

**MINUTES OF THE PARSIPPANY – TROY HILLS  
PLANNING BOARD MEETING  
MONDAY, OCTOBER 16, 2017**

Chairman Dinsmore called the Planning Board Meeting of Monday, October 16, 2017 to order at 7:30 PM.

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

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

Absent: Mr. Ayaz, Mayor Barberio, Mr. Caivano

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.

Resolution:

Application # 17:511  
Yogi Divine, 140 Lincoln Ave., Block: 609 Lots: 11, 12, 14, 15, 16, 17, 18  
Block: 481 Lot: 38  
Amended Preliminary & Major Final Major Site Plan

A motion to Adopt was made by Mr. Keller, seconded by Mr. Pathak.  
Approved by Csantaveri, de Pierro, Keller, Mele, Pathak.

Agenda:

Application # 17:513  
Outback, 1300 Route 46, Block: 712 Lot: 43.02  
Minor Site Plan/”C” Variance

Frank Rivellini, Attorney, was present to represent the Applicant giving a general description of the application for a façade and sign change as well as accent lighting added to the building.

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

Witness Brad Thompson, Licensed Professional Engineer in NJ, was sworn and accepted as a civil Engineer.

Presented was an existing conditions plan Sheet 1 of 1, dated August 16, 2017 showing the layout of the site with improvements. Described was the circulation of the lot, surrounding properties, the exterior improvements, lighting and signs. The main sign will be replaced with a smaller sign of 64 sq. ft.

The Board questioned lighting of the sign and possible sidewalks.

Chairman Dinsmore opened the floor to the public for anyone wishing to ask questions of the witness.

Steve Petaccia, 142 Hawkins Avenue, questioned if anything else on the property would change.

Witness John Mistretta, Licensed Registered Architect, sworn and qualified, presented Exhibit A-1; Architectural rendering with photographs. Modifications made are at the entry by removing the gable and adding stone façade, decorative lighting with the building in earth tone colors. The sign will change from black to red when lit with a white outline; the take out sign will remain as it is. There will be no outside seating.

The Board Planner brought up possible issues with the temporary sign and best way to handle it, the entryway improvements and lighting.

Chairman Dinsmore opened the floor to the public for anyone wishing to ask questions of the witness.

Pat Petaccia 182 Hawkins Avenue questioned when construction would begin and if they would be open during this time.

Attorney for the Applicant wrapped up his case.

Chairman Dinsmore opened up the floor for anyone wishing to speak in regard to the application.

Pat Petaccia 182 Hawkins Avenue was concerned of how the notice read, questioned garbage pick-up times, rats and the Summit Avenue entrance/chain.

A motion was made by Mr. Keller to approved the application subject to the Burgis Associates Report dated October 10, 2017, NV5 Report dated September 29, 2017, Tax Assessors Report dated September 15, 2017, further subject to all

conditions of the prior approvals and temporary sign 4 ft. x 8 ft. Seconded by Councilman de Pierro.

Approved by All.

Application # 17:514

3 Sylvan Realty, LLC, 1, 3 & 5 Sylvan Way, Block: 202 Lots: 4.1, 4.2, 4.3

4 & 6 Campus Drive, 3.02, 3.03

Minor Site Plan/"C" Variance

Glenn Kienz, Attorney, was present to represent the Applicant giving a general description of the application for improvements to the existing site.

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

Witness, Thomas Golden, VP of Mack Cali Group was sworn and qualified as a Professional Planner. A history of the properties was described along with the proposed canopies, benches, pond overlook, pedestrian walk, bollard lighting, landscaping and two monument signs with LED lights.

40 parking spaces will be lost however, there are more spaces than is required for the site. A variance is needed for the proposed canopies on buildings 1 and 5 that cross the lot line. A cross access easement agreement will be provided for this. Monument sign detail is to be supplied. A variance will be required for sign size and setback.

The Witness addressed concerns from the Township Engineer's report by reading a report from Langan Engineering and will supply the Board with a signed and sealed copy on their letterhead.

The Board questioned sidewalks, pond depth, access to the public, security and meeting with Parks and Forestry.

Board Planner clarified reason for easement due to canopies going up to and over the lot line leaving a zero ft. setback for the principal structures. Also discussed were the signs, parking change to the site, parking easement and bulk standards for 4 and 6 Campus Drive.

Board Engineer had questions regarding pond construction which will be answered in compliance.

Chairman Dinsmore opened up the floor for anyone wishing to speak in regard to the application.

A motion was made by Mr. Keller to approved the application subject to the Burgis Associates Report dated October 9, 2017, NV5 Report dated September 29, 2017, Tax Assessors Report dated September 05, 2017, Fire District 6 Report dated September 12, 2017; further subject to meeting with the Township Forester; cross access maintenance agreement for the canopies; provide copy of the certified environmental report from Langan Engineering; provide sign details and details to Board Engineer regarding the pond. Seconded by Councilman de Pierro.

Approved by All.

The Board went over additional topics regarding the Council honoring Casey Parikh, how minutes approval will be handled, identification for Board members, if concerns of residents were addressed in conjunction with the Yogi application.

Discussion continued with comments in regard to inactivity at the site when visited on several occasions by one Board member; another Board member was approached by neighbors of the site voicing their concerns of retaliation by workers banging on pipes with a hammer after a neighbor spoke with the worker about the time of day and noise. Topic of who would be responsible for the enforcement of the ordinance and disagreement where Board action should end on an application that has been approved, but has issues.

Motion to adjourn. Approved by All.