

Theresa Bocchino, property manager was sworn in. She testified that the space was split off from the now vacant space of the Florham Park hardware store. The size of the space is 1215 square feet. The remaining space is occupied by AI's Shed World and there is an extra space of 1900 square feet.

They agreed that the loading zone will be the mountable Belgian block island and no curbside pick-up or delivery will occur. Ms. Bocchino also agreed that the bank spaces will be constructed as part of a pending site plan application.

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

Mr. Feith made a motion to approve the application, second by Mrs. Margulies

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

5. **LSREF Turtle, LLC**
180 Park Avenue
Block 1401, lot 4

Application #18SPW-14
USI Insurance Services, LLC

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

Matthew Schiller, Esq. represented the applicant. The new tenant is USI Insurance Services. Glen Datasin was sworn in. He testified that are consolidating their Summit and West Orange offices and they signed an 8 year lease. They are taking 35,000 square feet on the first floor of the building. They are an insurance brokerage firm and will be using the space for general office and administrative purposes. Many employees are out in the field. They are allocated 142 parking spaces.

Deliveries are standard US mail, UPS, and FedEx. General office hours are from 8am to 5:00p.m.

Glen Datasin, Property Representative, was sworn in. He testified that the building is now 50% occupied.

Seeing no further questions, Mr. DeAngelis called for a motion.

Mr. Guerin made a motion to approve the application, second by Mrs. Margulies

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 7:00p.m.

August 6, 2018

Marlene Rawson
Board Secretary

**Borough of Florham Park
Planning Board
Regular Meeting Minutes
August 6, 2018**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, August 6, 2018 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
Mrs. Jane Margulies – Vice Chairman
Mayor Mark Taylor
Mr. Gary Feith
Mr. Joseph Guerin
Mr. John Buchholz
Mr. Dave Roberts (1st Alt)

Members Absent:

Mrs. Carmen Cefolo-Pane
Mr. Michael Cannilla

Also Present:

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

Approval of Minutes:

4. **Approval of minutes from the July 9, 2018 meeting.**

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

Resolutions of Approval:

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| <ol style="list-style-type: none">5. <u>54 Broadway Deli</u>
54 Broadway
Block 3401, Lot 28 | <u>Application # 18SPW-10</u>
change of tenancy |
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Applicant is seeking approval for a change in tenancy for a delicatessen business.

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

6. **Apex Tigers Martial Arts, LLC** **Application #18SPW-11**
79 Hanover Road
Block 201, Lot 5
change of tenancy

Applicant is seeking approval for a change in tenancy for a martial arts training facility.

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

7. **25 Vreeland Venture, LLC** **Application #18SPW-12**
25B Vreeland Road
Block 301, Lot 14
Piemonte & Liebhauser

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

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

8. **S.A. Realty, LLC** **Application #06SP-1 & 10SP-3**
29 Hanover Road
Block 201, Lot 13

Applicant is seeking an extension of previously granted preliminary and final site plan approval. (3rd/final)

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

9. **LSREF Turtle, LLC** **Application #18SP-3**
170 Park Avenue
Block 1401, Lot 3.01

Applicant is seeking approval for the construction of a patio and related improvements.

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

10. **LSREF Turtle, LLC** **Application #18SP-4**
180 Park Avenue
Block 1401, Lot 4

Applicant is seeking approval for the construction of a recreation area and related improvements.

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

11. **Coviello Brothers Greenhouse Property, Inc.** **Application # 14MSD-2**
48 Brooklake Road
Block 4101, Lot 5, 6, 7

Applicant is seeking an extension of previously granted preliminary subdivision approval. (2nd of 2 one year extension)

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

12. **B & B Associates, LLC dba Dahlia Brook Townhouses** **Application # 18SP-5**
165-167 Ridgedale Ave. MF-7 zone
Block 1906, Lots 12 & 13

Applicant is seeking approval to construct a seven unit townhouse development.

Mr. Guerin made a motion to approve the resolution, second by Mr. DeAngelis

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

Site Plan:

13. **Braemar Homes, LLC** **Application #18SP-6**
2 Vreeland Road MF-9 zone
Block 303, Lot 11

Applicant is seeking approval to construct 49 residential units consisting of townhouses and garden apartments.

Mr. Buchholz was recused from this application.

John Inglesino stated that there were some questions about whether adequate notice to the public was served. Although Northgate residents that are within 200 feet were given notice, the condo association was not afforded independent notice. The applicant is entitled to rely on the official 200 foot list that the Borough issued to them. The law is clear about that. Mr. Inglesino said that he does not know whether the association property is or is not within 200 feet of the subject property, but they were not on the list. He reiterated that the applicant must rely on the list and therefore there is no defect in the notice. His assessment is that notice has been properly given.

