

**Zoning Board of Adjustment  
Regular Meeting Minutes  
September 5, 2018**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening September 5, 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  
Ms. Elizabeth Roseman

**Members Absent:**

None

**Also Present:**

Mr. Kurt Senesky, Esq., Board Attorney  
Mr. Robert Michaels, Board Planner  
Mr. Michael Sgaramella, Board Engineer

**Call to Order:**

Mr. Cannilla, Chairman called the meeting to order at 7:05p.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 August 1, 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.

**C Variance:**

- |           |  |   |
|-----------|--|---|
| <b>1.</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 September 19, 2018 meeting without further notice or publication.

Mr. Zeien made a motion to carry the application to the September 19, 2018 meeting without further notice, second by Mr. O'Connor.

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

**Minor Subdivision, D-Variance, Preliminary & Final Site Plan:**

- |    |   |                                     |
|----|---|-------------------------------------|
| 2. | <b><u>U.S. Northeast Properties</u></b> | <b><u>Application # BOA18-9</u></b> |
|    | 119-121 Columbia Turnpike               | PB-2 zone                           |
|    | Block 2001, Lot 7.01 & 7.02             |                                     |

Applicant is seeking approval for a minor subdivision, a one story medical office building, and a two story mixed use building containing medical offices and a physical fitness center.

Applicant has requested to be carried to the September 19, 2018 meeting with no further notice or publication.

Mr. Cannilla asked for a motion to carry the application to the September 19, 2018 meeting without further notice or publication.

Mr. O'Connor made a motion to carry the application to the September 19, 2018 meeting without further notice, second by Mr. Zeien.

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

Several members of the public became annoyed when the announcement was made that the applicant is not appearing at the meeting. They felt that they should have been officially notified that they were rescheduling to a new date. One resident was upset that the applicant has chosen a future date that is a religious holiday for her and she is unable to attend. Others were angry because they rearranged their schedule to be here tonight and were not told of the change.

These residents complained of ongoing maintenance issues on the subject property such as water issues and the past promises of new fencing. They stated that the property has been an eyesore and in deteriorating condition for years and nothing is being done about it. One resident reported that she is trying to sell her home and that the property is a detriment.

Mr. Senesky stated that property maintenance issues are not the purview of this Board. Those issues must be reported to the Zoning Enforcement Officer for action. He and Mr. Cannilla both stated that although the applicant has received development approvals from this Board in the past, he cannot be compelled to complete an approved project.

Mr. Cannilla agreed that the situation is frustrating for everyone, including this Board. But he also stated that any applicant may elect to carry their application and that they are not required to officially notify the residents of the date change. Marlene Rawson, Board Secretary explained that the best course of action for any resident who is very interested in an application is to call her on the day of the meeting to confirm that the applicant is appearing that evening. Applicants are able to ask to be carried to a future date at any time, including the day of the meeting.

There was more discussion about the ongoing frustration and many residents wanted official notice of the new date of the meeting. Mr. Senesky stated that the Board can require that if they choose to, but that is not usual.

One resident wanted the applicant to be scheduled beyond the next scheduled meeting because it is a religious holiday for her. Mr. Cannilla explained that the schedule is set in the beginning of the year and September 19, 2018 is a regularly scheduled meeting. He noted that the Board normally does not require

an applicant to re-notice when postponing for the first time. This usually occurs when an applicant repeatedly carries the application to several dates over a period of time. He felt that it would be unfair to the applicant to require them to re-notice at this late date when it is questionable as to whether they will be able to do so in time for the next meeting. He added that the Board already voted to carry the application without further notice.

Mr. Cannilla confirmed that if they noticed immediately, they can meet September 19, 2018 date. If they cannot do that in time, they will need to request another date.

Mr. Noss stated that he wants to amend the motion on the request to carry the application to include re-noticing the public. Second by Mr. O'Connor.

*Roll: Noss, yes; O'Connor, yes; Cannilla, abstain; Novalis, no; Zeien, yes, Jensen, yes; Roseman, no.*

**D-Variance, Preliminary & Final Site Plan:**

<b>3.</b>	<b><u>PSI Atlantic Florham Park NJ, LLC</u></b>	<b><u>Application #BOA 18-13</u></b>
	37 Vreeland Road	C-1 zone
	Block 301, Lot 17	

Applicant is seeking approval for the construction of a self-storage facility.

