TOWNSHIP OF PARSIPPANY-TROY HILLS
ZONING BOARD OF ADJUSTMENT
MINUTES OF MEETING FROM AUGUST 19TH 2009

*The meeting of the Board of Adjustment commenced at 7:30 P.M. The following members were present. Ms. DeCroce, Mr. Dickens, Mr. Dredden, Ms. Gragnani,Mr. Kimmey,Mr. Iracane(@8PM), Ms Schindel.**ABSENT**: Ms. Jennrich, Mr. Pathak.*

The Board was represented by Counsel: Anne Marie Rizzuto, Esq. for Case # 09:22
George Johnson, Esq. for remainder of evening.
The Board's Planner was present: John T. Chadwick, IV
The Board's traffic/eng. consultant, Gordon Meth, was represented by Jeff Shepard.

This portion of the meeting was chaired by Steve Dickens until Mr. Iracane arrives.

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 Board was in receipt of the following correspondence:

Letter from Mr.Chandar Khullar requesting an extension of time in which to obtain permits. Extension granted for six months to Feb. 19th, 2010.

Letter from Mr. Joseph A. O'Neill, Esq. requesting that the Springhill application be carried. Application has been carried to the Nov. 4th meeting.

Letter from Mr. Robert C. Garofalo, Esq. informing the Board that he has recused himself from representing the ISSO application.

The Board heard application #09:22 in behalf of Mr. Gilbert Roman, property affected is located at 299 Parsippany Road, lying in tax block 375, tax lot 12 I the O-S zone. The applicant seeks use variance relief to include the sales of food products into his existing establishment which is a check cashing business. The Applicant, Mr. Roman was represented by Counsel, Joseph A. O'Neill, Esq. firm of Garofalo and O'Neill. No interested parties were present. Mr. Roman wisbes to occupy a 200 sq. ft. area for the sale of his food products which cater primarily to south american and central american consumers. These are foods that are not generally found in local markets. Mr. Roman stated that his is a family business for many years, that he operates two stores in Dover. No cooked products, all will be dry goods. Hours of operation will be Monday-Friday, 9am-7pm and on Saturdays, from 9am to 6 pm. He proposes to have one employee for the food market and one for the check cashing. There are 50 parking spaces which are more

than sufficient and which can be accessed either from Parsippany Rd. or Carlstadt Rd.. John McDonough, planner for Mr. Roman testified as to why this should be granted. The O-S zoning district does not permit retail sales of food products, medical clinics, offices, testing facilities, business and professional offices, barbershops, beauty shops and similar service establishments are permitted, Mr. McDonough stated that the surrounding area is occupied with a variety of uses including service establishments and that this use is complimentary with those. There will not be any detriment to the zone plan, the area proposed of 200 sq. ft. will not alter the character of the neighborhood. Parking is plentiful. A sign is proposed which will be setback 15' from Carlstadt and 15' from Parsippany Road. A variance is required to keep it 5' from the ground as opposed to 8', it will be two faced,4' x 4' , white background with blue letters. The existing non-conforming sign will be removed. All signs in the window of the check cashing business is to be removed. The Board determined that variance relief would be appropriate in this instance and voted to grant relief. Motion to grant moved by Ms. DeCroce, second, Mr. Kimmey, with all in favor.

The Board heard application # 09:13/14/15 in behalf of International Swaminarayan Satsang Org. a/k/a/ ISSO, property affected is located at 1699 Rt. 46 East, lying in tax block 725, tax lots, 8,9,10 in the O-3 zoning district. This is an application for a modification of a previously granted use variance for a Temple which will now include a minor subdivision to construct a bank facility with drive thru. The Applicants were represented by Counsel, Richard P. Saunders, firm of Larry Weiner and his engineer, Mark Zelina who prepared the site plans. Objectors who are owners of the adjacent office building under construction were represented by Susan Rubright, Esq.and who specifically were in objection to the notice which they felt was defective and did not describe fully what variances the applicant was seeking. The Board reviewed the notice that was sent, and after much discussion,a vote was taken and the Board voted to proceed with the hearing.A court reporter was present and a certified transcript of this hearing will be made part of the minutes and will be available for public inspection in the Board office.

With no other business to come before this Board, this meeting was adjourned at 10P.M.
Respectfully submitted,
Harriet Jacobs, Board of Adjustment.