be addressed by a different testimony.

Opened to the public

Seeing and hearing none

Closed to the public

Chairman Pinadella

- Questioned the detention basin and if there was a need for fencing.

Ms. Ruskin

- The detention basin is designed to hold 4 ft. of water.

Mr. Kienz

- Will provide the Board with transcripts from the hearing.

Ms. Ruskin

- Does not feel there is a need for fencing around the detention basin.

Chairman Pinadella

- Questioned the bike rack.

Mr. Kienz

- Addressed the bike rack on site.
- They put the bike racks in a lot of locations.

Mayor Francioli

- Questioned the slope to the basin.

Ms. Ruskin

- The slope of the side wall of the basin is 3 to 1.

Michael Tobia – Planner for the Applicant

- Sworn in by the Board Attorney.
- Will discuss the variances being requested.
- Described what Seasons 52 is.
- 8,630 sq. ft. upscale casual restaurant.
- They have 100 different types of wine and 52 by the glass.
- Inside is elegantly appointed.
- There is specialty cooking that is done as well.
- It is an advanced restaurant and the average cost of a plate is \$25-\$30 for an entrée.
- There will be indoor and outdoor seating.
- There will be a wood siding material and decorative stone work since it is a very earth tone colored building.
- Capital Grill will be a notch up from Seasons 52 with the average plate costing \$45.
- The hours will be Monday through Thursday 11AM – 10PM, Friday and Saturday 11AM – 11PM, and Sunday 10AM – 9PM.
- Requesting that lighting be allowed to stay on during the weekend for an extra hour for the safety of employees.
- It creates approximately 100 new jobs in town.
- All deliveries and trash pickup will be scheduled before 10:30AM.
- On the southeast corner of the sight there will be a pylon sign as an identifier for Seasons 52 (72 sq. ft.), Capital Grill (72 sq. ft.), and a small directional sign (9 in. high by 8 ft. wide).
- Discussed the wall signs and their locations.
- Agreed that there were 1 too many signs.
- Will be removing the sign on the north east corner of the building, they feel it is redundant.
- The number of signs now proposed on the façade is compliant.
- The sign product is a pin mounted backlit sign.
- The freestanding sign is vital to get patrons onto the site.
- Addressed the variances.
- Has reviewed Mr. Brancheau’s report dated February 26, 2019 and agrees with all the variances in his report.
- Discussed the wall height variances being requested, these walls face the wetlands.
- They only have a benefit, no detriment.
- Light fixture height is not a detriment to the community.
- The taller structures are more efficient and practical at this location.
- There will be 159 parking stalls on the Hanover side.
- When based on floor area there is enough parking, when based on seating there is not.
- The ordinance requires they go with the higher number so they are requesting a variance.
- Addressed the shared parking.
- Landscape Islands.
- The islands that were described are about 7 ft. in width.
- This would give a better spread on plant material.

Mr. Brancheau

- Brought up that they could do 18 ft. parking stalls with a 2 ft. overhang and widen the islands by 2 ft.

Mr. Tobia

- Is fine with 18 ft. stalls.
- They would then make the islands 9 ft. wide.

The Board discussed the possibility of one larger island or two smaller ones and the Board decided that they would like to see two 9 ft. islands.

Mr. Tobia

- Addressed the parking setback.
- Described where the loading area is.
- Discussed the refuse enclosure.
- Seasons 52 would like music to be piped to the outdoor dining area; it would be soft restaurant music.

Mr. Kientz

- Would comply with state ambiance standards.

Mr. Tobia

- Size of directional signs.
- The town only allows 2 sq. ft. directional signs.
- Would like a 6 sq. ft. sign to be allowed on Route 10.
- Vertical dimensions of the signs.
- Believe that they have the right proportions of the signs they need so they are requesting a sign height variance.
- Addressed the negative criteria.

Opened to the public

Seeing and hearing none

Closed to the public

Mr. Tobia

- Reviewed with the Board the Planners report dated February 26, 2019.
- Addressed the gabion walls.

Tom Golden – VP of Development at Mack-Cali

- Sworn in by the Board Attorney.
- Addressed the outside agency reports contained in the Township Engineers report dated February 26, 2019.
- Does not have a problem with any of the outside agency reports.
- Did address the Fire Chiefs report about a single point of access from Dryden Way.
- Addressed no access line.
- Is attempting to get an emergency access entrance on Route 10.
- Is hoping that with the support of the Township the State will allow them to create the emergency access entrance.
- Discussed the phasing plan.
- If one restaurant is built before the other they will provide plans regarding how they are managing the site.
- Will prepare a phasing plan.

Opened to the public for questions

Seeing and hearing none

Closed to the public for questions

Opened to the public for comments

Seeing and hearing none

Closed to the public for comments

Mr. Sullivan

- Summarized the conditions.
- All items in the Township Engineers report from 2/26/2019.
- Paragraph 23 of the Bureau of Fire Safety report, the applicant will be required to make a good faith effort to get the emergency access point on Route 10 and the Township will assist.
- Should the DOT not allow it then it will not prevent the project from going forward.
- Will relocate one or two lights to the north to avoid spillage along the front property line in order to comply with the ordinance.
- The hours of operation will be Monday through Thursday 11AM – 10PM, Friday and Saturday 11AM – 11PM, and Sunday 10AM – 9PM and the lights will be turned off no later than one hour after closing.
- Materials of the trash enclosure will match the building.
- The plan will be revised to correct the discrepancy in the number of seats.
- A phasing plan will be submitted subject to review by the Township Planner and Engineer.
- There will be a designation of employee parking.
- Will eliminate the wall-mounted sign on the northeast corner of the building.
- Will provide cross access easements to provide for the shared parking subject to review.

- There will be two landscape islands 9 ft. in width.
- Music can be piped out to the patio when the patio is in use.
- The speakers must be facing the building or flush mounted and the applicant will have to comply with the state noise regulations.
- Will comply with the minimum trunk caliber.
- Will comply with items B1 through B12 in the Township Planners report dated 2/25/2019.
- The plans will be revised to show the roof drains connected to the sub-surface drainage system.

A motion to approve this application with conditions was moved by Member Nardone and seconded by Member Critchley.

Members Critchley, Deehan, Dobson, Nardone, Olsen, De Nigris, Ferramosca, Mayor Francioli, and Chairman Pinadella all voted in favor of adopting this application.

A motion to adjourn the meeting was moved by Member Ferramosca and seconded by Mayor Francioli. All present in favor of adjourning.

Meeting Adjourned at 9:58 PM

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