

**MINUTES OF THE PARSIPPANY – TROY HILLS  
PLANNING BOARD MEETING  
MONDAY, JUNE 5, 2017**

Chairman Dinsmore called the Planning Board Meeting of Monday, June 5, 2017 to order at 7:31 PM.

Members Present: Mr. Aperawic, Mr. Ayaz, Mr. Caivano, Councilman de Pierro, Mr. Keller, Mr. Mele, Ms. Csantaveri, Ms. Vealey, Chairman Dinsmore

Also Present: Kelly M. Carey, Esq. Planning Board Attorney  
Edward Snieckus, Burgis Associates, Planner  
Bryan Vanderghensyt, NV5, Board Engineer

Absent: Mayor Barberio, Mr. Pathak

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 Dinsmore opened the floor to the public for anyone wishing to speak.

Agenda:

Application No.: 17:505  
General Electric Co., 700 Parsippany Road, Block: 739 Lot: 2  
Preliminary and Final Major Site Plan/”C” Variance/Major Soil Moving Permit

Nicole Magdziak, Attorney from Day Pitney was present to represent the Applicant for the proposed reconstruction and expansion of a portion of the existing building.

Chairman Dinsmore recused himself due to past representation by Day Pitney. Mr. Keller took over as Acting Chairman.

The Township Planner summarized the completeness review of the application itemizing the request of waivers. Councilman de Pierro made a motion to grant the waivers, seconded by Mr. Aperawic.

Roll Call: Approved by All.

Ms. Magdziak summarized the application and called the first witness, Michael Heft, Facilities Improvements and Construction Coordinator for Metem, Division of GE Power.

Mr. Heft testified that previous Applications approved in 2013 and 2014 are to be abandoned per GE's request. The purpose of the addition is to update and improve a vital area of their manufacturing process with no changes to the current operations and no known increase of employees. There will be a change to the traffic circulation due to creating a bulk storage area to the side of the building, eliminating the need of tractors delivering to the rear.

Board Planner questioned if they had a best management practice for containment due to being located in a wellhead protection area, Tier 3; asked about their floor drains and need of the current location vs another.

Board Engineer question the proposed operation as far as delivery of materials.

Michael Marinelli of Menlo Engineering was sworn and qualified as an expert. Presented was Exhibit A-1, dated 06.05.2017, an aerial view of the existing conditions of the site. Mr. Heft explained the current operations and conditions and the proposed.

The turning radius was described for the board.

No questions from the public.

Mr. Marinelli testified further, describing the surrounding area, noted the industrial uses and advised the receipt of a waiver approval from the County. Also described were the existing conditions of the site and existing environmental constraints. A previous LOI has expired and will again be applied for. The well head area was also addressed.

Presented was Sheet 2 of the submitted plan which shows the area of the structure to be removed. The new wall is to be built just outside the existing wall to maintain operations with the existing wall to eventually be demolished. The existing bulk storage containers are to be moved from the Southwest corner of the building to the Northeast corner for better access for loading and unloading. Two concrete pads are proposed on the Northern façade for the existing dumpsters and compactors. A decorative wall attached to the main building for protection of the tanks is also proposed as well as building mounted lighting. Also discussed was the reason for the need of the variance.

Exhibit A2, photographs submitted to the Board, were reviewed. At this time landscaping was addressed.

The loading area in regard to the bulk storage location is to be delineated through striping to avoid blocking the drive.

Board Planner voiced concerns if Best Management Practices are in place to contain spills around the truck loading area as storage tanks are being filled. Mr. Heft testified that spill containment fill boxes with 7 gallon capacity are being added. Since operations are 24 hours, deliveries can be made at any time. Lights will remain on all night and are down casting.

Board Engineer stated the Applicant will be required to submit for a soil erosion and sediment control. Also requested was documentation of the flood hazard area in terms of profile to show elevations.

Frank Jeffrey Rawding, Architect, sworn, qualified and accepted as an expert witness described the proposed improvements, the second story addition, the tank farm, exterior building and two stair wells.

Subject to the Burgis Report dated May 17, 2017, NV5 Report dated May 22, 2017, Fire Official Report dated May 9, 2017 and Water Superintendent Report dated May 5, 2017. Further subject to the conditions of a new LOI, NJDEP spot elevation, lighting to comply with the ordinance and striping added by the loading area a motion was made by Councilman de Pierro.

