

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, NOVEMBER 19, 2018**

Chairman Keller called the Planning Board Meeting of Monday, November 5, 2018 to order at 7:30 PM.

Members Present: Mr. Aperawic, Mr. Dinsmore, Mr. Frigeri, Ms. Hernandez, Councilwoman McCarthy, Ms. Vealey, Mr. Von Achen, Chairman Keller

Also Present: Scott Carlson, Planning Board Attorney
Susan Favate, BFJ Planning, Board Planner
Chas Holloway, Keller & Kirkpatrick, Board Engineer

Absent: Mr. Ayaz, Mr. Mandel, 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 Keller opened the floor to the public for anyone wishing to speak.

Correspondence:

Correspondence received from Rosemary Stone-Dougherty dated November 9, 2018 requesting Application 18:511 Navarro be carried to an unspecified date with notice.

The Board Attorney spoke with the Applicant’s attorney earlier in the day and noted that instead of an unspecified date, a request to be heard May 6, 2019 meeting was made.

A motion to carry the Application to May 6, 2019 was made by Mr. Dinsmore, second by Mr. Von Achen. Approved by All.

Resolutions:

Application No. 18:517
IBEW, 50 Parsippany Road, Block: 392 Lot: 4
Site Plan w/‘C’ Variance

A motion to adopt was made by Mr. Dinsmore, second by Ms. McCarthy

Approved by Aperawic, Dinsmore, Hernandez McCarthy, Vealey, Keller.

Application No. 18:517

Conti Solar (Waterview Investors LLC), 10 Waterview Blvd, Block: 421 Lot: 29.02
Preliminary and Final Major Site Plaza

A motion to adopt was made by Mr. Dinsmore, second by Ms. McCarthy

Approved by Aperawic, Dinsmore, Frigeri, Hernandez, McCarthy, Vealey, Von Achen, Keller. Approved by All.

Approval of Minutes:

10.15.18, 10.22.18, 11.05.18

After a minor correction of the November 5, 2018 minutes requested by the Chairman, a motion to approve the minutes was made by Mr. Dinsmore, second by Mr. Aperawic. Approved by All.

Agenda:

Application No. 18:521

Shake Shack

Waterview Marketplace, Route 46 and Waterview Boulevard, Block: 421 Lot: 29
Conditions of Restaurant Use.

The Board Attorney explained that the application would not be heard this evening. The settlement agreement for the development included a condition of adequate parking for restaurant use however, a site plan and conditional use application would have to be submitted for the restaurant so the Board could do a full review which would include signage, lighting, circulation and any building changes from the originally approved bank.

Richard Hoff, Attorney for the Applicant spoke of the application submitted to be heard this night which included plans with loading docks. The loading docks were thought to have been approved, but were not.

Application No. 18:516

Littleton Plaza, LLC, 199 Littleton Road, Block: 393 Lot: 1
Preliminary and Final Site Plan w/'C' Variance

Mark Semeraro from Kaufman, Semeraro & Leibman, was present to represent the Applicant for parking changes to the site and read through the checklist of waivers.

Mr. Dinsmore made a motion to grant the waivers, second by Ms. McCarthy. Approved by All.

The 3.13 acre lot is developed with a 32,586 sq. ft. shopping center. No expansion to the building or lot is proposed but the Applicant desires to fill a vacant retail space with a restaurant use. 212 parking spaces is required for the site, 191 exist today and an application approved in 2012 grants 200. The site has been operating for the last ten years in its current condition and after a parking study, it was found the lot does not reach its full capacity and is sufficient as is for the proposed use.

Witness, Jerald Nardone, Garvin Management, was sworn by the Board Attorney and testified he has been the property manager for the site since 2008. In 2012 an application was submitted for 200 parking spaces but where it was not specifically approved by resolution, it was approved as part of the site plan. This application also included an expansion to the building for storage, a trash compactor area and compact parking spaces. The improvements have not been started and the spaces have not been created. The new tenant will use the designated trash area as the past tenant.

The Board Planner noted that an approval in 1996 granted 205 parking spaces.

The Board Engineer asked about potential grease generation and storage and was advised that the Applicant will meet all requirements of the Building Department.

The Board asked about a possible parking expansion from a prior application, why the lot was not expanded and noted traffic concerns in exiting the complex.

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

Witness, Matt Secklar, Professional Engineer and Planner, was sworn by the Board Attorney and testified there will be no changes to the lot. He compared the existing lot to the present and noted there have been no changes. The previous resolution had spaces being added to the south side of the building but the changes were not done. There are currently 191 parking spaces and when calculated to the code, 6.51 spaces per 1000 sq. ft., equaling 212 parking spaces per the existing sq. footage, is required. A parking study was performed at peak periods on different days and it was felt that the number of spaces was sufficient with sufficient excess parking for the proposed tenant. The Witness also noted the congestion in the morning hours would be heavier due to people visiting the convenience store for their morning paper, coffee and items of that nature vs. a restaurant where it's use would take place in the afternoons and evenings.

The Board asked the Witness if he did any calculations comparing sq. ft. with seats; if there was consideration in redirecting striping in the tract three section of the parking lot and if there are adequate ADA spaces. There was also question as to a safe pedestrian pathway and signage.

The Zoning Officer asked about previous approvals that have not been constructed and if they plan follow through.

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

The Witness then testified to the Planning portion of the application noting the positive and negative criteria for the parking variance.

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

Mr. Semeraro summed his case and asked that the 2012 approvals be included in the resolution.

The Board commented that the preexisting site does not meet today's standards and pedestrians do not have a safe way to travel through the lot. It was asked that the applicant work with the Board Professionals to try to come up with a solution as part of the approval.

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

Mr. Dinsmore made a motion to approve the application subject to the BFJ Planning report dated August 31, 2018 and Keller & Kirkpatrick report dated August 30, 2018; further subject to the Applicant meeting with the Board Planner and Engineer to discuss and address the existing pedestrian and traffic circulation concerns; revise the site plan to include striping and signage as necessary; striping will include but not be limited to a walking path/crosswalk from the western parking field to the existing building; no changes to the existing ingress and egress will be proposed; an as-built survey of the property to include the number of existing parking spaces; reinstatement of the 2012 resolution for which this resolution is in supplement to and does not supersede or void the prior approval, second by Ms. McCarthy.

Approved by All.

The Board took a five-minute break then reconvened with roll called.

Master Plan Discussion:

Susan Favate announced the location for the Master Plan Pubic Workshop would be at Parsippany Hills High School, 7 PM. The meeting would not be formal and the general public will be broken down into four groups to talk about issues and concerns. These groups will be Community, Cultural & Historic Resources; Economy and Development; Transportation & Mobility and Parks, Open Space & Sustainability.

A series of meetings will take place toward the end of the year which will include Department Heads to talk about specific issues.

The Environmental Committee will be a focus group most likely to be scheduled in January.

A draft power point presentation of the Master Plan was presented to the Board in preparation of the public workshop.

Other Business:

The Board discussed dates for a closed session meeting regarding pending litigation.

There was a reminder that a Highlands Council presentation is to take place at an upcoming town council meeting and notice of the Planning Board would be required should there be a quorum in attendance.

Motion to Adjourn.