

✓

**TOWNSHIP OF PARSIPPANY-TROY HILLS  
ZONING BOARD OF ADJUSTMENT  
MINUTES OF MEETING FROM JULY 21<sup>ST</sup>, 2010**

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

*The Board was represented by Counsel: George W. Johnson, Esq.*

*The Chairman read into record the Open Public Meetings Act in accordance with NUJSA 10:4-6 et. seq.*

*The Pledge of Allegiance was recited.*

*The Board welcomed new member Bernard Berkowitz who took the oath of office from Mr. Johnson. Mr. Berkowitz has replaced Ms. DeCroce.*

*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:*

*Mr. and Mrs. J. Luciano – constructing addition to home.*

*Mr. Hitesh Patel – constructing an open deck.*

*Mr. Sanjay Patel – expansion of his driveway.*

*The Board had a request from William Caldwell, Esq. represented Ray Webb to carry his case to a future date. Application has been carried to Nov. 3<sup>rd</sup>. Motion to carry with notice moved by Ms. Jennrich, second, Mr. Dickens, with all in favor.*

*The Board had a request from Richard Saunders, Esq. representing the ISSO application to carry to a future date. Application has been carried to October 20<sup>th</sup> with notice. Moved by Mr. Dickens, second, Ms. Jennrich with all in favor.*

*The Board heard application # 10:31 in behalf of Mr. and Mrs. Peter Cooper, premises affected is located at 21 Wesley Pl. lying in tax block 58, tax lots 6 & 7 in the R-3 zoning district. Applicants appeared in their own behalf. Interested parties were present. Applicants are proposing to construct a driveway that would increase their impervious coverage from 36.97% to 55.53%. Mrs. Cooper stated that no driveway exists on her property and she would like to install a gravel driveway. She presently parks in municipal Tabor lots where she pays. She stated that many people in Tabor with smaller lots have created parking on their property. The driveway will accommodate two vehicles. She stated that a gravel driveway would be semi impervious. Michael Berger resident and member of the Camp Meeting Assoc. testified that he feels a safety issue would exist*

since Simpson Ave. is an active thoroughfare. He submitted photos which shows the narrow streets. Ms. Frances Schmefer, residing at 25 Asbury Place doesn't feel she has a hardship. She stated that others park in the Tabor lot. The Board went into conference. Motion to conference moved by Mr. Dickens, second, Mr. Berkowitz, with all in favor. Comments by Mr. Dickens: He believes this is a reasonable request, the applicant can remove two cars from the lot, similar requests have been granted in the past to Tabor residents who have done the same, and he will vote to approve. Comments by Ms. Jennrich: she is in favor of the application, the gravel area is intended only for parking. Comments by Mr. Berkowitz: he is in favor of the request, sees no problem, and if possible, perhaps a sign could be installed advising motorists that a driveway is ahead. Comments by Mr. Iracane: he does not feel this is a big issue, Tabor is a unique area, people own cars, they need a place to park, and there is opportunity for parking on their property, they should be able to use it. This is the 21<sup>st</sup> century. Motion to approve moved by Mr. Dickens, second, Mr. Berkowitz, with all in favor.

The Board heard application #10:32 in behalf of Ms Narisa Pongklang, residing at 32 Beechwod Ave. property lying in tax block 576, tax lot 4 in the R-4 zoning district. Applicant appeared with her husband Stewart Fried. No interested parties were present. Applicant is proposing to construct a one story addition and new driveway in violation of building and impervious coverage. Existing building coverage of 22.75% would increase to 27.65% and existing impervious coverage of 47.54% would increase to 49.19%. The Applicants stated that there is no garage. That they would like to enclose the breezeway so that they can enter the house from the garage without having to go out to do so. In inclement weather, this poses a danger to their family. Safety is their primary concern. Statement from Mr. Berkowitz why this should be granted: he believes this is a reasonable request for protection against the elements as well as safety. The addition will be of matching materials. Motion to grant moved by Mr. Dickens, second, Ms. Jennrich, with all in favor.