Steve Schaffer, Esq. who is representing the applicant agrees.

Mr. Schaffer stated that the project is for a 49 unit townhouse/garden apartment development that will include 10 low and moderate affordable housing units. Eric Keller, project engineer, was sworn in.

A-1: handout

A-2: existing conditions aerial photo from DEP website

The property is 5 acres and was formerly in the C-1 zone. Currently the 28,000 square foot Washington Press building is located there. The impervious coverage is presently 26%. The southeast corner of the property is mapped wetlands and a wetlands swale goes to the headwall on the east side of the building. A valid letter of interpretation from the DEP has been received in June 2017. The property drains toward storm sewer system on Vreeland Road.

A-3: Braemar Homes site plan rendering

There are proposed to be eight buildings that are two and three stories high and a mix of 2 story townhomes and stacked units. The site is in the new MF -9 zone but it is surrounded by C-1 zone. It fully complies with the bulk requirements. The townhomes on the perimeter of the site are 45 feet high. There are one and two car garages in the townhomes. The building coverage is 26.5% and the improved coverage is 54% including the overhangs. There is a variance needed for improved coverage.

Access to the development will be two driveways that will create a full loop system. There are 135 parking spaces provided. They are comprised of 96 spaces as garage and driveway space, and 39 surface parking spaces. They are compliant with RSIS which calls for 110 spaces. There is no requirement for a cul-de-sac since it is less than 300 feet.

Their storm water management report (June 2018) has a recharge facility and an underground detention system that will drain to Vreeland Road. There will be less runoff than what exists today. Water quality will be addressed by 2 MTD treatment devices that will remove any solvents. The underground recharge facility is in the northwest area. The soil is good and can recharge the water. The detention basin meets all requirements for a 2 year storm as well as 10 year, and 100 year. The maintenance manual will be provided as a condition of approval. There will be no drainage to the wetlands. They are compliant with all State and local requirements. The responsible party is the Homeowner Association who will oversee and maintain this system and provide a report to the Engineer.

The sanitary sewer line will connect to the existing line. The water lines will be looped and three hydrants will be provided. The Fire Department will address any additional hydrants and they will work with them. Utilities are all available on Vreeland and will be extended into the development.

They will remove 17 trees and replace with 66 trees. It will be an assortment of shade trees, native plants, ornamental and evergreen trees. There will also be 100 shrubs that will be planted. These will mostly evergreen. They will comply with the 10% landscaped area in the parking lot. The landscape plan will be revised.

The lighting will be LED style and similar to Northgate. They have proposed 17 fixtures to illuminate the parking areas and the intersections. More can be added if the Board wishes.

They have filed for a wetland GP-7 (general permit) to disturb the wetland swale. This is for the transitional area averaging plan. This will allow the 50 buffer to be reduced, but it must be increased somewhere else. There will be a conservation easement in the wetlands that will be deed restricted as required by the DEP.

They have Morris County Planning Board approval. They will file with Morris County Soil Conservation District.

The monument sign is in the design stages and not finalized yet. It will be between the two driveways. It will not exceed 24 square feet and will be illuminated by shielded spot lighting. They had not planned on installing regulatory signage throughout the complex but will if the Board wants that. The Board seemed to prefer some regulatory signage such as speed limit sign at the entrance, no parking signs and stop signs. The applicant will agree to Title 39 if requested.

Trash and recycling will be handled via curbside pick-up for the townhomes section. The multi-family buildings must still be determined.

Mike Sgaramella verified that no sewer pump is needed.

Bob Michaels was concerned with the 9 foot side lot line on the east side due to the storm pipe and any landscaping for privacy. He asked if fencing was being considered. He felt that it should be looked at again to provide fencing for privacy for any patios.

Joe Guerin asked if the handicapped parking is compliant. Eric Keller stated that it is kept in the area of the stacked units as required.

The meeting was opened to the public.

Arthur D'Italia, 14 Northridge Dr. He wanted to know what the current and proposed setback is and what the buffering plans are. Mr. Keller said it is 50 feet and that is what is proposed. They plan to buffer it with evergreens as depicted on the landscape plans. Mr. D'Italia asked if a berm could be used as was used at Northgate. Mr. Keller stated that it is not part of the plan. Mr. D'Italia asked if the project could be set back further to the south. Mr. Keller responded that cannot be done due to the wetland areas behind them and the requirement of 25 feet between buildings.

