

**Borough of Florham Park  
Planning Board  
Work Session Meeting Minutes  
August 14, 2017**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, August 14, 2017 at 6:30p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

**Members Present:**

Mr. Michael DeAngelis – Chairman  
Mrs. Carmen Cefolo-Pane  
Mr. Gary Feith  
Mr. Joseph Guerin  
Mr. John Buchholz

**Members Absent:**

Mayor Mark Taylor  
Mrs. Jane Margulies – Vice Chairman  
Mr. Michael Cannilla  
Mrs. Anne Maravic  
Mr. Martin Valenti (1<sup>st</sup> Alt)

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Mr. Robert Michaels, Borough Planner  
Mr. John Inglesino, Esq. Board Attorney

**Statement of Adequate Notice:**

Mr. DeAngelis issued the following statement:

“I hereby announce and state that adequate notice of this meeting was provided by the Secretary of this Board by preparing a notice, specifying the time, date and place of this meeting; posting such notice on the bulletin board in the Municipal Building; filing said notice with the Clerk of the Borough forwarding the notice to the Florham Park Eagle, and forwarding, by mail and fax, the said notice to all persons on the request list, and that said notice will be included in the minutes of this meeting. This action is in accordance with N.J.S.A. 10:4-6, et seq., “Open Public Meeting Act.”

Chairman DeAngelis stated that the Board will go into Excecute session. John Inglesino stated that the reason for this closed session is to discuss threatened litigation by Blooming Nail and Spa. Mr. Guerin made a motion to go into closed session, second by Mr. Feith.

**Site Plan Waivers:**

**4. Blooming Spa & Nail, Inc.**  
187 Columbia Turnpike  
Block 1901, Lot 2

**Application #17SPW-12**  
change in tenancy

Applicant is seeking approval for a change in tenancy for a nail salon and spa.

John Inglesino stated that the Board agreed to reconsider this application that had been initially heard at the July 10, 2017 meeting.

Greg Meese, attorney for the applicant, said that the Board's action on July 10, 2017 was legally incorrect and they cannot deny this application based on parking. That would be contrary to Supreme Court ruling and there is case law that supports that (Stop and Shop vs. Township of Westfield). He said that the Board must look at its entire municipal code and he requested a reconsideration of the Board's decision.

Meng Liu who is the business owner is here and available to answer any questions that the Board may have. She has an interpreter with her.

John Inglesino asked if the application is the same as what was previously presented on July 10, 2017. Greg Meese responded that it is. Mr. Michaels stated that it is a permitted use.

Mr. Meese said that the sign is conforming and has been submitted to Steve Jones, Zoning Official. The employee count is 10 during the week and 15 on the weekends. They arrive in one vehicle. They bring their own supplies with them. The number of chairs are as follows: 16 pedicure, 12 manicure, a drying area (12), 4 spa rooms, 1 double spa, and 3 waxing rooms.

Mr. Meese reminded the Board that another nail salon (Cielo) that was previously approved is not proceeding.

Mike DeAngelis explained that they have been advised by counsel to go by the ordinance. It is clear that the business will exceed the parking allotment of 17 spaces. The Board's frustration should be understandable to the applicant. This may be lawful but it does not make common sense for the public in his opinion.

Mr. Guerin asked if the pedicure chair reduction of 2 that was agreed to at the July 10, 2017 meeting still applies. Mr. Meese replied that the client no longer wants to reduce the number of pedicure chairs. The number remains at 16.

Mr. DeAngelis said that it is very clear that retail stores are dying out and being replaced by service businesses. The associated parking requirements must be dealt with by allocating more appropriate counts.

There were no more questions or comments from the Board or the Public. Mr. DeAngelis asked for a motion.

Mr. Feith made a motion to approve the application, second Mr. Buchholz.

Roll: On a roll call vote all members present and eligible voted to approve the application.

5. **Mangia Italian Eatery**  
184 Columbia Turnpike  
Block 801, Lot 3

**Application #17SPW-13**  
change in tenancy, sign variance

Applicant is seeking a change in tenancy for a retail food establishment, plus a sign variance (height).

Nino Coviello, Esq. represented the applicant. The space is in the B-1 zone, which permits restaurants. It was formerly occupied by LaPiazza.

Francesca Viterbo, business owner, was sworn in. She stated that she has been in the Italian food industry for 33 years and currently owns several food businesses throughout the state. She gave the following testimony:

The number of employees is 6. The hours of operation are from 11am to 11pm. This is a modification to the application. The restaurant will have interior seating for 48. The submitted drawing depicts 45 so this is another modification. They are aware that it will require another parking space for a total of 16. The outdoor patio seating remains at 32 and is not changing.

All employees will park in the rear of the building. All deliveries will be made in the rear and will be made by a 20 foot long truck. Any customer deliveries will be done by employees in their own vehicles that will park in the rear. No activity will happen in the front of the building.

