

**MEETING OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT
WEDNESDAY, JULY 20, 2022 at 7:30 P.M.**

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Mazzarella,
Mr. Reddy, Mr. Willans, Mr. Iracane

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

Absent: Mr. Kaplan, Mr. Parikh, Ms. Snyder

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.

RESOLUTIONS

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 53 cars and two handicapped spaces.

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

Approved by all.

Application 22:25, Parth Kansagra, 372 Halsey Road, Block: 311 Lot: 1 Zone: R-4
'C' Variance to legalize an existing driveway contrary to Sec. 430-284. X.

Mr. Joskowitz mad a motion to approve the resolution; second by Mr. Reddy.

Approved by all.

Application 21:74, 273 New Road, LLC, 273 New Road, Block: 770 Lot: 9 Zone: LIW-2
'D' Variance three principal uses in one tenant space and outdoor storage.

Mr. Willans made a motion to approve the resolution; second by Mr. Joskowitz.

Approved by all.

Application 21:100, Happy Paws, 99 Lake Shore Drive, Block: 371 Lot: 4 Zone: R-4
'D' Variance for a business use in a residential zone and storage of deceased animals.

Mr. Willans made a motion to approve the resolution to withdraw the application; second by Mr. Joskowitz.

Approved by all.

AGENDA

Application 22.21, Alex Martinez, 90 St. Johns Avenue, Block: 79 Z Lot: 4 Zone: R-3
'C' Variance to construct a front open deck/porch, no stairs contrary to Sec 430-35 Col. 4 (St. Peters Road & St. Johns Avenue).

Application not heard due to a notice issue.

Application 22:23, Krishna Rana, 9 Ronald Road, Block: 590 Lot: 11 Zone: R-4
'C' Variance to install a patio contrary to Sec. 430-35 Cols. 8 & 13.

Property owner, Krishna Rana, and Thomas Wall, Contractor, were sworn by the Board Attorney and testified that the rear of the home currently is mud and water has been flowing into the applicant's home from the neighbor's property. The patio is for family enjoyment and made of paving stone that will be sealed however, drainage will be installed and directed to the drain at the front of the home.

The applicant provided pictures of the water conditions in his yard.

The applicant will comply with the memo of the Township Engineer.

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 Mr. Joskowitz.

Approved by all.

Application 22:29, Joseph & Debra Dembek, 16 Farrand Drive, Block: 708 Lot: 19 Zone R-3

'C' Variance to construct a one-story addition with wet bar; two concrete 18 sq. ft. stoops and one 24 sq. ft. concrete stoop.

Property owner, Joseph Dembek was sworn by the Board Attorney and testified that a cement patio currently exists but will be removed for the addition. He has a growing family and would rather stay in Parsippany then move.

The applicant will comply with the memo of the Township Engineer.

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

Approved by all.

Application 22:28; Joseph Puso, 2 Lake Place; Block: 441 Lot: 20 Zone: R-3
'C' Variance to construct an open deck with stairs contrary to Sec. 430-35 Cols. 8 & 13 and Sec. 430-10. I.

Property owner, Joseph Puso, was sworn by the Board Attorney and testified that he lives on an undersized, corner lot. He proposed to construct an open deck with stair above an existing patio, which will remain.

The applicant will comply with the memo of the Township Engineer.

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 21.63, Chick-fil-A, 1180 Route 46, Block: 715 Lot: 11.1 Zone: B-2
Preliminary and Final Site Plan 'C'/'D' Variance for a restaurant with drive through lanes.
Carried from April 20, 2022

Attorney, Joseph O'Neill, was present on behalf of the applicant for the continuation of the applicant.

Discussion took place regarding the main issue of the application, which is the proximity of the next fast-food restaurant.

Witness, Patrick Downey, Traffic Engineer, Licensed Professional Engineer was sworn by the Board Attorney.

There are five independent driveways existing today at the subject lot. A traffic study was performed in 2021 which meets NJDOT criteria. It was found that the increase in traffic will be minimal.

75 parking spaces are proposed whereas 54 are required per ordinance. Four of the spaces will be EV charging stations for which the applicant will work with the Board Engineer regarding the green markings and signage as required. The drive thru will consist of two lanes and hold 63 vehicles.

A condition of approval will be that a police presence will be on site for the grand opening and Condit Street will be a right turn only exiting the lot.

Exhibit A-2, Stacking Capacity for the Morris Plains Chickfila vs. the Parsippany location.

Exhibit A-3, Colorized aerial rendering of site.

The dumpster has been relocated closer to the building, out of the buffer. Garbage pick-up will be during morning hours.

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

Nurgel Okuyan, 130 Hawkins Avenue asked about number of cars that will visit the restaurant each day.

John Covino, 27 Hawkins Avenue, asked about traffic.

Rhonda Crowns, 6 Alloway, asked how a car travel east would get to the west bound side of Route 46 to visit the site.

Manuel Godoy, 200 Ball Avenue, asked about the bus stop on Route 46 and North Beverwyck.

Shalom Rubin, 113 Hawkins Avenue, asked about any changes to the site from the last meeting; if a garbage truck would block the lane; type of curbing on Condit Street; traffic on the roads behind Route 46 and the possibility of a sidewalk on Condit Street.

Wei Huang, 159 Ball Avenue, asked about pedestrian and j-walkers on route 46.

Helia Cotcha, 152 Ball Avenue, asked about creating sidewalks on the roads behind the restaurant.

Paul Francis, 141 Hawkins Avenue, asked about traffic.

Manuel Godoy, 200 Ball Avenue, asked about traffic jams.

The board took a five-minute break then reconvened.

Witness, Vincent Kelly, Licensed Professional Engineer, testified to the buffer distance between the drive thru and compared the subject site to the Morris Plains location.

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

Jason Lane 95 Hawkins asked about flooding on route 46.

Witness John McDonough, Licensed Professional Planner was sworn by the Board attorney and testified to the positive and negative criteria. The current site was described as run down with a large vacancy. Also described was the proposed.

Exhibit A-4 8 Sheets of various maps and aerial photos were presented and described.

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

Nurgel Okuyan , 130 Hawkins Avenue, asked about other Chickfila sites.

Manuel Godoy, 200 Ball Avenue, asked about distance between the proposed and other fast-food restaurants.

The application was carried to August 3, 2022 at 7:00 pm

Motion to adjourn.