

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD –MEETING
MONDAY April 25, 2011**

Chairman Parikh called the Planning Board Meeting of Monday, to order at 7:30PM.

Members Present: Mayor Barberio, Ms. Bronfman, Mr. Burns, Councilman dePierro, Mr. Dinsmore, Mr. Keller, Mr. Mele, Mr. Purzycki, Mr. Shah, Chairman Parikh

Also Present: Anne Marie Rizzuto, Planning Board Attorney
Edward Snieckus, Burgis Associates
Gordon Meth, The RBA Group

Absent: Ms. Collins

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 anything not on the agenda. There was no one in the public wishing to speak.

Resolutions:

Fox Run Developers, LLC, Block: 98 Lots: 22 & 23, Final Major Subdivision, Application # 10:004. Motion to approve made by Mr. Keller, second by Ms. Bronfman Ayes# Mayor Barberio, Ms. Bronfman, Mr. Burns, Councilman dePierro, Mr. Keller, Mr. Mele, Mr. Purzycki, Chairman Parikh.

Saurabh and Dimple Shah, Block: 389 Lot: 7, 50 Greenhill Road, Minor Subdivision / “C” Variance, Application # 10:005 / 10:9

Ms. Rizzuto said there is one minor change – per Joe O’Neill, the applicant’s attorney. On page 8 on storm water management condition 8 on tying in roof drains is not to be required until 30 days after a permit is issued for the new lot.

Motion to approve by Mr. Shah, seconded by Mr. Keller. Ayes: Mr. Burns, Mr. Keller, Mr. Shah, Chairman Parikh.

Under correspondence – There is a resolution from the Township Council on a authorizing the Board to investigate a Property in need of re-development on Edwards Road. Mr. Snieckus said he has started his study. The Board had a concept review for Parsippany Partners on this site. He will report back when ready. This was reviewed as

a residential development around a day care center, and included the army corps of engineers work on wetlands and re-doing the roads in the area.

Agenda – Block: 393 Lot: 1, 272 Parsippany Road, area in need of re-habilitation. We had overview last meeting when Mr. Snieckus handed out his review. He handed out table #4 of an analysis of codes in surrounding zones and a potential overlay zone.

There was a notice in the paper which is more than required but we went on the safe side. Mr. Snieckus reviewed his report of 3/31/11 on the requested overlay zone of the property in need of rehabilitation. On 1/11/11 it was designated by the Council after the Planning Board's recommendation. The lot is 1.27 acres. The rear portion of the lot is undeveloped and there has been some level of vacancy in building on front.

Tonight's discussion is to recommendation criteria for development of the site. Options are a mixed use development including commercial and residential. There is a commercial corridor on Parsippany Rd., and that should be considered. On display is Aerial photo of site which is in the report of 3/31/11.

Mr. Snieckus reviewed primary planning issues to be discussed. One issue is the maximum permitted density or dwelling units per acre or FAR for non-residential. Another issue is building height and number of stories. Also the Primary owner has given us the type of development they have envisioned. That is a mixed use with a bank on front and to the rear a multi-story residential development. They proposed 5 stories of residential over one story of parking for a total of 50 units. The context of the surrounding site includes multi-family, Colonial Heights, Westgate and Parsippany Gardens. The compatibility of the plan, traffic etc. needs to be discussed. The potential of areas to south and east can offer an idea of how those lots can be re-developed.

In analysis – more detail

Density – surrounding zoning in the R-5 is 12 units acre – garden apartments. The R-4 zone is the Lake Parsippany area at 7 units per acre. R-3 is 3 units acre, located along Alexander Road. Existing development surrounding the site includes Colonial Heights, which has 400 units on 18.3 acres which is 21.75 units per acre. Westgate has 155 units on 6.0 acres or 23.75 units per acre. Parsippany Gardens is 124 units on 4.99 acres or 24.85 units per acre. There are 676 units total in the area at an average of 24 units per acre.

Also analyzed is the height average at in residential zones is 2 1/2 stories or 35 feet. B-3 has maximum of 35 feet or 2 stories. Maximum anywhere in town is 45 feet and 3 stories. It was noted that Brookside has 5 or 6 stories.

