

**MEETING OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT
WEDNESDAY, SEPTEMBER 29, 2021 at 7:30 P.M.**

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Parikh, 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. 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"

ROLL CALL

Pledge of Allegiance

The meeting is open to the General Public.

CORRESPONDENCE

Correspondence from Chris Murphy of Murphy Schiller & Wilkes LLP requesting an adjournment of Application 21:15, Blue Foundry Bank, from September 29, 2021 to December 15, 2021 without further notice and with all required extensions.

Mr. Willans make a motion to carry the application without further notice; Second by Mr. Berkowitz.

Approved by all.

MINUTES FOR APPROVAL

June 16, 2021 Special Meeting. June 23, 2021 Special Meeting. July 14, 2021 Special and Regular Meetings.

Ms. Snyder made a motion to approve the minutes; second by Mr. Reddy.

Approved by all.

AGENDA

Application 21:15, Blue Foundry Bank, 7 Sylvan Way, Block: 202 Lot: 3.4 Zone: SED-10 'C' Variance to install signage. Carried from July 14, 2021.

Application 20:44, Akshaya Patel, 47 Rockaway Boulevard, Block: 552 Lot: 8 Zone: R-4
'C' Variance to construct walks, legalize a concrete patio and legalize walks contrary to
Sec. 430-35 Col. 13.

Carried from June 9, 2021

Property Owner, Akshaya Patel; Translator, name inaudible; Engineer, Shyue Cheng
Wong, Engineer, were sworn by the Board Attorney.

The property owner has an existing condition where water was seeping into his home
and to remedy it, he proposed walks around areas of his home in effort to keep water
from getting into his basement.

Mr. Wong presented Exhibit A-1, Drywell. The drywell is proposed at 8 ft x 8ft drywell, by
4 ft deep which he feel will elevate the water issue. Additionally, the drywell will not
allow runoff onto neighboring properties.

The Board confirmed that the patio was existing at the time the property owner
purchased the home. Additionally, the neighbor's runoff floods the applicant's property
and seeps into his basement causing rodents and snakes to get in. A sump pump had
been installed but the water pumped out would flow back into the basement.

The application will be subject to DEP due to being in a floodplain.

In effort to give the Board Professionals and the Township Engineer time to review the
proposed drywell, the application was carried to December 15, 2021, 7:00 pm without
further notice and with all required extensions.

Application 20:54, Danny Realty, 25 Route 46, Block: 770 Lot: 1 Zone: B-2
Preliminary and Final Major Site Plan w/'C'/'D' Variance for a gas station and drive through
restaurant.

Carried from July 28, 2021

James Turtletab, Attorney, was present on behalf of the applicant for the continuation of
the application for a gas station and Dunkin Donuts.

Witness, Nick Verderese, Traffic Engineer, previously sworn, testified to the traffic
between the existing convenience store and the proposed Dunkin Donuts. The existing
convenience store is 2,000 sq. ft. vs. the proposed Dunkin Donuts being 1,500 sq. ft. The
convenience store peaks in the morning and evening whereas the Dunkin Donuts peaks in
the morning. A comparison of peak hours at the Route 10, Hanover Dunkin Donuts was
performed at the request of the Board. The Hanover location has a 12 vehicle drive
through stack whereas the proposed at a double drive through, 14 vehicle stack. The
applicant felt that the traffic will be very similar to what is there today except for the
evening where a Dunkin Donuts has lower volume.

The board questioned the traffic, entrance/exits and peak hour traffic for the proposed use.

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

Witness, John McDonough, previously sworn, testified to the positive and negative criteria.

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

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

Mr. Turtletub summed.

The Board went into conference to speak of their reasons to approve or deny the application.

Mr. Berkowitz made a motion to deny the application; second by Ms. Snyder.

Approved by Berkowitz, Parikh, Snyder, Iracane.

Denied by Joskowitz, Reddy, Willans

Application 20:45, Nakul Kasadwala, 130 Troy Road, Block: 726 Lot: 15 Zone: R-3
C/D Variance/ Bifurcated application to construct townhomes.

Carried from May 5, 2021

Attorney, Joseph O'Neill, from Garofalo, O'Neill Ruggiero was present on behalf of the applicant for the continuation of the application to construct townhomes.

Exhibit A-10, Submitted Plans, Colorized.

Witness, Fred Meola, previously sworn, testified that the application has been revised from five townhome units to three units with three parking spaces per unit. The new parking allows for more landscaping in the front. An entrance will be to the east side with an exit on the west side. Due to the building being moved forward, concrete patios are also proposed at the rear. Roof leader will go into the detention system with an overflow into the wetlands area. Little water will flow onto Troy Road due to a high point on the front of the building.

The Board asked about parking and driveways.

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

Witness, Mr. Mistery, previously sworn, testified that the number of units have been reduced from five to three.

Exhibit A-11, Rendering of the Proposed Building, Front; Exhibit A-12, Rendering of Proposed Building, Rear.

Exhibit A-11 illustrates that the left and right sides of the structure were eliminated though nothing as far as the remaining units has changed. The sizes and dimensions have remained the same.

Exhibit A-12, rendering of the rear view of the building illustrates a 6 ft. high, solid fence that will separate each unit for privacy, patios and green space.

Witness, John McDonough, licensed professional architect, testified to the positive and negative criteria.

The Board asked if the units would be owned or rented, about the living space, if there will be basements, number of bedrooms, if there will be a HOA.

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

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

Vibul Gandhi, Forge Pond community, spoke in support of the application.

Mehul Barot 66 Lawrence Road, spoke in support of the application.

Victor Laracca, Whippany, spoke in support of the application.

Mr. O'Neill summed.

Mr. Joskowitz made a recommendation to approve the application.

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

Approved by all.

Motion to adjourn.