

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
ZONNG BOARD OF ADJUSTMENT  
MINUTES OF MEETING FROM JANUARY 20<sup>TH</sup>, 2010**

*The meeting of the Board of Adjustment commenced at 7:35 PM. The following members were present: Ms. DeCroce, Mr. Dickens, Ms. Gragnani, Mr. Iracane, Ms. Jennrich, Mr. Kimmey, Mr Pathak, Ms. Schindel. ABSENT: Mr. Dredden.*

<i>The Board's attorney was present.</i>	<i>George W. Johnson, Esq.</i>
<i>The Board's planner was present.</i>	<i>John T. Chadwick, IV</i>
<i>The Board's engineer was present.</i>	<i>Gordon Meth</i>

*The Chairman read into record the Open Public Meetings Act in accordance with NJSA10:4-6 et. seq.*

*The Pledge of Allegiance was recited.*

*The Public Portion of this meeting was opened for any persons wishing to speak or ask questions not on this evening's agenda. There were none and this portion was closed.*

*The Board adopted a resolution granting approval to Alex Nussbaum in application # 09:60 to replace an existing deck.*

*The Board granted an extension of time to Mr. V.Jain until September, 2010 for permits to construct a new dwelling. Extension granted to September, 2010.*

*The Board was requested to carry case # 07:10/11, Yogi Divine Society to a future date. This was scheduled for hearing on this date. Application has been postponed to March 17<sup>th</sup> 2010. Moved by Ms. Jennrich, second Mr. Pathak. Applicant to re-notice.*

*The Board heard application # 09:63 in behalf of Mr. & Mrs. Neil Kusant, property affected is located at 11 Nantes Rd. lying in tax block 753, tax lot 29 in the R-2 zoning district. Applicants are seeking variance relief to legalize a patio, walkway and shed which exceeds permitted building and lot coverages. Mr. and Mrs. Kusant appeared and testified in their own behalf. No interested parties were present. Mr. Kusant stated that he purchased his home in 1986 and added these improvements more than 20 years ago and did not realize he needed permits for the walkway and patio. Since the shed is 8 x 10, no permits are required.. Statement by Mr. Kimmey as to why this should be granted: the improvements have been in place for many years, this area was re-zoned from R-3 to R-2 and had it remained R-3, no relief would be required. There are no objectors. Motion to grant moved by Ms. Jennrich, second Ms. Schindel, with all in favor.*

*The Board heard application # 09:01/02 in behalf of Care One @ Parsippany, property affected is located at Mazdabrook Rd. lying in tax block 734.01, tax lot 2 in the O-1 zoning district. This is a request to construct 24 additional units to their existing facility,*

and increase the parking area by adding 24 spaces including handicap spaces. The Applicant was represented by Counsel, Joseph P. O'Neill, Tom Hodges, Chief Marketing Officer who has been with the site since its inception, Angelo Caputo, Architect who prepared the plans, William Lane site engineer and John McDonough planner. No interested parties were present. Mr. Hodges stated that 17 units will be for Alzheimer patients and 13 for general assisted living patrons. Mr. Hodges stated that there are 29 Care One Centers in New Jersey. Mr. Lane testified that they will build a new parking lot and will comply with Mr. Meth's letter and will submit revised plans to indicate changes. Mr. Caputo testified that the new addition will be of matching vinyl siding to the existing buildings, proposed lighting will be diffused downward. He stated that there will be 8 units per floor. Mr. McDonough gave planning testimony wherein he stated that this is an inherently beneficial use, that it is a permitted use except that relief is needed for density. We are allowed 112 units and will provide 136 units. Parking, circulation and congestion is not an issue, and the nearest residential property is over 700 feet. Closer dwellings to the north of the site is separated by a highway, there is a woodland buffer, class A office buildings are to the west of the site, the parking demand is being met and the applicant has complied with all of the comments from the Chief of Fire District #6. The Board went into conference, moved by Ms. DeCroce, second, Mr. Kimmey. Comments by Ms. DeCroce-she likes the parking improvements, holidays and weekends may be a bit heavy, there is no detriment and she sees a need for this type of facility and will vote to grant. Comments by Mr. Kimmey-he believes this is a good application, all comments will be complied with and he will vote to grant. Comments by Mr. Patha- he is in full agreement and will vote to grant. Comments by Ms. Schindel-she is in favor of granting the application. Comments by Ms. Gragnani-she will vote to approve. Comments by Mr. Dickens- he is in favor of approval, this is an isolated lot, there is no infringement and it is a good looking building. Comments by Ms. Jennrich-she is in favor of approval, it is a well kept property and fits nicely. Comments by Mr. Iracane-he believes this is a very good application and makes good use of the site and is needed. Motion to grant moved by Ms. DeCroce, second Ms. Jennrich, with all in favor.

The Board heard continued testimony in behalf of Iskcon of New Jersey, property affected is located at 170/180 Troy Rd. lying in tax block 726, tax lots 11 & 12 in the O-1 zoning district. This is a request to construct a House of Worship. The Applicants were represented by Counsel, Robert C. Garofalo, Esq. Interested parties were present. A court reporter was present and a true copy of the hearing will be made available for public inspection and will be made part of these minutes. The next hearing will be held Wednesday, March 3<sup>rd</sup>, 2010.

This meeting was adjourned at 10:15 P.M.

Respectfully submitted,  
Harriet Jacobs,  
Board of Adjustment.