Alternatives are provided in the report. #1 – is 5 stories over parking with 50 units which equals 39 units per acre; #2 is 4 stories over parking , 40 units equaling 31units

per acre; #3 is 3 stories over parking– 30 units = equal density of apt groups or 24 units per acre; – #4 is 2 stories over parking with 20 units = 15/acre.

Mr. Dinsmore arrived at 7:53

Mr. Snieckus reviewed the school aged children and traffic analysis. On traffic the B-3 would permit a 25% building footprint or 13,000 sq. ft. and 2 stories with parking would allow a total building of 15,000 sq. ft. A retail use could equal 2000 trips on weekdays and 2800 on weekends.

Mid-rise 50 units residential would give 330 trips per weekday, and 405 on Saturday. A bank use would be another 370 trips per week day, or 215 trips per day on Saturday so 370 trips/weekday and 620 on Saturday.

Mr. Purzycki asked about how many cars will be parked. They said figure 120 cars for 50 units and size of bank for figures. Parking is always the limiting factor. Concept saw 2500 sq. ft. bank and there was sufficient parking with 50 unit apartments with parking below within allowable impervious coverage.

A typical children analysis used is a multiplier supplied by Rutgers based on unit type, number of bedrooms, and affordable or market type housing, so 1 school age child per 10 units would be the result. The Board had asked what is the local average. The School Superintendent supplied the data that there are 48 students in Colonial Heights, or 1 per 8 units, Westgate has 39 or 1 per 4 units, and Parsippany Gardens 17 students or 1 per 7 units. The average is about 1 per 6 units.

Value of units as proposed per the report is estimated at \$14 million market value giving a taxable value of 10,806,600. Twp tax is .7729.

Mr. Keller asked if there is a different ratio in condos vs. rental. That is not in the report. Councilman dePierro asked what can we do to make sure these are not rental units. We can only imply but can not designate specific usage. We don't need more apartments. Taxes are assessed differently, on rentals they are based on income, on owned units each has assessed value and tax bill. Mr. Purzycki asked for table on impact of each proposal on traffic and social impact.

MS. Rizzuto clarified that the three developments in the area are all rental, and was advised that they are. Chairman Parikh said looking at tax numbers there will be a surplus for school system but why? They tend to have less school age children so the tax share for schools is higher than the actual number of students. Mr. Snieckus agrees we should probably get numbers for more rental units. Councilman dePierro said we have about 30,000 living units all totaled and about 7500 kids. Mr. Snieckus pointed out that there are usually more children in single family dwellings. The average density in the 3 apartment groups is 24 units per acre and this lot almost one third more than that.

Mayor Barberio said it is an area in need of attention and if we don't act it will stay the way it is. Mr. Snieckus said this would not set a precedent but it may affect the established character of the area. We do need to encourage development but how much is the question.

Chairman Parikh noted that R-5 allows 12 units per acre, the apartments are double and this about 3 times allowed. Mr. Dinsmore said the BOA immediately will see applications for other areas for higher density.

Mr. Purzycki said we should be exploring what to do but not make something that stands out and sets precedent. He would like to look at the whole proposal. When he read the report he did not think the first proposal would work for parking. The tables Mr. Snieckus prepared help a lot. Mayor Barberio said he has been to the site and you have to look at the surrounding area, and he thinks this would be an improvement. Chairman Parikh agreed but added at what cost.

Page 5 of the report outlines a potential overlay zone. The information is also on table with surrounding zones. Mr. Snieckus sees a need for special landscape, lighting, buffers etc. Mr. Purzycki asked if the height would include roof units to add additional height. The code allows additional 15 feet not calculated in building height. The commercial is a separate building and there should be minimum set back between buildings. Any use in B-3 zone would be permitted. That could include restaurant. Mr. Snieckus said we could preclude certain uses.

Ms. Rizzuto asked about the Table 4 proposed overlay zone – where is coverage coming from. Mr. Snieckus said it is based on concept plan.

