

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD – REGULAR MEETING
MONDAY FEBRUARY 25, 2008**

Vice Chairman Baldwin called the Regular Planning Board Meeting of Monday February 25, 2008 to order at 7:31 PM.

Members Present: Ms. Baldwin, Ms. Banks, Ms. Bronfman, Mr. Burns, Mr. Corcoran, Ms. Elbin, Councilwoman Grossi, Mr. Keller, Mr. Purzycki

Also Present: Mr. Pucilowski, Township Engineer
Mr. Snieckus, Burgis Associates
Mr. George Johnson, Acting Planning Board Attorney

Absent: Mayor Luther, Chairman Parikh

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".

The meeting was opened to the public on any issue not on the agenda. There was no one in the public wishing to speak.

Mr. Purzycki made a motion to approve the resolution granting Final Site Plan Approval to One Campus Associates LLC, Block: 202 Lot: 3.12, 3 Campus Drive, Application #07:524. Motion seconded by Mr. Keller. Ayes: Ms. Baldwin, Ms. Banks, Ms. Bronfman, Mr. Burns, Mr. Corcoran, Ms. Elbin, Councilwoman Grossi, Mr. Keller, Mr. Purzycki.

Mr. Purzycki made a motion to approve the resolution granting Minor Site Plan and "C" Variance approval to Omnipoint Communications, Inc. Block: 757 Lot: 62.2, 153 Bee Meadow Parkway, Application #07:523/07:6. Motion seconded by Mr. Keller. Ayes: Ms. Baldwin, Ms. Banks, Ms. Bronfman, Mr. Burns, Mr. Corcoran, Ms. Elbin, Councilwoman Grossi, Mr. Keller, Mr. Purzycki.

Mr. Purzycki made a motion to approve the resolution denying Preliminary Major Subdivision and "C" Variance approval to Radmilo and Jelena Ilic, Block: 626 Lot: 15, 232 Old Bloomfield Ave., Application #07:003/07:3. Motion seconded by Mr. Keller. Ayes: Ms. Baldwin, Ms. Banks, Ms. Bronfman, Mr. Corcoran, Ms. Elbin, Mr. Keller, Mr. Purzycki.

Mr. Purzycki made a motion to approve the minutes of the Planning Board meeting of January 28, 2008. Motion seconded by Mr. Keller. Ayes: Ms. Baldwin, Ms. Banks, Ms. Bronfman, Mr. Burns, Mr. Corcoran, Ms. Elbin, Councilwoman Grossi, Mr. Keller, Mr. Purzycki.

Ms. Baldwin made an announcement that the workshop meeting of March 3, 2008 has been cancelled.

The item on the agenda is a continued discussion about the Sanatan Temple. Joseph O'Neill represented the applicant. Mr. O'Neill gave a summary of the previous discussion. This was a minor site plan application about enclosing and existing porch attached to the church to be used as an ante room for the storage of coats and shoes. The board granted the application and attached a condition that the windows between the vestibule and the sanctuary will be closed.

The Temple is here for a clarification. The application was for the windows to be modified to indoor windows to match other windows in the sanctuary. These allow light into the sanctuary. The Temple wished to leave the windows in place, just change them to interior windows. The windows are 6 or 7 feet wide and 3 or 4 feet high. Mr. O'Neill said they would like the resolution changed so the windows can remain.

Mr. Neill called Mr. Shah who was sworn in. Mr. Shah is a member of the Temple.

Mr. Purzycki asked if they are trying to amend the resolution because the clause may have meant closed off, or non-opening or what. Mr. Snieckus read from the minutes the pertinent section regarding the windows. Mr. Purzycki said his memory was that the windows be closed over. Mr. Snieckus noted that he thinks the discussion was the result of comments from the public. The minutes said that if we are looking for a level of comfort that the space is uses for an ante room the wall areas should be closed off and the windows removed. He said that was addressing the concerns of the public that the area could be used for some other purpose, either to expand the sanctuary or things of that nature. Mr. Purzycki agreed this was a compromise for the public. He thought that the Temple agreed.

Mr. O'Neill said the intent is that the ante room be closed from the sanctuary, but they want fixed windows for admitting light. There will be windows in the closed in porch on the outside. There is already a condition that they will not increase occupancy. Mr. Johnson said he understands but everyone has been in circumstances at church where it is crowded and members stand in the ante room.

Mr. Purzycki said if they are presenting testimony they should re-apply for an amended approval and notice the hearing. Mr. O'Neill noted that the board has the authority to amend a minor site plan approval. Ms. Grossi said she has a problem that the public is not here and they were a large part of why this decision was made. Mr. Keller said he thinks the main concern was the expansion of the sanctuary. Mr. O'Neill said that they said they will not expand the sanctuary. Mr. Purzycki said he is not addressing that, he is just asking if the approval can be changed without notice.

Mr. Johnson said that this was a Minor Site Plan so the issue is if notice was required. Mr. O'Neill said it is not for a minor. Ms. Mader noted that it was determined by Burgis that even though the application was a minor it should be heard by the full board. Mr. Snieckus said it was a threshold issue increasing coverage by more than 10%. That is why notice was required. Mr. Purzycki said since the public was notified of the original hearing they should be notified if there is to be a change. Mr. Johnson agreed.

The question started out under correspondence based on Mr. Garofalo's letter so that is why it is listed as a discussion. Mr. Johnson said the problem with the resolution is does having the windows closed mean closed over or merely not able to be opened.

Ms. Grossi asked if there was a way to keep the windows in without them being clear. Frosted windows would still allow light but parishioners would not be able to see into the sanctuary.

Mr. Keller said he understood that there would be windows to the outside from the vestibule but where do the coat racks go that they will not block the light anyway. Mr. Keller said the idea is to put the coat racks perpendicular to the windows to allow light through. Mr. Shah showed the set-up on a plan of the room.

Ms. Baldwin asked the attorney if frosted windows would meet the intent of the original approval and not require notice and another hearing. Mr. O'Neill said they will volunteer to place windows with an opaque design so they will still allow light but not visibility into the sanctuary. Not completely frosted but an etched glass religious design. The window will be a fixed indoor window with a design.

There were no questions from the Board or the public. Mr. Pucilowski asked how makes the decision that the design meets the criteria. Mr. Corcoran said as long as it is on the construction drawings it can be approved. Mr. Keller made a motion amend the resolution of approval to allow stationary windows with a translucent design that will prevent observance of the religious service from the vestibule but will still admit light. Motion seconded by Mr. Corcoran. Ayes: Ms. Baldwin, Ms. Banks, Ms. Bronfman, Mr. Burns, Mr. Corcoran, Ms. Elbin, Councilwoman Grossi, Mr. Keller, Mr. Purzycki.

The meeting was adjourned at 8:00 PM.