

**MINUTES OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS  
BOARD OF ADJUSTMENT MEETING  
WEDNESDAY, OCTOBER 2, 2019**

Chairman Iracane called to order the Board of Adjustment Meeting of Wednesday, October 2, 2019 at 7:30 PM.

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Reddy, Mr. Willans,  
Chairman Iracane

Also Present: Mr. King, Board Attorney  
Mr. Chadwick, Board Planner  
Mr. Wallo, Board Engineer

Absent: Mr. Kaplan, Mr. Persaud, Ms. Snyder

Announcement is made that adequate notice of this meeting has been given, that it is being conducted in accordance with N. J. S. A. 10:4-6 et seq. of the New Jersey "Open Public Meetings Act".

Pledge of Allegiance

Chairman Iracane opened the floor to the public for anyone wishing to speak.

**Agenda:**

Application 19:37

Michael Hess, 8 Marianne Place, Block: 626 Lot: 17.08 Zone: R-3

'C' Variance to legalize a detached garage in a buffer.

Property Owner, Michael Hess, was sworn by the Board Attorney and testified that the application is for a proposed garage and his property backs up to Route 80 which is level with his property. There is a vegetation buffer along the Route 80 ROW but with no trees, it is very noisy. Two years ago he came before the board and requested a fence to help with this issue and was approved along with a shed. The garage would be one set of double doors and can fit two cars but the applicant has many sport utility items and needs a place of storage. He is not exceeding height limits and if it weren't for the buffer, he would meet all Zoning requirements. No additional driveway is proposed.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Jrjyun Jang, 10 Marianne Place, asked whether the proposed garage would be for personal or commercial use and how cars would get to the garage from the end of the driveway.

Chairman Iracane opened the floor to the public for anyone wishing to speak in support or opposition of the application.

Recommendation for approval was made by Mr. Joskowitz.

A motion was made to approve the application for a garage in a buffer zone; second by Mr. Joskowitz.

Approved by Berkowitz, Joskowitz, Reddy, Willans, Iracane.

Application 19:38

Stephen & Sara Lythe, 24 Boehm Avenue, Block: 52 Lot: 2 Zone: R-3

'C' Variance to construct an addition.

Property Owner, Stephen Lythe, was sworn by the Board Attorney. John Lyons, Licensed Architect, was sworn and qualified by the Board Attorney.

Mr. Lythe testified that he and his wife moved into their home earlier in the year and wish to expand their home with a two-story addition for a garage with a bedroom above and one-story addition for a half bathroom.

Mr. Lyons described the lot for the Board which is rectangular in shape with a square section to the rear. Because the square section does not have continuous frontage, it cannot be considered in the calculations for coverage. There are no drainage issues on the property. The first and second floor plans as well as the elevations which were submitted with the application were reviewed for the Board.

Variances will be necessary for front yard, rear yard, building and lot coverage.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Terry Gatz, 31 Whitfield Place, asked why the applicants didn't buy a larger house elsewhere; about the existing stone wall and stairs.

Debra Hordek, 30 Bohem Avenue, asked if when she walks out of her home will she see a wall; how far from her home will the addition be and its height.

Chairman Iracane opened the floor to the public for anyone wishing to speak in support or opposition of the application.

A recommendation for approval of the application was made by Mr. Berkowitz.

Mr. Joskowitz made a motion to approve the application subject to the A/C being added to the variance and the architectural plans testified to, are the same plans submitted to the Building Department. Second by Mr. Reddy.

Approved by Berkowitz, Joskowitz, Reddy, Willans, Iracane.

Application 18:31

HMAT Associates, 1100 Edwards Road, Block: 768 Lot: 3.01 Zone LIW-2

Major Soil Moving Permit

Thomas Molica, Attorney from Vogel, Chait, Collins and Schneider, was present to represent the applicant for a major soil moving permit as part of site plan approval received in January 2019.

Witness, Anthony Facchino, Licensed Engineer, was sworn and qualified by the Board Attorney and presented Exhibit A-1, Soil Moving Plan, dated October 10, 2018, for a temporary stock pile. The surrounding area was described and it was explained that 7900 CY of fill will come on site and consist of recycled glass and millings. It is anticipated there will be 525 truckloads. Although the plan is for a temporary stock pile, the thought today is that they will spread and compact the loads as they come in. The hours of operation will be 6:00 am-3:00 pm; the truck route will be Route 280, New and Edwards Roads and a soil erosion permit is in place for the project.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Chairman Iracane opened the floor to the public for anyone wishing to speak in support or opposition of the application.

Mr. Berkowitz made a motion to make a recommendation to council for approval of the soil moving permit subject to obtaining state approvals and previous resolution approvals. Second by Mr. Joskowitz.

Approved by

Approved by Berkowitz, Joskowitz, Reddy, Willans, Iracane.

The Board took a ten minute recess then reconvened.

Application 19:28

Vrajdeham Temple, 120 Littleton Road, Block: 420 Lot: 4

'C' Variance to install signs.

Joseph O'Neill, Attorney from Garofalo O'Neill Ruggiero, was present on behalf of the applicant to amend prior approval for signage.

Witness, Gopal Shah, association with application inaudible, testified that at the time of the previous approval they did not realize how small the letters would be. They are looking to increase the sign facing Littleton Road from the original approval of 40 sq. ft. to 50 sq. ft. and to be seen from Route 287, they would like the lettering to be 3 ft. in height.

