

**Borough of Florham Park  
Planning Board  
Work Session Meeting Minutes  
October 7, 2019**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, October 7, 2019 at 6:30p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

**Members Present:**

Mr. Michael DeAngelis – Chairman  
Mayor Mark Taylor  
Mrs. Carmen Cefolo-Pane  
Mr. Michael Cannilla  
Mr. Gary Feith  
Mr. Joseph Guerin  
Ms. Kristen Santoro (1<sup>st</sup> Alt)

**Members Absent:**

Mrs. Jane Margulies – Vice Chairman  
Mr. John Buchholz  
Mr. David Roberts

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Mr. Victor Vinegra 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.”

**Concept Review:**

1. **LCS Florham Park, LLC**  
The Green at Florham Park  
Block 1401, Lot 1.05

Continued from the September 23, 2019 meeting.

Nicole Magdziak, Esq. represented the applicant. Robert Moschello, of Gladstone Design, remained under oath.

A-3: conceptual subdivision and site plan

Mr. Moschello stated that since the last meeting, they re-looked at the plan in order to provide areas for banked parking. The proposed banked parking areas are identified and depicted on the exhibit in beige. They have found areas that will equal an additional 58 spaces in addition to the 222 spaces that they feel that they need and will

provide. This equates to an additional 0.2 acres of improved coverage, so there is the ability to provide this with little impact to the overall improved coverage.

The proposed zoning chart now reflects a maximum of four stories of height with below grade parking. Employee parking is also labeled on all the parking fields.

Lee Lyles, LCS Vice President, commented on the EMS concern. He stated that they have a robust internal medical emergency system that is monitored by their staff. There is 24/7 nursing staff coverage and staff is certified in CPR. Any call for emergency services first goes to this staff who assesses the situation and makes the appropriate call, either to their contracted ambulance service or EMS.

This protocol is reviewed in detail with all new residents and is outlined in the resident handbook. It covers all the levels of care, independent, assisted living, and memory care. It is periodically reviewed with the residents.

Mike Cannilla said that he does not want to suggest that 911 not be called, but this will impact the community and it must be managed. Florham Park has several assisted living facilities that have impacted EMS.

Mr. Lyles said that they have proven operational experience that this works well and better than most care facilities. Mr. Cannilla said he is concerned with future operators that may not have the same protocol.

Ms. Magdziak stated that they have no more testimony to present.

John Inglesino said the next step for the Planning Board is to discuss this if needed and make the recommendation to the Governing Body one way or the other. He noted although this parcel was initially envisioned as office space, that market no longer exists. Nicole Magdziak said that the remaining portion of the lot will stay zoned for 100,000-130,000sf of office space.

Johanna Chervak of the Rockefeller Group was sworn in. She said that this is the last parcel on the Green. The office market is in very poor shape with a 21.8% vacancy rate on existing product. LCS approached Rock GW two years ago with this use. They feel it is a good fit for Florham Park. The changing office market led to changes in the Green. They do intend to market the remaining 5 acres of 130,000 square foot office space as office, but she cannot promise that another user will not approach them.

Mike Sgaramella asked if the 130,000 square foot of office is easier to market. Ms. Chervak replied that the smaller office appeals to a different tenant. The large amount of office square footage is more suited for a corporate headquarters of which there is little interest.

Mike DeAngelis thought that the EMS issue would be debated at the Council level and not us. John Inglesino stated that the Governing Body can place requirements on the plan. There are ways to control this such a redevelopment plan. The Planning Board can make the recommendation that the use is desirable but note the concern on the 911 calls.

Mike DeAngelis agrees that this use is needed since the population is aging. Mr. Cannilla asked if there have been any studies on this use and if there is really a need for it.

Mr. Lyles replied that they have performed market studies and there is absolutely a need. For the most part, the existing facilities are full. They would not be interested in pursuing this and would not get the financing if there was not a market. In addition, recently another user proposed a similar type of facility in Florham Park so there is a definite market for it.

Mr. Cannilla said that the POD has changed many times. Florham Park has lots of senior living. He does not think there is a need for this.

