

**MEETING OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT
WEDNESDAY, SEPTEMBER 16, 2020 @ 7:30 P.M.**

Members Present: Mr. Joskowitz, Mr. Kaplan, Mr. Parikh, Mr. Persaud,
Mr. Reddy, Ms. Snyder, Mr. Willans, Mr. Iracane

Also Present: Peter J. King, Esq. Board Attorney
John T. Chadwick, IV Board Planner
Chas Holloway, P.E., Board Engineer

Absent: Mr. Berkowitz

Announcement is made that adequate notice of this meeting has been given and 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

The meeting is opened to the General Public.

ROLL CALL

RESOLUTIONS

Application 20:10 Keven Wentworth, 29 St. Peters Road, Block: 66 Lot: 11 Zone: R-3
'C' Variance to construct an entranceway, stairs, retaining walls, patio, deck with stairs walk, driveway and A/C contrary to Sec. 430-35 Cols. 4, 9, 10 & 13; 430-275.X.; 430.10.I.

Mr. Parikh made a motion to approve the Resolution; second by Mr. Reddy.

Approved by: Parikh, Persaud, Reddy, Willans, Iracane.

Application 20:19, Diana & Kevin Hayes, 11 Woodland Road, Block: 93 Lot: 16 Zone: R-3
'C' Variance for a deck with stairs and shed contrary to Sec. 430-10.C. Side, Sec. 430-10.C. Rear, Sec. 430-10.I., Sec. 430-35 Col. 10 & Sec. 430-35 Col. 13.

Mr. Willans made a motion to approve the Resolution; second by Mr. Reddy.

Approved by: Parikh, Persaud, Reddy, Willans, Iracane.

AGENDA

Agenda 20.04, Jean & Colette Simon, 11 Leah Way, Block: 734 Lot: 74 Zone APRD-2
'C' Variance to construct a 6 ft. high solid fence contrary to Sec. 430-11.A. & B.

Attorney, James Prior, was present on behalf of the applicant for installation of a fence on a through lot, which creates two front yards.

Jean Simon, Property Owner, was sworn by the board attorney and testified that They originally receive a zoning permit for a fence but it was then realized that the property was a through lot and the permit was revised. The reason for a 6 ft. fence is that the lot is not level, they are looking for privacy along Smith Road and a driveway will not be installed for access from Smith Road. The fence would be placed one foot from the property line and not intended for the purpose of hiding anything.

The board asked about the location of the fence; if the other neighbors have 6 ft. fences along Smith Road; why the fence must be solid; if landscaping would be considered in lieu of the fence; what happened when they first applied for a fence permit.

Colette Simon, Property Owner, was sworn by the board attorney and testified that originally, they received a permit and purchased the fence. Thereafter, the permit was rescinded.

The Board requested the fence to be placed 10 ft. from the property line with plantings outside the fence for which the applicant agreed. He also must contact the Township Forester for planting advice.

It was noted that members of the public were not present.

A recommendation for approval was made Mr. Joskowitz.

Mr. Kaplan made a motion to approve the application subject to the fence is 10 ft. inside the property line and vegetation is planted to obstruct the view of the fence based on the Township Foresters suggestion.

Approved by all.

Application 20.08, Zafar Toor, 17 Longview Avenue, Block: 589 Lot: 15 Zone: R-4 'C' Variance to construct a new two-story, single-family dwelling with attached one-story carport, patio and sheds contrary to Sec. 430-35 Cols. 3, 8, & 10; 430-275.X.

Attorney, Paul Sant'Anbrogio, was present on behalf of the home owner for a new single-family dwelling on an undersized lot.

Property owner, Zafor Toor, was sworn by the Board Attorney and testified he has lived on the subject lot for 42 years and the lot is 50 ft. wide like many others on the street. He would like to construct a new home and have his daughter move in to help take of him and his wife as they age.

The board asked if there would be a second kitchen; if the carport would remain the same size and about the concrete pad and sheds.

It was noted that members of the public were not present.

Ali Qureshi, Licensed Architect, was sworn and qualified by the Board Attorney and testified that the proposed home will meet all setbacks, though the shed and existing driveway will need variances due to being too close to the property lines. Additionally, a variance for building coverage will be necessary. The home will have a basement and be two stories in height.

Chairman Iracane opened the floor to the public for anyone wishing to ask question of the witness.

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

Neighbor, Scott Lefebere, 19 Longview Avenue, was sworn by the Board Attorney and spoke in support of the application.

The board asked about the concrete pad.

A recommendation for approval was made by Mr. Reddy.

Mr. Joskowitz made a motion to approve the application; second by Ms. Snyder.

Approved by all.

Application 20:20, Jehad Zeidan has applied to the Board of Adjustment to legalize and relocate a gravel driveway and park a trailer on the proposed gravel driveway contrary to Sec. 430-25.C.

Simone Calli, Attorney from Calli Law, was present on behalf of the applicants to legalize a driveway and parking of a storage trailer in the front yard setback.

John Ferrante, Licensed Engineer, was sworn and qualified by the board attorney but did not testify.

A brief discussion took place regarding the storage trailer and if a Use Variance would be necessary.

The Board requested any picture of the proposed which were submitted as Exhibit A-1.

Mr. Joskowitz made a motion to carry the application without further notice and all necessary extension to December 2, 2020; second by Ms. Snyder.

Approved by all.

Application 20:21, Stephen Brunskill has applied to the Board of Adjustment to install an air conditioning unit contrary to Sec. 430-35 Col. 4.

Property owner, Steven Brunskill, was sworn by the Board Attorney and testified that when the air conditioning unit was installed, permits were not taken out. The new unit replaces an older unit which existed when he purchased the home.

It was noted that members of the public were not present.

Ms. Snyder made a motion to approve the application; second by Mr. Kaplan.

Approved by all.

Application 20:22, Aansa Nazir has applied to the Board of Adjustment to legalize a 6 ft. high solid fence contrary to Sec. 430-11.A., Sec. 430-11.B.

Aansa Nazir, PO, was sworn by the board attorney and testified that she had a contractor put the fence up in early May. The fence was needed for her son with who has some issues. They discussed a permit but was told that it was not needed. The fence is not around the entire property and is located 8-10 ft. from the curb. The property owner has not been able to reach the contractor regarding the absence of a permit.

The board discussed safety factors regarding the fence and her recourse with the contractor.

Resident, Robert Treebie, asked if most residents install a fence then apply for a permit.

The property owner was asked to find the address of her contractor and submit it to the Board.

Mr. Willans made a motion to carry the case to November 4, 2020 without notice and with extensions; second by Mr. Reddy.

Approved by all.

Application 20:12, Susan Petrovic, 176 Kingston Road, Block: 244 Lot: 18 Zone: B-4 'D' Variance to construct an addition.

Attorney, Joe O'Neill, was present on behalf of the applicant for an expansion of a preexisting, non-conforming use.

Witness, Susan Petrovic, was sworn by the Board Attorney and testified that she has owned the 4,000 sq. ft. property since 1998. The existing structure is part commercial use and the other is residential use. The residential portion is approximately 550 sq. ft. and the proposed sunroom will be 11 ft. x 14 ft. The property owner would like to construct the addition because she cannot use her yard for health reasons and it would give her a chance to enjoy her outdoor garden from within.

It was noted that members of the public were not present.

Mr. Joskowitz made a recommendation to approve the application.

Mr. Kaplan made a motion to approve the application; second by Mr. Reddy.

Approved by all.

Motion to adjourn.