

**MINUTES OF THE PARSIPPANY – TROY HILLS
PLANNING BOARD MEETING
MONDAY, FEBRUARY 10, 2020**

Chairman Von Achen called to order the Planning Board Meeting of Monday, February 10, 2020 at 7:30 PM.

Members Present: Mr. Aperawic, Councilman de Pierro, Mr. Frigeri, Ms. Hernandez, Mr. Mandel, Mr. Mele, Mr. Patel, Chairman Von Achen

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

Absent: Mr. Dinsmore, Ms. Vealey

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 Von Achen opened the floor to the public for anyone wishing to speak.

Resolutions:

Housing element and Fair Share Plan
Master Plan

Agenda:

Application No. 20:507
Smith Field Park Phase 2 Improvements Courtesy Review

James Walsh, Superintendent of Parks and Forestry, was present to discuss renovations to Smith Field Park which will include a parking lot consisting of 195 spaces, a volleyball court, a restroom structure, storage building and gazebo. In order to make the improvements, the tennis ball court will be reduced from four to two and be relocated along with the basketball court and play structures to another area of the park. A walking trail around the complex is also proposed.

Discussed were stormwater management; a recharge basin; landscape plan; commuter parking and open space goals of the master plan.

Application No. 19:515
Waterview Investors, LLC
10 Waterview Boulevard, Block: 421 Lot: 29.2
Preliminary and Final Major Site Plan w/‘C’ Variance

Tom Malman, Attorney from Day Pitney was present on behalf of Waterview Investors and testified that an existing office building that is not fully rented is located on the subject lot and it is felt that the proposed daycare will attract new tenants.

Mr. Dinsmore recused himself due to a family member who works for Day Pitney.

The Board Planner read through the list of requested waivers with Mr. Mandel making a motion to approve the recommendations of the Board Planner. Second by Mr. Aperawic.

Approved by all.

Witness, Jeff Heller, Property Manager and fact witness, was sworn by the Board Attorney and recited the vacancy rates of the office market in the state, county, municipality and that of the subject building. Also given were the parking rates.

The proposed day care center will be an accessory use to the existing building but is not considered to be exclusive to the property. There are hopes that the center will attract new tenants to the building whose employees can benefit from the center however, anyone can make use of it. 35 new parking spaces are also proposed.

The Board asked about original parking ratios when the building was constructed; the effect on the subject lot today and charging stations

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

Witness, James Giurintano, Licensed Civil Engineer, was sworn by the Board Attorney and presented Exhibits:

- A-1, Aerial of Existing Conditions on the subject lot;
- A-2, Slope Analysis, Sheet 16 from the submitted plan set in color;
- A-3, Site Plan Rendering
- A-4, Primrose School of Parsippany Site Section

Exhibit A-1 was described as being 18.57 acres with 731 parking spaces including 15 handicapped spaces. The surrounding area and their uses were described as office, single family, township offices and a skate park. Two full access driveways are located on Waterview Boulevard are approximately 450 ft. apart. Wetlands do not exist nor do flood hazard areas though there is a 200 ft. buffer easement that runs along the northern part of the property and a sanitary sewer and drainage easement that runs in a south-southwest direction.

Exhibit A-2 illustrates the steep slopes on the property and was described as mostly being man made.

Exhibit A-3 is an aerial with the daycare center and other improvements superimposed. The center will be 11,560 sq. ft. with 55 parking spaces, including three handicapped. Site access will be located at Parsippany Boulevard with a secondary driveway which connects to the eastern parking field.

Playgrounds and a flag pole are also proposed. The flag pole will be lowered from 25 ft. in height to 20 ft. as suggested by the Board Professionals and will be lit, as it will contain the American flag. Also proposed is a trash enclosure with a walkway from the daycare center as well as a connecting side walk from the center to the office building. A retaining wall will be required between the office building and center and will be no taller than 6 ft. high. These walls will be tiered with landscaping.

Exhibit A-4, describes a 3ft. wall on the northern side of the property that will face the fenced in playground. Per the code, walls greater than a certain height require fall protection. Due to this, 4ft. vinyl fencing will sit on top of these walls. A 10ft. berm will be between the daycare center and access driveway.

Proposed are 35 parking stalls along the northern portion of the site for a total of 755 spaces for the office building. This including 16 handicapped spaces. The bioretention basin will be relocated. 258 trees will be removed, 44 of which are dead, diseased or infested with 164 under distress due to vine growth. The proposed landscape plan includes 147 new trees, 228 various shrubs, ground plantings and pockets of buffer planting along the residential lots. A sparse area along Parsippany Boulevard will be filled in with 15 trees.

