

**Zoning Board of Adjustment
Regular Meeting Minutes
September 4, 2019**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, September 4, 2019 at 7:00p.m., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Jeffrey Noss, Vice Chairman
Mr. John Novalis
Mr. Rick Zeien
Mr. Brian O'Connor
Mr. Jason Jensen
Mr. Ted Trautman
Mr. Matthew Engel (1st Alt)

Members Absent:

Mr. Michael Cannilla, Chairman

Also Present:

Mr. Kurt Senesky, Esq., Board Attorney
Mr. Michael Sgaramella, Board Engineer
Ms. Katherine O'Kane, Board Planner

Call to Order:

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

Statement of Adequate Notice:

Mr. Noss 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 7, 2019 Meeting.

Mr. Trautman made a motion to approve the minutes, second by Mr. Engel.

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

Resolution of Approval:

1. **Ketal Patel**
19 Circle Road
Block 2412, Lot 12

Application #BOA19-11

Applicant is seeking approval for excess building coverage, rear yard setback and front yard setback in connection with a kitchen addition, patio, and front entry portico.

Mr. Trautman made a motion to approve the resolution, second by Mr. Engel.

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

C Variance:

7. Carl & Sabrina Scalzo
38 Hillside Avenue
Block 2906, Lot 15

Application #BOA19-10

Applicant is seeking approval for excess lot coverage, and excess building coverage in connection with an in-ground swimming pool, walkways and pool cabana.

The applicant requested to be carried to the October 2, 2019 meeting without further notice or publication.

Mr. Zeien made a motion to carry the application to October 2, 2019, second by Mr. Trautman.

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

Eligible voters: Cannilla, Noss, Novalis, O'Connor, Trautman

8. Michael Galanti
143 Braidburn Road
Block 3004, Lot 9

Application #BOA19-12

Applicant is seeking approval for excess lot coverage, side yard setback, and a driveway setback in connection with a detached garage, patio, and driveway extension. Carried from the August 7, 2019 meeting without further notice or publication.

Mr. Galanti remained sworn in. He stated that the open issue was that the location of the detached garage as initially proposed appeared to be too close to the house, making access to it very difficult. He now has moved the garage further back which allows for an area to make a K-turn. He presented revised plans that depicted this change.

Mr. Noss asked if the detached garage is still five feet from the property line. Mr. Galanti confirmed that.

Mike Sgaramella stated that he has been working with Mr. Galanti on controlling and preventing the runoff from the driveway onto the neighboring property. He is satisfied with the driveway curbing and the French drains that Mr. Galanti agreed to install.

There were no other questions or comments. Mr. Noss called for a motion.

Mr. Trautman made a motion to approve the application, second by Mr. Engel.

Roll Call: Trautman, yes; Engel, yes; Noss, yes; Novalis, no.

Mr. Trautman made a motion to approve the resolution, second by Mr. Engel.

Roll Call: Trautman, yes; Engel, yes; Noss, yes.

Use Variance, Preliminary and Final Site Plan:

9. **Jacobus Family Realty, LLC**
80 Passaic Avenue
Block 4202, Lot 3

Application # BOA 19-2

Applicant is seeking approval for certain modifications to update and improve operations at an existing contractor storage yard.

Application carried from the August 7, 2019 meeting without further notice or publication.

Kurt Senesky, Board Attorney stated that a positive resolution has been prepared and reviewed by all Borough Professionals. Carl Woodward, Esq., attorney for the applicant, also reviewed the draft resolution and has proposed some minor changes and clarifications. They are the following:

Atlantic Green Valley Tree Service is owned by Kim Wells' brother. The operation of logging for the purpose of splitting for firewood was approved in 1990, has existed for thirty years, and is continuing. There is no mulch processing operation associated with this business.

Mr. Woodward said that Peterscape is no longer on the property. However, raw material from their mulch operation was left behind. The logs will be removed but there are some legal issues that must be settled. They want three months as a time frame to remove the logs.

John Novalis wanted assurance that Green Valley will not pile large amounts of unprocessed material and logs. Steve Simonfay said that most of the product is taken offsite. They have a log bin in the front that will hold about ½ cord. They agreed to limit the display of firewood to one cord.

Katherine O'Kane confirmed that there is no mulch storage associated with Green Valley. Carl Woodward replied that there is not, however, the landscaping tenants on the site do store limited amounts of processed mulch to be used as part of their business. This is finished product and will not be any more than 20 yards. This is a requested condition in his redlined version. This type of product cannot be stored in a container.

Carl Woodward stated that the applicant has requested that each space be permitted two 40 foot containers. The Board requested 20 foot containers. He requested that a maximum of four of this size be permitted per space. Language in the resolution requires the tenant to be subject to additional Borough approvals if they desired 40 foot containers.

Regarding conditions, Carl Woodward requested a three month time frame for the tenants to remove any junk and debris that is outside their containers. This is the busy season for them and they need adequate time to accomplish the cleanup.

Condition #15 – The owner sets the rules and regulations and is the responsible party. A copy will be forwarded to the Board. The yardmaster will enforce these rules and regulations.

Condition #19 – useable vehicle to be changed to "registered" vehicle. Ted Trautman confirmed that the Borough Code enforcement officer will inspect and will have authority to decide if something must be removed. Storage trailers that are broken down must be removed.

Condition #21 – should exclude off-road vehicles such as tractors, backhoes, and other heavy machinery.

Condition #28 – electrical service will be accessible but at the tenant's expense for electrical hook-up.

Condition #22 – The fire hydrant has been installed and approved by the Florham Park Fire Department. The sewer connection is also completed.

