

**TOWNSHIP OF PARSIPPANY-TROY HILLS
ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING FROM MARCH 3rd, 2010**

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

*The Board was represented by Counsel: George W. Johnson, Esq.
The Board's planner was present: John T. Chadwick, IV
The Board's engineer was present: Fred Scherrer from the RBA Group.*

The meeting was chaired by Vice-Chairperson Michele Jennrich.

Ms. Jennrich read into record the Open Public Meetings Act in accordance with NJSA 10:4-6 et.seq..

The Pledge of Allegiance was recited.

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

The Board adopted the following resolutions granting approvals to:

*Ali Iqbal in application # 09:69 to construct a new single family dwelling.
V.Inghliteera in application #09:70 to occupy a vacant store for deli and pizza.*

The Board voted to hold a special meeting on March 31st, 2010 to replace meeting that was cancelled due to the snow storm.

The Board had a request from Mr. and Mrs. Taleb Ahamdi in application # 08:67 asking for an extension of time to obtain permits. Request granted for one year from this date to March 3rs, 2011.

The Board was in receipt of a letter from Mr. Richard Saunders, Esq. requesting that the ISSO application be carried for two months. Request granted, application scheduled for hearing on April 21st, 2010.

The Board heard application # 09:62 in behalf of Gayle Nelson, property affected is located at 90 St. John's Ave. lying in tax block 79, tax lot 4 in the R-3 zoning district. Ms. Nelson appeared and testified in her own behalf. No interested parties were present. Ms. Nelson is seeking variance relief to construct a two story addition of 330 sq. ft. and an open deck with stairs consisting of 624 sq. ft.. Building and impervious coverages are exceeded as well as coverage for decks and an encroachment into the front yard setback. Ms. Nelson testified that her family room is very narrow, she has relatives who

visit who are disabled and in wheelchairs and cannot make the turning radius and therefore needs the addition for greater accessibility. Plans were submitted and entered as exhibit A-1. The Board determined that variance relief is appropriate. Mr. Pathak volunteered to support the application by stating that the applicant provided compelling testimony and should be granted. Motion to grant moved by Mr. Dredden, second, Mr. Kimmey, with all in favor.

The Board heard application # 09:65 in behalf of Ms. Janet Chambers, property affected is located at 19 Lakeside Dr. lying in tax block 421, tax lot 4 in the R-3 zoning district. Ms. Chambers is the owner of the property and testified in her own behalf. No interested parties were present. Applicant is proposing to construct an irregularly shaped deck with stairs, 775 sq.ft. that would exceed permitted impervious coverage and would encroach into the side yard setback. No interested parties were present. Ms. Chambers stated that the deck would be constructed to the side and rear, that the setback from the rear would be 9 feet, whereas 10' is required. Her present impervious coverage is at 28.68% and she would be increasing this to 37.19%, whereas 30% is the maximum allowable. She stated that Manor Lake is to the rear, that there are no Land Constraint issues as stated in the Township's Engineer report and the Board has recommended approval from Land Constraints. The Board determined that the applicant was entitled to variance relief and voted to approve the application. Statement from Mr. Dickens as to why this should be granted. He stated that the deck will provide enjoyment for the family, that the request is diminutive and he recommends approval. Motion to grant moved by Mr. Kimmey, second, Mr. Pathak, with all in favor.

The Board heard application #10:02 in behalf of Ms. Debra Foody, property affected is located at 12 Mohican Place, lying in tax block 528, tax lot 1 in the R-4 zoning district. Applicant is seeking permission to modify her previous approval by utilizing a portion of her garage for doing crafts. In 2006 Ms. Foody received variance approval to construct the garage to a height in excess of what is permitted, and was granted a variance for 20 feet in height so that she would have storage area. An inspection revealed that a bathroom containing a sink and toilet was installed on the first floor of the garage which was not indicated on the plans. This was as a result of Ms. Foody becoming disabled and unable to work. She also stated that she does craft work in the upper portion of the garage that was for storage. The garage is not heated and is not used for living quarters. There are no cooking facilities nor is there a hot water heater. Ms. Foody testified that her disability does not allow her to walk very far, and therefore the bathroom in the garage is necessary. A neighbor Ms. Catherine Cronin, residing at 13 Mohican Place testified in support of this request. She stated that Ms. Foody does crafts in the garage and brings them to shows. There is no sale or display of any kind. The Board determined that the applicant was entitled to her request for relief and voted to approve the application. Motion to grant moved by Mr. Dickens, second, Mr. Dredden, with all in favor.

The Board heard application #08:65/66 in behalf of Iskcon of New Jersey, property affected is located at 170/180 Troy Road, lying in tax block 726, tax lots 11 & 12 in the

O-1 zoning district. This is a continued hearing carried from the January 29th meeting. The Applicant was represented by Counsel, Robert C. Garofalo and Adnan Khan, engineer who prepared the plans. Interested parties were present. Testimony given by the engineer talked about number of parking spaces, proposed driveway for egress and lighting. There was a court reporter present and a true copy of these hearings will be made available for public inspection and made part of the minutes. Objectors had the opportunity to ask questions only on the testimony given. This application will be continued to the May 5th meeting.

With no other business to come before this Board, this meeting was adjourned at 9:30 P.M..

*Respectfully submitted,
Harriet Jacobs,
Board of Adjustment.*