

**SPECIAL MEETING OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT
WEDNESDAY, JUNE 23, 2021 @ 7:00 P.M.
VIRTUAL MEETING**

Members Present: Mr. Berkowitz, 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, Mr. Kaplan, Mr. Persaud

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"

This meeting can be accessed by using the following WebEx link:

<https://pth.webex.com/pth/onstage/g.php?MTID=e944875e2dc78387ab50ec88bc865f159>

ROLL CALL

Pledge of Allegiance

The meeting was opened to the General Public.

AGENDA

Application 21:20, Cheryl and Robert Mitchell, 2 Ashlyn Road, Block: 421.2 Lot 1 Zone R-3
'C' Variance to install (replace) a 6 ft. solid vinyl fence contrary to Sec. 430-11. A., B., & D.

PO's Cheryl and Robert Mitchell were sworn by the Board Attorney and testified that when they purchased the home in 2005, there was an existing fence. A few years ago a pool was installed along with pavers, walks and a patio. The fence is now very old and when they went for the permit, they found that part of the fence which is 6 ft. and solid, was in the front yard of their corner lot. The patio and walk were installed up against the fence which is the reason for the request to have the fence sit on the property line.

Exhibit A-1, Picture of fence from Ashlyn Road. The fence is 1 ft. into the front yard with pine trees that block the view from Winding Way.

Exhibit A-2, View of fence from neighbor's yard.

Exhibit A-3, Picture of 6 ft. fence from Winding Way which is blocked by pine trees.

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

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

Mr. Joskowitz made a recommendation to approve the application.

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

Approved by all.

Application 21:24, Stephen Gilson, 587 Littleton Road, Block: 213 Lot: 2 Zone R-4
'C' Variance to construct an above ground pool contrary to Sec. 430-35 Col. 13.

PO Stephen Gilson was sworn by the Board Attorney and testified that the pool is for the enjoyment of the family and will property drain the pool with no runoff toward the neighbors.

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

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

Mr. Willans made a recommendation to approve the application.

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

Approved by all.

Application 21:21, Pratibha Patel, 27 Adelpia Road, Block: 377 Lot: 17 Zone: R-4
'C' Variance to legalize a new single-family dwelling with front porch and open deck contrary to Sec. 430-10 I, Sec. 430-35 Cols. 10 & 11.

PO's Daughter, Sonali Patel; Architect, Geoffrey Googan; Surveyor, Anthony Divizio, were sworn by Board Attorney.

Mr. Divizio testified to the prior approval and explained that the rear stairs to the basement did not originally have approval to be covered. The deck originally was approved but was not counted in the coverage.

It was recommended by the Board Engineer that all runoff from the roof drain and sump pump go through the storm drain and a drywell which will eliminate the road from becoming icy. The plans will be revised to illustrate the drainage.

Mr. Googan testified to his reasoning of the 3rd story habitable space as it meets the UCC code and that the closet and bathroom were an afterthought after the 2014 Board approval.

He further testified that the Zoning Department approved the revised plans that were submitted to the Construction Department in 2019 for the 3rd floor habitable space, which is not a permitted use, but did not provide proof that Zoning approved any changes. Due to the plans being revised for the covered porch and 3rd floor, the applicant was directed back to the Zoning Department by the Construction Department.

The Board questioned the full bathroom in the basement which was not part of the 2014 application.

Mr. Googan stated the basement is for recreation and the bathroom was to keep the occupants from having to walk upstairs to use the bathroom.

The Board questioned the possible construction of bedrooms in the basement. The witness stated there is a provision for future sleeping in the basement should kids sleep over or if there were a gathering.

With the basement having ingress/egress, the Board questioned a two-family home with four bedrooms on the second level, one on the third and one in the basement.

The Board asked for formal written approval from the fire department regarding the safety concerns of the Board regarding the 3rd story habitable space.

The Board was polled on their thoughts of the application.

The application was carried to July 28, 2021 without further notice and with all required extension.

Motion to adjourn.