Chairman Parikh opened the floor to the public.

Ann Grossi who represents developer Cerbone/Prisco and John McDonough, planner came forward. Mr. McDonough was sworn and qualified.

Mr. McDonough said they are presenting a concept. He wanted to augment Mr. Snieckus' report with background. This is under redevelopment law not normal laws we are used to. Background – **Exhibit A-1** is a 3 page 11 x 17 of 2 aerials and a parking lot picture from the Bd. of Ed building. Page 1 locates the site. It is a prime location for development. The picture shows the mixed use of the area. The site is one of few vacant areas on Parsippany Rd. The property is underutilized and designated area in need of rehabilitation. That gives protection from a statutory point.

Page 2 of the exhibit is a closer look at the property. Next door is another bank, one of 2 on the road. He noted that banks are a low traffic use. Front to back of the lot drop off is 16 feet. The height of the building is mitigated by that drop. To revitalize the area that are looking for a density bonus which is part of redevelopment.

Mr. McDonough gave 10 reasons why this is a good plan.

#1 is it is redevelopment that adds to community good. #2 the model is consistent with smart growth – up not out. #3 is meeting market demand. More people are coming to the area and we need a place to put them. Market research shows 2000 more units in Parsippany in the next 20 years. #4 is that it is providing resident population to support the area. #5 providing new housing stock – ours is getting old from 1970 or earlier. #6 provides affordable housing as required. #7 compatibility with the area which is dominated with multi-family. #8 traffic impact – not negative – less than commercial development. #9 Fiscal impact – not many school age children. 60% are 1 bedroom and 40% 2 bedrooms so not really a family oriented building. #10 – environmental – the site is not in highlands, and there are no wetlands. The site is ready for development.

For redevelopment to happen you need a re-developer. They say they can't move on the number of units – 50 are needed to do project.

Page 3 – is a Balloon Test picture taken from the Board of Ed parking lot.

Exhibit A-2 is a photo simulation prepared by James Rogers Architects. **A-3** is a cross section of site with elevations. A-2 is a view from Parsippany Rd. looking North showing the bank in front and residential building to the rear. The second shot is from further south on Parsippany Rd, looking through the Board of Ed. building.

Mr. Dinsmore asked about the bank set back. Mr. McDonough will find out. will find out.

A-3 is cross section of the buildings and sight line. The front building mitigates the larger building.

Mr. Purzycki asked if there will there be any buffering to the road. Mr. McDonough said there will be a green area like other newly developed sites on Parsippany Rd. He estimated a landscape area from curb to parking at about 13 feet then 18 feet parking stalls so the building will be about 55 feet from curb. There is about 150 feet from front of front office to front of rear building. The residential is set back 200 feet.

There is a sixteen foot drop in the property from the right of way line to the back property line. The apartment building would be that much lower. Chairman Parikh asked about getting a view of the building from the existing apartments looking up at the new residential building. Mr. Purzycki asked about the impact to the residential single family dwellings to the north. There is about 225 feet from the homes on Alexander to the building. There are mature trees on the property between the two lots.

Mr. Purzycki noted that the growth of evergreens is mostly at the top, so the buffer does not help from a ground view. There is only ten feet from the building to the side yard

and you can not do enough planting in 10 feet to be an effective buffer. They can't rely on the neighboring property. Most of the trees on their lot will be removed. Mr. McDonough said the photo simulations show that they are not building above the tree line.

Mr. Purzycki asked if there is any other building of this height on Parsippany Rd. Lanidex is not over 4 stories. He said as soon as this 62 foot building is in someone will want 72 feet. He agrees to give greater density but not triple the density and not a total of six stories.

Carl Cerbone, the owner of the property was sworn in. He said he has lived here since 1979 and seen changes. He is an approved contractor in 14 states with 50 years of building experience. Some of the questions are good and deserve answers. The project started in 2010 at a building conference. Before they decided to move forward lots they did a lot of research. As an example he noted the demographics, it is amazing what Parsippany has. Mr. Cerbone reviewed some of the factors that make Parsippany such a desirable community. To improve we have to be on forefront and do what people are talking about. To Councilman dePierro he said this will be condominium not apartments, and environmental factors will be built in. It will be a green building. The units will have specialty appointments.

