

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS  
BOARD OF ADJUSTMENT MEETING  
WEDNESDAY, MAY 16, 2018**

Chairman Iracane called the Board of Adjustment Meeting of Wednesday, May 16, 2018 to order at 7:32 PM.

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

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

Absent: Mr. Joskowitz

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.

Agenda:

Application 17:110

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

Due to the applicants repeated failure to notice as required and obtain legal representation, a motion to dismiss the application was made by Ms. Snyder, second by Mr. Kaplan.

Approved by All.

Application 18:20

Ralph Favale-CP Contractors, 236 Lake Shore Drive, Block: 597 Lot: 19 Zone: R-4  
'C' Variance to construct a new single family dwelling.

Mr. Favale, Property Owner, was sworn by the Board Attorney and testified that due to the poor condition of the foundation and part of the structure it made sense to demolish and rebuild a new home on the lot. The property is narrow with no land on either side to purchase and the proposed is over 1.2% on building coverage. Properties in the area are of the same lot width and the new house will be similar in style to the other homes.

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

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 new two-story, 1,590 sq. ft. single family dwelling with porch, attached garage and 201 sq. ft. open deck with stairs contrary to Sec. 430-35, Cols. 3 and 10 was made by Ms. Snyder, second by Mr. Kaplan.

Approved by All.

Application 17:111

Pradeep Manohar, 2 Dunnerdale Road, Block: 597 Lot: 19 Zone: R-4  
'C' Variance to construct an open deck with stairs and install a patio.

Mr. Manohar, Property Owner, was sworn by the Board Attorney and testified that his property is a corner lot and he would like to construct a deck and patio to fit his outdoor furniture on and for his family enjoyment.

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

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

A motion to approve the Application granting a 'C' Variance to construct a 16 ft. x 16 ft. deck with stairs and a 10 ft. x 49 ft. patio contrary to Sec. 430-35 Cols 4 & 13 and Sec. 430-10. I. was made by Mr. Reddy.

Approved by All.

Application 18:15

Sudip Saha, 38 Forest Drive, Block: 421.1 Lot: 8 Zone: R-3  
'C' Variance to install fencing.

Mr. Saha, Property Owner, was sworn by the Board Attorney and testified that his property is on a corner lot and he would like to install fencing for the protection of his children from deer and bears that come into the area. There were concerns of the Board over the 6 ft. utility easement and it was explained how far back the fence should be placed. The property owner is to submit a new survey with the fence clearly marked.

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

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

A motion to approve the Application granting a 'C' Variance to install a 6 ft. vinyl fence (75%/25%), 6 ft. vinyl picket fence (50%/50%) and a 6 ft. chain-link fence on a corner lot contrary to Sec. 430-11 A. & B. was made by Ms. Snyder, second by Mr. Reddy.

Approved by All.

Application 18:09

Chandulal Bhoraniya, 98 Hawkins Avenue, Block: 714 Lot: 9 Zone: R-3  
'C' Variance to construct additions and second-story deck with stairs.

Mr. Bhoraniya, Property Owner, was sworn by the Board Attorney and testified his property is located on a corner lot and would like to construct additions to the rear of the home, which is located in the side yard. The home is a bi level and he would like to add a dining room and bathroom to the master bedroom. There is an existing deck but because of the addition they are rebuilding it in a different location.

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 156 sq. ft. two-story addition; 270 sq. ft. second-story addition on pillars and a 318.1 sq. ft. second story open deck with stairs contrary to Sec. 430-35 Cols. 4, 5, 10 & 13 and Sec. 430-10. I. was made by Mr. Shah, second by Mr. Kaplan.

Approved by All.

Application 18:07

John Guest USA, Inc., 20 East Halsey Road, Block: 737 Lot: 11 Zone: SED5-A  
'C' Variance to install a building sign.

Donna Erem, Attorney from Chiesa, Shahinian & Giantomasi, PC, was present to represent the Applicant for a building sign exceeding the allowed area proposed at 659.7 sq. ft.; at a vertical dimension of 7 ft. 11 in. and the height from the ground to the top of the sign at 19 ft. 6 in.

Witness Byron Woodard, President of John Guest North America, stated they recently relocated their Headquarters from Fairfield to Parsippany. With this company located in other parts of the world, the proposed sign remains their branding as in each of their existing locations.

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

Witness, Michael Hoehn, Morris Sign Co., was sworn by the Board Attorney and testified that the Applicant required a sign design which must face Route 287, is of appropriate size to the size of the building for a balanced look, a professional modern sign with their logo and halo lit letters. The sign will be placed on the blue band across the top of the building with the dimension 7 ft. 11 in. with length of 83 ft. 4 in. centered.

