

**MEETING OF THE TOWNSHIP OF  
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT  
WEDNESDAY, OCTOBER 6, 2021 at 7:30 P.M.**

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Kaplan, Mr. Parikh  
Reddy, Mr. Iracane

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

Absent: Persaud, Snyder, Willans

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 received from Joseph O'Neill of Garofalo O'Neill Ruggiero requesting an adjournment of Application 19:03, Zoom Auto Group, from October 6, 2021 to January 26, 2022 without further notice and with all required extensions.

Motion to carry the application.

**RESOLUTIONS**

Application 21:38, Jason Kurnath, 810 Park Avenue, Block: 140 Lot: 14 Zone R-3  
'C' Variance to construct a patio and walks around an existing pool; retaining wall and fence contrary to Sec. 430-35 Col. 13.

Application 21:57, Robert Brennan, 35 Asbury Place, Block: 61 Lot: 8 Zone: R-3  
'C' Variance to install an air conditioning unit contrary to Sec. 430-35 Cols. 4 & 9.

Application 21:58, Paul & Heidi Munn, 15 Clark Place, Block: 48 Lot:3 Zone: R-3  
'C' Variance to install an air conditioning unit contrary to Sec. 430-35 Cols. 4,8 & 9.

Application 21:52, Mabelle Morey, 12 Sunrise Drive, Block: 727 Lot: 55.06 Zone: R-2  
'C' Variance to replace an existing 6 ft. high solid fence contrary to Sec. 430-11. A & B.

Application 21:40, Turk Akcay, 58 Pawnee Avenue, Block: 561 Lot: 29 Zone: R-4  
'C' Variance to construct a two-story addition; second story addition; open deck with stairs; front landing and stairs and air conditioning units contrary to Sec. 430-35 Cols. 10 & 13.

Application 21:40, Turk Akcay, 58 Pawnee Avenue, Block: 561 Lot: 29 Zone: R-4  
'C' Variance to construct a two-story addition; second story addition; open deck with stairs; front landing and stairs and air conditioning units contrary to Sec. 430-35 Cols. 10 & 13.

Application 21:44, Liliam and Gustavo Moreira, 10 Nokomis Avenue, Block: 543 Lot: 15  
Zone: R-4. 'C' Variance Adjustment to construct a patio; replace an existing front landing & stairs; replace existing side stairs contrary to Sec. 430-35 Col.13.

Application 21:46, Michael and Carolyn Krug, 399 Allentown Road, Block: 266 Lot: 11  
Zone: R-4. 'C' Variance to construct a patio contrary to Sec. 430-35 Col. 13.

Application 21:48, Ali Sharif, 582 Lake Shore Drive, Block: 360 Lot: 20 Zone: R-4  
'C' Variance to construct a detached garage (rebuild); open deck with two sets of stairs; driveway expansion and front walk contrary to Sec. 430-10 I. and Sec. 430-35 Cols. 8, 9, 10 & 13.

Application 21:56, Kevin Long, 5 McClintock Place, Block: 76 Lot: 1 Zone: R-3  
'C' Variance to construct/convert an existing open entranceway/porch to an addition contrary to Sec. 430-35 Col. 4.

Motion to approve all resolutions by Mr. Berkowitz; second by Mr. Joskowitz.

Approved by all.

### **AGENDA**

Application 21:50, Adam Olshalsky, 959 Vail Road, Block: 703 Lot: 7 Zone: R-3  
'C' Variance to the Board of Adjustment to construct/install a pool patio expansion; shed on a slab/pad; pool filter & driveway expansion contrary to Sec. 430-275.H.; Sec. 430-10 I; Sec. 430-35 Cols. 10 & 13.

PO, Adam Olshalsky, was sworn by the board attorney and testified that he has an existing pool with concrete around that will be replaced due to the condition it is in and will expand the patio to allow for the installation of a fence on top. Currently the driveway is brick but the property owner would like to expand it due to his parents living with him. Because his father is wheelchair bound, he would like to blacktop the driveway. Eventually the front door will be moved and a ramp will be installed.

