

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

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, July 18, 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. Rick Zeien  
Mr. Brian O'Connor  
Mr. Jason Jensen

**Members Absent:**

Mr. Ron DeRose  
Ms. Elizabeth Roseman

**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 June 20, 2018 Meeting.

Mr. Zeien 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.

**Resolution of Approval:**

- |           |   |                                  |
|-----------|---|----------------------------------|
| <b>1.</b> | <b><u>Jason Jensen &amp; Cynthia Van Wert</u></b> | <b><u>Application #18-12</u></b> |
|           | 291 Brooklake Road                                | front yard setback               |
|           | Block 2007, Lot 6                                 |                                  |

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

Mr. O'Connor made a motion to approve the resolution, second by Mr. Zeien.

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

**C Variance:**

- |           |  |   |
|-----------|--|---|
| <b>2.</b> | <b><u>Grant Lenahan</u></b><br>53 Briarwood Road<br>Block 2412, Lot 15 | <b><u>Application #BOA 18-8</u></b><br>lot coverage |
|-----------|--|---|

Applicant is seeking approval for excess lot coverage in connection with an addition.  
Applicant requested to be carried to the August 1, 2018 meeting without further notice or publication.

Mr. Zeien made a motion carry the application, second by Mr. Novalis.  
Roll Call: On a roll call vote all members present and eligible voted to carry the application.

**Use Variance, Preliminary & Final Site Plan:**

- |           |   |  |
|-----------|---|--|
| <b>8.</b> | <b><u>Artis Senior Living</u></b><br>301 Columbia Turnpike<br>Block 1602, lot 5 | <b><u>Application #BOA17-13</u></b><br>use, preliminary & final site plan<br>R-25 zone |
|-----------|---|--|

Applicant is seeking approval for an assisted living facility.

Carried from the May 2, 2018 meeting without further notice or publication.

Doug Henshaw represented the applicant. He stated that he has just been given a report by Dan Bundschuh, of the Florham Park First Squad. This report will be reviewed by his professionals and responded to at the next meeting.

The revised application and plan is a result of the comments by the Board and also the neighbors to reduce the intensity of the project.

David Wisotsky, project engineer explained the changes.

A-5: Power point of changes to the site plan, dated 5.1.2018

The bed count has been reduced from 72 to 64.  
The building footprint is reduced by 863 square feet.  
The building length is reduced from 289 feet to 262 feet (27.3 ft.).  
The building coverage percentage is reduced from 17.2% to 16.6%.  
The building has been slightly rotated clockwise, creating a 45 foot buffer from the Elm Street resident property line.  
There is now a 14 x 30 foot loading space where the ADA spaces were, and no variance is required.  
The 8 foot fence around the site is now 6 foot, eliminating the variance.  
The front yard fence is now 4 foot split rail with wire mesh and no variance is needed.  
The front setback will now be 22 feet from 29 feet, as a result of these changes.  
The lot coverage is slightly reduced from 43.9% to 43.3%.  
There is less tree removal now at 83.7% from 100%.  
The retaining wall will be moved further from property lines, and less than 6 foot high. By doing that they are saving some natural vegetation and eliminating a variance.

In summary, these changes resulted in eliminating four variances and reducing the intensity of two variances. The parking count is the same. All the changes have been incorporated in to the latest site plan. The proximity to the building from the south, east and west has been modified.

They will install signage on at the Elm Street exit indicating "No Right Turn". They will also install signage on Columbia Turnpike indicating "No Left Turn", provided they get County approval.

Mike Sgaramella asked about off-site improvements along Columbia Turnpike to accommodate employees who walk along the road to and from the bus stop.

Mr. Wisotsky replied that the bus stop is across the street from the Center Court Tennis Club. There is not enough width to install a sidewalk on that side. There are also significant grading issues and no shoulder along the road. He does not want to encourage pedestrians in that area.

Jeff Noss asked where employees of other area assisted living facilities commute from and how they get to work. That would be useful information.

Doug Henshaw stated that he does not have that information. The assisted living facilities may not release that information to him either. He stated that UBER and ride sharing are used at other facilities.