Exhibit A-1, Daytime and nighttime sign proposal, was presented to the Board. The photo was taken from across Pomeroy Road.

Exhibit A-2, daytime view of sign from across Route 287, was presented to the Board. The Witness noted that because of the berm, it was important to have the sign located high on the building.

Exhibit A-3, a photo render nighttime view of sign from across Route 287, was presented to the Board to show the halo lighting. The lights will turn on and off in the same fashion as street lighting.

The Board questioned if there was control of the back lighting; if the lighting was LED and the size of the sign.

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

Witness, Charles Heyet, Professional Planner, was sworn by the Board Attorney and testified that he did a review of the Zoning Ordinance and variances needed to help the Applicant in presenting the proposed.

Exhibit A-4, aerial view of building with proposed sign to show a comparison of from where Exhibits A1-3 were taken. It was noted the properties across Route 287, on and beyond Parsippany Road, sit low and are screened with no line of sight of the sign. The Witness reviewed the positive and negative criteria of the Application and variances being requested.

The Board questioned the distance of sign from across the highway and line of sight and if the illumination would be seen during the winter months. The Board Planner questioned percentages of wall area and signage.

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

The Applicants Attorney summed her case.

Motion to go into conference made by Mr. Willans, second by Ms. Snyder. Approved by All.

The Board spoke with concerns of brightness of the signs lights and any ability to adjust the brightness. It was agreed that language would be included in the Resolution to consider this.

Motion to come out of conference.

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

A motion was made to authorize the Board Attorney to draw up a Resolution Granting a 'C' Variance to install a wall sign as presented by the Applicant was made by Mr. Berkowitz, second by Mr. Kaplan.

The Board recessed for a ten minute break and came back into session.

Application 17:20

ISSO

Amendment to Approved Application

Joe O'Neil, Attorney from Garofalo & O'Neil was present and testified that the Approved Resolution had incorrect dimensions that did not match the dimensions on the construction plans and asked that the Resolution be modified to conform to the plans.

The modification was approved by all.

Application 18:21

Forge Pond, Old Dover Road, Block: 14 Lot: 12.01 Zone: R-R  
'D' Variance for a 12 unit townhouse development.

Joe O'Neil from Garofalo & O'Neil was present to represent the Applicant for townhomes and changes to the previous approval for 700 Mt. Way.

Witness, Patrick McCellan was sworn by the Board Attorney and presented the title sheet of preliminary and final site plan and preliminary and final subdivision for Old Dover Road, Sheet 1 of 7, dated March 21, 2018, unrevised, and reviewed the lots for the Board.

Sheet 3 of 7 was presented and described were the existing conditions.

Sheet 2 of 7 was presented. Described was the proposal of 12 townhouses, a 24 ft. roadway, a 40 ft. right of way with 6 townhome on the left, 6 townhomes on the right and utilities.

The witness presented Exhibit A-1, Title Page from 700 Mt. Way Plan, Sheet 1 of 9 with Revision date of February 2, 2017, approved by the Board of Adjustment on March 1, 2017 to the show the relationship between the current application and the 700 Mt. Way application.

Exhibit A-2, Sheet 2 of 9 from the approved 700 Mt. Way Plan, Site Layout and Subdivision was presented to the Board. The Witness testified that they would like to subdivide a portion of land from lot 6.01 of the 700 Mt. Way application and convey it to lot 12.01 of the current application to allow six of the proposed units a rear yard. The variances needed to accomplish the subdivision are use, building coverage, lot coverage and lot area. With the 12 units anticipated traffic is 71 average trips per day which is a low count and allows for one point of access, water consumption 1,800 gallons per day and sewer flow estimate is 2,700 gallons per day.

A soil move application was discussed to move 7,400 cubic yards of soil which equates to 460 truckloads. Earthwork at 60-90 days would average 5-8 trucks per day.

The Witness reviewed the Board Engineers report and addressed each comment.

Exhibit A-3, Grading Plan, Sheet 3 of 7, Revision date May 1, 2018 was presented and implements comment number 4 of the Board Planners report by shifting the homes to the east.

Mr. O'Neill spoke of the land swap with Mt. Tabor Fire Department in effort to help them with their expansion.

Motion to carry the Application to June 20, 2018 without further notice by Ms. Snyder. Approved by All.

Motion to Adjourn. Approved by All.