Mr. Senesky verified with the Board Secretary that there are seven eligible voters present tonight.

Joseph Paparo, Esq. briefly reviewed and summarized the application. It was presented at the August 1, 2018 meeting. All professional testimony is complete. In addition to a use variance, they are seeking three "c" variances. They are a height variance, a wall sign for identification, and the height of a free standing sign.

They will remove the 2<sup>nd</sup> free standing sign on Vreeland. They want to replace that with a wall sign that meets the ordinance for size but is not permitted in the C-1 zone. He said that a wall sign goes hand in hand with the use. They also need the free standing sign at the corner of Columbia and Vreeland to be higher than what is permitted due to the topography of the area. They also need to clear the guard rail.

Mr. Paparo stated that the architectural façade will be continued around to the Columbia Turnpike elevation as suggested at the last meeting. He also said that the rest room door will be made accessible to the public.

- A-4: revised floor plan
- A-5: building elevation on the Columbia Turnpike side showing architectural features
- A-6: ground sign from the Columbia Turnpike viewpoint

Jonathan Istrayna, Engineer, remained under oath and described the exhibits. It depicts the changes that were agreed to at the previous meeting. The sign exhibit illustrates the topography and grade changes in the location of the free standing sign. He said the extra height is needed for visibility.

Pete Williams, principal in PSI Atlantic, remained under oath. He stated the revised floor plan now depicts a door to the restroom. It also places a mop sink next to the rest room. Mr. Novalis reminded them that they must be sure that it does not affect ADA accessibility.

Mike Sgaramella commented that the free standing sign appears to be 12 ½ feet high from the guiderail. It may not need to be that high. Mike Cannilla agreed. He also confirmed that a tree removal survey be made a condition of approval.

Elizabeth Roseman asked if any other signs along Columbia Turnpike are that high.

Rick Zeien stated that he thought that the BP Gas sign was 15 feet high. Jeff Noss added that there is no obstruction that needed to be dealt with in that location either. Bob Michaels confirmed with Mr. Istrayna that the top of the sign appears to be nine feet from the opposite side of Columbia Turnpike.

Mike Cannilla was concerned whether an oversized sign is appropriate for that use. It is not a pass-by destination. People who are going there already know where it is. He also knows that they want to attract customers who are looking for off-site storage.

Mr. Cannilla also asked if banked parking is something that should be considered. Mike Sgaramella responded that the testimony showed that extra parking is not needed. He is comfortable with the testimony.

Mr. Novalis asked which sign variance they would choose if they could only have one. Mr. Senesky responded that it was not an appropriate question.

Mr. Paparo said if the ground sign was 8 feet and compliant, a driver would only see six inches of the sign. He said that it goes hand in hand with the use. He said that the wall sign is needed for identification and if there were no sign, it would be problematic.

Mr. Paparo conferred with this clients and stated that they can lower the ground sign by 2 feet and that would show 8 feet of visibility above the guard rail.

Mr. Cannilla asked if they could reduce it to be seen as 8 feet high from the curb. This would result in a 12.75 foot high sign at the sign location.

Mr. Paparo stated that his client will agree to do a 13 foot high sign in the installation location and that will result in the appearance of an 8 foot high sign at the curb.

The meeting was opened to the public.

Barbara Nevius, West End Avenue. She wanted to know the height of the Living Praise Church sign.

Mr. Istrayna stated that the church as two ground signs that are on Columbia and Vreeland Road. The signs are closer to the road way.

There were no other questions.

Mr. Paparo gave a closing statement. He thanked the Board members and the Professionals for their time. He believes that the project will improve the area. They are reducing pavement and returning areas back to their natural statement. This is an environmental improvement. This is a low intensity use and has no traffic impacts. It has good access from Columbia Turnpike at a signalized intersection. There is no detriment to the public good or to the zone plan. They have made sign changes and façade changes.

There were no comments from the Board or the Public. Mr. Cannilla asked for a motion.

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

Roll: Noss, yes; Zeien, yes, Novalis, yes; O'Connor, yes; Cannilla, yes; Jensen, yes; Roseman, yes.

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