Martin Heller, 12 Woodcrest Rd., Morristown. He is the managing partner of Mar-Hel Holding Company which is the building adjacent to this property. He stated that there is a lot of water runoff currently to his property and he has had to install berms and drains. He asked what the plan is to manage the runoff from the construction of this project. He wanted to know if the drains on the east side can be put further back to help with water in the wetlands.

He wants to be guaranteed that this will be managed before and after construction. He does not want the homeowner association to cut back on this.

Mr. Keller stated that they are not permitted to pipe water out of the wetlands. Also, the wetlands behind them naturally slope towards the Mar-Hel property. All construction requirements will be followed and there will be no runoff from the project. There will be no added increase from the construction and there may actually be some slight decrease as a result of it. The drainage pipes will be installed early in the process, prior to improved coverage being added.

Suzanne Bonamo, 3 Northridge Drive. She asked if this is age restricted. Mr. Keller said that it is not age restricted. Ms. Bonamo said that they could add school age children. She asked about sidewalks, low income housing and garage space. Mr. Keller said there are sidewalks. The low income housing (10 units) is located in the middle two buildings and there are no garage space for those multi-family units. Ms. Bonamo stated that if those residents have one or two vehicles and no garage, where is the parking. She asked if the street is wide enough to provide on-street parking.

Mr. Keller responded that the streets will not be wide enough for on-street parking. John Inglesino stated that Florham Park does not have the authority to require wider streets. This is regulated by the RSIS from the State of New Jersey and the applicant cannot be obligated to provide that. Ms. Bonamo stated the Northgate residents run out of parking during holidays and it is a very big problem because there are no options.

Bob Rosselli, 27 Northridge Drive. He agreed with the parking problem at Northgate. He confirmed that there won't be on-street parking in this development. Mr. Keller verified that. They have a 24 foot wide road and there cannot be on-street parking. There will be no parking signs posted. Mr. Rosselli stated that there is no parking on Vreeland Road either and that will be a problem. He asked if the apartment flats are rental or if they will be sold. Mr. Schaffer stated that they are for sale unit and there are no rentals associated with this project.

Carol Padden, 1 Northridge Drive. She asked about traffic studies. She confirmed that the 135 parking space count includes personal driveways. She stated that people cannot park in private driveways. She reiterated the parking problem when residents have visitors.

Board Attorney John Inglesino stated that the parking requirement are set by the State and the Board has no authority to change that. Carol Padden confirmed that there are 39 surface parking spaces and 3 handicapped spaces and it meets the code. Mike DeAngelis said his opinion is when the Developer markets the property, the lack of parking could impact sales.

Carol Padden asked what came first; the affordable housing mandate or the sale of Washington Press. She asked if the town just decided that Washington Press was a good spot.

Board Attorney John Inglesino responded that the affordable housing mandate came first. He gave a history of NJ affordable housing leading up to the NJ Supreme Court ruling in 2015 (Mt. Laurel IV) that required municipalities to settle and prepare a constitutionally compliant affordable housing plan. Developers have come forward with housing plans in specific locations that helped the Borough satisfy this fair share obligation. This resulted in implementing multi-family housing projects in order to meet the court mandated affordable housing requirement. The Borough understands the sentiment of no more multifamily housing but they are required to fulfill their constitutional obligation.

Mayor Mark Taylor added that the Borough settled at a good time because if they hadn't, the number of required affordable units would have been much higher. He said the professionals have been working very hard to minimize the negative impact from this ruling.

Frances Andolino, 4 Northridge Drive. She thought that the Borough only wanted 55 and older communities. She asked if the Board of Education knows about this. She is concerned about the drain on electrical power and brown outs.

Mayor Taylor stated that yes, the Board of Education is aware of this and we continue to keep them informed. We are trying to control the number of children and the numbers are down somewhat currently. Age restricted multifamily is preferred. He added that there is plenty of electricity in the grid. JCPL has been implanting upgrades and we will not experience brown outs or outages unless storm related.

Mike Sgaramella confirmed that parking is prohibited on Vreeland Road for the entire length by ordinance.

Eric Keller testified that they performed traffic counts on the Vreeland and Hanover Road intersection on May 30, 2018. The am peak is between 7am-9am, with the traffic count taken between 8am-9am. The number of trips in both directions was 161 trips. Most of those trips were eastbound trips. The pm peak is between 4pm-6pm, with the traffic count taken between 5pm-6pm. The number of trips in both directions was 177 trips. Most of those trips were westbound trips.

The ITE manual projects that traffic from the future 2 Vreeland Road site, once built containing 49 units, to be 24 trips during the am peak (single hour, mostly outbound), and 31 trips during the pm peak (single hour, mostly inbound).

