

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, April 18, 2018**

Chairman Iracane called the Board of Adjustment Meeting of Wednesday, April 18, 2018 to order at 7:31 PM.

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Persaud, Mr. Reddy, Mr. Shah, Mr. Willans, Chairman Iracane

Also Present: Peter J. King, Esq., Board Attorney
John T. Chadwick, IV, Board Planner
Andrew Cangiano, Board Engineer

Absent: Ms. Snyder, Mr. Kaplan

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.

Chairman Iracane took a moment to recognize Tammie Jo Shults, the Southwestern pilot who landed a plane safely despite an engine explosion. It was noted she was one of the first female fighter pilots in the Navy.

Resolutions:

Application 17:109

Erin Murray, 11 Hope Road, Block: 31 Lot: 3 Zone: R-4
'C' Variance to install a 5 ft. and 6 ft. solid fence.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Application 17:108

Piyush Panchal, 640 Vail Road, Block: 479 Lot: 25 Zone: R-3
'C' Variance to install a circular drive way expansion.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Application 17:88

Amit Patel, 167 Bridgeton Drive, Block: 261 Lot: 5 Zone R-4

'C' Variance to construct a driveway expansion.

This Application was approved December 6, 2017 but was found to be improperly noticed.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Application 18:04

Allison Perez, 118 Minnehaha Boulevard, Block: 603 Lot: 5 Zone: R-4
'C' Variance to construct a new single family dwelling.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Application 17:95

Satvinder Manko, 27 Farmingdale Drive, Block: 250 Lot: 15 Zone: R-4
'C' Variance to construct a deck with stairs.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Application 18:01

Shri Siddhidhata, LLC, 299 Parsippany Road, Block: 375 Lot: 12 Zone: O-S
'D' Variance for two studio apartments.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Application 18:05

Tesla, Inc., 350 New Road, Block: 767 Lot: 29.2 Zone: LIW-2
'C'/'D'/Preliminary and Final Major Site Plan to install an electric charging station located at the Wawa site.

A motion to Adopt was made by Mr. Berkowitz, Second by Mr. Reddy.
Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Approval of Minutes

A motion to approve the Minutes of April 4, 2018 was made by Mr. Willans,
second by Mr. Berkowitz.

Approved by Berkowitz, Joskowitz, Persaud, Reddy, Shah, Willans.

Agenda:

Application 17:110, Mr. Amin, 3 Fairmount Road, Block: 351 Lot: 3 Zone: R-4
'D' Variance to convert and existing basement into an apartment.

The Applicant did not meet the full notice requirements and is rescheduled to
May 16, 2018 with notice.

Application 18:03

John & Suzanne Higgins, 106 Camden Road, Block: 238 Lot: 8 Zone: R-4
'C' Variance to construct an open deck with stairs and slab.

Mr. Higgins, Property owner, was sworn by the Board Attorney and testified that he would like to replace his existing deck with a new deck at the same size. New footings will be used.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

A recommendation for approval of the Application was made by Mr. Berkowitz.

A motion to approve the Application granting a 'C' Variance to construct an open deck with stairs and slab contrary to Sec. 430-35, Col 4 was made by Mr. Joskowitz, second by Mr. Reddy. Approved by All.

Application 18:11

Catherine Hughes, 162 Rainbow Trail, Block: 109 Lot: 26 Zone R-3
'C' Variance to construct an addition on an existing raised deck.

Property owner, Catherine Hughes, was sworn by the Board Attorney and testified that she has a lake front property with a deck off the first floor which she would like to enclose to have a sitting room. No neighbors would be blocked from the lake view.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

A motion to approve the Application granting a 'C' Variance to construct an addition on an existing raised deck contrary to Sec. 430-35, Col. 10 was made by Mr. Berkowitz, second by Mr. Reddy. Approved by All.

Application 18:02

Hendee/Huetz, 89 St. John's Avenue, Block: 75 Lot: 2 Zone: R-3
'C' Variance to construct several additions, a porch, front stairs and walk, rear landing and stairs, ramp and A/C unit.

Property owners, Virginia Hendee and Joseph Huetz, were sworn by the Board Attorney and testified that the house was in need of work at the time of purchase. The front and side porch footings need to be reconstructed. They would also like to extend the side porch to the back of the house by squaring off a ten foot section which allows them to enlarge their kitchen.

The Board reviewed the additions, what is to be removed and questioned the ramp.

Contractor, Steven Finke, was sworn by the Board Attorney. The Witness testified that the ramp is egress from the new basement under the sunporch on the St. Peters side.

Discussion focused around the number and property coverage. The Board Planner felt it would be best to amend the Application to allow a total of 40% lot coverage.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

A recommendation for approval of the Application was made by Mr. Reddy.

A motion to approve the Application granting a 'C' Variance to construct a two-story addition; one-story addition; one-story porch with section of second floor addition; front stairs and walk; rear landing and stairs; ramp and air conditioning unit with a total lot coverage of 40% contrary to Sec. 430-35, Cols. 4, 10 and 13 was made by Mr. Shah, second by Mr. Joskowitz. Approved by All.

Application 18:17

Donald Pierce, 30 Pawnee Avenue, Block: 561 Lot: 18 Zone R-4

'C' Variance to construct a new two-story single family dwelling with attached garage.

