

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

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

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

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

Absent: Mr. Persaud

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.

Resolutions:

Mr. Berkowitz made a motion to approve applications 19:14, 19:36, 19:39, 19:42 and 19:45; second by Mr. Reddy.

Approved by Berkowitz, Joskowitz, Reddy, Snyder, Willans.

Mr. Berkowitz made a motion to approve application 19:46 and 19:51.

Approved by all.

Agenda:

Application 19:50

Cozy Day Spa, 309-345, Route 46, Block: 767 Lot: 2 Zone: B-2

'D' Variance for a massage spa.

Carried from October 23, 2019 for announcement of special meeting date November 13, 2019.

A motion was made to carry Application 19:50 to November 13, 2019 by Mr. Berkowitz; second by Mr. Reddy.

Approved by all.

Application 19:48

Joanne Jagiello, 37 Glacier Drive, Block: 171 Lot: 55 Zone: R-3

'C' Variance to construct a two-story addition contrary to Sec. 430-35 Col. 4.

Property Owner, Joanne Jagiello and son, Austin Jagiello, were sworn by the Board Attorney and testified that they would like to construct a two-story addition and are unable to build in the rear of the home due to a slope. There is an existing carport on the side of the house, to the front. This would be the location of the addition which will extend to line up with the rear deck. Trees to the right of the carport would have to be removed but landscaping is proposed.

The Board asked about the front yard setback and confirmed the addition would not encroach anymore than the carport. The addition is comprised of a foyer, garage, bathroom, master bedroom, bathroom and family room.

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.

Recommendation for approval was made by Mr. Reddy.

Mr. Joskowitz made a motion to approve the application; second by Mr. Reddy.

Approved by all.

Application 19:49

Bhasker Nayini, 167 Janelle Boulevard, Block: 734 Lot: 104 Zone: PRD-2

'C' Variance to construct an open deck with stairs contrary to Sec. 430-10.I. & 430-35 Col. 13.

Property Owner, Bhasker Nayini, was sworn by the Board Attorney and testified he would like to build a deck for family enjoyment. Currently an existing door at the second-floor level leads to nowhere. He has no neighbors in the rear and grass under the deck will remain.

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.

Recommendation for approval was made by Mr. Willans.

Mr. Reddy made a motion to approve the application; second by Mr. Joskowitz.

Approved by all.

Application 19:47

Garden State Waste Management, 232 & 240 New Road, Block: 767 Lots 23 & 24, Zone: LIW-2, Preliminary and Final Major Site Plan/'C'/'D' Variance/Major Soil Move for a truck storage yard.

Attorney, Joseph O'Neill, from Garofalo O'Neill Ruggiero, was present on behalf of the applicant to build a new structure and improve the property.

Witness, Anthony Guerriero, Owner of Garden State Waste, was sworn by the Board Attorney and testified that they transport solid waste and recyclables from around the county to transfer stations. There are two transfer stations in the Morris County, of which one is in Parsippany on Edwards Road. 50% of the applicant's business is in Parsippany and with the proposed location across the street from the transfer station, it would cut down on trips. Their license does not allow storage of solid waste on the property, only the transport to the transfer station.

A gravel area will be for storage of containers waiting to be brought into the garage for maintenance or repair. Access to the garage is at the rear of the building with a door at the front which allows employees to get around a disabled truck. There is a truck wash by the transfer station and when they return to the yard, a company comes in to clean and power-wash them.

The parking and storage on the site are only for the waste management portion of the business. The applicant also operates an industrial landscape maintenance.

Exhibit A-1, Pictures of landscaped office buildings, were presented to the Board. They are clients of the applicant, are located in Parsippany, who have their landscape maintained, in addition to their trash needs taken care of.

Exhibit A-2, Additional pictures of office building that the applicant provides trash needs and landscape maintenance.

The Boards confirmed the hours of operation as being 5:30 am-4:30 pm, Monday through Saturday for roll-Offs. The trucks are prepared the evening before which limits noise to the surrounding properties. Additionally, there is no snow plowing. 25 containers will be stored side by side, no stacking, and are between 2 to 30-yards. The office will operate from 9:00 am-5:00 pm with four employees; a dispatcher

comes in from 3:00 am-4:00 pm and front end trucks leave and return 3:00am-2:00 pm. Three front end trucks are stored in the garage which is where they are started at 3:00 am. Seven trucks will be stored outside for a total of ten trucks.

Exhibit A-3, Picture of Proposed Building, was presented to the Board. There will be four employees inside the building who are the dispatcher, mechanic, receptionist and salesman who will park their personal vehicles on site.

The Board in looking to verify the cleaning of the trucks were told the power-washing would not take place in the yard, but at the other transfer station where there is a truck center.

