

**Zoning Board of Adjustment  
Regular Meeting Minutes  
April 18, 2018**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening April 18, 2018 at 7:00p.m., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

**Members Present:**

Mr. Jeffrey Noss, Vice Chairman  
Mr. John Novalis  
Mr. Rick Zeien  
Mr. Jason Jensen

**Members Absent:**

Mr. Michael Cannilla, Chairman  
Mr. Brian O'Connor  
Mr. Ron DeRose

**Also Present:**

Mr. Kurt Senesky, Esq., Board Attorney

**Call to Order:**

Mr. Noss, Vice-Chairman called the meeting to order at 7:00p.m.

**Statement of Adequate Notice:**

Mr. Noss 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 of 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 the N.J.S.A. 10:4-6, et sec., "Open Public Meetings Act."

**Approval of Minutes:**

Approval of Minutes from the April 4, 2018 Meeting.

Mr. Zeien made a motion to approve the minutes, second by Mr. Novalis.

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

**Approval of Board of Adjustment 2017 Annual Report**

Mr. Senesky explained that the audit is required by statute. It shows the actions taken by the Board of Adjustment during the past year. The report will be forwarded to the Planning Board and the Governing Body and can be used as a reference in identifying any possible amendments to the Zoning Ordinance to be considered.

Mr. Jensen made a motion to approve the report, second by Mr. Zeien.

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

**Resolution of Approval:**

**7. Frank Marinaccio**  
70 Burnet Road  
Block 1502, Lot 1

**Application # BOA18-6**  
R-15 Zone

Applicant is seeking a certification of nonconformance for a three (3) family dwelling located in the R-15 zone.

Mr. Novalis made a motion to approve the resolution, second by Mr. Jensen.

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

**C-Variance:**

**8. Martin Dale & Fernanda Costa**  
9 Insley Road  
Block 3503, Lot 9

**Application # BOA 18-4**  
front and side yard setback  
excess building and lot coverage

Applicant is seeking approval for front and side yard setback, excess building and lot coverage in connection with an addition.

Carried from the February 21, 2018 meeting without further notice.

Braulio Rossy, architect, was sworn in again. He stated that the original request involved 4 variances. The scope of the project involves a family room addition to the side of the home. It is a corner lot. He gave a brief review of the previous meeting and the discussion that took place.

In response to feedback from the Board and the neighbor that is immediately adjacent to the proposed addition, the applicant has made some changes to the project. The existing shed and existing deck are already a non-compliant location in the setback. There is also a brick patio that is built over an easement.

Mr. Rossy stated that the shed will be moved to a conforming location. The deck will be reconfigured to meet the side setback requirement. The brick patio will be removed completely. The size of the addition will be slightly reduced and moved more forward. This will eliminate any side yard encroachment. These changes will also bring the building and lot coverage amounts into compliance.

The only variance that is now needed is a front yard setback variance on the Pierson Lane front. Mr. Rossy stated that there is no way to add living space to the home without the need for a variance. He felt that this is the best possible location.

Mr. Zeien asked the size of the addition. Mr. Rossy stated that it is 17 ft. x 22 ft. He added that the front setback now measures 26.6 ft. to the overhangs.

Mr. Senesky noted that the existence of an easement further reduces the developable area of the lot. The easement is counted for lot size, but it reduces the area that can be built since it cannot be built over. In addition, the home is oriented in an awkward manner, further limiting usability of the land.

Mr. Zeien thought that the addition could be moved back somewhat. Mr. Rossy said that the home looks more esthetically pleasing in the proposed location. In addition, the neighbors who are immediately adjacent to the addition were concerned with keeping their privacy. He purposely moved the addition forward to respect that and conform to the side setback. He noted that the only windows on that side are very high triangular windows.

The meeting was opened to the public. There were no questions or comments.

Mr. Noss said that he was happy that the number of variances is reduced to one. It is an odd shaped lot and difficult to work with. It is a modest addition.

Mr. Senesky reminded Mr. Rossy that there are only four members present tonight and he will need three of the four to vote for an approval. He asked if he wanted a vote or if he preferred to wait until the next meeting in an effort to have more voting members.

Mr. Rossy said that his clients are anxious to get started. He felt that he addressed the concerns raised at the initial meeting and has brought forth the best possible plan. He wants a vote.

Mr. Noss asked for a motion.

Mr. Jensen made a motion to approve the application, second by Mr. Novalis.

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

9. **Thomas & Celia Allen**  
13 Cathedral Avenue  
Block 3003, lot 25

**Application # BOA 18-3**  
front yard setback

Applicant is seeking approval for a front yard setback variance in connection with a portico and garage overhang.

Mr. and Mrs. Allen and Doug Asral, architect for the applicants, were sworn in. Mr. Allen stated that he would like to have a portico constructed over his front steps so that they are able to have protection from the weather elements, in addition to keeping their mail and deliveries dry. The dimensions of the planned portico are 5'8" deep and 5 feet wide. The depth is triggering a variance since a portico can be only 5 feet in depth without creating a need for a variance. The front yard setback is proposed to be 35ft. 2in. to the portico. The portico will cover the stairs as well.

In addition, the applicant is seeking to add a garage overhang over the door as well. This will encroach 2 feet into the setback, making the setback 37.8 feet to this element.

Mr. Asral explained that neither element will add any interior building space. These are being added for safety and protection from the elements. They will also enhance the exterior of the home. There is one variance that is being sought for two exterior features.

Mr. Senesky noted that porticos that measure up to 6 feet in length and 5 feet deep are permitted. This portico is slightly deeper than what is permitted.

Mr. Noss opened the meeting to the public. There were no questions from the Board or the public.

Mr. Noss stated that the application is reasonable and creates an attractive façade as well as providing needed protection. He called for a motion.

Mr. Zeien made a motion to approve the application, second by Mr. Jensen.

Roll Call: 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 8:00p.m.