

Minutes of the Board of Adjustment of the
Township Of Hanover
OCTOBER 1, 2019

Chairman Benjamin Stanziale, Jr. called the Work Session Meeting to order at 7:05 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: Alwell, Donaldson, Fomchenko, Chairman Stanziale and Walsh.

Absent were Members: None.

Arriving late were Members: Caruso, arrival time 7:21 PM.
Giorgio, arrival time 7:07 PM.
Hingos, arrival time 7:19 PM.
Neidhardt, arrival time 7:18 PM.

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

- Public present Leonard Fariello and Terri Baird.
- Reviewed the 9/19/2019 Minutes and typos were corrected.
- Mr. Maceira explained core issues that were resolved at the EPCO site.

PUBLIC BUSINESS

Chairman Stanziale called the Public Meeting to order at 7:35 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: Alwell, Caruso, Donaldson, Fomchenko, Giorgio, Hingos, Neidhardt, Walsh and Chairman Stanziale.

Absent were Members: None

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

1,950 sq. ft. clubhouse is also proposed, along with an outdoor pool adjacent to the clubhouse. The applicant also proposes other related site improvements.

Board decision due by: NOVEMBER 21, 2019

Attorney for the Applicant Larry Calli

- Provided an overview of application and the site history.
- Here tonight for site plan and bulk variances.
- I have 3 witnesses for tonight; Erik Keller the Civil Engineer, the Architect for the applicant Dave Minno and Michael Tobia the Planner for the Applicant.
- Reminded the board about the testimony given by John Inglessino; the applicant's Affordable Housing Attorney that took place during the density in the January hearing.

Chairman Stanziale

- Testimony from the January hearing can be obtained through OPRA.

Board Attorney Michael Sullivan

- Provided an overview of the findings in the resolution from 01/17/2019 public hearing regarding Affordable Housing.

Board Attorney Michael Sullivan swore in the Township Planner Blais Brancheau and the Township Engineer Gerardo Maceira P.E.

Township Planner Blais Brancheau

- Explained what the current status of the settlements regarding Affordable Housing is and what the requirements are for the Township before the December dead line.

Board Attorney Michael Sullivan swore in Erik Keller, Civil Engineer.

Erik Keller, Civil Engineer for the Applicant

- Bowman Consulting Group
- 54 Horse Hill Road, Cedar Knolls, NJ.
- Provided the Board with an overview of his credentials and professional background and was accepted by the Board as an expert witness.

Exhibit A-1

- Titled 'Parsippany Road Multifamily, Existing Conditions Aerial'.
- Provided a description of what is around the site, size of site and its location.
- Mentioned the number of units proposed including the Affordable Housing units.
- Gave an overview of the site's history.

- Describe how far the single family home is from the existing building.
- Describe the environmental constraints involved with the site and advised the existence of wetland areas and their location.
- Stated the site is in a permitted zone for the proposed use but at a lower density.

Exhibit A-2

- It is a colored rendering of the landscape plan and it's an enlargement of the site plan.
- Describe the proposed units and the building layout; advising where the traditional town house single is located.
- Provided the number of 1, 2 and 3 bedroom units.
- Gave the number of affordable units.
- Proposing to reduce the impervious coverage to 35.6% where 50% is permitted, this would reduce the storm water runoff.
- With the reduced impervious coverage we are not required to provide ground retention, water quality or ground water recharge.
- Proposed improvements are not increasing man made paved areas.
- Intensity of use is at 13 % where 20% of building use is allowed.
- Proposed Monument sign is at the main driveway.
- Proposed sign dimensions are consistent with other similar residential developments built in Hanover.
- Provided the number of parking spaces proposed and the number of parking spaces that will be in garages and in driveways per building with their pertinent location as well as the number of accessible spaces with all of them being van accessible spaces.
- The site access and drives can accommodate refuse and emergency vehicles.

Exhibit A-3

- Titled 'Fire Truck Turning Plan'
- This is the Lab dimension plan showing a fire truck being able to circulate within the site without conflicts.

Exhibit A-4

- Titled 'Garbage Truck turning Plan'
- Shows a refuse truck or recycling truck being able to enter the site and perform pick up throughout the site from corresponding designated areas.
- Explained where trash cans will be kept.
- All of the building improvements are outside of the flood way and flood hazard elevations of the Whippany River.
- None of the Flood way improvements impact the site.
- Explained what a flood way is and what a flood plane is.
- We're outside of the floodplain, flood way regulated area as set forth by D.E.P.
- Riverwalk is partially out of the floodplain and describe which areas are within the floodplain.
- Utilities will be brought into the site.