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

Witness, Ben Crowder, Licensed Civil Engineer, was sworn by the Board Attorney and presented Exhibit A-4, Aerial, dated November 6, 2019 and Exhibit A-5, sheet c04 of 14, Colorized, from plan set, dated November 6, 2019.

Exhibit A-4 was marked with a dashed yellow line and consists of two single family residential lots located in the LIW-2 Zone; each lot approximately 30,000 sq. ft. The lots will be consolidated for one lot of 61,171 sq. ft. however, a variance for lot area will be necessary. The surrounding uses were described to illustrate similar uses in the area though the rear of the subject lot abuts an R-5 Zone containing multi-family use. Of the existing single-family dwellings, the building on the northern lot will remain while the southern building will be demolished.

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

Exhibit A-5 contained landscape improvements. Comments from the Board Planner and Township Forester regarding preservation of the 10-15 ft. wood line to the west side of the property were implemented. Evergreens will be planted to enhance the buffer along with a stormwater basin to separate the proposed from the residential lot.

A variance for lot width will also be necessary as 200 ft. is required but with the consolidation of the lots it will be 189.8 ft. The single-family building to remain requires a 25 ft. side yard setback and exists at 18.9 ft. This will not change. The proposed structure on the southern portion of the lot will meet all setback requirements. The remaining and proposed structures will not meet minimum gross floor area therefore requiring a variance. Parking requires 16 spaces whereas 11 are proposed and will be located to the front of the building along New Road. The access point will not change at the northern portion of the property and the

southern driveway will be modified to serve as the main ingress/egress point for vehicles leaving and returning to the truck storage area. A gate will be added along with fencing for full enclosure of the site. 23 truck storage spaces are proposed. A gravel storage area will be at the northern portion of the site which will be for containers. Signage consists of one monument sign and will comply with all requirements except for the setback. Stormwater management is proposed for the impervious coverage increase. Aerial and wall lights are proposed. Mounting will be at 18 ft. and wall lights will be shielded. Landscaping was again discussed by the Witness and it was confirmed that the nearest truck parked at the back of the lot will be approximately 100 ft. from the back of the apartment building. An existing shed on the southern lot will be removed and additional evergreen trees will be added along with a fence for added screening.

The Board confirmed the existing chain link fence to the rear of the lot will be replaced with a 6 ft. board on board with trees and the retention. Stormwater runoff will be directed toward New Road. There was discussion regarding noise, times, trucks idling and truck back up alarms. As a conditional of approval, the gravel area will move from the north side to the south with trucks backing up and parking at the north side. Additionally, 10 ft. Green Giant trees will be planted at the rear instead of evergreen. Green Giants grow 1 ft. a year and they will be planted on a berm. The main driveway to the south will be moved from 4 ft. to 5ft. from the property line to comply with the ordinance.

The applicant will comply with all comments in the memo from the Township Engineer regarding the soil move and with all comments of the Board Engineer.

Truck circulation plans will be provided as a condition of approval.

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.

Witness, George Monroe, Licensed Architect, was sworn and qualified by the Board Attorney and presented Exhibit A-6, Three sheets of building elevations, first and second floor plans. The existing home will be for the use of the dispatcher who will live there and is not used as the location to dispatch or as a rental. The property will be screened with evergreen and will have room for a patio and play area should the dispatcher have a family.

The Board confirmed the lights would be shut off at 7:00 pm and come on at 5:30 am.

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

Witness, John McDonough, Licensed Planner, was sworn and qualified by the Board Attorney and Exhibit A-7, Seven Pages of Maps and Photographs consisting of a tax map of the subject lot and surrounding area; an aerial map; a land use map; a Zone map and pictures taken from the street of the individual, existing lots were provided and described.

Necessary variances were reviewed and positive and negative criteria were presented.

The Board asked about coverage, parking and additional landscaping.

Modifications will be made to remove some the parking stalls at the rear, decrease impervious coverage to comply with the ordinance and increase the buffer.

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.

Mike Vitcavich, 232 New Road, spoke in regard to noise in the area emanating from other business as barely being heard from inside his home.

Katherine Loran, 10 Comanche Avenue, Rockaway, spoke in support of the application.

Mr. O'Neill summed his case.

The Board went into conference to express their reasons to vote for or against the application.

Mr. Berkowitz made a motion to approve the application, second by Mr. Joskowitz.

Approved: Berkowitz, Joskowitz, Reddy, Willans, Iracane.

Opposed: Kaplan, Snyder.

A motion was made to carry applications 19:44 and 19:27 to November 13, 2019 without further notice and with all required extension.

Approved by All.

Motion to adjourn.