

**Borough of Florham Park
Planning Board
Work Session Meeting Minutes
October 22, 2018**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, October 22, 2018 at 6:30p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Michael DeAngelis – Chairman
Mrs. Jane Margulies – Vice Chairman
Mayor Mark Taylor
Mrs. Carmen Cefolo-Pane
Mr. Michael Cannilla
Mr. Gary Feith
Mr. John Buchholz
Mr. Dave Roberts (1st Alt)

Members Absent:

Mr. Joseph Guerin

Also Present:

Mr. Michael Sgaramella, Borough Engineer
Mr. Robert Michaels, Borough Planner
Mr. John Inglesino, 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:

25 Vreeland Venture, LLC
25A Vreeland Road
Block 301, Lot 14

Application # 18SPW-17
TG-17, LLC

Applicant is seeking approval for a change in tenancy.

Mark Goodman, Esq. represented the applicant. Sarah Boyarsky, program manager and Jeff Marks were sworn in.

Ms. Boyarsky and Mr. Marks testified they plan to use the space for a customer service call center. They are using 4000 square feet of space. No signage package was submitted with this plan, and they confirmed that any future sign would comply with the ordinance. The business will have 32 employees on staff working shift work.

Mr. Sgaramella stated that they submitted a shift schedule and the parking complies. It will operate 24 hours per day. There are no customer visits and no client meetings.

Upon questioning by Board members, they declined to discuss the nature or type of business that the call center is related to. They responded that because this is a start-up company, they prefer to keep it private at the present time.

Bob Michaels stated that they are utilizing the space as general office space and it is permitted.

The application also called for the installation of an HVAC unit and a generator. The HVAC unit can be approved as long as they place it in a compliant location. They cannot move forward with the generator as part of this application. It will have to be submitted separately as an amended site plan.

There were no further 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 (*Cannilla abstain*)

On a motion duly made and seconded the meeting was adjourned at 6:45 p.m.

October 22, 2018

Marlene Rawson
Board Secretary

**Borough of Florham Park
Planning Board
Regular Meeting Minutes
October 22, 2018**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, October 22, 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
Mrs. Carmen Cefolo-Pane
Mr. Michael Cannilla
Mr. Gary Feith
Mr. John Buchholz
Mr. Dave Roberts (1st Alt)

Members Absent:

Mr. Joseph Guerin

Also Present:

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

Approval of Minutes:

11. Approval of minutes from the September 24, 2018 meeting.

Mayor Taylor made a motion to approve the minutes, second by Mrs. Cefolo-Pane

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

Resolution of Approval:

- | | | |
|----|---|--------------------------------------|
| 7. | <u>Modern Acupuncture</u>
176 Columbia Turnpike
Block 804, Lot 1 | <u>Application # 18SPW-15</u> |
|----|---|--------------------------------------|

Applicant is seeking a change in tenancy for an acupuncture therapy office.

Mr. Roberts 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.

8. **LSREF Turtle, LLC**
180 Park Avenue
Block 1401, Lot 4

Application # 18SPW-16
Transwestern Commercial Services

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

Mrs. Cefolo-Pane 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. **Braemar Homes, LLC**
2 Vreeland Road
Block 303, Lot 11

Application #18SP-6
MF-9 zone

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

Mr. Cannilla 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.

Preliminary and Final Major Subdivision:

10. **64 Ridgedale Avenue, LLC**
64 Ridgedale Avenue
Block 2804, Lot 19

Application #18MSD-3
R-15 Zone

Applicant is seeking approval for a 5 lot subdivision on a 3.28 acre parcel.

Carmen Cefolo-Pane was recused from this application.

Steven Azzolini, Esq. represented the applicant. His professional witnesses are Anthony Faccino, PE, and Bill Hamilton, Planner.

Mr. Azzolini stated that the subject lot is 3.28 acres in size in the R-15 zone. The proposal is to create five building lots for single family homes on a cul-de-sac. There are two bulk variances associated with this request. They are lot width on proposed lot 19.01, and lot depth on proposed lot 19.02. All proposed lots exceed the lot area requirements for the zone.

The plan includes the demolition of the existing home on the property. It was built during the 1800's but it is not on any historic registry including the State or National Historic Registry. Mr. Azzolini stated that the Planner will testify to this.

Patrick McAuley, Esq. of the law firm of Connell-Foley, introduced himself and stated that he has been retained by Suzanne L'Hernault and Gary Overton of 12 Afton Drive. He had questions on the legal notice.

He stated that the notice refers to two variances and he believes that there are additional variances that were identified in Borough Engineer Mike Sgaramella's review of the application. He contends that results in insufficient notice.

