

**Zoning Board of Adjustment
Regular Meeting Minutes
January 15, 2020**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, January 15, 2020, 2020 at 6:30p.m., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Michael Cannilla, Chairman
Mr. Jeffrey Noss, Vice Chairman
Mr. Rick Zeien
Mr. Brian O'Connor
Mr. Jason Jensen
Mr. Matthew Engel (1st Alt.)
Mr. Michael Shiviets (2nd Alt.)

Members Absent:

Mr. John Novalis
Mr. Ted Trautman

Also Present:

Mr. Matthew Posada, Esq., Board Attorney

Call to Order:

Mr. Cannilla, Chairman called the meeting to order at 6:30 p.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."

Mike Cannilla introduced and welcomed the new Board Attorney, Matthew Posada. He also expressed his thanks and appreciation for the longtime Board Attorney, Kurt Senesky, who retired January 1, 2020 after 34 years of service to the Board.

Re-Organization:

5. ***Nomination for Chairman and Vice-Chairman***

Brian O'Connor of the Nominating Committee reported he received nominations for Michael Cannilla for Chairman and Jeffrey Noss for Vice-Chairman. There were no other nominations made.

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

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

Re-Organization Resolutions of Approval:

6. **Scheduled Meetings for 2020 and the month of January 2021**

Mr. Noss made a motion to approve the resolution, second by Mr. Jensen.

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

7. **Retention of a Board Attorney, Planning Consultant**

Mr. O'Connor made a motion to approve the resolutions for Board Attorney and Planning Consultant, second by Mr. Zeien.

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

8. **Retention of a Board Engineer**

Mr. Zeien made a motion to approve the resolution, second by Mr. Jensen

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

Retention of a Board Secretary

Mr. Cannilla made a motion to approve the resolution, second by Mr. Noss

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

Approval of Minutes:

9. Approval of Minutes from December 4, 2019 Meeting.

Mr. Jensen made a motion to approve the minutes, second by Mr. Zeien.

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

Resolution of Approval:

10. **Robert Treiber**

22 Orchard Road
Block 2901, Lot 11

Application # BOA 19-15

Applicant is seeking approval for a front yard setback and excess building coverage for a front portico.

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

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

C-Variance:

11. **Daniel Wolfe**

3 Hopping Lane
Block 903, Lot 20

Application # BOA20-1

Applicant is seeking approval for excess improved lot coverage in connection with an in-ground pool, walkway, and patio.

Mr. Wolfe stated that he and his family have been residents for eight years. He has two children and they would like an in-ground swimming pool. He is currently at 30% lot coverage without the pool. His plan includes the pool, paver patio area that goes around both sides of the pool. The pool measures approximately 20ft X 40ft. It is 10 feet from the existing deck. The paver patio area comprise of 563 square feet.

Mr. Wolfe said that the plan shows a walkway from the existing deck steps that are located on the side of the deck to the pool area. Mr. Cannilla suggested moving the steps to the outer edge of the deck so the walkway can be made shorter in order to reduce the lot coverage.

Mr. Wolfe replied that the deck was constructed using high quality materials and was an extremely expensive project. The railing is aluminum and it is not feasible to modify it. That is not something that can be considered.

When asked the measurements of the patio, Mr. Wolfe said that it is about 10 feet deep. Mr. Cannilla stated that there are no dimensions noted on the plan and all measurements must be exact. Mr. Wolfe said that he will guarantee that it will be 10 feet if that is helpful. Mr. O'Connor said that the plan does not appear to be correct because some elements look larger than what is stated. Without a ruler, it can't be determined accurately.

Mr. Cannilla and other Board members felt that all measurements must be depicted on the plan so that their size is clear. The architect should have provided the information on the exact measurements.

Mr. Cannilla also noted the increase in lot coverage as it relates to the pool. He disagreed with the idea that a pool can be thought of as storage for water. He said that it must be drained occasionally. He said that Florham Park is a very low and soggy town and we must be sensitive to that. He asked about the large amount of patio space and said that Mr. Wolfe should think about what he really needs and what he can live without.

Mr. Cannilla agreed that no dirt should be able to enter the pool. Mr. Engle asked if there was a requirement for a pool surround. It was stated that there is no requirement and the current trend is for a more natural look of grass. However, some amount of hardscape is needed to separate and protect the pool from the grass edge.

It was brought up that a stepping stone walkway leading from the deck to the pool area could be a possible option rather than a paver walkway. This will reduce the lot coverage.

Mr. Wolfe said that he will review the plan with his design professional and have the exact measurement of the elements reflected on the plan. He asked that his application be carried to the next meeting.

Mr. Zeien made a motion to carry the application to the February 5, 2020 meeting with no further notice or publication, second by Mr. O'Connor.

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

12. 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.

Carried from the July 17, 2019 meeting. Applicant requests to be carried to the March 18, 2020 meeting. Applicant has granted an extension of time to act, and will re-notice and file revised plans.

Mr. O'Connor made a motion to carry the application to the March 18, 2020 meeting second by Mr. Zeien.

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 7:30p.m.

Marlene Rawson
Board Secretary

January 15, 2020