

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, FEBRUARY 6, 2019**

Chairman Iracane called the Board of Adjustment Meeting of Wednesday, February 6, 2019 to order at 7:30 PM.

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

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

Absent: Mr. Berkowitz, Ms. Snyder

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 spoke of meetings now being video taped and offered an email address for people to contact the Board with questions and comments.

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

John (inaudible), Attorney from Kaufman, Semeraro & Leibman, was present for Application 17:74, 240 Littleton Road, LLC, to receive a new hearing date due to their witness being unavailable to attend the January 31, 2019 hearing.

Mr. Willans made a motion to carry Application 17:74 without further notice and with all required extensions to February 27, 2019, second by Mr. Kaplan.

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

Resolution 18:59 was on the Agenda was not ready to be memorialized.

Approval of Minutes:

Mr. Kaplan made a motion to approve the Minutes of January 16, 2019, second by Mr. Reddy.

Approved by All.

Agenda

Application 18:59

Nakul Kasadwala, 23 Ridgewood Avenue, Block: 583 Lot: 5 Zone: R-4

'C' Variance to construct a new two-story single-family dwelling with a front porch, attached garage and open deck with stairs contrary to Sec. 430-35 Cols. 2, 3 & 10 and Sec. 430.1.

Nakul Kasadwala, Property Owner, was sworn by the Board Attorney and testified that he owns a substandard lot of 4,000 sq. ft. with an existing one-story ranch.

Exhibit A-1, Photos of new homes constructed and sold in recent years on Ridgewood Avenue; the existing home on the subject lot and the current condition of the home; and the style of home being proposed.

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

Carol Rota, 25 Ridgewood Avenue, asked about grading; windows that will face her home and if there will be a basement.

The Board questioned the building coverage.

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

A motion to approve the application for 'C' Variance to construct a new two-story, 1,170 sq. ft. single family dwelling with front porch, attached garage and 165 sq. ft. open deck with stairs was made by Mr. Reddy, second by Mr. Persaud.

Approved by all.

Application 18:62 Daniel Caprioni, 11 Lodge Lane, Block: 706 Lot: 26 Zone: R-3

'C' Variance to construct a one-story addition contrary to Sec. 430-35 Col. 13.

Iris and Daniel Caprioni, Property Owners, were sworn by the Board Attorney and affirmed to the conditions of the property as reviewed by the Board.

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 construct a 10 ft. x 10 ft. 10 in. addition was made by Mr. Kaplan, second by Mr. Joskowitz.

Approved by all.

Application 18:65

Alejandro Martinez, 90 St. John's Avenue, Block: 79 Lot: 4 Zone: R-3

'C' Variance to install a new generator and legalize two existing A/C units contrary to Sec. 430-35 Col. 4

Alejandro Martinez, Property Owner, was sworn by the Board Attorney and testified to having three front yards and that when he bought his home in 2013, the A/C units existed. He replaced the units after they failed not realizing they were in a setback until proposing the generator, which he would like in the same location.

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

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

A motion to approve the application for 'C' Variance to install a new generator and legalize two existing A/C units was made by Mr. Shah, second by Mr. Joskowitz.

Approved by All.

Application 18:60

Liquid Church, 299 Webro Road, block: 736 Lot: 20 zone: SED-5

'D' Variance to expand an existing use.

Joseph O'Neill, Attorney from Garofalo, O'Neill Ruggeiro was present to represent the Applicant for an expansion of operations in a building they already occupy a portion of, but are now taking over entirely. This application is bifurcated with the site plan being heard at a later date.

Witness, David Brooks, Pastor, testified that services began in November 2017 in a space approximately 124,000 sq. ft. and that the church has since purchased the building which will give them an additional 40,000 sq. ft. The new space will mainly be used for youth work. There will be a multipurpose room with moveable chairs that will seat up to 495 people which will also provide for recreational use as well as allow for overflow.

There has been growth since they have been in the building with Sunday services at 9:00am and 11:00am that seat 1,200. The 11:00am service brings 800-1,000 people which means with 407 parking spaces, people are parking on the grass and in the street. The Applicant is looking to expand the parking on site especially since they have people who come with special needs.

The Board asked if other than holidays, would there be additional people attending services because of the expansion; if there were any arrangements with the surrounding properties for the current overflow parking; if there would be a kitchen in the area of expansion and the number of proposed parking spaces.

It was confirmed that the additional 40,000 sq. ft. would be for uses other than school or services; that there is no expectancy in additional growth of the church and the increase in parking will be 275 spaces for a total of 682.