The two driveways allow for unimpeded traffic flow. Drivers must wait for gaps. Treating the two driveways as only one, the level of service is a "B" overall. If treated as two driveways as it is, it would be a level "A". There is a no impact on the Vreeland/Hanover intersection from this project. An office space use would generate more traffic.

Gary Feith asked if a school bus would circle through the site. Mr. Keller thought that the school bus pick-up would be on Vreeland Road only.

Bob Michaels stated that the traffic flow is consistent with this type of development and from his experience with other traffic reports.

Joe Guerin confirmed that the sight lines are unobstructed. Mr. Keller stated that they are.

Jane Margulies asked if stop bars and signs would be installed and they said yes. Mr. DeAngelis asked about snow management. Eric Keller responded that there is ample open space on the site to move it to.

The meeting was opened to the public.

Carol Padden. She asked if it was a hypothetical traffic study. She added that the traffic is very busy there, especially at 4:30pm in the afternoon... Mr. Keller stated that they follow standard methodology and it does not change. Mike Sgaramella said that they can petition the County for a timing change at the light. Mike DeAngelis reiterated that if the use stated an office, the traffic impact would be much worse.

John Inglesino added that the application cannot be denied due to traffic since it is a permitted use in the zone. There would need to be unsafe ingress and egress conditions to the site and stated in testimony.

Mr. DeAngelis stated that the Board must move on to the remaining agenda items. He asked Mr. Schaffer when he would like to have the application carried to.

Mr. Schaffer responded that they want to return on September 24, 2018. Mr. DeAngelis called for a motion.

Mayor Taylor made a motion to carry the application to September 24, 2018, second by Mr. Guerin
Roll: On a roll call vote all members present and eligible voted to carry the application.

Ordinance Review (initial, pending introduction)

6. Ordinance #18-9, amending C-2 Zone (Alfieri)
An Ordinance to create a Mandatory Affordable Housing Set-Aside on Multi-Family Residential Housing
An Ordinance to create Accessory Apartments

Bob Michaels briefly reviewed the draft ordinances. Ordinance #18-9 is in response to the Borough's Fair Share Housing Plan and settlement agreement. The C-2 zone has been amended to include multi-family rental housing with a 20% set aside for affordable housing tied to it. The zone will also permit hotels, conference centers, professional offices, restaurant and convenience retail and supportive and special needs housing. All current C-2 uses will remain permitted. B-1 zone uses would be permitted as a conditional use.

The setback requirement to Park Street was not addressed in the draft ordinance. Bob Michaels will research that.

The ordinance creating a mandatory set-aside on multi-family residential housing means that should the Borough approve a multi-family or a single family attached housing project that is at least 5 units per acre in size, then a percentage of the development must be set aside for affordable housing. The percentages are as defined in the ordinance.

The accessory apartment ordinance is a working document and will not be ready for introduction this month. This program is also to help meet the Borough's fair share housing obligation. It will permit up to 10 accessory apartments to be constructed in any residential zone on lots of at least ½ acre. These accessory apartments are to be used only for low and moderate income households. A portion of the construction costs of these units will be subsidized from the Borough's Housing Trust Account in the form of a 10 year forgivable loan. These apartments will be subject to strict provisions that continue to be examined and developed.

There were many questions and concerns on this ordinance. Joe Guerin asked that the Tax Collector be notified of any liens. The draft ordinance continues to be vetted by Borough departments and Borough professionals.

Minor Site Plan, Site Plan Waiver (discussion)

7. Introduction of "Minor Site Plan" for certain types of development applications
Site Plan Waiver approval changes for certain applications

Bob Michaels explained that minor site plans are defined in the Borough code but the parameters of a minor site plan are not. He has proposed to define it generally as a permitted alteration or modification of an existing and conforming non-residential or multifamily residential building that will result in less than 200 feet of additional building coverage and/or require fewer than 5 additional parking spaces. This will provide an appropriate application for sheds, generator pads, signs, and other small modifications. The fees would be less than for a full site plan. The escrows are suggested to be increased for applications.

In addition, modifying the site plan waiver requirements was also discussed. Applications involving a simple change in tenancy are proposed to be reviewed and approved by the Engineer and not be subject to a Planning Board approval when there no issues or concerns that need to be addressed. Board members seem to agree that a full review by the Planning Board is unnecessary in many cases.

On a motion duly made and seconded the meeting was adjourned at 10:00p.m.

Dated: August 6, 2018

Marlene Rawson
Board Secretary