The Board heard application # 10:33 in behalf of Ms. Eva Zubel, property affected is located at 65 Beechwood Ave. lying in tax block 577, tax lot 9 in the R-4 zoning district. Ms. Zubel appeared and testified in her own behalf. No interested parties were present. She is requesting to convert an existing shed 12 x 12 into a 12 x 21 detached garage that will increase building coverage from 16.70% to 20.90%. The applicant stated that the only change to the shed would be removing the door and replacing with an overhead garage door. The existing shed exceeds the permitted allowable building coverage of additional 100 sq. ft. which would have exempted variance relief. The Board determined that this is a very diminimous request and voted to approve. Motion to grant moved by Mr. Dickens, second, Ms. Jennrich, with all in favor.

The Board heard application # 10:35 in behalf of Mr. and Mrs. Antonio Workman, property affected is located at 10 Arnold Dr. lying in tax block 698, tax lot 62 in the R-3 zoning district. Mrs. Workman appeared and testified in her own behalf. No interested parties were present. Mrs. Workman is seeking to construct an 8 x 12 shed that would increase the maximum allowable impervious coverage. She is presently at 38.22% and will increase to 38.80%. The Board determined that this was such a minor deviation from

*the coverage and voted to approve. Motion to grant moved by Ms. Jennrich, second, Mr. Dickens, with all in favor.*

*The Board heard application # 10:34 in behalf of Ms. Jackie Vitiello, property affected is located at 550 Knoll Rd. lying in tax block 400, tax lot 16 in the R-3 zoning district. Applicant appeared and testified in her own behalf. No interested parties were present. Ms. Vitiello is seeking to replace a deck with a paver patio which will be semi impervious. Her existing impervious coverage is at 65.21% and this is due to a pool on property, concrete walkways, and stoop and steps that are included within the coverage's. The proposal will increase her coverage by less than one-half percent. Statement from Mr. Dickens as to why this should be granted: he believes that the paver blocks are very appealing, it is a fine application, the increase as proposed will be less than ½% and recommends approval. Motion to grant moved by Ms. Jennrich, second, Mr. Dickens, with all in favor.*

*The Board heard application # 10:25 in behalf of Ms. Luisa Johns, property affected is located at 3 Citroen Way, lying in tax block 751, tax lot 14 in the R-2 zoning district. Ms. Johns was represented by Counsel, Mr. Hanna Mageed. Her father Mr. Emilio Prisco, was present. Mary Francis, an objector who owns property in lot #1 was present with her attorney, Larry Raiken. Ms. Johns is proposing to add an above ground pool that will increase her building and impervious coverage. She purchased this home approximately two years ago with her parents. She is a single parent. The pool will meet all setbacks as required. She is not proposing a heater. A fence has been installed around her property. Mrs. Francis is objecting to the location of the pool. She testified that since her property is higher than Ms. John's, she can look down and see the pool. Although there is a fence, Mrs. Francis maintains she can still see it. She further stated that the prior owners had a pool and it was on another part of the property and which she could not see. Ms. Johns testified that at the time she purchased this home, there was not a pool, nor was there any remnant of any pool. Her yard was all lawn. The proposed pool will be 4 ½' in height, with a 6' lattice fence. The Board reviewed the survey and determined that the distance from subject site to Mrs. Francis' yard was approximately 70 feet. The Board suggested that the planting of about 6-10 arborvitae trees could be installed around the fence to further shield the pool. Ms. Johns has agreed to look into this. The Board held a conference to discuss this. Motion to conference moved by Mr. Dickens, second, Ms. Jennrich. Comments by Mr. Pathak: the applicant has shown good faith in considering the planting of trees as suggested, the variance is diminutive and he will vote to approve. Comments by Mr. Dickens: he believes the applicant has made a good faith attempt to consider the trees. The pool is a good addition for the family and he will vote to approve. Comments by Ms. Jennrich: by adding the trees, it will buffer the neighbor and ameliorate her concerns and she is in favor of approval. Comments by Mr. Iracane: he believes this is a reasonable application, and is satisfied that the applicant will attempt to investigate the planting of trees. He is in favor of approval. Motion to grant moved by Ms. Jennrich, second, Mr. Pathak. NOTE; Mr. Berkowitz has recused himself from this application.*

*With no other business to come before this Board, this meeting was adjourned at 9:45 PM.*

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