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**TOWNSHIP OF PARSIPPANY-TROY HILLS
ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING FROM JULY 7TH, 2010**

The meeting of the Board of Adjustment commenced at 7:35 PM. The following members were present: Mr. Dredden, Ms. Gragnani, Ms. Jennrich Mr. Kimmey, Mr. Pathak, Ms. Schindel Mr. Dinsmore (from Planning Board). ABSENT: Mr. Dickens

*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: Jennifer Cato (sitting in for Mr. Meth)*

Ms. Jennrich, Vice-Chair called the meeting to order: She read into record the Open Public Meetings Act in accordance NJSA 10:4-6 et seq.

The Public Portion of the 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 the following resolutions granting approvals to:

*Hemendra Moradia- 24 Hawkins Ave. construct new single family dwelling.
Gregory Hunt – 21 Vail Rd. construct addition for family room.
Vina Patel – 20 Harrison Rd. construct roof over deck.
Solix Corp. 30 Lanidex Pl. West – new signage for new tenant.*

The Board was asked to grant a one year extension to Care One in order to finalize their plans and obtain permits. Approval granted to June, 2011. Moved by Mr. Dredden, second, Mr. Kimmey.

The Board heard application #10:26 in behalf of Mr. and Mrs. J. Luciano, property affected is located at 1394 Tabor Rd. lying in tax block 20, tax lot 2 in the R-3 zoning district Applicants are seeking to construct an addition and deck which would increase building and impervious coverages. Mr. and Mrs. Luciano appeared and testified in their own behalf. No interested parties were present. Applicants stated that they have a special needs son and the addition would be handicap accessible so that he can enter and exit the house without assistance. A deck is proposed that would be located within the front yard (this is a corner property). Existing building coverage is 15.04% and will increase to 21%. Impervious coverage exists at 32.13% and will increase to 39.03%. They stated that the addition will not interfere with any of their neighbors. They further stated that this addition will comply with all ADA rules and regulations. The new deck will be replacing one that is in disrepair. Statement by Mr. Kimmey as to why this should be granted: he believes this is a good and reasonable application that will assist their son with a medical condition and recommends approval. Motion to grant moved by Mr. Pathak, second, Ms. Gragnani, with all in favor.

The Board heard application # 10:28 in behalf of Hitesh Patel, property affected is located at 36 Barrington Rd. lying in tax block 375, tax lot 8, in the R-4 zoning district. Mr. Patel appeared and testified in his own behalf. No interested parties were present. Applicant is seeking variance relief to construct a 12 x 16 deck with stairs that will increase impervious coverage and combined coverage for building and decks. His existing impervious coverage 44.07% and will increase to 49.74%. The combined coverage of building and open deck will be 31.57% whereas 24% is allowed. He stated that there are other decks in the neighborhood of similar size and to reduce it would not be functional. Statement by Mr. Pathak as to why this should be granted: he believes that this is not an unusual request, that the deck will be in character with similar decks in the neighborhood and recommends approval Motion to grant moved by Mr. Kimmey, second, Ms. Schindel, with all in favor.

The Board heard application #10:29 in behalf of Sanjay Patel, property affected is located at 80 Fairmount Rd. lying in tax block 356, tax lot 15 in the R-4 zoning district. Mr. Patel appeared and testified in his own behalf. No interested parties were present. Applicant seeks permission to expand the width of his driveway which, if constructed, does not comply with the design standards required. This expansion will take all of his vehicles off the street and would be only on the south side of the driveway and would be one foot from the property line. Design standards require it to be 5 feet. The Township's engineer furnished a report along with recommendations. The Applicant has consented to comply. Mr. Patel further indicated that his neighbor has no objections to this request. Statement by Mr. Pathak why this should be approved; he believes that this is an improvement to the neighborhood, removing vehicles that are parked off street and with his neighbor's consent recommends approval. Motion to grant moved by Mr. Dredden, second, Ms. Gragnani, with all in favor.

The Board heard application #10:22/23 in behalf of Pavillion Properties, LLC, property affected is located at 70 Old Bloomfield Ave. lying in tax block 631, tax lot 3 in the R-3 zoning district For this application the following members have been recused: Mr. Dickens, Ms. Jennrich, Mr. Iracane and Mr. Meth. Sitting are: Mr. Dredden, Ms Gragnani, Mr. Kimmey, Mr. Pathak, Ms. Schindel and Mr. Dinsmore from the Planning Board. Mr. Parikh, a planning board member was scheduled to participate, but was unavailable for this hearing. Jennifer Cato, engineer from the RBA Group was present representing the Board. The Applicant was represented by Counsel: Joseph P. O'Neill, Esq. Frank Matarazzo, engineer who prepared the plans. Chris Weiss, manager of Children of America day care centers, and Joseph Staigar, traffic engineer. This is an application to convert a previously granted office building into a pre-school, nursery facility. This application was previously before the board, it was denied, the Applicants filed with the Appellate Court and it has been remanded back for hearings. The Board members who are not sitting on this application is the result of the Applicant's request that they be recused since they have had prior connections to other day care facilities in Parsippany and he does not feel they can be objective. Mr. Matarazzo reviewed the site, provided information regarding the size of the property, which is 1.6 acres, curbing has been installed, a detention basin has been constructed, all utilities have been installed. The proposed play area will be 5340 sq. ft. with a 6' high fence at front and side which

does not meet standards for a play area. (17,400sq.ft. is needed). He further stated that the majority of the play area will be in the front yard. A 30' side yard is also needed and the proposal calls for a 10' side yard. He stated that there will not be any drop offs. Parents will bring children into building and will be signed in and out with security devices. A significant amount of testimony was given as to hours of operation, number of employees and types of equipment as well as traffic patterns ,and the discussion of the heavily utilized intersection(a quote by Mr. Staigar). A court reporter was present and a full transcript will be provided and made part of these minutes and available for public inspection. Testimony concluded at 10:15PM and the next hearing has been scheduled for October 6th, 2010.

With no other business to come before this Board, this meeting was adjourned at 10:15PM. Move to adjourn made by Ms.Gragnani, second, Mr. Dinsmore, with all in favor.

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