Mr. Azzolini responded that he believes that the notice is accurate and proper as it includes the language "and any other variance deemed necessary". He stated that he received Mike Sgaramella's report on October 17th, which is after the required date of publication. In addition, he contends that the deviation from the tree ordinance would be a design waiver and not a variance. Landscape standards can be waived by the Board. The application is subject to County approval and that has been filed. Also, the RSIS standard will be met. He restated that his notice is valid.

Mr. McAuley said that he did not see that language in the notice.

John Inglesino, Esq., Board Attorney, reviewed the notice and agrees that the technical components of the application have been met. He explained to the public that Mr. McAuley has a right to question the notice as he did.

Mr. McAuley appreciated the clarification on the language in the notice and agreed that the notice appears accurate.

Anthony Facchino, Engineer, was sworn in.

A-1: Existing conditions aerial photo (10.15.18)

Mr. Facchino stated that the property is location in the R-15 zone where single family homes, houses of worship, and municipal facilities are a permitted use.

He described the property. There is a large single family home, an oversized non-conforming detached garage (1100 square feet), a long driveway that also circles in front of the home. There is a man-made pond and a wooded rear yard. A complete demolition of the house and garage is planned.

Regarding the pond, a DEP application has been filed to fill the pond. It includes a valid LOI that determined it to be an isolated wetland area in addition to a middle section of the wooded area. Mayor Taylor responded that he wants to review the application before hearing testimony on that.

The entire property slopes from east to west to the center of the property. Mr. Facchino stated 2.6 acres of land along Roosevelt and Hillside drain onto the property. A storm sewer picks up much of the drainage along Afton Drive side but some of that water also drains on to the subject site.

A-2: site plan rendering of 64 Ridgedale Avenue, LLC plan

Mr. Facchino described the development. It includes five new single family homes plus a 600 foot road known as a cul-de-sac stem (Salvatore Court). This road is in accordance with Residential Site Improvement Standards (RSIS). ROW is 45 foot where 44 feet is required. The minimum lot size in the R-15 zone is 15,000 square feet. The lot sizes proposed are as follows:

Lot 19.01 – 26,774 (sf), Lot 19.02 – 18,380 (sf), Lot 19.03 – 18,683 (sf), Lot 19.04 – 21,331 (sf), Lot 19.05 – 26,706 (sf)

Lot 19.01 is a corner lot with two front yards. It needs a lot width variance for the Ridgedale Avenue front. The required lot width is 125 feet, and 104.3 feet is provided. However, the Salvatore Court front is 204 feet.

Lot 19.02 is an interior lot immediately adjacent to the corner lot and needs a lot depth variance. The required lot depth is 150 feet and 132.8 feet is provided. All other lots are fully conforming.

Mr. Cannilla questioned the size of the homes that are shown on the exhibit. He asked if it depicts the size of what is to be built. Mr. Facchino stated that the drawings are conceptual but the homes size that will be build will conform to the ordinance.

Mr. Facchino stated that the drainage pattern shows that the property is the lowest in the area and collects from other surrounding areas. The proposed drainage system will handle and mitigate the storm water in accordance with their regulations which include quantity, quality, and recharge.

The water that flows and drains onto the property from the homes on the Roosevelt Blvd. side will now be collected in a drainage system along the perimeter of our property and piped to Ridgedale Avenue and into the storm drain system. The water on the remainder of the site will be captured via yard inlets located in the rear yards of the properties and be piped to the drainage system on Salvatore Court. It will be conveyed to a water treatment device will filter, and clean the water. The underground detention system will store and reduce the rate of runoff from the site. There are also drywells to be installed for each home.

Both sewer and water utilities will be extended to and from Ridgedale Avenue. Three fire hydrants are proposed at the request of the fire department. All utilities will be underground and connect to Ridgedale Avenue.

Tree removal will involve the clearing of 136 trees. They plan to keep 23 trees. They will replant 43 trees. The tree replacement obligation is 595 trees. They do not want to clutter the lots with trees and prefer to pay into the Borough tree bank. A design waiver is needed since they are removing more than 60% of the existing tree canopy. Mr. Facchino stated that they cannot comply building code, NJDEP storm water regulations with that number of trees which is why they are requesting the waiver.

An exact count of the number of trees was requested. Mr. Azzolini said that they will retain a certified arborist to assess the trees for condition purposes and also for an accurate count. He added that some of the trees are no longer viable.

They will also add three new street lights. There is one planned for the entrance and then along the cul-de-sac. They may need additional ones and they will work with Mike Sgaramella on exact placement and number.

The ITE trip generation manual was used to evaluate traffic. There will be no more than additional four cars in the AM and five cars in the PM. This is a very low traffic generator.