Jeff Noss asked if there would be enough parking if employees all drove to work. Doug Henshaw said that there is enough parking to accommodate that. He reviewed the shifts.

Doug Henshaw agreed that the sewer main will go from 6 to 8 inches and piped along Elm Street. This will allow the homeowner at the end of Elm Street to tie into the sewer. She is currently on septic.

The entire courtyard is enclosed with a six foot vinyl fence.

Mike Cannilla stated that the property across the street is in the Borough Housing Plan and he thinks that there should be sidewalks on that side. Mike Sgaramella replied that the actual development plan and standards for that property has not been defined yet.

Mike Cannilla would like to see sidewalks along the applicant's property. David Wisotsky said that there is room to accommodate a sidewalk along their frontage to cross Elm Street. There was discussion as to the timing of a sidewalk installation and whether it makes sense to install now or wait until the development across the street begins.

Mike Cannilla suggested relocating the ADA spaces to the opposite side of the parking lot so there is no need to cross the drive aisle. Doug Henshaw said his team will explore that. He added that they have assured Ms. Flood that the parking spaces closest to her will be the least used.

Mr. Novalis said that it appears as though the building elevation has been raised. Mr. Wisotsky replied that the building elevation is the same although the grade may change slightly.

Mr. Cannilla noted that if the grades are steep and sloped, the residents may find that it is not walkable for them. Mr. Henshaw said that these residents do not wander off of the sidewalks.

Mr. Cannilla noted that assisted living facilities often change operators. It is possible that in the future, a different operator would service a younger resident population. They must look long term.

Rick Zeien asked about the shift changes and if residents drive. He asked about visitor traffic. Doug Henshaw stated that there has already been testimony on shift changes and visitors, and he will review the transcripts for that information.

Mike Cannilla stated that they have met the parking requirement standard but he does understand the concern.

Doug Henshaw said they have 39 parking spaces. They are required to have 32 parking spaces since they have reduced the plan, however, they have 39 spaces.

Mr. O'Connor asked about snow management and removal. Mr. Wisotsky said during large storms, the snow would be removed off-site by the contractor.

Mr. Sgaramella said that would be a zoning enforcement issue.

Mr. Noss asked about the tree removal of 83.7%. Mr. Wisotsky said that percentage is for the entire site. The purpose is to clear the site. The remaining trees would stay in the buffer areas.

Mr. Zeien asked about employee assigned parking spaces. Max Ferrentinos said that in this particular application, there are some designated spots.

The meeting was opened to the public.

Rosemary Stone Dougherty, Esq., Attorney for Kathy Flood, Elm Street. She said that the parking spaces that are closest to her client's property are now designated as employee parking. At a previous meeting, they agreed to have those be visitor parking since their testimony was that there are few visitors.

Mr. Wisotsky acknowledged that and said that they will designate them as visitor and relocate the employee parking elsewhere.

Rosemary Stone Dougherty. She was concerned where the 6 ft. fence would stop and become a 4 foot fence. Her client wanted the high fence to shield her property from the site.

Mr. Wisotsky said that if they prefer a 6 foot fence along her property, they will leave it at 6 feet.

Rosemary Stone Dougherty asked what the distance is from the building to her client's property line. Mr. Wisotsky said it is now 22.8 feet from 21.5 feet.

Rosemary Stone Dougherty requested that any further revisions to the plan be made available to her client.

Mr. Wisotsky said that they are still contemplating on where they should put the ADA parking spaces. Currently they are in the middle of the parking lot.

Diane Himics, Welsh Drive. She wanted to know how many feet she has gained by the building being shortened.

Mr. Wisotsky said that the fence is now 64 feet in from her property line from 15 feet. The area will be left undisturbed.

Ms. Himics asked if her sight line to the building changed. Mr. Wisotsky said that it did not change.

There were no other questions from the public.

Doug Henshaw stated that he had no more testimony to present tonight and asked to be carried to a future date. He agreed to be carried to September 19, 2018 and granted an extension of time to act until October 3, 2018.

Mr. Cannilla called for a motion.

Mr. Zeien made a motion carry the application to September 18, 2018, second by Mr. Jensen.  
Roll Call: On a roll call vote all members present and eligible voted to carry the application.

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