

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF MEETING JULY 8<sup>TH</sup> 2009**

*The meeting of the Board of Adjustment commenced at 7:35P.M. The following members were present: Mr. Dickens, Mr. Dredden, Ms. Gragnani, Ms. Jennrich, Mr. Kimmey, Mr. Pathak, Mr. Iracane. ABSENT: Ms. DeCroce, Ms. Schindel. Planning Board members: Ms. Baldwin and Mr. Pariskh were present, they sit on Mountain Way application. Recused from this application are: Ms. DeCroce, Ms. Jennrich, Mr. Kimmey.*

*The Board was represented by Counsel: William Johnson, Esq.  
The Board's planner was present: Sean Moronski, Burgis Assoc.  
The Board's traffic engineer was absent: Gordon Meth*

*The Chairman 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 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:  
Mr. and Mrs. Rocco Guerriero to construct an addition.  
Seemar Tomer to construct addition,  
Paul Cecala to construct new single family dwelling.  
Rakesh Maniar to construct deck.*

*The Board had a request from James Pryor, Esq. to carry application #09:18 to the August 5<sup>th</sup> meeting. Request granted.*

*The Board heard application # 09:26 in behalf of Mr. and Mrs. Rocco Guerriero, property affected is located at 20 Spartan Ave. lying in tax block 406, tax lot 18 in the R-3 zoning district. Applicants are seeking permission to construct a one story addition containing a bedroom, bath and small kitchen for their parent who will be living with them. For zoning purposes this is considered a separate dwelling unit, as such use variance relief is being requested. Mr. and Mrs. Guerriero and their mother appeared and testified in their own behalf. No interested parties were present. This addition will also result in an increase of building coverage and for these reasons, "C" variance relief is sought. The addition would be located to the rear of the attached garage with access from a hallway that connects garage and the existing family room. Applicants testified that there will only be one set of utilities, they also testified that there will be no cooking within the addition, there will not be a store. In addition they are agreeable to record a*

*deed restriction that the addition would be limited to members of the household of the persons occupying the home and that the addition would not be made available on the open market for rent as a two family dwelling. Statement from Mr. Pataki as to why this should be granted: he believes that the applicants have made a good effort to provide for their mother, that the deed restriction will protect the integrity of a single family dwelling and he recommends approval. Motion to grant with said conditions moved by Mr. Dresden, second, Ms. Jenrich, with all in favor.*

*The Board heard application # 09:27 in behalf of Seema Tomer, property affected is located at 3 Howell Court, lying in tax block 764, tax lot 10 in the R-3 zoning district. Applicant is requesting "C" variance relief to construct a one and a two story additions with roofed porch, balcony and rear stairs that would increase building coverage. Ms. Tomer appeared and testified in her own behalf. No interested parties were present The maximum permitted coverage is 15% and with the new additions will increase to 18.06%. She stated that the existing pool, wood decks and the wire fenced area is to be removed. The proposed additions would be interfere with neighbors property. Applicant stated that the two story addition would be on the north side of the building and the one story would be at the south side. She stated that the additions are needed to accommodate relatives who visit from India and Germany. The existing dwelling is small. Statement by Mr. Pathak as to why this should be granted. He believes that the request is reasonable, a 3% overage is diminimous and the additions will provide adequate accommodations for her family. Motion to grant moved vy Ms. Jennrich, second, Mr. Kimmey, with all in favor.*

*The Board heard application # 098:33 in behalf of Paul Cecala, property affected is located at 563 lake Shore Dr. lying in tax block 327, tax lot 8 in the R-4 zoning district. Applicant is seeking bulk variance relief to demolish their existing dwelling and replace with anew two story single family including a deck and two sets of stairs. Variance relief is for an increase in building and impervious coverage. Mr. Cecala appeared and testified inhisown behalf. No interested parties were present. Mr. Cecala is requesting an increase in building coverage from 20% to 23.17% and impervious coverage will increase from 40o 46.67%. The front yard setback which is now at 15 feet will be reduced to 14.56 to accommodate a proposed bay window. A seepage pit to be installed which will held reduce run off of surface water. Mr. Cecala testified that the existing dwelling needs major repairs, ;i.e. the existing garage is rotting, has no foundation, the front porch is structurally unsafe, the second floor is crumbling, this is a house that was built in the 40's. It was determined that it would be financially unsound to try and repair. A new home would benefit the family and enhance the surrounding homes in the area, some of which have been upgraded. Statement by Mr. Kimmey as to why this should be granted. He believes that based upon testimony, it is not reasonable to repair the existing structure and efforts to construct a new dwelling is appropriate and recommends approval. Motion to grant moved by Mr. Pathak, second, Mr. Dredden, with all in favor.*

*The Board heard application # 09:34 in behalf of Mr. Rakesh Maniar, property affected is located at 120 Farmingdale Dr. lying in tax block 251, tax lot 21 in the R-4 zoning district. Applicant is seeking "C" variance relief to construct a 620 sq. ft. open deck with stairs that would exceed maximum building and deck areas. The applicant appeared and*

*testified in his own behalf. No interested parties were present. Mr. Maniar stated that there numerous other decks in his neighborhood that are of similar size. The deck will provide his family and friends with seasonal outdoor enjoyment. The Board determined that the Applicant was entitled to relief and voted to grant. Motion to grant moved by Mr. Kimmey, second, Mr.Dredden, with all in favor.*

*The Board heard continued testimony in behalf of 700 Mountain , property located t 700 Mountain Way, lying in tax block 14, tax lots 9 & 9.01 in the R-R zoning district. Applicant was represented by Counsel, Robert C. Garofalo, Esq. & Patrick McClellan, engineer who prepared the site plan. Interested parties were present. The entire meeting dealt with engineering of the project and Mr. McClellan addressed this as well as answering questions both by the Board and the public. A court reporter was present, and a certified transcript sill be made available for public inspection and made part of these minutes. The next hearing for this application will be Sept. 2ncd. With no other business to come before this Board, this meeting was adjourned at 9:45 P.M.*

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