Mr. Inglesino asked for clarification on the design waiver request for the deviation from the tree ordinance. Bob Michaels stated that he agrees that it would be a design waiver and not a variance request. Variances are given for deviations from the Zoning Ordinance. Site plans and subdivision ordinance deviations would be waivers. Mike Sgaramella agreed with Bob Michaels.

Mike Sgaramella's report was reviewed. They reiterated that they need relief from the tree ordinance because they cannot build the drainage system and comply with storm water regulations. Mr. DeAngelis said that the rear of the lot looks heavily treed and wants the arborist to determine whether more trees can be saved.

Mike Sgaramella asked about a landscape buffer or conservation easement. They were not sure about the conservation easement. They can buffer adjacent lots with additional trees. The road way will be 28 feet wide.

There were questions from the Board about the drainage patterns and whether they can use the natural grading to let it flow north to the street. Mr. Facchino stated that they cannot mix water with any offsite flow. He stated that they need storm water approvals from NJDEP, Morris County Planning Board and Engineer.

There is a question about the medical building next door and the driveway to get into that parking lot. Mr. Facchino stated that they have reached out to the dentist about relocating his driveway entrance to be off of the new cul-de-sac. They have not gotten any feedback from the dentist.

The Morris County Planning Board noted that they medical office driveway can remain where it is. However, if there is a new site plan for that medical office in the future, the driveway would need to be tied into the cul-de-sac. Mr. Sgaramella would like a peninsula to separate the driveway from the new road. They can put a no stopping or standing sign on one side of the road. Mr. Facchino said that they will work to move the sidewalk more east. They will work with Mr. Sgaramella.

There was concern that the new cul-de-sac would create two front yards for three lots on Afton Drive. It was suggested that could be mitigated by designating Afton Drive as the front yards on the property record cards for those properties and in the resolution.

Bob Michaels noted that will offer protections for those homeowners as far as what can be placed in their rear yards.

There is an application under DEP review for the wetlands. There is an LOI included in that application.

Mr. Cannilla observed that the homes depicted on the rendering appear smaller than what could actually be built. He wanted a more accurate and realistic rendering to be presented.

Mayor Taylor added that there are many homes that are built to the coverage limit and when they want to add on a deck or pool, they need variance relief. He wants the buyers to be made aware of where the coverage limit is.

A technical representative will be present during construction and also offer training on the filtration system and filter replacement. They will provide new filters for after construction, and a maintenance manual. The filters have a five year life span. Mike DeAngelis suggested that a dollar amount be set aside for new filters for 20 years.

Break.

Bob Michaels also suggested that the Planning Board retain jurisdictions for plot plans, and not the Board of Adjustment. He also suggested that the home on block 19.01 have the garage on the east side of the home instead of the west. Mr. Facchino said the east side of this property is the largest area that he preferred to leave. He did not want that restriction. Mr. Azzolini said that he would discuss that issue with his client.

Mr. DeAngelis asked if the project can be completed without the variances. Mr. Facchino said that it could not because of the RSIS standard. It is possible with a flag lot, but they are no longer permitted. If he reduced the number of homes to four, the lot width would still be deficient on lot 19.01. They could eliminate the lot depth variance on the adjacent lot, but all of the lots would become extremely large that may not be a good idea.

Mr. Cannilla suggested a conservation easement plus four lots. That way they would not be oversized and they can preserve some of the tree life. Mr. Azzolini said that is possible but he is representing his client. He will speak to him, but it is a matter of economics and this is the plan that they want to put forward.

The meeting was opened to the public.

Patrick McAuley, Esq. He wanted to know how long that Bowman worked on the plans and was it a difficult subdivision. Were the plans prepared with four lots and with a C-2 variance. Can one variance be eliminated? Can Salvatore Court be widened to 50 feet and can you move the street further from Afton Drive.? Were there traffic counts done on Ridgedale Ave.?

Mr. Facchino replied that the plans were worked on for one year and yes it was a difficult subdivision. They did prepare conceptual plans with four lots for the original owners. One variance could be eliminated that way, but it would not be the corner lot. Salvatore Court could be widened but they do not need to. It could be further from Afton but the depth variance would be made worse. They did not perform traffic counts because they were not needed.

Mr. Facchino also said that they have not gotten permission to move the medical office driveway to connect to the new cul-de-sac. However, the Morris County Planning Board stated that it can remain where it is.

Mr. McAuley asked about the proximity of the road to the driveway exit of Ridgedale School. He asked about the peninsula plan to separate the medical office driveway and the new road. He thought that the medical office could install something that would block the site lines.