Mike DeAngelis noted that the connector road to Route 24 did not happen. Mark Taylor replied that traffic will be much less with this use. He does understand the concern about EMS and he knows that the county wide service covers Florham Park two days a week due to inadequate staffing.

Gary Feith asked if there was any other downside to the use besides EMS calls. Mark Taylor felt that this use would not add to the traffic issue that exists in that area. An office space use would worsen the situation.

John Inglesino reminded the Board that this is not a use variance. The proposal would be to add this use to the existing office use. The market for office space is poor particularly for a large user. They want to make use of the property and it is clear that the market for senior living is in demand in Florham Park. There was another user interested in bringing the same type of use to Florham Park and added that his experience is that the market is being actively sought. The EMS issue can be raised but it is not the Planning Board's obligation to solve that. The question is if the use makes sense for the site or not. This is the process for the applicant to petition the Council for a zone change.

The question was raised if the zone change would include the entire PODS zone. Johanna Chervak responded that it would but compared it to the "Ave". The ordinance can narrow and control the use by placing a maximum number of apartments. Another example is Summit Medical Group where it is controlled by the limitation on the amount of medical that is permitted.

John Inglesino clarified that the Planning Board is being asked to recommend the use, not this particular plan.

Michael Tobia, planner for the applicant, stated that this is close to the intended site plan. A draft ordinance can narrow the use further, but changes would have to be approved by Rockefeller first.

John Inglesino restated that zoning would permit this use in the PODS zone. He added that a redevelopment process can legally restrict the use further, such as confining it to a specific area or confining the use to 230 units as proposed. It also enables the option of a PILOT program. This can dedicate funds to EMS. He noted that the land has been vacant for 10 years.

Carmen Cefolo-Pane asked about whether it would meet the criteria for a redevelopment. John Inglesino explained the redevelopment process. Ultimately it is the Governing Body that makes the determination. If there is political will, the process would not be that time-consuming.

Johanna Chervak was concerned with the timing involved in going through a redevelopment plan. She was not certain that LCS can wait that long with their development plan. She said that they would agree not to expand the use beyond what is being proposed here.

John Inglesino replied that no ordinance will be adopted this year. Victor Vinegra, Board Planner said that he would be hesitant to take the ordinance draft prepared by the landowner and forward it to the Council. He also thought that private ambulance service should be a requirement.

John Inglesino said that more restrictions can be imposed in a redevelopment plan. The Planning Board's roll is to recommend the use or not. The Governing Body can decide how to proceed. He will also check to see if the project is in compliance with COAH settlement agreement. They are providing 10% Medicaid beds in the assisted living and the memory care units.

Mike DeAngelis asked if the Planning Board can recommend the procedure, such as to consider a redevelopment.

John Inglesino suggested that if the Board was inclined to make the recommendation, language can be inserted that states that the Board is in favor of permitting senior rental housing and assisted living on the portion of the PODS zone that has been discussed at the Planning Board and as per the concept review that was presented. However, the Board expressed concerns about the prospect of expanding this use elsewhere in the PODS zone and the exacerbation of the EMS issue. Their recommendation does come with exploring measures to mitigate the EMS impacts and also to restrict this use to the parcel that has been identified in the applicant's testimony, including considering a redevelopment plan option.

Gary Feith made a motion to authorize the attorney to forward a letter of recommendation to the Governing Body for this proposal, citing the concerns as noted above. Second by Mr. DeAngelis.

Roll: Feith, yes; DeAngelis, yes, Taylor, yes; Cefolo-Pane, yes; Guerin, no; Santoro, yes; Cannilla, no. (5-2 in favor)

## **Site Plan Waivers:**

**2. Florham Park Fitness**  
187 Columbia Turnpike  
Block 1901, Lot 2

**Application #19SPW-17**

Applicant is seeking approval for the expansion of an existing fitness center.  
Carried/ continued from the September 23, 2019 meeting.

