

**Borough of Florham Park
Planning Board
Work Session Meeting Minutes
September 11, 2017**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, September 11, 2017 at 6:30p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Michael DeAngelis – Chairman
Mayor Mark Taylor
Mrs. Carmen Cefolo-Pane
Mr. Gary Feith
Mr. Joseph Guerin
Mrs. Anne Maravic
Mr. John Buchholz

Members Absent:

Mrs. Jane Margulies – Vice Chairman
Mr. Michael Cannilla
Mr. Martin Valenti (1st Alt)

Also Present:

Mr. Michael Sgaramella, Borough Engineer
Mr. Robert Michaels, Borough Planner
Mr. Dean Donatelli, 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.”

Site Plan Waivers:

none

On a motion duly made and seconded the meeting was adjourned at 6:31 p.m.

September 11, 2017

Marlene Rawson
Board Secretary

**Borough of Florham Park
Planning Board
Regular Meeting Minutes
September 11, 2017**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, September 11, 2017 at 6:30 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
Mayor Mark Taylor
Mrs. Carmen Cefolo-Pane
Mr. Gary Feith
Mr. Joseph Guerin
Mrs. Anne Maravic
Mr. John Buchholz

Members Absent:

Mrs. Jane Margulies – Vice Chairman
Mr. Michael Cannilla
Mr. Martin Valenti (1st Alt)

Also Present:

Mr. Michael Sgaramella, Borough Engineer
Mr. Robert Michaels, Borough Planner
Mr. Dean Donatelli, Esq. Board Attorney

Chairman Michael DeAngelis requested a moment of silence in remembrance of the anniversary of September 11, 2001.

Approval of Minutes:

11. Approval of minutes from the July 10, 2017 meeting.

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

Approval of minutes from the August 14, 2017 meeting.

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

Resolutions of Approval:

8. **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.
Mr. Guerin made a motion to approve the resolution, second by Mr. Feith.
Roll: On a roll call vote all members present and eligible voted to approve the resolution.

9. **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.
Mrs. Cefolo-Pane made a motion to approve the resolution, second by Mr. Feith.
Roll: On a roll call vote all members present and eligible voted to approve the resolution.

10. **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.
Mr. Feith made a motion to approve the resolution, second by Mr. Guerin.
Roll: On a roll call vote all members present and eligible voted to approve the resolution.

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

Application #17SPW-15
change in tenancy

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

12. **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.
Mr. Feith made a motion to approve the resolution, second by Mr. Cefolo-Pane.
Roll: On a roll call vote all members present and eligible voted to approve the resolution.

Extension of Approval Request:

13. **S.A. Realty, LLC**
29 Hanover Road
Block 201, Lot 13

Application # 06SP-1 & 10SP-8

Applicant is requesting an extension of previously granted approvals for the construction of various improvements.

Steven Schaffer, Esq. represented the applicant. He gave a brief history of the prior applications and approvals. There was an approval for a building addition in 2006. The permit extension act extended those approvals to 2016. They are here now to request two of the three one year permitted extensions. They would be a retroactive approval from June 30, 2016 to June 30, 2017, and then approval from June 30, 2017 to June 30, 2018.

Dean Donatelli, Esq. verified that the statute permits extension requests to be granted retroactively.

The reason for the extension is to continue to deal with environmental issues that remain on the site. In 2002, they acquired the property from the former Ohaus Scale Corporation. There was groundwater contamination and vapor intrusion into the building. Testing is still being done. This is all monitored by the DEP.

The soil removal has been performed and it is off-site. However the vapor intrusion still must be dealt with. They do not want to put an addition on until this has been addressed.

Kelly Buckley, director of Lapp Realty North America for the owner, was sworn in.

Mayor Taylor noted that the 25,000 square foot addition was to be on the right side of the building where there were no contamination issues. He asked why there is still a hold-up.

Mr. Schaffer stated that it is his understanding due to the environmental condition that institutional lenders want an RAO written prior to any construction financing.

