

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, JANUARY 16, 2019**

Chairman Berkowitz called the Board of Adjustment Meeting of Wednesday, January 16, 2019 to order at 7:35 PM.

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

Also Present: Peter King, Board Attorney
John T. Chadwick, IV, Board Planner
Chas Holloway, Board Engineer

Absent: Mr. Joskowitz, Mr. Shah

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 announced that the meeting will be video taped and explained how the Board conducts business.

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

Resolutions:

Application 18:31

HMAT, Associates, Inc., 1100 Edwards Road, Block: 768 Lot: 3.01 Zone: LIW-2
Preliminary and Final Major site Plan 'C'/'D' Variance to convert a vacant capped landfill into a truck terminal and parking lot for parking and storage of cars, tractor trailers, buses, recreational vehicles, containers, construction equipment, office trailer, site improvements and minor subdivision.

A motion to Adopt was made by Ms. Snyder, second by Mr. Reddy.

Approved by All.

Application 18:63

Puddingstone Developers, LLC, 18 Beverly Street, Block: 7 Lot: 45.16 Zone: R-1
'C' Variance to construct retaining walls and for steep slope disturbances.

A motion to Adopt was made by Ms. Snyder, second by Mr. Reddy.

Approved by All.

Approval of Minutes:

A motion to Approve the Minutes of November 7, 2018 was made by Mr. Reddy, second by Mr. Berkowitz.

Approved by All.

A motion to Approve the Minutes of November 28, 2018 was made by Ms. Snyder, second by Mr. Kaplan.

Approved by All.

A Motion to Approve to Approve the Minutes of December 5, 2018 was made by Ms. Snyder, second by Mr. Kaplan.

Approved by all.

Correspondence:

Correspondence from Robert Garofalo of Garofalo & O'Neill requesting Application 18:37, Iskcon be carried without notice to the next scheduled meeting for determination of a special meeting date.

A motion to carry application 18:37 without further notice to the regular meeting date of February 6, 2019 was made by Mr. Reddy, approved by All.

Chairman Iracane announced that Application 18:65, Martinez, inadvertently notice his hearing for this evening when he is scheduled for February 6, 2019.

A motion to carry Application 18:65 to February 6, 2019 without further notice was made by Mr. Kaplan, second by Mr. Reddy.

Approved by All.

Agenda

Application 18:52

Vincent Mondaro, 23 Ludlow Road, Block: 325 Lot: 5 Zone B-4 (R-4 per resolution) 'C' Variance to construct a shed.

Property Owners Vincent and Lillian Mondaro, were sworn by the Board Attorney and testified that a tree fell on their shed during a storm, crushing it, and would like to replace it with an 8 ft. x 8 ft. shed.

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

Mr. Berkowitz made a recommendation for approval of the application.

A motion to approve the application for 'C' Variance to construct an 8 ft. x 8 ft. shed was made by Ms. Snyder, second by Mr. Kaplan.

Approved by All.

Application 18:55, Michele Valentin, 70 Minnehaha Boulevard, Block: 532 Lot: 1 Zone: R-4, 'C' Variance to install a generator in a front yard.

Michele Valentin, Property Owner, was sworn by the Board Attorney and testified that she didn't realize she has two front yards. She has a deck and shed to the rear of the house and would be in the setback on the other side. The generator will be placed on the Nokomis Avenue side of the house and be 48.05 ft. from the property line. It will run on natural gas.

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

Mr. Reddy made a recommendation for approval of the application.

A motion to approve the application for 'C' Variance to install a generator in the front yard was made by Mr. Berkowitz, second by Mr. Reddy.

Approved by All.

Application 18:61

Rik & Khusbu Godhani, 1 Waterloo Drive, Block: 18.2 Lot: 3 Zone: R-4
'C' Variance to install a 6 ft. high solid vinyl fence.

Rikesh Godhani, Property Owner, was sworn by the Board Attorney and testified that he lives on a corner lot and would like a 6 ft. high fence for privacy and to contain his two dogs. The fence would be placed 30 ft. from Granada Drive. There was debate among the Board Members as to the height and type of fence, followed by a poll. The Board and Property Owner agreed to a 4 ft. solid, 2 ft. lattice fence.

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

Susan Wallenstein, 3 Waterloo Drive, had concerns due to the property owner clearing his land and type of fence to be built.

Chairman Iracane opened the floor to the public for anyone wishing to speak in support or opposition of the application.

Mr. Reddy made a recommendation for approval of the application.

A motion to approve the amended application for 'C' Variance to install 4 ft. solid, 2 ft. lattice fence was made by Ms. Snyder, second by Mr. Reddy.

Approved by: Berkowitz, Persaud, Reddy, Snyder, Willans, Iracane.

Opposed: Kaplan.

Application 18:26

Zhiyong Bao, 11 Dacotah Avenue, Block: 543 Lot: 10 Zone: R-4

'C' Variance to install a shed, fence and legalize a patio.

Carried from November 7, 2018

Property Owner Zhiyong Bao and Interpreter Ms. Hong were previously sworn. The rear property corners were marked and the fence has been cut, lowered, turned around and now conforms. Some of the concrete has been removed but the property owner was advised to wait for board approval before removing any additional. Jennifer Vealey, Zoning Officer, previously sworn, explained her revised review to the Board. Three surveys of the subject lot were included with the review. One showed the existing condition, the second was the original proposal and the third was the new proposal. It was explained that there is additional impervious coverage from the original proposal due to the board allowing a concrete walk to the side of the house from the driveway to the patio. Once the application is approved and the work is done, an inspection of the property will be performed. It was noted that the resident behind the subject property who had complaints of flooding problems due to the large amount of impervious coverage will have to bring in top soil and seed. She was advised to meet with the Township Engineer.

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

Christine Wallace, 14 Nokomis Avenue, asked if there is a timeline on the work to be performed.

Ms. Hong spoke with the Applicant and stated the work will be done April-May.

Chairman Iracane opened the floor to the public for anyone wishing to speak in support or opposition of the application.

Ms. Snyder made a recommendation for approval of the application.

A motion to approve the application for 'C' Variance to install an 8 ft. shed, 6 ft. high fence, 106 sq. ft. walk and legalize a 314 sq. ft. patio; subject to an inspection by the Zoning Department was made by Mr. Berkowitz, second by Mr. Reddy.

Approved by All.

Chairman Iracane spoke of the yearly Board of Adjustment report of variances and felt there was a misunderstanding of why many variances are granted. There was consideration of appearing before town council to give a presentation of what the Board of Adjustment does. There was also question of a public survey to get feedback from applicants on the Board's performance however it was felt that objectors should be aloud answer the survey as well. The Board Members will work together to come up with questions for the survey and vote on it.

There was discussion between the Board and Zoning Officer regarding different application types that are required to have board approval. It was also noted that applicants can be confused or do not have an understanding of the board process and it was thought a cover letter could be created and mailed with the Zoning Officers review to applicants. It would give information of what can be expected at hearings, let applicants know they should be prepared to answer questions and perhaps have a backup plan for their proposed project.

Motion to Adjourn.