

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, JULY 24, 2017**

Chairman Dinsmore called the Planning Board Meeting of Monday, July 24, 2017 to order at 7:31 PM.

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

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

Absent: Mr. Ayaz, Mr. Pathak, Ms. Vealey,

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.

Nick Homyak made a complaint that the agenda was not on the website and questioned if the Township was familiar with the Bellemede appellate court decision from May 2017 concerning the Highland Communities.

Resolution:

Application No.: 17:507
Federal Realty, 1123 Route 46, Block: 729 Lot: 7
Preliminary Major and Final Major Site Plan/”C” Variance

A motion to Adopt was made by Mr. Keller, seconded by Councilman de Pierro. Approved by All.

Agenda:

Application # 17:508
Waterview Marketplace, Rt. 46 and Waterview Boulevard
Major Soil Moving Permit

Robert Kasuba, Attorney from Bisgaier Hoff was present to represent the Applicant for the proposed Major Soil Moving Permit.

Chirag Thakkar, sworn and qualified as an expert civil engineer provided an overview of the application and site plan. Discussed were the nine items listed on the Township Engineers review memo which were either already met or will be complied with. Also discussed was the amount of soil to be moved.

Joe Forgione, sworn, testified that the hours of operation would be from 7:00 am-5:00 pm per the ordinance. The truck route for removal of soil would be Waterview Boulevard to Route 287 and incoming from Route 80 West. They hope to start clearing Monday and anticipate being complete in 3-4 weeks.

The Board Engineer questioned from where the fill would be coming. It is select material for bedding.

Dave Kaplin of 263 Intervale wanted to confirm that the buffer between the site and residents on Forrest and Intervale would remain undisturbed.

Nick Homyak thought that some of the soil to be removed was to remain to stabilize steep slopes; was unaware that the Township owned the open space and wanted to know if trees would be planted in the Troy Brook Watershed to replace the tree loss.

Resident from 69 Forrest Drive wanted to know who would be responsible for damage if the slope destabilized and water flooded his property.

Mr. Kasuba summed up the application.

Nick Homayk spoke in opposition of the application.

A motion was made to recommend the soil moving permit to the Township Council for approval subject to the memo of the Township Engineer; hours of operation 8:00 am-5:00 pm, Monday through Saturday; truck route for removal of soil will be Waterview Boulevard to Route 287 and incoming from Route 80 West by Mr. Keller, seconded by Mayor Barberio. Approved by all.

Application No. 16:501B
SRI Lakshmi, Inc., 156 Halsey Road, Block: 325 Lot: 3
Minor Site Plan/ C Variance Approval

Joseph O'Neill, Attorney from Garofalo & O'Neill was present to represent the Applicant to re-open Application 16:501A due to second thoughts on one of the conditions to remove the door and access to the patio and replace it with windows to maintain privacy for the neighbor.

A motion was made to re-open the hearing by Councilman de Pierro, seconded by Mr. Keller. Approved by All.

Piyush Majmudar, Project Architect, was sworn as a fact witness.

Exhibit A-4 was passed out to Board Members.

Proposed were two doors leading to the patio with a six foot wall along the rear and rightside elevations to maintain privacy. A 42" parapet will be at the leftside elevation. No business or classes to take place on the patio.

The Board questioned the wall, use of the patio and if the fire district was notified of the changes.

The Board Planner stated that the patio would have to be included as a variance; questioned the signs which are to comply with the Ordinance and offered possible conditions of approval.

A motion was made to approve the re-application by Mr. Keller subject to the provisions of the previous approval, approval subject to positive response from the fire chief and no classes or business on the patio. Seconded by Mr. Aperawic. Approved by All.

OTHER BUSINESS:

The Board Planner noted that the Stanbury Project would be discussed at the Council Meeting the following day. The redevelopment plan will be introduced then heard at the next Planning Board Hearing for review for consistency of the Masterplan.

Board Attorney advised that public notice was filed should Members wish to attend the Council meeting.

Motion to adjourn by Mr. Keller, seconded by Mr. Aperawic

Approved by all.

8:47 PM