Greg Meese, Esq. represented the applicant. He submitted a memo to the Board that referred to the transcripts of the original meeting when the parking variance was granted. It indicates the Planning Board at that time did contemplate the addition of health clubs. Since that the Planning Board approved a beauty spa and also a child's play gym, although neither moved forward with the tenancy. These were as intense or more intense than this use.

Anthony Cuppari wanted to explain the floor plan and the use that he wants. It is to be used for functional training focused on the student athlete.

A-1: floor plan dated 9.23.19

The lobby will have a scan desk. There is space for a 40 yard dash style work out. Most of the training is running, pushing sleds. There is a computer lab for a homework area. The goal would be to sign teams up. The demographic he is trying to attract is grammar and high school kids. Only a very small percentage would drive, and carpooling is very common with the kids. Lunch time is the slowest period of the day for his business. The original gym has 11 people at the most in it during lunchtime.

Greg Meese summarized by saying that this is low intense, and low parking demand and is not a cause for concern.

Mike DeAngelis asked if the Board Professionals agreed. John Inglesino stated that not entirely. A variance for 4.2 spaces was granted in 2004. The question is what standard is to be used for this application. Would it be the variance or the new ordinance standard? Also, is there a safety issue in that shopping center at this time?

Mike Sgaramella said that if this use takes the space, there is 12,554 square feet of space that remains vacant. If the 4.2 spaces variance standard is used, then they would need 29 spaces and there will be 25-30 available spaces left. If the new ordinance standard of 1 for every 100 square feet is used which is 10 per 1000, they would require 69 spaces for this use and then there will be 11 spaces left.

Mr. Cuppari stated that he is utilizing the rear part of the space since it is longest space and that is what he needs for the 40 yard dash workouts. Mike Sgaramella confirmed that inside signage would direct them to the interior space.

Mike Cannilla thought that there would be drop off problem if there was team practices. He said they will probably use the fire zone. Greg Meese responded that they would instruct the members to be dropped off in the rear of the building. That is what the former applicant, Great Play, agreed to do. Anthony Cuppari confirmed that this procedure would be in the instructional pamphlet to drop off in the rear or park in a parking space.

Mike DeAngelis thought that the continued use of the parking variance would give them ability to put another restaurant in. Mike Cannilla thought that the Planning Board used the restaurant parking standard when Panera expanded a few years ago. Mike Sgaramella disagreed and stated that both Panera and Smashburger received separate variances.

Mark Taylor said that in regard to health and safety within the shopping center, the Board wanted a fence around the parking lot and along Ridgedale Avenue by Panera to deter people from crisscrossing into the drive aisle. The property owner did not respond to that.

Kristen Santoro asked if private security company can be hired to police the parking lot in order to deter illegal parking in fire lanes. Carmen Cefolo-Pane asked if class size can be restricted during the lunch hour. It was decided that it would be difficult to enforce.

John Inglesino stated that the Board cannot address the center wide issues in the resolution for this applicant. The findings will be that the use meets the current standard of personal service and there is enough parking spaces for it. However, the resolution is not binding in that regard. Future applications will be evaluated on a case by case basis. There may be a time when whether a parking variance is needed or not will be an open question. But that time is not now.

Mike Cannilla said that the users must be managed. Drop-offs should occur in the rear and reasonable measures must be taken to assure compliance.

The applicant indicated that they would comply with the sign ordinance.

There were no other questions. Mr. DeAngelis called for a motion.

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

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 8:30p.m.

October 7, 2019

Marlene Rawson  
Board Secretary

**Borough of Florham Park  
Planning Board  
Regular Meeting Minutes  
October 7, 2019**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, October 7, 2019 at 8:30 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  
Mayor Mark Taylor  
Mr. Michael Cannilla  
Mr. Gary Feith  
Mr. Joseph Guerin  
Ms. Kristen Santoro (1<sup>st</sup> Alt)

**Members Absent:**

Mrs. Carmen Cefolo-Pane  
Mrs. Jane Margulies – Vice Chairman  
Mr. John Buchholz  
Mr. David Roberts

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Mr. Victor Vinegra, Borough Planner  
Mr. John Inglesino, Esq. Board Attorney  
Mr. Joseph Fishinger, Traffic consultant

**Approval of Minutes:**

4. **Approval of minutes from the September 23, 2019 meeting.**

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

**Preliminary and Final Site Plan:**

5. **FloPark Associates** **Application #19SP-3 & 19SPW-13**  
182 Ridgedale Avenue  
Block 1902, Lot 1

Applicant is seeking approval for parking lot modifications and a change in tenancy for a fitness center (Orangetheory Fitness).