Property owner, Donald Pierce, was sworn by the Board Attorney.

Presented was Exhibit A-1, Photo of the existing property, taken within the last 30 days; photo of another home within the 200 ft. radius of the subject property and photo of the proposed dwelling.

The Witness stated the existing home has been abandoned for ten years and was a foreclosure property with a cracked foundation, leaking roof, broken pipes and rotted floor beams. The proposed is the same style home he has built many times in Parsippany and is built on a slab with no basement, patio or deck.

The Board Planner felt the property should allow for a patio or deck and suggested the Application be amended.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

A recommendation for approval of the Application was made by Mr. Joskowitz.

A motion to approve the Application granting a 'C' Variance to construct a new two-story single family dwelling with attached garage with the Application amended to 44% impervious coverage to allow for a patio contrary to Sec. 430-

35, Col. 2, 3 and 10 was made by Mr. Reddy, second by Mr. Joskowitz. Approved by All.

Application 18:12

Hitendra Pandya, 385 Allentown Road, Block: 245 Lot: 7 Zone: R-4
'C' Variance to construct and addition and install an A/C unit.

Property owners, Mr. and Mrs. Pandya, were sworn by the Board Attorney and testified that they would like to construct a storage area.

The Board questioned if the storage area would be accessible from inside and out which was confirmed by the property owner. The property owner also stated the siding would match the rest of the house and the A/C is a replacement.

A recommendation for approval of the Application was made by Mr. Joskowitz.

A motion to approve the Application granting a 'C' Variance to construct an addition and install an air conditioning unit contrary to Sec. 430-35, Cols. 4 and 10 was made by Mr. Reddy, second by Mr. Reddy. Approved by All.

Application 18:08

MCP II Waterview Plaza, LLC, 2001 Route 46, lock: 453 Lot: 2 Zone: O-3
'C' Variance to install two wall signs.

Kate Coffee, Attorney from Day Pitney, was present to represent the Applicant to install two wall signs, one facing Route 46 and the other facing Route 287. Also proposed is a temporary sign installed in the same location as the permanent sign facing Route 287, until a tenant sign is installed.

The sign facing Route 46 will be approximately 166.5 sq. ft. The sign facing Route 287 is proposed at 166.1 sq. ft. and the temporary sign at 165 sq. ft. Ms. Coffee stated the variance is for length and height of the sign from the ground.

It was noted that the building was partially occupied and until the vacant space is taken, there are no specific names for the signs. The signs are the last step in improving the building to make it more attractive to potential tenants.

Witness Joann McGrath, Director of Leasing and Marketing, was sworn by the Board Attorney.

Exhibit A-1, Aerial of subject property, was presented to the Board. The Witness described the surrounding area and stated that there is only one freestanding sign with the name of the building. A number of improvements were made in hopes to attract tenants and the signs would help to identify the building.

The Board asked how long they owned the building, the type of sign to be installed and how they would decide which tenants would be using the signs.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

Witness, William Brown, Executive Director of office leasing, Cushman & Wakefield, was sworn by the Board Attorney. Testimony was given as to the number of tenants currently existing in the building and that they are looking to create a boutique building where small companies would like to be located.

Exhibit A-2, Proposed Southeast Corner Building Sign (Route 287) was presented to the Board. It was felt that the sign would serve as free advertising for tenants. The dimensions of this sign will be 5 ft. 5 in x 30 ft. 8 in.

Exhibit A-3, Proposed Northeast Corner Building Sign (Route 46) was presented to the board. The dimensions of this sign will be 5 ft. 5 in x 30 ft. 9 in.

The Witness spoke of possibly putting two tenants in a single sign area but the Board was not open to the idea.

The signs will be at a height of 60 ft., internally lit and made of vinyl.

Briefly discussed was the temporary sign.

Witness, Phil Abramson, Professional Planner from Topology, was sworn by the Board Attorney and accepted as an expert witness. An overview of the sign area, height, the sign ordinance and how it affects the applicant was given. The positive and negative criteria were demonstrated.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

A motion to approve the Application granting a 'C' Variance to install two wall signs with one name each was made by Mr. Joskowitz, second by Mr. Reddy. Approved by All.

Application 18:10

Target, 1123 Route 46, Block: 729 Lot: 7 Zone: B-1

'C' Variance to install a signs and banners.

Joe Murphy, Attorney from Connell Foley was present to represent the applicant for the proposed Target logo to be placed at the rear of the building facing Route 80. Approval for banners is no longer being sought.

The sign ordinance section was reviewed in comparison to the proposed symbol and each variance was discussed. The signs will be lit from one hour before dawn to one hour after dusk.

Witness, Thomas Cannizzaro, Permit Manager from Philadelphia Sign Company, was sworn by the Board Attorney. It was testified that they have been handling Target sign for the last 24 years and all their locations on the East coast. The sign is a logo only and will be 6 ft. x 6 ft.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witnesses.

A motion to approve the Application granting a 'C' Variance to install the Target logo was made by Mr. Reddy, second by Mr. Joskowitz. Approved by All.

Motion to Adjourn. Approved by All.

9:20 PM