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.

Mr. Kaplan made a recommendation to approve the application.

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

Approved by all.

Application 21:55, Richard Kennedy, 119 Rainbow Trail, Block: 115 Lot: 8 Zone: R-3  
'C' Variance to construct a driveway expansion and replace existing driveway area contrary to Sec. 430-275. X. and Sec. 430-35 Col. 13.

PO's Richard Kennedy and Jennifer Pollick Kennedy were sworn by the Board Attorney and testified that they live on an undersized lot. They had to remove two trees because they were destroying the driveway which is why they have a need to remove and replace it.

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.

Mr. Joskowitz made a recommendation to approve the application.

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

Approved by all.

Application 19.03, Zoom Auto Group, 3525 Route 46, Block: 138.1 Lot: 1 Zone: B-2  
'D' Variance for an expansion of use for used car sales and storage from 25 to 91 cars.  
Carried from June 23, 2021.  
Carried to January 26, 2022.

Application 21:23, 135 NBR, LLC, 135 North Beverwyck Road, Block: 574 Lot: 61 Zone: B-5  
C/D Variance for a tutoring center and laundromat/two principal uses on one lot.

Joseph O'Neill, Attorney from Garofalo O'Neill Ruggiero was present on behalf of the applicant to relocate the Mathnasium from down the street.

Mohamed Seyam, Fact Witness, was sworn by attorney and testified that he and his wife operate the Mathnasium which is currently at another location along North Beverwyck Road. The current location can hold 60 students which will not change at the new location. The school operates from 3 pm to 7 or 8pm Monday through Thursday with hours 10 am to 2 pm Saturdays. They do not operate Fridays or Sundays. Most student are dropped off and picked up an hour later. The student teacher ratio can range from 3

to 5 students to one teacher. Another reason the applicant would like to stay in the area is that many students walk to the center. Students will range from 5 years old to high school students.

The laundromat will have 12 washers and dryers and the need for employees is low. It is anticipated that water usage will be below the limit allowed. Hours of operations have not been established yet.

There will be some alterations to the façade with an entrance proposed on Longview Avenue for the laundromat. A glass store front will be installed to break up the solid wall.

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

Witness, Danna Seyam, was sworn by the Board Attorney and testified that she operates the Mathnasium at the current location. The hours of operations during the school year is between 3 pm and 8 pm Monday through Thursday and 10 am to 2 pm Saturdays. The peak hours are between 3-7 pm and is when largest number of employees will be on site. This number is 11. The Witness stated that traffic will not be a problem as many parents carpool dropping off and picking up six students at one time.

The laundromat will operate from 9 am to 9 pm, Monday through Saturday with one employee.

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

Witness, Ashram Ragab, Licensed Professional Architect, was sworn by the Board Attorney and testified that the building was previously used as a dance studio and described the interior as three compartments with utilities in the rear. The current application is an open floor plan for the Mathnasium with offices and utilities in the rear of the space. A wall will separate the laundromat from the school. The laundromat will be to the rear of the building, and can hold 14 customers and two employees. An existing side exit door will remain; a side door for the school is proposed as well as an entry/exit door for the laundromat. A rear door will remain.

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

Witness, David Karlebach, Licensed Professional Planner was sworn by the Board Attorney.

Exhibit A-1, Three sheets of pictures, Sheet 1 aerial of the subject lot and surrounding area; Sheets 2 and 3 ground photos of other businesses in the area. The subject lot, surround area and uses were described. Positive and negative criteria were offered.

Discussion took place regarding parking and the lack of a parking lot.

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.

Joseph Bronner, Edison NJ, owner of 137 North Beverwyck Road spoke in opposition of the application.

Debra Bronner, Edison NJ, owner of 137 North Beverwyck Road, spoke of her concern over parking on North Beverwyck Road.

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

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

Approved by all.

Motion to Adjourn.