Carried from the August 19, 2019 meeting without further notice or publication.

Larry Calli, Esq. represented the applicant. He briefly reviewed the application. They are proposing to add 27 spaces and increase the amount from 89 spaces to 116 spaces. They need a variance for landscape area, and parking stall

size. The proposed new tenant is Orangetheory Fitness. Under the new parking ordinance and if the new parking standard is now applied to the existing hair salon, it creates a shortage of seven spaces.

They re-looked at the plan to find more areas for parking and are confident that they can add four more spaces.

Mr. Sehna, Engineer for the applicant remained sworn in. He said the plans have been revised. They will add bollards connected by a chain at the property line between the shopping center and the bank parking lot. They will be a yellow color. This is to provide a visual barrier to the grade drop so drivers do not attempt to cross over to the bank lot.

They will agree to a ROW dedication on the Hanover Road and Brooklake Roads and Ridgedale and Brooklake Road for handicapped improvements by the Borough. The parallel parking space will be made compliant length. They have also added several more lights. Mr. Sehna noted that the existing utility poles provide added light as well.

Mr. Sehna stated that they will install removable plastic bollards to prevent stopping in the fire lanes in the rear of the building. They will also install "DO NOT ENTER" signage along Ridgedale Avenue right of way.

They looked at the site to see if they can add more spaces. This is in response to the question about increasing the required parking for the existing hair salon. If the salon is subject to the new parking standard, then the required parking on the site would now be 123 spaces instead of 116 spaces.

They are proposing to remove the exit driveway along Brooklake Road that presents a difficult site triangle. This will provide room for four more parking spaces.

Mike Sgaramella asked if they can look at making the Ridgedale Avenue entrance driveway also an exit. Mayor Taylor did not like that idea because he thought it would lead to a disregard of the one way drive. They will also make the drive aisle between the shopping center and the bank a two way drive aisle so drivers can drive straight to the rear parking lot.

Joe Fishinger, traffic consultant asked if they looked at the parallel parking along the Ridgedale Avenue frontage and asked if they can provide angle parking instead since it is a one way aisle. They stated they would look at that but they were not sure if the drive aisle is wide enough to accommodate that.

Mike Sgaramella asked again about the Ridgedale Avenue entrance only to see if it can be made ingress and egress. He also asked how the lighting issue will be resolved. Mr. Sehna responded that the utility poles provide lighting and they will use the decorative fixtures that the Town Center Task Force prefers. However, he stated that those fixtures do not throw much light and they would have to install many of them.

Mike Cannilla wanted the van moved that stays in the parking lot.

Mr. Sehna said they will modify the landscape plan and work with the Town Center Task Force in the landscape plantings. He said that the drive aisle in front of the stores will remain one way.

Larry Calli stated that they will make the modifications to the plan and would like to return to the next meeting with the changes.

Mr. DeAngelis called for a motion.

Mayor Taylor made a motion to carry the application to the October 21, 2019 meeting without further notice or publication. Second by Mr. Guerin.

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

6. **Palmont Associates, LLC**  
147 Columbia Turnpike  
Block 1903, Lot 5

**Application #19SP-4**

Applicant is seeking preliminary and final major site plan approval for the construction of 126 residential rental units in 2 separate buildings.

***Application to be carried to November 4, 2019 without further notice or publication.***

Mr. Guerin made a motion to carry the application to November 4, 2019, second by Mayor Taylor.  
Roll: 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 9:30p.m.

Marlene Rawson  
Board Secretary

October 7, 2019