Mike Sgaramella confirmed that there is adequate parking on site and added that the site is over parked (400 spaces). He said that the outdoor seating was approved in 2006 by the Planning Board because it is on the side of the building. Bob Michaels said that ordinance is not specific to outdoor seating. He noted that there is sufficient parking for the patio seating. If the outdoor seating is in the right of way, the Council would have jurisdiction over the approval.

Carmen Cefolo-Pane asked the number of parking spaces in the rear. She was informed that there are 15 spaces.

Wayne Ingram, planner, was sworn in and presented testimony with regard to the sign variance request.

The request is to exceed the permitted height of 30 inches. The request is for a height of 52 inches. The length of the sign is 112 inches (9.3 ft.) which complies with the ordinance. The ordinance permits the length of the sign to be 75% of the width of the façade. Not counting the patio width, the façade is 20 feet.

Mr. Ingram noted that the existing sign exceeds the ordinance limitation. He has no exact measurements of this sign, but believes that the size is very close to what they are requesting. Also, there is no record of any variance approval for this.

Mr. Ingram pointed out that the sign could be made longer and still conform. The name of the restaurant is rather compact and because the owner has other locations, she wants a similar look in the signage. He added that there are a number of signs in the downtown shopping centers that exceed the permitted size such as Kings, Walgreens, and Massage Envy.

The restaurant space is 350 feet off of the road and the sign will only be visible from the parking lot. It is not out of character with what exists currently in the shopping center. It will not look out of place, and is not contrary to the zone plan or the Master Plan. There is no negative esthetic impact.

Bob Michaels confirmed that there are other stores in the mall with signage that exceeds the ordinance. It was verified that the monument sign will reflect the new tenant with a panel change.

Mike DeAngelis asked if the sign variance would be specific to this tenant. John Inglesino replied that the variance would run with the land and that future occupants of that space would be entitled to the sign size, if granted.

In response to a question of limiting the width of the sign in exchange for the added height, John Inglesino stated that the sign width will always be what is permitted by ordinance. Mike Sgaramella noted that the storefront is not that wide so that there would be little impact.

Bob Michaels stated that there is only location of the sign that exceeds the height and John Inglesino suggested granting the added height totaling 52" only in the one small area of the sign where it is in excess of the ordinance. Nino Coviello concurred with that and stated that would be acceptable to his client.

There were no other questions or comments from the Board or the Public. Mr. DeAngelis called for a motion.

Mr. Guerin made a motion to approve the application, second Mr. Buchholz

Roll: On a roll call vote all members present and eligible voted to approve the application.

6. **Advance at Park Place, LLC**  
200 Park Avenue  
Block 1201, Lots 1 & 2

**Application #17SPW-14**  
change in tenancy - *Oppenheimer Holdings, Inc.*

Application is seeking a change in tenancy for an office use.

Steven Cusma, Esq. represented the applicant. This is a change in tenancy only and no exterior work is involved. The new tenant is Oppenheimer Holdings, Inc. They will take 12,000 square feet on the 1<sup>st</sup> floor. They are a financial services company and will use the space for general office uses.

There are 40 employees and will use 48 spaces. The hours of operation are from 7am to 7pm, Monday to Friday. There is adequate parking onsite. There is no change in signage.

Ron Fallivene, project manager for the Landlord and the tenant, was sworn in. He stated that there are 5 reserved spaces for this tenant underneath. The client visits will only be 2-3 visits per week. The majority of their business is over the phone.

There were no other questions or comments from the Board or the Public. Mr. DeAngelis called for a motion.

Mr. Feith made a motion to approve the application, second Mr. Guerin  
Roll: On a roll call vote all members present and eligible voted to approve the application.

7. **Stress and Anxiety Services of NJ, LLC**  
195 Columbia Turnpike  
Block 1901, Lot 1

**Application #17SPW-15**  
change in tenancy

Applicant is seeking approval for a change in tenancy for an office use.

Greg Meese, Esq. represented the applicant. This is a change in tenancy only. The applicant is taking 1562sf, plus common space (240 sf) for a total of 1802 square feet.

Allen Weg, owner was sworn in. He stated that this is a psychological therapy practice. There will be 3 employees and may hire a fourth at some point in the future. Patients are seen on an individual basis only. In a very few cases, family members may be involved.

He specializes in the treatment of anxiety. Patients are seen by appointment only. He is relocating from Springfield.

Mike Sgaramella stated that there are 74 parking spaces onsite. He did not see any parking problem on the site and there is no record of any complaints.

There were no questions or comments from the Board or the Public. Mr. DeAngelis called for a motion.

Mr. Guerin made a motion to approve the application, second Mr. DeAngelis  
Roll: On a roll call vote all members present and eligible voted to approve the application.

8. **25 Vreeland Venture, LLC**  
25A Vreeland Road  
Block 301, Lot 14

**Application #17SPW-16**  
change in tenancy – *Rayfield & Licata, PC*

Applicant is seeking approval for a change in tenancy for an office use.

Mark Goodman, Esq. represented the applicant. This is a change in tenancy only. Christopher Licata, partner, was sworn in.

