

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, DECEMBER 4, 2017**

Chairman Dinsmore called the Planning Board Meeting of Monday, December 4, 2017 to order at 7:31 PM.

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

Also Present: Kelly Carey, Planning Board Attorney
John Szabo, Burgis Associates, Planner
Bryan VanderGheynst, 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.

Janice Banom, 129 Troy Meadow Road, expressed concerns of proposed driveway for Wildlife Preserves directly across the street from her driveway.

Correspondence:

Chairman Dinsmore read a letter from Robert Garofalo dated November 28, 2017 requesting an adjournment of the Old Bloomfield, LLC (Land Rover) Application until the meeting of December 18, 2017 without further notice.

Resolution:

Application No. 17:518
Conroy/Sulpy, Block: 75 Lot: 1, 14 St. Peters Road
Minor Subdivision/'C' Variance

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

Approval of Minutes: 11.06.17

A motion to Adopt was made by Mr. Keller, seconded by Ms. Csantaveri. Approved by All.

Agenda:

Application No. 17:519
Galli, Block: 307 Lot: 4, 61 Centeron Drive
Minor Subdivision/'C' Variance

Steven Schaffer, Attorney from Burns & Schaffer, was present to represent the Applicant for a two lot subdivision, gave an overview of the property, surrounding area and application.

Exhibit A-1, a written description of the property, proposal, approvals sought and witness' names was passed to the Board Members.

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 Mr. Mele. Approved by All.

Frank Matarazzo, Civil Engineer, was sworn and accepted as an expert witness and passed out Exhibits:

A-2 Colorized Plan titled Minor Subdivision, dated October 5, 2017

A-3 Photo Board

A-4 Handout of Photos from Photo Board

A-5 Copy of Final Plat titled second map of Lake Parsippany, dated May 18, 1933

The Witness gave a general description of the lot as it exists today and described where existing buildings, walls and slopes are situated as well as the proposed. The proposed will create two equal sized conforming lots with the existing house to remain and the garage and walls to be removed with disturbance of the over 25% slope category. The new house will have a walk-out basement, garage and usable front yard.

The Witness described in detail an enlarged, highlighted portion of Exhibit A-5 which depicts several lots with a wall running diagonally through eight lots which in whole, is the subject property. Part of the wall remains today. The South side is where the 25% slope will be disturbed with the removal of the wall. It was noted that the slopes were manmade.

The Board was shown photos from Exhibit A-4. One view is from the rear of the proposed lot from the Southeast corner looking North showing the 15-19.99% steep slope category; the other photo is of the wall to be demolished and approximately where the proposed home is to be built. The bottom of the wall is the location of the 25% steep slope category. There are no environmental benefits to the slopes and by removing the slope they are flattening the grade.

The Board expressed concerns of drainage, the building possibly being a three story dwelling due to the slope and the slope itself. Asked was what the process would be to engineer the site so it does not have a negative effect on the neighbors or create an erosion problem if the remaining wall is to be removed.

The Board Engineer was concerned about the wall that is to remain on the East side of the lot and it's stability to support soil. It was felt the slope would increase.

The applicant will consult with the Board Engineer for an acceptable plan for preventing problems that can happen with a steep slope with an un-buttressed wall as a condition of the Resolution. It was then determined that two deep slope variances would be needed.

There was a five minute recess then the meeting was reconvened with roll call.

With argument that the reason for the division of the lot to be divided as proposed, the Applicant testified to the lot widths of the neighboring properties and felt two 80 ft. wide lots would be a better fit.

The Board questioned where water would go since impervious coverage would be added and had additional concerns over the height of what would be built due to a neighboring home being below grade. Also questioned were the rear yard setback, the visual impact to the rear neighbor once a new house is built, if there were public utilities and stormwater management.

There are no concerns of wetlands on this or surrounding properties, vegetation was addressed as well as a utility pole and sidewalks.

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

There was a two minute recess then the meeting was reconvened.

The Board brought up the possibility of dividing the property differently however it would have created additional variances.

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

Mr. Schaffer summed his case.

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

Topics of discussion included concerns over lack of architectural renderings, height as seen from the rear, basement as a livable area, slopes and lack of information for some members before making a determination.

Suggestions were made to the applicant and after great discussion of height, slopes and setbacks, a motion was made by Mr. Keller to approve the application subject to the Burgis Associates Report dated November 8, 2017, NV5 Report dated November 2, 2017, Tax Assessor Report dated November 17, 2017 and Water Superintendent Report dated November 30, 2017; further subject to variances for slope disturbance and third story, satisfaction to the Board Engineer regarding the retaining wall, Setbacks, Grading Plan, Stormwater addressed at time of filing to the Construction Department and map or plat filing noting the conditions of the Resolution. Seconded by Mrs. Csantaveri.

Approved by All.

OTHER BUSINESS:

Lincoln Avenue parking was brought up by a resident from the last meeting and since the application has already been approved and the Board has no jurisdiction over permit parking, it was determined that it was best to go through one high holiday or other events before crafting a Resolution to control any parking issues especially since the complaints came from residents who did not live on Lincoln Avenue.

Motion to adjourn by Mr. Keller, seconded by Councilman de Pierro.

Approved by all.

10:28 PM