

**MEETING OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT
WEDNESDAY, MAY 22, 2024, 2024 at 7:30 P.M.**

Members Present: Mr. Berkowitz, Ms. Gragnani, Mr. Joskowitz, Mr. Kaplan, Mr. Mazzarella,
Mr. Peddi, Mr. Reddy, Mr. Willans, Mr. Iracane

Also Present: John T. Chadwick, IV Board Planner
Thomas Lemanowicz, Board Engineer
William Johnson, Board Attorney

Absent: 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.

RESOLUTIONS

Application 22:05, Outfront Media, 959 Route 46, Block: 722 Lot: 2 Zone: B-1
D Variance to construction of a multi message, off-premise, advertising sign.

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

Approved by all.

AGENDA

Application 23:59, Lidiya & Yelena Binder, 4 Parkside Drive, Block: 763 Lot: 2 Zone: R-3
'A' Appeal of the Administrative Officer for second kitchen/two family home.

Attorney Michael Rubin was present on behalf of the applicant.

Property owner, Yelena Binder, was sworn by the Board Attorney and testified to the people who live in the home. The home is owned by both her and her mother.

Discussion took place as to whether or not the home would be defined as a single or two-family home based on the definition of the ordinance.

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

Zoning Officer, Jennifer Smith, was sworn by the Board Attorney and testified to the reason why the application was determined to be a two-family home.

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

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

Mr. Joskowitz made a motion to deny the appeal; second by Mr. Reddy.

Approved by all.

Application No. 24:02, Hitendra Pandya, 511 Lake Shore Drive, Block: 329 Lot: 5 Zone: R-4 'C' Variance to construct a balcony and shed.

Property owner, Hitendra Pandya, was sworn by the Board Attorney and testified that he recently constructed a home on a corner lot. As they were constructing, he realized he has a nice view of the lake and would like to construct a balcony to sit on to enjoy the view.

The applicant agreed to move the shed to meet the required setbacks.

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 recommendation to approve the application.

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

Approved by all.

Application 24:12, Temple Beth AM, 841 Mountain Way, Block: 15 Lot: 6 Zone: R-1M 'C' Variance to construct a freestanding sign.

Carried from March 20, 2024.

Attorney, Joseph O'Neill was present on behalf of the applicant for a second freestanding sign.

Discussion took place regarding the setback which will be no less than 15 ft.

Witness, Mark Burge, was sworn by the Board Attorney, had no new testimony to add but agrees with the opening statement of his attorney.

A variance was requested for lighting on the sign, then retracted.

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

Larry Lomrantz, owner of the other temple located in the same building as the applicant was sworn by the Board Attorney and testified that lighting is not permitted on his sign.

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

Approved by all.

Application 23:60, K & S Real Estate, 9 North Beverwyck Road, Block: 611 Lot: 8.01 Zone: B-5 'C' Variance for parking.

Attorney, Joseph O'Neill, was present on behalf of the applicant and discussed an error in the original resolution in need of correction regarding the number of parking spaces required vs the number of spaces requested.

Witness, Christine Lempeis, Owner of Nails by Chris, was sworn by the Board Attorney and testified that she currently has a location on North Beverwyck Road and works on a one on one basis with clients and provides facials, cosmetics, wellness and beauty counseling. She would like a larger space and will continue to work one on one since there will be one treatment room only.

The applicant is requesting a previously approved sign to be moved from its approved location to another location on the property due to it blocking the window of her commercial unit. A variance will be necessary 2.3 ft. setback.

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. Berkowitz made a recommendation to approve the application.

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

Approved by all.

Application No. 24:11, HDR Holdings, LLC, 1295 Route 46, Block: 729 Lot: 1 Zone: O-3 Preliminary and Final Major Site Plan w/ "C/D" Variance for a restaurant & signs.

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

Exhibit A-1, Various renderings of the current and updated structure, aerial views of the site and surrounding area was presented to the Board.

Witness, Jason Bottcher, Associate director of Wonder and testified to the operations of Wonder.

Hours of operation are 11:00 am-9:30 pm. Cooking of food is handled off site and prepared on location. Limited seating of eight will be provided but it is mainly delivery and pick up. Delivery is mostly through third party App services. It is possible that breakfast will be included at a later date.

Orders can be made through the Wonder App and third-party App services.

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

Witness, Joseph Holzapfel, Licensed Professional Engineer was sworn by the Board Attorney and testified to the proposed conditions. Most of the site will remain as is. Access points will remain the same as well as the circulation for vehicles and pedestrians. A minor soil moving permit will be necessary and a 200 sq. ft. walk-in cooler is proposed on the southside of the building. A variance will be needed for loading space size.

Site triangle easements will be removed from the ROW.

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

Witness, Jason Dafner, Licensed Professional Architect, was sworn by the Board Attorney and testified to renderings in Exhibit A-1 illustrating the inside of the restaurant.

The cooler stands 9 ft. tall and is 205 sq. ft. It will be located on the south side of the building and cannot be seen from the street.

Deliveries are made at 1:00 am through a back door into the kitchen.

The size of the building will require a variance for being undersized.

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

Witness, Matt Seckler, Licensed Professional Planner, was sworn by the Board Attorney and testified to the necessary variance and presented the positive and negative criteria.

The applicant will comply with the comments of the Board 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. Kaplan made a motion to approve the application; second by Mr. Joskowitz.

Approved by all.

Motion to adjourn.