Mr. McAuley stated that the two front yard issue for homes along Afton should be recorded and in the resolution. He wants it to be enforceable, especially since there are new homes. He wants the Afton properties to be protected from two front yards to avoid any challenges to that in the future. He would like to see a recorded resolution or a deed restriction. Mr. Inglesino said that they can work to protect those homes.

Mr. Facchino stated that all trees with more than a 6" caliper will be shown on the new plans. It was suggested to add additional trees to the north side of the street to create a more wooded buffer. Mr. Facchino stated that he will add more trees but did not it to look like a forest. He will work to realign the cross walk by the school so that it meets the curb line.

Dr. Mark Gleckner, 66 Ridgedale Ave. Asked who will plow the new road. He asked where the water from the snow melt will go. Mr. Facchino stated that the dentist office parking lot is lower so it will melt towards that. That condition exists today and will not change.

Mr. Gleckner asked if he too will have a second front yard because of the road. Bob Michaels said that he will have a street side front yard as a result of this.

Ms. Szonyi, 44 Ridgedale Ave. Asked how cars would make a left out of the street when traffic is stopped due to the school pick-up and drop-off. There is a lot of children in the area during school days. She added that left turns should be restricted during busy times and there should be no parking on the new street.

George Solovay, 4 Afton Drive. He was concerned with the runoff and the capability of the detention basin. He stated that the culvert on Ridgedale Avenue is not able to handle more water, especially during a hurricane, and it should be studied further.

Mr. Facchino explained how the detention system works. It is designed for a 100 year storm event. He stated that it will hold the water to reduce the flow and it will ultimately make the current condition better. He said that he cannot design for a hurricane. Mike Sgaramella agreed that we cannot design for extreme weather events.

Grant Reid, 81 Ridgedale Ave. He is also concerned with the runoff and the effects on his property. He wants to be sure that the Hassock Brook can handle the additional runoff. Mr. Facchino stated that the system is designed so that there will be less flow from the site than what exists today. He could not comment on the condition of the Hassock Brook.

John Inglesino stated that the Applicant must comply with the DEP requirements and as long they do, that cannot be a basis for a denial.

James Rhodes, 8 Afton Drive. He would like more trees added to the rear of his property that abuts the new road. He bought the home for the privacy of the back yard. He would like the road further away from his property line. Mr. Facchino said he will look at the plan again but the road cannot be moved. He can add more buffer in the form of shade trees and evergreens.

Lisa McMann, 10 Afton Drive. She wanted to know if there are other properties with two front yards. Mr. Facchino stated there are properties in town that have that issue. He said their Planner will speak to that when he gives his testimony.

Chris Ayars, 9 Roosevelt Blvd. He questioned the elevations of the wetlands and worried that the water will run onto his property because it is lower. He wants more inlets.

AO-1: topographic survey from Bowman, NJ DEP wetland plan

Mr. Facchino said that it will not run towards his property. They will use berms and swales between the properties. Mr. Ayars was concerned with the wildlife on the property and the ecosystem being disrupted. There are turtles, ducks, fox den, etc. Mr. Azzolini said that the DEP is reviewing that since it is within their jurisdiction.

The Board was concerned that the inlets on the new proposed lots be maintained. If the inlets are blocked, the water will flow towards those neighboring properties.

Mary Gannon, 1 Hillside. She has lived there for almost 50 years and enjoyed her private rear yard. Her landscaping will change forever. She wants more trees and evergreens to buffer her from the development. She feels that no one cares about the preserving the town and she thinks it is sad.

Mr. DeAngelis said that he understand her feelings of frustration. But property owners have rights to develop. She is very fortunate to have had almost 50 years of a very private rear yard and open space.

Laurie Winschuh, Jolen Court. She felt that the community spirit tonight is strong and she knows Mary Gannon. She said if this goes through it would be a great thing for young families. She lives on a cul-de-sac and it a great experience and very safe. She said it is a great town and thinks that this can look beautiful and maybe we can add more trees to Mrs. Gannon's lot. She understands her concerns.

Mayor Taylor said that the replacement number is 540 plus trees that the applicant must provide. Some can be replaced on this property.

Mr. Gannon, 1 Hillside Ave. Wants confirmation that there will be a buffer and the water will be managed by this project. Mr. Facchino said that the Gannon property is higher and the water will drain away from his property.

Mr. Azzolini stated that he wants the record to show that he did not object to the comments of Ms. Wunschuh, although they were not permitted.

Mr. DeAngelis stated that meeting must be carried to a future date. He asked for a motion to carry the meeting.

Mr. Cannilla made a motion to carry the application to the November 5, 2018 meeting without further notice or publication, second by Mr. Feith.

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

On a motion duly made and seconded the meeting was adjourned at 10:15p.m.

Marlene Rawson
Board Secretary

October 22, 2018