

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, JANUARY 28, 2019**

Chairman Keller called the Planning Board Meeting of Monday, January 28, 2019 to order at 7:32 PM.

Members Present: Mr. Aperawic, Mr. Dinsmore, Ms. Hernandez, Mr. Mandel, Mr. Mele, Chairman Keller

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

Absent: Mr. Ayaz, Chairman de Pierro, Mr. Frigeri, Ms. Vealey, Mr. Von Achen,

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.

Resolution:

Application 18:523

RD Realty, LLC, 30 Waterview Boulevard, Block: 421 Lot: 29:03

Amended Preliminary and Final Major Site Plan/Conditional Use

‘C’ Variance for conversion of an existing retail use to a restaurant use.

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

Approved by Aperawic, Dinsmore, Hernandez, Mandel, Mele, Keller.

Approval of Minutes:

A motion to approve the minutes of November 29, 2019 was made by Mr. Aperawic, second by Mr. Dinsmore.

Approved by: Aperawic, Dinsmore, Hernandez, Keller.

A motion to approved the Minutes of December 17, 2018 was made by Mr. Aperawic, second by Mr. Dinsmore.

Approved by Aperawic, Dinsmore, Hernandez, Mandel, Keller.

Agenda:

Application 18:522

MCC Owner, LLC, 400 Interpace Parkway, Block: 136 Lot: 43.05

Preliminary and Final Major Site Plan.

Joseph O'Neill, Attorney from Garofalo, O'Neill & Ruggerio, was present to represent the Applicant for parking improvements and gave a brief history for prior approval of a parking deck which is now being abandoned.

The Board Planner summarized the request for waivers with Mr. Dinsmore making a motion to grant, second by Mr. Aperawic.

Approved by All.

Witness, Arthur Taggart, Director of Construction Services, was sworn by the Board Attorney and stated the occupancy at the site is at 91% with Teva Pharmaceuticals currently occupying space in building A. They will also occupy space in building B but as a condition, additional parking must be provided in this area. Prior approval from 2017 to construct a parking deck does not meet their needs due to its location at the northwest area of the site. Teva is consolidating their operations and is bringing their administrative personal to Parsippany making it their main headquarters.

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

Witness, Jesse Cokeley, Engineer, was sworn by the Board Attorney.

Exhibit A-1, MCC Blue c/o MCC Owner, LLC, Google Earth Image of Site. Described was the proposed surface parking lot to the west side of the property by building A, additional spaces in the existing lot in front of building B/C and the resurfacing of a basketball court for a parking area at building D. Landscaping improvements approved in 2013 will remain in effect but the parking deck approved in 2017 will not be constructed.

Exhibit A-2, Parking lot superimposed over a Google Earth Image of Site. 154 new spaces will be created for building A, the area in front of building B/C will create 39 new spaces and conversation of the basketball court will result in 33 new parking spaces for a total of 226 new parking spaces with a total of 1,864 for the entire lot. The increase in impervious coverage is approximately 1.25 acres. It rises from 41.3% to

nearly 46%, but is less than the 70% maximum. Additional stormwater facilities are being proposed for runoff. Manufactured treatment devices and a subsurface detention basin are proposed. A meeting with the Township Forester took place. A request was made for the Applicant to coordinate with the Forester after the demolition stake out prior to construction. It is to establish limit of disturbance and evaluate trees with an option for further review of the buffer and landscaping once it is time to be installed. Seven new trees and 26 new shrubs are proposed along the perimeter of the parking lot and a small area of green space will be created in parking lot D. The Applicant also agrees to additional landscaping noted in the Board Planner & Engineer's reviews but will work with the Township Forester.

Parking lot A proposes 20 ft. high light poles that will match fixtures around the campus. Parking lot D proposes a fixture as well as fixtures around the perimeter of new spaces in lots C and D.

There is no impact to wetlands. There are existing steep slopes in lot A that will be disturbed but will be well below the percentage maximums of disturbance.

Traffic impact is not increasing and points of connection are not being changed.

The requirements of the Board Planner and Engineers reports were read to address any testimony that has not already been discussed. Permission to enter the property was granted; no additional directional signs are proposed; construction material and equipment will be located in corner of parking lot D with minor staging to take place in lot A.

The Board asked what number of trees would be removed but that number was not known at the time. It was also asked if the new lighting would disturb any nearby neighbors and what the hours of lighting are. Access to the area was questioned and if the entire project would be done at the same time. Pedestrian access will be painted. Questioned was ADA parking; steep slope requirements; if there will be any increase in employees, entrances, exits or traffic.

The Board Planner asked that the buffer be increased and suggested an area where it could be done. It was noted that if the existing lighting poles are shorter than the 20 ft. proposed, that the proposed poles should be installed to match the height of the existing.

The Board Engineer questioned the scope of the 2013 approvals which the Applicant wishes to proceed with which includes pavers, planter boxes, sidewalks, benches and lighting. Steep slope revisions will be submitted with exact calculations. Soil testing took place and will be submitted with the stormwater report. The Board Engineer also asked about the lighting. Drainage is considered appropriate.

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 December 20, 2018 and Keller & Kirkpatrick report dated December 20, 2018; further subject to consulting and working with the Township Forester, the proposed lighting match the existing lighting, the lighting being pointed downward, proving results of soil testing, infiltrate stormwater providing favorable soil conditions, second by Mr. Mele.

Approved by All.

Testimony continued regarding the major soil moving permit. 4,900 cubic yards is proposed to be moved. Routes taken will be 80 to 287 or Route 46 to Walsh Drive and Interpace Parkway. Soil will be moved weekdays, non-holidays, Monday through Saturdays 7:30 am-3:30 pm. With approximately 280 truckloads.

Mr. Dinsmore made a motion to recommend the soil move permit to Town Council as presented, seconded by Ms. Hernandez.

Approved by All.

A motion to go into closed session to discuss possible litigation was made by Mr. Dinsmore, second by Mr. Mandel.

A motion to come out of closed session was made and approved.

Motion to adjourn.