Ms. Buckley stated said that she joined the company in June of this year. She wanted the LSRP for the warehouse space so that it can be resolved but she has not gotten it yet. The prior owner did not resolve the issue and they should get this done.

Steve Schaffer read the email that details the chain of events.

A-1 Email

It is dated July 2017 and speaks to the groundwater contamination and the vapor which needs monitoring. There is an environmental escrow in place for this. They are trying to resolve the issue.

Mark Taylor recalled that the plume was under the building and the employees are exposed to it.

Ms. Buckley reiterated that it is a priority for her. The owner (S. A. Realty) does not want to do the expansion and they cannot do it until the matter is resolved. However, then do need more space and there is a genuine interest in proceeding with the expansion. She wants the matter tabled for now so it can be dealt with.

Mr. Schaffer stated that the DEP file indicates that the vapor is not hazardous. Ms. Buckley added that it is reportable but not toxic by DEP standards.

Mark Taylor said that he wants the environmental clean-up. He asked if the addition is a probability or a possibility.

Mr. Schaffer stated that there were economic reasons at the time as to why it was not built.

Ms. Buckley replied that she does not have their business plan. Mr. Lapp asked her to move forward with the extension request because he wants to preserve his rights. She added that she will press for a resolution to the matter.

Mark Taylor stated that this has been a problem building in Florham Park. He also noted that the Ohaus heirs and successors are all gone now and wondered where the financing will come from.

Mr. Schaffer again stated that an escrow is established for this purpose.

Mr. DeAngelis suggested that we wait three or six months and see if they can get the LSRP.

Mr. Schaffer replied that they are only asking for the extension to June of 2018.

There was additional discussion on why the project cannot proceed. Mayor Taylor wanted more information and was not clear on why this is preventing them from building. It has been 10 years and he wants the LSRP. He does not think any action was taken since 2011. He recommended that the environmental study be forwarded to Mike Sgaramella for review to see where we are at before granting any extension.

Dean Donatelli suggested that the application be carried and the applicant to demonstrate that they are making an effort to resolve the problem. Then the Board can make a determination.

Steve Schaffer said that these actions do not happen immediately, but over time. Natural attenuation of groundwater which is all that is required and it only happens over time. He will get a witness here to testify. He asked that the application be carried to October 23, 2017 without further notice.

Mayor Taylor made a motion to carry the application to October 23, 2017, second by Mr. Guerin.

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

Preliminary & Final Site Plan and Subdivision:

14. 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.

Dean Donatelli updated the Board on the Pulte application. He explained that the funding application for affordable housing component by the Bergen County United Way was denied. Pulte and Rock GW now must come up with a finance plan.

Mr. Guerin made a motion to carry the application to October 2, 2017 as requested, second by Mr. Feith.

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

Ordinance Changes:

Bob Michaels reviewed the proposed ordinance changes that resulted from the recommendations in the Master Plan Reexamination. They were put forth by the Ordinance subcommittee. They are outlined in a memo to the Board from Bob Michaels. The Board concurred with the changes and added the following comments:

Beechcrest Area – A sliding scale will be incorporated into the ordinance to decrease maximum lot coverage percentages on larger sized lots.

University Zone – Bob Michaels will confirm that Fairleigh Dickinson University existing development is consistent with the proposed new standards.

Generators, Air Conditioners, Sheds – add time frames for generator exercising.

Personal Care Service Parking Standards – modify the definition of personal service business in the ordinance.
Parking standard to be 1 per 100 square feet of GFA.

Add fitness center parking standard to be 1 per 150 square feet of GFA.

Mayor Taylor asked about the Park Street sewer that Alfieri must install. Mike Sgaramella stated that we will do the ROW survey for them for the Park Street sewer line. They wanted to start their access road prior to sewer and Mike Sgaramella said no.

The Board agreed to endorse the proposed ordinance amendments that have been put forth. However, they want to see the “Personal Care Service” changes at the next meeting and prior to it being forwarded to the Council.

On a motion duly made and seconded the meeting was adjourned at 8:30p.m.

Marlene Rawson
Board Secretary

September 11, 2017