- The sanitary sewage pump on site will be maintained by the site owner.
- Describe the landscaping throughout the site.
- Describe the lighting throughout the site and the kind of bulbs to be used.
- Describe the variances requested and locations, as well as the deviations required and what is proposed.
- Proposing 15% of Affordable Housing as per settlement agreement which is consistent with the prior approval.
- Reviewed pending outside agency approvals and the ones that have been approved.
- All utilities will be underground.
- The Dumpsters are on concrete pads within an enclosure.
- There will be no 'H.O.A' these are rentals and they will be managed by the owner.
- Our buildings sit below the road due to the lope of the site.
- Describe the landscape plan, the types of trees and locations where the trees will be planted.

Board Attorney Michael Sullivan

- Questioned the applicant's intentions regarding the easement on the property.

Erik Keller, Civil Engineer for the Applicant

- A right to build a walkway in that area is being offered to the Township but the applicant is not building in the Riverwalk.

Attorney for the Applicant Larry Calli

- The applicant was not going to develop the River Walk but would grant the Easement to the Township for one to be built.

Erik Keller, Civil Engineer for the Applicant

- Discussed the alignment of the proposed driveways and the Oakridge driveways.

Township Planner Blais Brancheau

- Questioned if the width shown on the plan for Riverwalk is a set figure or if there is flexibility.
- Would easement included construction access to build the walkway.
- Expressed concerned with the housing project being built before the walk way is.
- Would need to work out with the access agreement and the Township.

Erik Keller, Civil Engineer for the Applicant & the Township Planner Blais Brancheau

- Reviewed setback variances for the proposed buildings.
- Reviewed distance between building to building and variances associated with it.
- Explained the purposed of the ordinance.
- Reviewed the fence height variance.

- Reviewed the accessory variance.
- Reviewed the space from internal streets.

A-5 Exhibit

- Open space calculation exhibit.
- It shows the site plan and Mr. Brancheau has outlined areas that cannot be counted as open space.

John Wyciskala Attorney for the Applicant Epco Services Inc.

- Requesting to carry case to October 17, 2019.

A motion to carry this case to October 17, 2019 with no further notice required was moved by Member Walsh and seconded by Member Caruso.

In voice all present voted in favor to carry this case to October 17, 2019 with no further notice.

The Board took a ten minute break.

The Board came back on record.

Member Fomchenko

- Questioned the pool location and changes related to it?

Erik Keller, Civil Engineer for the Applicant

- It was on the north side but due to shade on the pool and blocking the sunlight changes were made.

Member Fomchenko

- Questioned flipping location of the pool.

Erik Keller, Civil Engineer for the Applicant

- Explained reasons for not flipping the pool location and keeping it where it is.
- Describe the pool fence and the landscaping around it.
- Explained there is a strong evergreen buffer between the walkways and the pool.
- Advised wants the flow to be to be adequate.

Exhibit A-6

- Alternate parking layout exhibit.
- Want the clubhouse and the pool to be central to the community.

Open to the Public for questions.

Leonard Fariello

- 336 Whippany Road, Whippany.
- Questioned why the railroad is not illustrated on the exhibits.

Erik Keller, Civil Engineer for the Applicant

- The survey only shows portions of the old Rail way.
- The River walk will not necessarily follow the old Rail Road tracks.

Frederick Meola

- 28 Whippany Road.
- Questioned if Parsippany Road would be widen as part of this project.
- Questioned if sidewalks would be put in on Parsippany Road.
- Questioned the drainage easement.

Erik Keller, Civil Engineer for the Applicant

- It's an easement that has not been recorded.

Frederick Meola

- Drainage system is in connection with storm water.

Attorney for the Applicant Larry Calli

- No easement in place, we have been working on the issue that QuickChek put the line in.

Nancy Bergamasco

- 85 Reynolds Ave, Whippany.
- Questioned the sidewalk from this site up to QuickChek.

Terri Baird

- 180 Parsippany Road, Whippany.
- Questioned the sidewalk on Whippany road.
- Questioned if the Rail Road spur will be left as they are now or if they will be touch.
- Questioned who did title search for this property.
- Questioned the building height.

- Questioned the taxes and any pilot program.

Christopher Miller

- 200 Dorchester Street, Whippany.
- Questioned utilities and the pump station on site and its location.

Linda Oaks

- 39 Cortright Road, Whippany.
- Questioned where cars are going to park if all parking spots are occupied.

Terri Baird

- 180 Parsippany Road, Whippany.
- Questioned the distance of the dumpster to the single house property line.

Douglas Emann

- 48 Washington Avenue, Whippany.
- Questioned if the traffic assessment previously done (from the prior hearing on density) included other developments or only this development.

Mike Czuchnicki

- Chairman of the Land Mark Commission.
- Original Raceway that brought water to the Mill still exists.
- Questioned if the Raceways are on the plans.
- Explained what a raceway is.

Erik Keller, Civil Engineer for the Applicant

- Outlined the potential location for the Riverwalk.

Exhibit L-1

- Letter dated October 1, 2019 from Land Mark Commission.

A motion to carry this case to October 17, 2019 with no further notice required was moved by Member Walsh and seconded by Member Caruso.

In voice all present voted in favor to carry this case to October 17, 2019 with no further notice.