Seconded by Mr. Mele. Roll Call: Approved by Mr. Aperawic, Mr. Ayaz, Mr. Caivano, Councilman de Pierro, Mr. Keller, Mr. Mele, Ms. Vealey.

At 5 minute recess was called at 8:25 PM.

The meeting was called back to order by Chairman Dinsmore.

Application No.: 17:506

Canterbury Estates, Arundel Road, Block: 98 Lots: 97, 98, 99, 99.01  
Amended Major Subdivision/"C" Variance/Major Soil Moving Permit

Joseph O'Neill, Attorney from Garofalo and O'Neil, was present to represent the Applicant to construct retaining walls in excess of the maximum height.

The Township Planner summarized the completeness review of the application itemizing the request of waivers. Mr. Keller made a motion to grant the waivers, seconded by Councilman de Pierro.

Witness, Patrick McClellan, Engineer, sworn, qualified and accepted as an expert witness presented the plan of record, a previously approved plan titled site grading, and soil erosion and sediment control plan, sheet 4 of 10, dated 06.26.08, Exhibit A1. He testified that the applicant was proposing to improve the backyards of the four lots in question by replacing an allen block style retaining wall with a ReCon Block style retaining wall. When it was originally graded and because of the grade difference, they had to build up to six walls. Referring to application plan sheet 3 of 4, site grading, soil erosion plan dated

03.08.17, they took out the original walls and replaced them with two and three rows of walls up to 12 ft. in height. There is no additional land disturbance, no changes to dwelling size, location or impervious coverage.

Also presented, Exhibits A2 and A3, ReCon Block catalog and pictures of such wall type used at other locations in the Township. Exhibit A4, Lot 97, site cross section, dated June 2, 2017; Exhibit A5, Lot 98, site cross section, dated June 2, 2017, Exhibit A6, Lot 99, site cross section, dated June 2, 2017 and Exhibit A7, site cross section, Lot 99.01, dated June 2, 2017. The new wall gives each yard additional useable backyard.

Hours of operation of soil movement will be from 9am-4pm, Monday-Friday, up to 2-3 truckloads per hour. 2,962 cubic yards of soil is expected to be cut, fill is 7,454 cubic yards for a total of 10,417 cubic yards. 4,491 cubic yards is to be imported. Any spillage of soil will be cleaned up by the applicant. The home owners are to maintain the walls through and existing utility easement. Additional easements would be provided if needed. A continuous fence is to be placed along the top wall. Storm drains exist at the bottom of the wall. Lot lines will remain unchanged.

Screening/plantings and possible issues was discussed as was wall color.

The hearing was open to the public for questions.

Magdi Malek, 10 Timberland Court, spoke of concerns over height of wall and grade.

Bridget Lyons, 2 Timberland Court, wanted to know what can be done about her wet property.

Hone Su, 12 Timberland Court, wanted to know what type of material would be used behind the walls.

Witness, Frank Neglia, sworn, testified that he had no issue with the change in wall design. He did have concerns with drainage but is happy with the testimony given.

Joseph Barbieri, Jr., sworn and qualified as an expert witness. He has reviewed the application, Township ordinance, proposed plans and plans dating back to 1981 which granted approval for the homes and walls on the subject lots. Also reviewed for the Board were the requested variances. In his opinion granting of the variance is justifiable.

Subject to the Burgis Reports dated June 1, 2017, NV5 Report dated May 25, 2017, Water Department dated May 8, 2017, Sewer Department dated May 9, 2017 and Township Engineer dated May 19, 2017. Further subject to conditions of landscaping of the Township Forester otherwise come back to the Board for determination, conformation of easements filed and to be revised as discussed,

geotechnical study and recommendation of a soil moving permit to the Governing Body, a motion was made by Mr. Keller.

Seconded by Councilman de Pierro. Roll Call: Approved by All.

OTHER BUSINESS:

Board Attorney updated the Board on RD Realty.

Motion to adjourn by Mr. Caivano, seconded by Mr. Ayaz  
Approved by all.

10:26 PM