

**Zoning Board of Adjustment
Regular Meeting Minutes
January 3, 2018**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, January 3, 2018 at 7:00p.m., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Michael Cannilla, Chairman
Mr. Jeffrey Noss, Vice Chairman
Mr. John Novalis
Mr. Brian O'Connor
Mr. Ron DeRose

Members Absent:

Mr. Rick Zeien

Also Present:

Mr. Kurt Senesky, Esq., Board Attorney

Call to Order:

Mr. Cannilla, Chairman called the meeting to order at 7:00p.m.

Statement of Adequate Notice:

Mr. Cannilla 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 December 6, 2017 Meeting.

Mr. Noss made a motion to approve the minutes, second by Mr. O'Connor

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

Re-Organization:

John Novalis, Chairman of the Nominating Committee nominated Michael Cannilla as Chairman and Jeffrey Noss as Vice-Chairman for 2018. Second by Mr. O'Connor. There were no other nominations.

Re-Organization Resolutions of Approval:

1. *Scheduled Meetings for 2018*

Mr. Novalis made a motion to approve the meeting schedule for 2018, second by Mr. DeRose

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

2. Retaining of a Board Attorney, Planning Consultant, and Engineer

Mr. Noss made a motion to approve Kurt Senesky as Board Attorney for 2018, Robert Michaels as the Planning Consultant for 2018, and Michael Sgaramella as Board Engineer for 2018, second by Mr. O'Connor.

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

4. Retaining of Board Secretary

Mr. Cannilla made a motion to approve Marlene Rawson as Board Secretary for 2018, second by Mr. Noss.

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

Resolution of Approval:

5. **Linda Wagner-Blok, Wil Blok**
2 Crescent Road
Block 2005, Lot 7

Application #BOA17-9
side, rear, front setback
building, lot coverage

Applicant is seeking approval for a porch, portico, and driveway.

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

Roll Call: Noss, yes; Novalis, yes.

C Variance:

11. **David Cicalese**
81 Rockwood Road
Block 3402, Lot 26

Application #BOA17-12
excess lot coverage

Applicant is seeking approval for excess lot coverage in connection with an in-ground pool and patio. Carried from the October 4, 2017 meeting without further notice or publication.

Mr. O'Connor confirmed that he has listened to the recording of the meeting he missed and is now eligible to vote on this application.

Steve Azzolini, Esq., attorney for the applicant reviewed the application that began in October 2017. He stated that the original plan was 6.7% over in lot coverage or 1161 square feet over what is permitted.

They listened to the concerns of the Board regarding the overly large patio areas and the need for perk tests with respect to the drainage plan.

Jeff Egarian, Engineer, remained under oath. He testified that the new revised plan greatly reduced the patios and walkways by 800 square feet from 36.7% to 32.1%.

With respect to the proposed drainage system, they performed six percolation tests with unsatisfactory results. However, Mr. Egarian contends that the 585 square foot pool will act as a storm water collector and negate the patio/walkway area that is now 512 square feet. In addition, the natural grading of the property from back to front on the site, along with the berm of arborvitae will cause all the storm water to remain on the site.

Mr. Novalis agreed that six inches of storm water will collect in the pool but it will then need to be discharged after a rain storm in order to get the pool back to the level that it was designed for. He asked where it will go since there is no storm water tank.

Mr. Novalis asked where the downspouts on the house lead to. Mr. Cicalese stated that although the plans do not show an underground chamber, his builder said that one exists in the front lawn for the downspouts that are piped underground.

Mr. O'Connor agreed that since the property grade is higher in the rear and the sides, the water will be trapped on this property unless they install some sort of piping.

Mr. Egarian said that flexible hose could be used to pump the pool water to the street. The distance would be around 200 feet.

Mr. Cannilla said that the pool is close to the property line and he is not comfortable with flexible hose being rolled out in order to drain the excess water from the pool. He asked about a direct discharge line such as a rigid pipe that could be piped to the municipal storm drains.

Mr. Cicalese said that the Borough Engineering Department told his builder that the underground pipes can be used to discharge directly into the municipal storm drain that is located in the street in front of his home.

Mr. Azzolini stated that a condition could be that the excess pool water would need to be piped to this storm drain in the street via an underground pipe.

Mr. Egarian agreed that it can be done. A rigid PVC pipe will be connected to the pump filter area and be installed underground to connect directly into the municipal storm catch basins. He again confirmed that there will not be any runoff onto the neighbor's property.

Mr. Azzolini said that without the pool, they would be just under the lot coverage limit. The pool is acting as a tank to some degree because it catches the water. Upon learning that an underground tank system would not be effective, his client greatly reduced the patio areas because they were committed to working with the town.

Mr. Cannilla appreciated that and thanked the applicant for re-thinking the plan and considering the storm water concerns.

Mr. Cannilla opened the meeting to the public. There were no questions or comments. He called for a motion.

Mr. O'Connor made a motion to approve the application, second by Mr. Novalis.

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 8:00p.m.

Marlene Rawson
Board Secretary

January 3, 2018