

**Borough of Florham Park
Planning Board
Work Session Meeting Minutes
November 5, 2018**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, November 5, 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 Wyciskala, 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:

None

On a motion duly made and seconded the meeting was adjourned at 6:31p.m.

November 5, 2018

Marlene Rawson
Board Secretary

**Borough of Florham Park
Planning Board
Regular Meeting Minutes
November 5, 2018**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, November 5, 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 Wyciskala, Esq. Board Attorney

Resolution of Approval:

- | | | |
|----|--|--|
| 6. | <u>25 Vreeland Venture, LLC</u>
25A Vreeland Road
Block 301, Lot 14 | <u>Application # 18SPW-17</u>
TG-17, LLC |
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Applicant is seeking approval for a change in tenancy.

Mr. Buchholz made a motion to approve the resolution, second by Mrs. Margulies.

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

Preliminary and Final Major Subdivision:

- | | | |
|----|---|---|
| 7. | <u>64 Ridgedale Avenue, LLC</u>
64 Ridgedale Avenue
Block 2804, Lot 19 | <u>Application #18MSD-3</u>
R-15 Zone |
|----|---|---|

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

Carried from the October 22, 2018 meeting without further notice or publication.

Eligible voters: DeAngelis, Margulies, Taylor, Cannilla, Feith, Buchholz, Roberts

Carmen Cefolo-Pane recused herself from this application.

Steven Azzolini, Esq. represented the applicant. He reviewed and summarized the application and testimony to this point. As requested, a professional tree arborist was retained and his report has been submitted to Mike Sgaramella. The landscape plan has been revised. The LOI application was forwarded to the Mayor. An updated exhibit with larger homes depicted will be presented.

A-3: proposed crosswalk

Anthony Facchino, Engineer, stated that a crosswalk and ADA ramp has been added. A peninsula area has been created to link the new road and the medical office driveway. This is a low volume cul-de-sac. The crosswalk from the Ridgedale School driveway across Ridgedale Avenue has been realigned to meet the new road.

Mayor Taylor commented on the misinformation that has been printed regarding traffic volume on Ridgedale Avenue. It has been mistakenly reported to be 97,800 cars each day. That is not accurate. He also reiterated that the cul-de-sac will produce only four outbound and five inbound trips during the peak hour.

A-4: site plan rendering depicting larger homes.

Mr. Facchino said that the exhibit shows what the largest possible homes would look like on the proposed lots. He noted that the first lot now has the driveway on the opposite side of the home further away from Ridgedale Avenue, as suggested. He reiterated that this is a conceptual drawing only.

Mike DeAngelis asked if the trees at the far end of the property can possibly be saved. He also noted that a letter from a homeowner expressing storm water concerns has been received. The homeowner was not present at the meeting.

Mr. Wyciskala reminded the Board that written communications cannot be considered since the homeowner is not here to be questioned or cross-examined.

Mr. Facchino restated that the storm water runoff will be reduced from what it is today. It is designed for a 100 year storm. The water runoff from the Afton Drive homes that currently pools on their rear properties, will be handled by this new system.

Mr. Cannilla commented that the municipal system may not be able to accept a 100 year storm flow or any added water. Mr. Facchino replied that the system will reduce the flow rate and provide recharge. It should not be worse. The municipal system flows to a ditch that runs along the side of the school property.

The meeting was opened to the public.

Patrick McAuley, Esq. representing the owners of 12 Afton Drive. Asked Mr. Facchino to review changes to the plan. Mr. Facchino reviewed the crosswalk and peninsula plans. The crosswalk is a little wider and aligns with the concrete walk.

Hans Tielmann, Licensed Tree Care Professional from Pine Valley Tree Service, was sworn in. He reviewed his credentials. He stated that he is much more than an arborist and is able to diagnose and perform tree health assessments. He spend several days onsite and identified and evaluated each tree on the property. His entire report has been submitted to Michael Sgaramella.

Mr. Tielmann summarized that 18 trees are in good health. There are 62 trees that are in moderate health, but here is some decline. There are 102 trees that are in overall poor health due to disease and/or structural issues.