The Board asked about the color of the lettering, if the sign is illuminated, hours of day the sign is lit and if it can be seen by residential lots.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Witness Brittany Klimm, Licensed Architect, was sworn and qualified by the Board Attorney and presented Sheet A1.01 dated July 22, 2019 from the plan set to illustrate original approvals from two years ago vs. the proposed.

At the time of the original hearing the proposed sign was seven letters long and read 'new sign'. The newly proposed sign will read 'Vrajdhham Temple', face Route 287 and be 3 ft. x 52 ft. illuminated channel letters. The sign on the front of the building will be center with 2 ft. x 30 ft. illuminated channel letters. Both signs will be 38.6 ft. high. Variances are requested for number of signs, height of signs and sign area.

The Board asked about the sign facing Route 287 and its size; if the sign was more for advertising than identification and if there was a study or regulation about how large a sign should be, to be read on a high-speed road.

After speaking with his client, Mr. O'Neill announced the application will be amended for a 90 sq. ft. sign with 2.5 ft. lettering on the Route 287 side of the building.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Chairman Iracane opened the floor to the public for anyone wishing to speak in support or opposition of the application.

A motion was made by Mr. Joskowitz to amend and approve the application as presented; second by Mr. Reddy.

Approved by Berkowitz, Joskowitz, Reddy, Willans, Iracane.

Application 19:18

Pacific Outdoor Advertising  
7 Entin Road, Block: 202 Lot: 9.03 Zone: SED-3  
Preliminary and Final Site Plan w/'C'/'D' Variance

Joseph O'Neill was present on behalf of the applicant for an electronic billboard to be located at 7 Entin Road.

Witness, Joseph Jacobs, Owner of Billboard Company and Fact Witness, was sworn by the Board Attorney and testified that he has been in the billboard business over 30 years. He operates many boards throughout New Jersey and other states. Every eight seconds a new ad or public announcement would appear on the board, messages are not streamed and there is no flashing. Emergency alerts can go on the board immediately and as slots permit, he can advertise events that promote the town. A state DOT permits has been issued for this location.

Exhibit A-1, Current view of 7 Entin Road from the Route 287. The Billboard would be located next to the building with the face of the Boards facing the highway. The boards are 'V' shaped and will not face residential lots.

Exhibit A-2, Aerial of subject site with building and sign location.

The Board asked about the size of the sign and the applicant suggested as a condition of approval he would reduce the size of the sign from 960 sq. ft. to 672 sq. ft. Also asked is why one side is digital, but not the other, which had to do with a ramp issue. The digital side will face traffic driving north.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Debra Lovett, 8 Westminster Road, asked which direction the static side would face, if it would be LED, if the applicant was aware of an existing digital sign south of the proposed and about the height of the sign.

Anthony Lovett, 8 Westminster Road, ask if the applicant knew that cell phones receive emergency message.

Witness, Diego Duarte, Licensed Engineer, was sworn by the Board Attorney, referred to the aerial map from the plan set and described the surrounding area and uses. The sign would be located at the northeast corner of the building on 7 Entin Road and be 2 ft. off the property line. The building is 46 ft. in height and the sign will be 75 ft. in height.

Sheet four from the plan set illustrated the location of where the sign would be located. The south face will be LED and the north face will be static.

The Board questioned the amount of light being thrown off by the sign and how it would impact the neighborhood but the Witness felt it would be no different than a street light down the road.

Variances requested are for setback, height, sign area, and use.

Exhibit A-3, Cone of Vision, dated May 29, 2019 was presented to demonstrate what would be seen while driving without taking your eyes off the road and for how long depending on rate of speed.

The Board confirmed the applicant was willing to comply with the standards of Outside Advertising Association of America and asked if there would be any back light that would affect Jacksonville Drive.

Chairman Iracane opened the floor to the public for anyone wishing to ask questions of the Witness.

Witness, John McDonough, Licensed Professional Planner, was sworn by the Board Attorney and presented Exhibit A-4, 5 Sheets of Maps and Site Location.

Sheet 1, Parcel/Tax Map outlining the subject lot in yellow, surrounding lots and where residential lots are located in reference to the subject lot. It was noted that residents closest are on Jacksonville Drive and the rear of their lots face the back of the sign.

Sheet 2, Aerial Map of subject lot and surrounding area.

Sheet 3, Land Use Map to illustrate property use in the surrounding area.

Sheet 4, Zoning Map, to outline the Zones of the subject lot and surrounding area.

Sheet 5, View of Location of Proposed Billboard.

The necessary variances were reiterated as well as the positive and negative criteria.

The Board, if the application is approved, would like to set up a condition that the static face would not be viewable from any home on Jackson Drive. They also spoke of their concerns of not seeing a rendering of the sign superimposed on one of the exhibits.

The Applicant in wanting to satisfy the residents stated he would remove the static face and propose a digital sign only. Then applicant then agreed to build the sign at a height of 65 feet.

Due to having a limited number of board members, a motion was made by Mr. Berkowitz to carry the application to December 4, 2019 without further notice and with all necessary extensions until the end of December. Second by Mr. Berkowitz.

Approved by Berkowitz, Joskowitz, Reddy, Willans, Iracane.

Motion to adjourn.