

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, NOVEMBER 6, 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, Ms. Vealey, Chairman Dinsmore

Also Present: Alex Lerher, Esq. Planning Board Attorney
Edward Snieckus, Burgis Associates, Planner
Bryan Vanderghensyt, NV5, Board Engineer

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

Resolution:

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

A motion to Adopt was made by Mr. Keller, seconded by Councilman de Pierro.
Approved by Aperawic, Csantaveri, de Pierro, Keller, Mele, Vealey, Dinsmore.

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

A motion to Adopt was made by Mr. Keller, seconded by Councilman de Pierro.
Approved by Aperawic, Csantaveri, de Pierro, Keller, Mele, Vealey, Dinsmore.

2018 Calendar

A motion to Adopt the 2018 Calendar was made by Councilman de Pierro,
seconded by Mr. Keller. Approved by All.
Approval of 10.02.17 and 10.16.17 Minutes. Approved by all.

Agenda:

Application No. 17:512

Robert Fitzsimmons, 91 Iroquois Avenue, Block: 593 Lot: 3

Minor Subdivision/"C" Variance

Joseph O'Neill of Garofalo and O'Neil was present to represent the Applicant for a two lot subdivision.

The Board Planner summarized his completeness review of the application itemizing the request of waivers. Mr. O'Neill noted that due to the distressed nature of the building on the property the building had to be torn down therefore site photographs would not be provided. Mr. Keller made a motion to grant the waivers, seconded by Councilman de Pierro. Approved by All.

Applicant, developer and owner of the property in question, Mr. Fitzsimmons, was sworn and testified. He described the condition of the property and house at time of purchase and why the home had to be demolished. Also described was the type of home and where it sat on the property.

Presented was Exhibit A-1, architectural plans, showing the four elevations and foundation, first and second floor plans of the proposed homes. The witness noted that due to the nature of the lot, the homes will be situated to allow for more room on the sides. A walkout basement is being proposed due to an elevation change though until the construction begins it is not known if the door will be possible.

A five minute recess was called.

Roll was called when the meeting reconvened.

Mr. O'Neill noted that while on break he and his client spoke. Based on the existing grade it was decided to withdraw the testimony regarding the rear basement walkout as there is not enough grade support for a walkout basement. A regular basement without a door is now proposed. Differences between the proposed homes will be in siding, stone or brick and accents. The witness is also experienced with soil and sediment control. Landscaping will be addressed when application is made to Forestry.

The witness who has experience building in this area of town testified that the homes across the street, from North Beverwyck to Roosevelt, are all non-conforming at 50 ft. lot widths, such as the proposed. Conforming and non-conforming lots exist on the same side of Iroquis Avenue as the proposed.

The Board asked if the lots directly across the street and another two down the street had been previously subdivided, which they were. Also questioned were the lots to the rear of the subject property.

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

Karen deChristopher, 95 Iroquis Avenue, questioned if the property value of her home situated next door could go down.

The Board Planner asked for grading on the plan to be correctly notated in the plan graphics.

Board Engineer would like the revised plan to include better grading to show spot elevations, roof leaders to storm drains, grades around corners of building, driveways and better contouring

Board Attorney looked to confirm that the Applicant will distinguish the homes to conform to the ordinance.

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

Attorney for the Applicant wrapped up his case.

Chairman Dinsmore moved the hearing to conference for public comments by Board Members.

Topics of Discussion included the Masterplan, development over the years and density of such areas with the creation of non-conforming lots; reason for the existence of the Planning Board and Board of Adjustment and why such applications are heard; the public benefits test regarding C-2 Variances and why each application should be reviewed on its own merits.

A motion was made by Mr. Keller to approved the application subject to the Burgis Associates Report dated September 20, 2017, NV5 Report dated September 18, 2017, Tax Assessors Report dated September 6, 2017, Water Department Report dated September 12, 2017, further subject that each lot has an accumulative 25 ft. side yard setback and conservation easement. Seconded by Mr. Mele.

Approved by Csantaveri, Keller, Mele, Vealey, Dinsmore.
Against: Aperawic, de Pierro

Other Business:

Noted were affordable housing seminars to take place at the League of Municipality to address affordable housing needs.

Motion to adjourn. Approved by All.