

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, JUNE 17, 2019**

Chairman Keller called to order the Planning Board Meeting of Monday, June 17, 2019 at 7:30 PM.

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

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

Absent: 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.

Swearing of Board Member:

Jayeshkumar Patel was sworn by the Board Attorney as Alternate No. 2.

Resolutions:

Application 18:525

Vivek Machchhar, 96 Chesapeake Avenue, Block: 593 Lot: 17

Minor Subdivision with ‘C’ Variance

Mr. Dinsmore made a motion to adopt Application 18:525, second by Ms. Hernandez.

Approved by All.

Application 19:505

Petroleum Marketing Group (Exxon), 3019 Route 46, Block: 413 Lots: 1 & 2

Preliminary and Final Major Site Plan with ‘C’ Variance

Mr. Dinsmore made a motion to adopt Application 19:505, second by Mr. Aperawic.

Approved by All.

Agenda:

Application 19:510

Sylvan Campus Realty, Inc.

7 Sylvan Way/8 Campus Drive

Block: 202 Lot: 3.4

Preliminary and Final Site Plan

Steven Tombalakian, Attorney from Weiner Law Group was present to represent the Applicant for the final stages of a previously approved beer garden.

Witness, Thomas Golden, Vice President of Development for Mack Cali was sworn by the Board Attorney and testified as a fact witness.

The Board Planner read through the list of requested waivers.

Mr. Dinsmore made a motion to approve the waivers, second by Mr. Aperawic.

Approved by All.

Mr. Golden testified that this past April Mack Cali had received minor site plan approval for a beer garden in the courtyard of the subject property. In the center of the court yard is a fountain that will have a platform constructed over a portion of it that will hold table and chairs. There will be two trailers which will sale alcohol and food with additional seating and lawn games around the fenced in yard.

Exhibit A-1, Landscape Plan, L-102, dated June 17, 2019, was presented to the Board. The existing fountain will be filled with a lightweight fill with the platform on top. The walkways that lead to the courtyard currently are packed stone dust and will be replaced with pavers. A dog park and a small park for young children is also proposed. The hours of operation during the week will be 5:00-10:00 pm, Saturday and Sunday will be 12-10 pm. They do not want people there before 5:00 pm because the office building is still in use and because of this, there are no parking issues expected. Lighting and landscaping will be added. Four car charging stations that will serve eight vehicles is also proposed but is meant for the tenants of the office building. Anyone without an electric car will not be stopped from parking in the marked car charge spaces, but it will be discouraged.

The Board asked about letting patrons use the charging stations but the Witness was not in the position to allow this. The Witness asked that this not be made a condition of approval and will work with the Board Professionals to make every reasonable effort to resolve the request.

Exhibit A-2, Fence, was presented to illustrate the fence as being located around the courtyard. It will be placed outside the tree line so people can sit under the trees for shading. The Applicant will work with the Township Forester to avoid damage to tree roots. If it becomes an issue, the fence will be placed inside the tree line.

Signs are not proposed at this time but it is possible in the future should the beer garden be popular.

It was noted that the playground and dog park will operate during the same hours as the beer garden.

The Board asked if alcohol be allowed in the playground or dog park area or if dogs can be left in the park while patrons purchased a beer. Also asked was how close the nearest resident was; if there is a waste plan and what would be used to hold food and drink.

Comments from the reports of the Board Professionals were addressed and will be complied with.

The Board thought it best not to place limits on the food stand should the Applicant want to open on warmer days in November or December or for a Christmas party.

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

Casey Parikh, 45 DeCroce Court, asked about the smoking, hours of operation and if the hours will be included in the resolution.

The Board and Applicant discussed how smoking would be handled since children may be present.

Chairman Keller opened the floor to the public for anyone wishing to speak in support or opposition of the application.

Mr. Dinsmore made a motion to approve the application subject to the BFJ Planning report dated June 4, 2019; Keller & Kirkpatrick report dated June 13, 2019; memo of the Township Forester dated May 23, 2019 and memo of Fire District 6 dated June 2, 2019; further subject to the applicant working with the Township Forester for fence placement; efforts to make the car charging stations available to beer garden patrons during hours of operation; signage added to plans specifying the rules that dog owners must stay inside the dog park with their dogs at all times and that parents must stay with their children at all times in the play area; trash receptacles will be provided in the dog park area; the applicant will install stormwater reduction features; a solid waste plan will be provided for review; best efforts will be made to

use single use recycling and biodegradable materials such as plates and cups; the beer garden will close no later than 10:00 pm unless the Applicant goes back to the Board to amend their approval and smoking shall be prohibited in the children and dog areas with signs added to the plans to state such, with smoking limited to a designated smoking area. All conditions will be subject to the satisfaction and approval of the Board Professions. Second by Mr. Mele.

Approved by all.

Other Business:

Non-Condemnation Area in Need of Redevelopment Study
1515 Route 10

The Board Attorney recapitulated that property known as 1515 Route 10 had a portion of Block: 303 Lot 14 in Hanover Township annexed by the Township of Parsippany and made part of Block: 200 Lot: 1.2. This allowed the property in each township to square off their lots. With Parsippany acquiring the additional land, it must be designated as a non-condemnation area in need of redevelopment.

Witness, David Novak, Professional Planner from Burgis Associates, was sworn by the Board Attorney and explained for the Board the procedure to designate property an area in need of redevelopment and the history of this designation of the subject lot. Hanover will receive one acre of property from Parsippany and Parsippany will receive two acres from Hanover making Parsippany one acre larger. The one acre now must go through the process of the redevelopment study to make sure it meets the criteria for the designation and to make sure the inclusion of the one acre does not change the criteria of larger piece of property. Through a study dated May 31, 2019, it was found that the annexed portion does meet the requirements to be designated.

The Board confirmed that the annexation was approved by ordinance 2019:27.

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

Mr. Dinsmore made a motion to recommend the designation of the site as an area in need of redevelopment, second by Mr. Frigeri.

Approved by all.

Mr. Dinsmore made a motion to approve the Resolution recommending that the portion of the property of the township of Hanover Block: 303 Lot: 12, recently annexed and made part of Block: 200 Lot 1.2 of the tax map of the Township of

Parsippany-Troy Hills, be Designated as a Non-Condemnation Area In Need of Redevelopment, second by Mr. Mandel.

Approved by All.

Motion to adjourn.