Other advantages are that the project will put people to work. There is a positive tax impact and support of local business. He said he has spent tons of money already. He went to Alexander Road which falls off and only 2 houses will be impacted at 235 feet away. About banks – he has an agreement with Provident. We are changing as the world is changing. Councilman dePierro asked if Mr. Cerbone was saying 50 units or none. Mr. Cerbone said this will be geared for professionals with mostly 1 bedroom units. The project does not have return on investment at less than 50 units.

The project Architect, Peter Elliott was sworn in and qualified. He is from South Norwalk Conn. Registered in NJ. It is a long linear building. **Exhibit A-4** –is an elevation looking south. First level is parking with 2 doors and then a glass entry for lobby and with a meeting room behind the lobby. Each floor will have ten apartments. The two bedroom units will be on the corners. The facade will be stone base with cement fiber material with wood canopy. South windows have solar shades. No balconies. There will be some parking outside of building. There are 98 total spaces for residential and separate spaces for the bank. It is a green building but they are not planning on getting lead certification. Mr. Keller asked where the 62 feet height is measured from – it is the average including the bank which is 1 ½ story. That may need some checking if the bank can be included in height calculations.

On south of site is a right of way controlled and owned by Township. The Board could make a recommendation to make it formal road. It is not Barrington Road. The 2

bedroom units are about 1100 sq. ft. and 1 bedroom about 900 sq. ft. Each story is not the same. The building is not a box. There are step outs on the south elevation. The north side is on the set-back line.

Mr. Mele – do they envision solar panels – not now.

No other questions. Chairman Parikh closed the public portion.

Mr. Snieckus said he can come back with other Board of Education data. The Board thought it was not necessary. Chairman Parikh said we don't need it for this but it would be a good database to have. Ms. Rizzuto noted that data is based on the number of bedrooms. In the data for the other apartment complexes we don't know number of bedrooms. Affordable units are a part of the Rutgers study.

On the bank part – we could look at other B-3 uses and list some or exclude some uses. Mr. Keller asked who owns the vacant property behind Wachovia? Mr. Snieckus said it is Wachovia. They would have to get a use a variance to do anything because the proposed plan is for a lot is in need of rehabilitation.

Chairman Parikh asked does the board want more discussion or are they ready to decide. The Mayor recommends members go look at the site and see the slope. He said we designated this in need of rehabilitation because it is a special site so how will it set a president. Ms. Rizzuto said yes , because your neighbor got that variance doesn't mean you would by law. Some members have that concern. The Board can establish the criteria for this property – set-backs, landscaping etc.

Next steps- The Board can vote tonight unless they want more information. They can specify no restaurants. Mr. Purzycki said we could go further and eliminate other high traffic uses. We should not vote tonight and look at more possibilities. We should agree to do something but not necessarily this project because someone wants to build this project. Mr. Keller agrees, he wants to go back and look at site with the data given tonight in mind.

Mayor Barberio said it does not overwhelm the residential. Chairman Parikh is concerned about it will look to apartment dwellers. Ms. Bronfman commented the residents should be told. The law does not require notice. Ms. Rizzuto said the ordinance will get notice.

Chairman Parikh asked to set the next date. All agree the site is a good one for rehabilitation. The concern is how much to give. Look at the site with view of height and density. Mr. Purzycki said we should be redeveloping this to benefit the Township not one developer. Mr. Snieckus asked if they can provide that view from the apartments. James R. Prisco – co-owner 44 Middle Ave., Summit was sworn in. He said yes they can try. The nearest building in the apartments is a pool and then the maintenance building.

He will take from nearest residence. Ms. Rizzuto said it may help to consider the height at various points of the residential building. The balloons for the test were at the middle of the two garage entrances. Mr. Prisco was asked for a view from north looking south also.

No more questions for Mr. Prisco.

They will be back on May 16. There is no meeting 5/2.

The meeting was adjourned at 10:03