

**MEETING OF THE TOWNSHIP OF
PARSIPPANY-TROY HILLS BOARD OF ADJUSTMENT
WEDNESDAY, JULY 24, 2024 at 7:30 P.M.**

Members Present: Mr. Berkowitz, Mr. Joskowitz, Mr. Mazzarella, Mr. Peddi,
Mr. Quinn, Mr. Reddy, Mr. Willans, Mr. Kaplan

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

Absent: Ms. Gragnani

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 24:28, Irfan Hassan, 188 Edwards Road, Block: 698 Lot: 31 Zone: R-3
'C' Variance to construct a habitable attic with bathroom and loft area creating a three-story dwelling contrary to Sec. 430-35 Col. 11.

Mr. Reddy made a motion to approve the denial; second by Mr. Mazzarella

Approved by all.

AGENDA

Application 24:03, Tejal Patel, 93 Halsey Road, Block: 297 Lot: 9 Zone: R-4
'C' Variance to construct a two-story addition; second floor addition; front landing & stairs; front walk; side landing & stairs; driveways and side/rear walk contrary to Sec. 430-35 Cols. 4 & 10. **Carried from June 19, 2024.**

Property owners, Tejal Patel & Mahik Patel, previously sworn, returned with a new plan that lines up the garage with the house. The second floor has been eliminated and 399 sq. ft. of existing driveway to be removed.

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

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

Approved by all.

Application 24:34, Ajit Chandra, 249 Atlantic Drive, Block: 263 Lot: 2.02 Zone: R-4
'C' Variance to construct a walk.

Property owner, Ajit Chandra and Thomas Wall, contractor, were sworn by the Board Attorney and testified that they are installing a paver walk from the driveway to the deck which is located in the rear.

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

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

Mr. Willans made a recommendation to approve the application.

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

Approved by all.

Application 24.20, Salah Elzain, 880 Littleton Road, Block: 195 Lot: 39 Zone: R-3
Major Soil Moving Permit, 'C' Variance for an open deck with landing and stairs & patio (under open deck) contrary to Sec. 430-35 Col. 13.

Property owner, Salah Elzain, and Jeffery Googan, were sworn by the Board Attorney and testified to the amount of soil to be moved as 479 cy with a cut of 81 cy and fill of 398 cy. The applicant will comply with the review of the Township Engineer and Township Ordinances.

It is anticipated that 25 truckloads will travel to and from the home.

The applicant agreed to plant trees in the front yard.

Water will be able to run through the deck and the patio polymer so as water can soak through.

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

Chairman Kaplan 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 No. 24:25, Liquid Church, 299 Webro Road, Block: 736 Lot: 20 Zone: SED-5
Minor Site Plan w/ D Variance for child daycare and to construct a playground.

Attorney, Linda Herley, Attorney from Danzig Riker was present on behalf of the applicant for a daycare use Monday through Friday, install a playground and reface a freestanding sign.

Witness, David Brooks, Pastor, was sworn by the Board Attorney and testified to the operations of the church which includes a café which employs adults with special needs.

Daycare would take place in an area of approximately 7,500 sq. feet that is currently used Sundays only for children programs and will operate from 6:30 am – 6:30 pm. Six staff members will operate the daycare to start, with up to 15 staff in the future. The children will range in age from birth until the start of kindergarten. The ratio will be 1 adult for every 10 children. They expect to start with 40 children and grow to 140 in the future.

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

Witness, John Hansen, Licensed Professional Planner, was sworn by the Board Attorney and testified to the existing and proposed conditions.

The existing sign will be refaced to include the sale of Chickfila items.

Traffic was discussed and is not an issue between the café and daycare.

Exhibit A-1 was presented.

The outdoor playground will be located at the northwest corner of the property. The playground will be fenced with an alarmed gate and access to the playground will be from indoors. The playground will be 30 ft. x 80 ft. with typical playground equipment. The surface will allow for water to flow through.

Significant landscaping will be added and 450 sq. ft. of brick pavers will be installed by the flag pole.

The applicant will comply with the conditions of the Board Professionals.

The positive and negative criteria were presented.

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

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

Approved by all.

CLOSED SESSION:

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township of Parsippany-Troy Hills Board of Adjustment is of the opinion that such circumstances presently exist; and

WHEREAS, the Township of Parsippany-Troy Hills Board of Adjustment wishes to discuss: Attorney/Client Privilege regarding Pacific Outdoor vs. PTH BOA and

WHEREAS, the Township of Parsippany-Troy Hills Board of Adjustment wishes to discuss: Attorney/Client Privilege regarding Danny Realty vs. PTH BOA and

AND, WHEREAS, minutes will be kept, and once the matter involving the confidentiality of the above no longer requires confidentiality, the minutes can be made public.

NOW, THEREFORE BE IT RESOLVED by the Township of Parsippany-Troy Hills Board of Adjustment that the public be excluded from this meeting.

The Board went into closed session.

The Board came back into public session.

Motion to adjourn.