15 ft. LED downward facing lights are proposed.

Exhibit A-5, Sign, Sheet 14 of the plan set, Colorized, was presented to the Board to illustrate 12.5 ft. wayfinding signs around the site.

In regard to stormwater, three bioretention basins are proposed. One at the north with another at the south of the driveway connecting to Parsippany Boulevard and one on the eastern side of the 35-stall parking lot. Utilities will come in from Parsippany Boulevard.

Necessary variances will be for lot coverage; building elevations; buffer; steep slopes and signs.

The Board Engineer asked about parking; the playground surface; circulation and deliveries.

Board Members asked about parking; turf; the bioretention; signs; traffic and building lighting.

Chairman Von Achen opened the floor for anyone wishing to ask questions of the witness.

Witness, Mark Pavey, Licensed Professional Architect, was sworn by the Board Attorney and presented Exhibit A-6, Floor Plan; Exhibit A-7, Exterior Elevations and Exhibit A-8, Colored Rendering.

The building was designed to match the area architecture and considered to be a four-sided building with no rear side.

The proposed tenant, Primrose, is an early childhood learning program for 194 students ranging from 6 weeks to 12 years of age. The center will employ 40 plus teachers and staff with a maximum of 22 teachers on site at any one time.

The building will be 11,560 sq. ft. with a fenced in playground that is approximately 15,000 sq. ft. Hours of operation will be from 6:00 am-6:30 pm, Monday through Friday. There are 11 enclosed

classrooms. There are two rooms for each age group from infants up to four years of age, and one after school room.

The Board asked if there would be indoor recreation.

Chairman Von Achen opened the floor for anyone wishing to ask questions of the witness.

Witness, Matthew Taylor, Primrose School Employee, was sworn by the Board Attorney and testified to the history of Primrose; the type of market they look for; the number of children and staff. Besides an afterschool program, there is a summer program. Outdoor play areas are located outside each classroom with age appropriate play equipment. The children must physically be dropped off and picked up by their parents who are required to sign them in and out.

The Board asked about back up care; if there would be a kitchen; if food would be prepared; if the teachers are fulltime; what would happen if the child was picked up late; if there would be student testing; if a nurse will be on staff fulltime; time and number of deliveries.

Chairman Von Achen opened the floor for anyone wishing to ask questions of the witness.

The Board took a five-minute break than reconvened.

Witness, Ashely Grey, Operator of the Parsippany Location, was sworn by the Board Attorney and testified that deliveries will take place once a week, usually on a Monday morning. Additionally, milk and other small deliveries are made.

Chairman Von Achen opened the floor for anyone wishing to ask questions of the witness.

Witness, John McDonough, Licensed Professional Planner, was sworn by the Board Attorney.

Exhibit A-9, 6-sheets Packet of Maps and Pictures, was presented and used to justify the variances being requested.

Sheet 1, Tax Map with subject lot outlined in yellow.

Sheet 2, Aerial Map of subject lot and surrounding area.

Sheet 3, Colorized Land Use Map to demonstrate surrounding uses.

Sheet 4, Colorized Zoning Map of the subject lot and surrounding area.

Sheet 5, View of the subject site looking south from the adjacent skate park.

Sheet 6, View of subject site looking north from the office parking lot.

The Witness reviewed the requested variances as being for height, buffer, slope, lot coverage and signs. The positive and negative criteria were stated and with no public present, the applicant's attorney summed his case.

Mr. Mandel made a motion to approve the application subject to the Board Planners reviews dated November 4, 2019 and December 23, 2019; The Board Engineers review dated January 28, 2020; the review of the Township Water Departments reviews dated December 3, 2019 and January 9, 2020; the Township Sewer Departments review dated November 14, 2019 and the Township Foresters reviews dated October 22, 2019 and January 7, 2020; further subject to the conditions of the flag pole height will be lowered to 20 ft.; the sidewalk will be added as described during testimony; the plans will be revised to reflect the size and number of signs; a landscape maintenance plan will be created; 15 additional trees will be planted along Parsippany Boulevard and two electric charging stations by the office building. Second by Ms. Hernandez.

Approved by All.

Discussion:

Master Plan Amendment

Susan Favate of BFJ Planning discussed concerns by the Board regarding tattoo parlors, body piercing & adult entertainment uses as well as amusement parlors. Specific identification of tattooing, piercing and entertainment will be removed though not in an effort to ban them, but more to discourage them. Amusement parlors were also discussed however the recording was inaudible. A resolution will be created amending the Master Plan which will be adopted at a future date.

Motion to adjourn.