

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, MAY 1, 2019**

Chairman Iracane called to order the Board of Adjustment Meeting of Wednesday, May 1, 2019 at 7:30 PM.

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Kaplan, Mr. Persaud,
Mr. Shah, Ms. Snyder, Chairman Iracane

Also Present: Mr. King, Board Attorney
Mr. Chadwick, Board Planner
Mr. Holloway, Board Engineer

Absent: Mr. Reddy, Mr. Willans

Announcement is made that adequate notice of this meeting has been given, that it is being conducted in accordance with N. J. S. A. 10:4-6 et seq. of the New Jersey "Open Public Meetings Act".

Pledge of Allegiance

Chairman Iracane opened the floor to the public for anyone wishing to speak.

Resolutions:

Application 18:37

Iskcon, 176 Troy Road, Block: 726 Lot: 12.01 Zone: O-1

Amended Preliminary Site Plan and Major Soil Moving Permit

A motion to approve Resolution 18:37 was made by Mr. Kaplan, second by Mr. Joskowitz.

Approved by Joskowitz, Kaplan, Persaud, Shah, Iracane.

Minutes:

Motion to approve the Minutes of March 13, 2019 was made by Mr. Berkowitz, second by Mr. Joskowitz.

Approved by All.

Motion to approve the Minutes of March 20, 2019 was made by Mr. Berkowitz, second by Mr. Persaud.

Approved by All.

Motion to approve the Minutes of April 3, 2019 was made by Mr. Berkowitz, second by Mr. Persaud.

Approved by All.

Motion to approve the Minutes of April 17, 2019 was made by Mr. Berkowitz, second by Mr. Persaud.

Approved by All.

Agenda:

Application 17:74

Littleton Road, LLC, 240 Littleton Road, Block: 412 Lots: 8 and 9 Zone O-1 'C'/'D'/Preliminary and Final Major Site Plan to develop the property for a 7-11 and an unnamed tenant. Carried from February 27, 2019.

Mark Semeraro, Attorney from Kaufman, Semeraro and Liebman was present for the continuation of the Application.

Witness Keenan Hughes, Licensed Professional Planner, was previously sworn and accepted as an expert. Mr. Hughes stated he evaluated the application focusing on the use, became familiar with the site, other 7-11 establishments in the township, reviewed the Board Professional's memos and prepared a planning report. A brief overview of the surrounding area and existing condition were described using Exhibit A-1.

Exhibit A-13, Three Photographs of the Existing Site, dated March 13, 2018. The first picture is taken from the intersection looking across Littleton Road; the second picture is a view from Parsippany Boulevard looking east toward the property showing the relationship of the garden apartments located north of the site. The last picture is a view from the intersection and into the property.

Exhibit A-2 was again displayed to illustrate the proposed and was briefly described.

Exhibit A-14, 2012 Site Plan for Fulton Bank, last revised January 4, 2013, approved by Planning Board, consisting of three sheets. Banks are a conditional use in the Zone.

Sheet 14A illustrates a one-story building with a drive-thru located between the building and property of the garden apartments.

Sheet 14B is the approved landscape plan with a lesser buffer than what is being proposed in the current application.

Sheet 14C is the approved lighting plan that shows significant lighting at the rear of the building.

This exhibit was used as a comparison to convey the larger buffer area in the proposed application and that there will not be vehicle traffic at the rear of the building.

Exhibit A-15, Aerial of two 7-11's presently located in the township. One is located in Lake Hiawatha in the B-5 Zone and the other on Tabor Road in the B-3 Zone. Both are permitted uses in the zone and are located next to residential single-family lots.

Exhibit A-16, Zoning Table illustrating requirements of the existing 7-11 establishments in comparison to the proposed conditions on the subject property. The table shows the proposed would comply in lot area & width; setbacks, coverage, height, floor area and buffer requirements if it were located in the B-3 or B-5 zones.

Exhibit A-17, Section Diagram of the subject property, dated May 1, 2018, east west orientation across the site as if looking from Littleton Road. The exhibit displays the proposed berm and fence. There will be more than 90 evergreens planted as part of the buffer.

The Witness described why the proposed would be appropriate for the location, reviewed the requested variances and provided positive and negative criteria.

Sheet A2 of the architectural plans was introduced to described the proposed signs.

The Board asked questions regarding the berm and signs.

The Board took a five-minute break then reconvened.

Steve Schaffer, Attorney representing Troy Garden Apartments, asked if the existing 7-11's are permitted uses; about use variances; lighting; the buffer and the proofs of the application.

Jay Delany, Attorney representing Parsippany Exxon, asked questions regarding the unknown tenant and what would be negative criteria for the use proposed.

A motion was made to carry the Application to July 10, 2019 without notice and with any extensions necessary.

Approved by All.

Motion to Adjourn.