

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS
BOARD OF ADJUSTMENT MEETING
WEDNESDAY, MAY 15, 2019**

Chairman Iracane called to order the Board of Adjustment Meeting of Wednesday, May 15, 2019 at 7:30 PM.

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Shah, Ms. Snyder,
Mr. Willans, Chairman Iracane

Also Present: Mr. King, Board Attorney
Mr. Chadwick, Board Planner
Mr. Cangiano, Board Engineer

Absent: Mr. Kaplan, Mr. Persaud, Mr. Reddy

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 19:10

Jinyoung Her, 38 Tarn Drive, Block: 168 Lot: 154 Zone: R-3

'C' Variance to install and replace an air conditioning unit.

Property owner, Jinyoung Her was sworn by the Board Attorney and testified that the air conditioning unit existed when he bought his home last year and would like to replace it in the same location at the side of his house.

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 opposition of the application.

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

Mr. Shah made a motion to approve the application to install an air conditioning unit in the side yard setback, second by Mr. Joskowitz.

Approved by All.

Application 19:09

Sridhar Vasudevan, 344 Lake Shore Drive, Block: 571 Lot: 1.01 Zone: R-4
'C' Variance to install a 6 ft. high solid vinyl fence.

Property owner, Sridhar Vasudevan, was sworn by the Board Attorney and testified that he would like a 6 ft. high fence around his property. He lives on a corner lot with no side yard and a small rear yard. He has two children and a pet and wants to keep them safe.

The Board asked if he would agree to a 4 ft. solid fence with 1 ft. lattice which was agreed to. It was also asked that the finish not be glossy.

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

Krishnalal Gandhi, 130 Longview Avenue, asked about safety of a fence on a corner lot.

Rekha Ponnur, Property Owner, was sworn by the Board Attorney and testified that the home is new and the only yard is the side that runs along Lake Shore Drive and would she would like a 6 ft. fence.

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

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

Mr. Willans made a motion to amend and approve the application to install a 4 ft. solid fence with 1 ft. lattice placed inside the property 14 ft. from the curb, second by Mr. Joskowitz.

Approved by All.

Application 18:67

Thomas Wall
211 Kingston Road, Block: 245 Lot: 20 Zone: B-4
'D' Variance to park commercial vehicles overnight.

Robert Cascone, Attorney, was present to represent the Applicant and requested to present the application and receive feedback but to hold off on the vote due to the number of members present.

Witness John McDonough, Licensed Planner, was sworn by the Board Attorney and testified that the property was owned and used by an electrical contractor that at one time sought permission to convert the building into a two-family home which was denied. The building currently sits empty and a use variance will be necessary for overnight parking of commercial vehicles. The vehicles are used for the landscape business owned by the applicant and would be parked primarily in the rear.

Exhibit A-1, Five sheets consisting of a Tax Map, Aerial Map, Land Use Map, Zoning Map and View of Subject Site was presented.

Sheet 1 shows the subject lot highlighted in yellow. It is approximately 8,000 sq. ft. and fronts Kingston Road.

Sheet 2 show the subject lot when the electrical contractor operated his business and is mostly paved over.

Sheet 3 show the subject lot and surrounding lots and their uses with two lots across the street having non-conforming uses. One is a transportation business and the other a hair salon.

Sheet 4 shows the surrounding zoning. The transportation business across the street asked for and received the same approvals for overnight parking. There is also a request for signage on the subject lot.

Sheet 5 shows the site taken from a Google image with commercial vehicle storage by the electrical contractor.

The positive and negative criteria were presented. An existing fence will be replaced with a solid fence at the side and rear and will not extend along the front but will drop to 4 ft. along the sides.

Sheet 4 from the site plan, dated January 21, 2019, revised February 19, 2019. The property was described with the location of the spaces as being along the rear and side. A shed on the property will be replaced. The trucks to be stored are pickups with trailers and a mason dump.

There was discussion regarding the next door child care center and residential lot to the other side of the subject lot, both of which will be separated by a 6 ft. fence.

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

Witness, Thomas Wall, Owner of Business and Property, was sworn by the Board Attorney and testified that the sign on the property is existing and proposes to

replace the face with a lit sign and another sign below for a tenant who would lease a portion of the building. Landscape employees would arrive and exit the property between 7:00 and 8:00 AM and return between 3:00 and 4:00 PM, Monday through Friday.

The board noted the sign is existing in the right of way and asked if the fence in the front would be removed. Confirmation was given that it would be. The sign is 16 ft. in height and it was recommended that the height be lowered to 8 ft. The face itself be of the same size.

The Applicant stated vehicles will not be repaired on site and equipment will be stored in the trailers. He owns a property down the road and other equipment will be stored in a garage at that location. There is a flag pole in a parking space that will remain. There will be landscaping in place of some of the pavement. The building will be used for the applicant's office though it is set up as two separate units with parking spaces for the tenant. Employees for the landscape business will carpool to the site which allows for their parking. If the business grows to large a new location will be sought.