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

Witness, John Harter, Traffic Engineer from Atlantic Traffic, was sworn and qualified as an expert by the Board Attorney and testified that a study of parking conditions and traffic flow was performed. The new parking numbers will meet the township requirements. There are three access points along Webro Road. One of these is a two-way driveway located adjacent to the Webro/Jefferson intersection that is proposed to be improved by making it ingress only. To the south of the building there is a new parking area with proposed two-way access and along Jefferson Road is a proposed exit only. Traffic counts were conducted Sundays during peak times for the 9:00 am and 11:00 am services. Shortly before Christmas 2018 a count was done between 8:00 am and 1:00 pm and it was found that between 10:15 am and 11:15 am was peak demand in the area. Because other uses in the area are not operating during these times it was determined the traffic was mainly generated by the church. The two-way through traffic on Webro, minus the site traffic, was roughly 70 vehicles in the peak hour, about one vehicle per minute. Jefferson Road saw 120 vehicles on the two-way roadway. A study of the parking demand in September found 240 vehicles parked off site.

The Board asked what the number of seats is in the church, which is 1,200. Also asked was if police were ever needed for traffic control and if there would be any activities happening during service times.

The number of days during the year the overflow will be used is expected to be four for special occasions such as Christmas and Easter.

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

Witness, John Hansen, Licensed Professional Planner, was sworn and qualified by the Board Attorney and testified to the lot in question, surrounding area and uses. He touched on the previously testified parking situation and the 40,000 increase in space consisting of two floors to be used as a multi-purpose room with 495 seats on the first floor and a conference area on the second. It was noted that until

approximately six months ago there was parking on both sides of Webro Road but it has since been restricted to parking on one side. The parking was calculated based on the 1,695 seats, the previously approved office space and assuming everything is happening at the same time to come up with 682 stalls. There will be additional impervious coverage of 9 percent over the allow amount per ordinance. Soil testing was done in advance of the future site plan application for stormwater management.

The Witness went through the positive and negative criteria for the requested variances.

The Board ask for the current and proposed number of special needs parking spaces; the purpose of the multipurpose room and about the impervious coverage.

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

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

Mr. O'Neill summed his case.

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

A motion to approve the application for 'C'/D' Variance to expand a previously approved use was made by Mr. Kaplan, second by Mr. Reddy.

Approved by All.

Application 18:37

Iskcon of NJ, 176 Troy Road, Block: 726 Lot: 12.02 Zone: O-1

Amended Preliminary site Plan/Major Soil Moving Permit for an addition and other modifications. Carried from January 16, 1029.

Joseph O'Neill of Garofalo O'Neill Ruggiero was present to represent the Applicant for interior and exterior modifications to a previously approved application. The exterior modification will include decorative railings at the roofline.

Witness, Narshadh Kapadia, Iskcon Board President, was sworn by the Board Attorney and testified to the internal changes for storage for books, Sunday school items, special kitchen equipment and drama items for the festival. Other changes include atrium space to be enclosed and radiant heated floors which will call for some equipment to be moved to different locations.

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

Witness, Yogesh Mistry, Licensed Architect, was sworn and qualified by the Board Attorney and testified to changes shown on exhibits.

Exhibit A-1, Sheet A122 Second Floor Wings and Mezzanine Plan. The mezzanine level is located above the kitchen level and is approximately 1,450 sq. ft. This area is split in half for the lower kitchen and storage. The AV room overlooks the lower level multipurpose room. Behind the room is a corridor and three storage rooms of 471.1 sq. ft., 412.8 sq. ft. and 221.3 sq. ft. and a closet of 63 sq. ft. that were added. The footprint of the building has not change due the storage and closet, this was dead space below the lobby.

Exhibit A-2, Sheet A123, dated April 23, 2018, Second Floor Plan. The building area has changed in size from 36,242 sq. ft. to 40,196 sq. ft. due to changes described in the last exhibit however, the footprint is reduced from 16,907 sq. ft. to 14,763 sq. ft.

Exhibits A-3 & A-4, A2.01 Alt. and A2.02 Alt., exterior elevations of the building minus two shikharas. A decorative railing will run the perimeter of the two wings. Roof access is at the right wing from the men's bathroom. The left side has a stair and door. It is access only to utilities.

A backup generator will be placed on the right side of the building where the utilities are located. Landscaping will be added to screen the generator.

The prayer hall will be reduced in size due to the entry lobby and alter increasing in size.

Exhibit A-5 Sheet A121, April 23, 2018, shows the fixed stage taken out for a portable stage.

The two wings show eight living quarters for the caretakers, priests and religious people. This is shown on Exhibit A-1.

The Board confirmed that the building footprint is reduced from the original approval, the height of the building remains the same and there is no change in impervious coverage.

The Board Engineer asked about minor site change and was assured all the comments of his report will be complied with as will be the comments of the Fire Chief, Water Superintendent and Planners report.

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

Witness, Ronald Reinertsen, Licensed Planner, was sworn and qualified by the Board Attorney and testified he worked on this application previously and currently. The positive and negative criteria were identified for the Board and spoken of was landscaping.

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

The Board confirmed there will not be much of a difference in the look of the building.

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

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

A motion to approve the application for Amended Preliminary Site Plan/Major Soil Moving Permit for an addition and other modifications as described in the hearing was made by Mr. Kaplan, second by Mr. Reddy.

Approved by All.

Motion to Adjourn.