This is an accounting firm that will have 10 employees. They have been in practice for 35 years and are moving from Livingston. The hours are from 8am to 6pm, Monday to Friday. No Saturday hours. There are few client meetings on site. There are 800 parking spaces on the site and no parking issues.

There were no questions or comments from the Board or the Public. Mr. DeAngelis called for a motion.

Mr. Feith made a motion to approve the application, second Mrs. Cefolo-Pane

Roll: On a roll call vote all members present and eligible voted to approve the application.

On a motion duly made and seconded the meeting was adjourned at 7:50p.m.

August 14, 2017

Marlene Rawson  
Board Secretary

**Borough of Florham Park  
Planning Board  
Regular Meeting Minutes  
August 14, 2017**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, August 14, 2017 at 7:50 p.m. in the Municipal Building, located at 111 Ridgedale Avenue, Florham Park, New Jersey

1. Call to Order.
2. Adequate notice has been given in accordance with the Sunshine Law.
3. Announcement – There will be no new testimony after 9:30 p.m.

**Members Present:**

Mr. Michael DeAngelis – Chairman  
Mrs. Carmen Cefolo-Pane  
Mr. Gary Feith  
Mr. Joseph Guerin  
Mr. John Buchholz

**Members Absent:**

Mayor Mark Taylor  
Mrs. Jane Margulies – Vice Chairman  
Mr. Michael Cannilla  
Mrs. Anne Maravic  
Mr. Martin Valenti (1<sup>st</sup> Alt)

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Mr. Robert Michaels, Borough Planner  
Mr. John Inglesino, Esq. Board Attorney

**Preliminary & Final Site Plan and Subdivision:**

**10. Pulte Homes of NJ**  
86 Park Avenue  
Block 1401, Lot 1.06

**Application # 17SP-3 & 17MSD-2**  
preliminary and final site plan

Applicant is seeking approval for the construction of a 425 unit age-restricted residential community. Applicant requests to be carried to the September 11, 2017 meeting.

Carmen Cefolo-Pane asked what the delay in the application is about. John Inglesino replied that they are waiting for a decision on their tax credit application. That decision is expected to be forthcoming this week. They will then know more about how they will move forward.

Mrs. Cefolo-Pane made a motion to carry the application to September 11, 2017, second by Mr. Feith. Roll: On a roll call vote all members present and eligible voted to carry the application.

## **Parking Space Requirements for Personal Service Shops**

Bob Michaels stated that he wrote several memos (April 2011, October 2015) outlining the concerns about personal service shops and a possible increase in the required parking. Personal services shops would include salon services such as hair, nail, and barber shops.

The Board is concerned and felt that the parking demand of these types of uses is more intense than a retail store. Currently the parking requirement is 1 space for every 200sf which is the same as retail establishments.

Bob Michaels stated that 1 space for every 200 sf is an acceptable standard in many municipalities. They do not differentiate between personal service shops and standard retail stores. The Board could consider 1 space for every 150 sf which would equate to 8 spaces per thousand sf, rather than 5 spaces as it is now.

There was one municipality (Montville) that uses 2 spaces per treatment station or 1 for every 200 sf, whichever is greater. Bob tried to contact them for clarification and more information on it but was unsuccessful. The Zoning Official in Montville did not have any information on this and could not explain what a treatment station means.

Bob Michaels pointed out that there are complimentary uses within shopping centers that must be considered when developing a parking standard. Different uses within a shopping center tend to average out the overall parking demand. Using 2 per treatment station formula could result in an extremely high parking requirement that could not be met. The parking space requirement would also likely be higher than what the business would see since every station is not active 100% of the time.

Mike Sgaramella asked if the number of salons can be somehow limited within a shopping center. John Inglesino stated that it could be considered arbitrary and capricious. Bob Michaels did not advise that and preferred to adjust the parking standards.

The Board seemed interested in the idea of tying the parking demand to treatment stations. However, the definition of treatment stations must be clarified and more information is needed.

Carmen Cefolo-Pane also asked about fitness centers, gyms and dance studios as well. She would like to see a different standard for these sorts of uses. Bob Michaels stated that the standard of 1 space for every 150sf (8 spaces per thousand sf) is a recommended standard for that use that he agrees with. There have been studies that support that standard.

John Inglesino said the parking space variance that the shopping center was granted will not inhibit this proposed change to create a separate parking standard for a personal service use. Bob Michaels said the prior variance was relied upon and granted based on straight retail and the limited mix of uses at the time.

Carmen Cefolo-Pane also wanted to see the trash pick hours incorporated into the ordinance. Joe Guerin added that even residential pick-up begins before dawn in some areas.

Bob Michaels was asked to write a proposed parking space amendment ordinance for personal service shops to be considered at the next Planning Board meeting. It can then be discussed further and in more detail with the other Board members.

There are other ordinance amendments that Bob Michaels will present at the September 11, 2017.

On a motion duly made and seconded the meeting was adjourned at 8:00p.m.