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

Mr. Cascone asked that the Board vote on the application now.

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

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

Mr. Shah made a motion to approve the application for a landscaping company subject to the requirements and approval of the Board Planner for signage, second by Mr. Joskowitz.

Approved by All.

Application 18:66

1719 Route 10

Block: 200 Lot 1

Amended Preliminary & Final Major Site Plan/'C'/ 'D' Variance

Carried from March 20, 2019

Mr. Ruggiero, Attorney from Garofalo, O'Neill and Ruggiero was present to represent the Applicant and recalled Witness Mario Iannelli who was previously sworn.

Exhibit A-4, Sketch of the Intersection located behind Starbucks was presented.

The Witness gave an overview from the March 20, 2019 meeting regarding the configuration of the intersection around Starbucks. An extension of the curb island projected out which had the Board concerned over free traffic flow. A parking space will be eliminated for better traffic flow from the drive isle and the concrete island will be shortened. Traffic signage will direct areas of one-way traffic control.

The Board questioned the traffic of Starbucks and asked if a traffic analysis was conducted. The Witness felt because the activity of the hotel, restaurant and Starbucks operated at different times of the day, no additional traffic will be created.

Exhibit A-5, Sketch Modification of the Drop-off area for the hotel and relocation of the dumpsters was presented.

A curb island is now proposed over concern of protecting the hotel's drop off area. Minor shifting in the parking will be made to achieve this.

Parking was also reconfigured to accommodate the dumpsters in a more secluded location with board on board fencing and a landscaped island.

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

The Board took a five-minute break then reconvened.

Joseph O'Neill of Garofalo, O'Neill and Ruggiero took over for Mr. Ruggiero.

Witness, Mark Montalbano, Licensed Architect, was sworn by the Board Attorney.

Exhibit A-6, Colorized Building Elevations and Exhibit A-7, Proposed Signage for the Project were presented.

The restaurant is a one-story 7,230 sq. ft. building located in front of an existing office building with seating for 240 people. The dining room holds approximately 74 people, the bar 92 and the seasonal bar 74. The kitchen is approximately 3400 sq. ft. and located at the rear. There is an area enclosed for dumpsters and deliveries. The exterior is stucco façade with metal awnings over windows and door openings. Three LED back lit 4 X 36 sq. ft. wall signs are proposed. One faces Route 10 and the other two on the sides of the building facing east and west of Route 10.

Exhibit A-8, Images of other Miller Ale House locations was presented to show what the signs would look like.

Variations will be needed for the number and size of the signs.

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

Witness, Peter Laucks, Licensed Architect, was sworn by the Board Attorney and testified that the Hawthorne and La Quinta is a five story, dual brand hotel. There are 127 rooms. It is operated by one reception desk with one lobby, one entrance and one drop off area.

Exhibit A-9, West Side of Hotel, front of building with drive up and entrance.

Exhibit A-10, East and South Sides of the Building.

The main side of the building will identify both hotels. The La Quinta has a 249 sq. ft. star burst trade mark and the Hawthorne has a 181 sq. ft. trade mark logo as well. Both signs will be on the sides of the building and the north side will have a scaled down version of each at 63 sq. ft. and 45 sq. ft.

Sheet A1.1, First floor plan, West side of building, main entrance was presented and described.

The Board asked about the brands and colors of the building and if other locations had the same branding and colors.

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

Mr. Shah recused himself because he works for Windham Destination, the sister company.

Witness, John McDonough, Professional Planner, was sworn and qualified by the Board Attorney.

Exhibit A-11, Page 1, Tax Map with subject property outlined in yellow. It is a 15 acre lot in a 5 acre zone.

Page 2, Aerial Map of subject lot with the existing office building.

Page 3, Color Coded Land Use Map of subject and surrounding properties.

Page 4, Zoning Map.

Page 5, Four pictures of the subject lot from different views.

Each sheet was explained as were the variances being requested for height, bulk, parking and signs with the positive and negative criteria presented.

Discussion revolved around sign size and whether the starburst on the building is considered architecture or a sign.

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

Witness, Gary Dean, Licensed Traffic Engineer, was sworn and qualified by the Board Attorney. He testified that he prepared a traffic impact study and is expecting a letter of exemption from the DOT verifying that no approvals are needed. Access will not be changed to the site and all recommendation from the Board Engineer will be complied with. Signs and pavement markings will be added for circulation around Starbucks which is expected to clear up confusion for patrons.

The Board asked about parking and traffic. A study determined that most of the traffic was due to the existing office building.

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

The Township Engineer's soil moving report was discussed and all recommendations will be complied with. More testimony will be given at a later date.

Sewage and water were briefly discussed. A TWA application will be submitted.

A motion was made to carry the application to June 19, 2019 with out further notice and with any necessary extensions by Mr. Berkowitz, second by Mr. Joskowitz.

Approved by All.

Motion to adjourn.