A-5: sample photos of trees on property and ground conditions

Mr. Tielmann described the photos and the general location of the photo on the site plan. There is excess yard debris and construction debris on the property that is contributing to root rot and diseased trees. These trees can

look healthy but will fail due to the root rot. In addition, the property tends to be wet and swampy with a high water table creating unhealthy conditions for tree growing.

Mr. Cannilla asked if the trees in moderate condition can be saved. Mr. Tielmann responded that they probably cannot be saved, but they can be tested further. He added that the soil in the area has been mixed and moved and there is no virgin ground left.

Mr. Tielmann said that he was contacted by the applicant 8-9 days ago for an unbiased assessment. He does not know the applicant. He said he is familiar with the Borough Tree Ordinance.

Mayor Taylor asked him to clarify the number of trees on the site since a figure of more than 500 trees was printed in the newspaper. Mr. Tielmann said that there are 190 trees on the property.

Mike Sgaramella stated that the challenge is to tie the tree ordinance to the report of Mr. Tielmann. According to that report, there are only 18 healthy trees. The trees are categorized by low, moderate and high risk. High risk trees would be exempt from the replacement requirement. Moderate risk trees must be mitigated.

Mike Sgaramella said that it appears to be a gray area for moderate risk trees. This would need to be discussed.

Mike Cannilla agrees and stated that all trees in Florham Park could be "at risk". If the trees are large enough, they could be considered "at risk".

Mr. Tielmann emphasized that all trees need maintenance and care. Also soil conditions will affect the health of the trees. Soil restoration can bring trees back into a better condition.

Mr. Azzolini said that it would be the purview of the Engineering Department and the testimony of an expert to determine the viability of the trees.

Jane Margulies added that in addition to the tree condition, it will depend on where they are. If they are in the path of the proposed road, they will need to be removed.

Mike DeAngelis stated that there needs to be justification on the removal of the trees and the Board needs to be comfortable with it.

The meeting was opened to the public.

Chris Ayars, 9 Roosevelt Blvd. He stated that there will be areas that will be filled with 5 to 6 feet of soil. If there are healthy trees in the area, how can they be saved. Mr. Tielmann said that a retaining wall can help. He does not recommend tree wells. His professional opinion is that if the tree will be compromised, it should be removed.

Patrick McAuley. Confirmed that the majority of trees are at least 6" caliper.

Mike DeAngelis and Mike Cannilla felt that there should be an effort to save the healthy trees. Mike Cannilla also said that any grade change close to the property line could potentially impact trees on the neighboring properties.

Mr. Facchino said that the plans are conceptual and he can make adjustments in order to safeguard any trees on neighboring properties.

William Hamilton, Planner and Landscape Architect was sworn in. He stated that the plan has been revised to show the buffer. The original plan called for replanting of 46 trees, but that number is now 103 trees. They will be mainly on the north side of the cul-de-sac, as well as the east side and southern border. It will be comprised of a mix of evergreen and deciduous shade trees and be deer resistant. The Afton Drive side will be provided a significant buffer. Mike DeAngelis stressed the importance of saving any mature trees since they tend to be unaffected by deer.

A-4: revised tree plan

He said that the Engineer will review the final document identifying the species. The removal was summarized. There will be 160 trees removed and 103 trees replanted on the site.

The meeting was opened to the public.

Patrick McAuley, Esq. Confirmed that the narrowest part of the Afton Drive buffer is 8 feet and asked about a 2 foot berm. Mr. Hamilton said there is no berm.

Frank Kamenetz, 10 Afton Drive. Asked if water will collect. Mr. Facchino said there will be no standing water and they will be providing drainage system. He reviewed the operation of the storm water detention system.

Tom McNally, Roosevelt Blvd. He was concerned about the south side properties. What will happen if the storm drains clog will leaf debris. Asked about an ROW or an easement.

Mr. Facchino stated that there will be a 15 foot easement that will allow the municipality to come and clear the catch basins if needed.

Gerry Gannon, One Hillside Ave. He stated that the pond has been there for at least 48 years and it is always full. What if it is fed from underground?

Mr. Wyciskala stated that the pond is a DEP issue. They will determine whether to grant the permit or not or they may have to modify their plans. They are the authority.

Mayor Taylor added that they have applied for the letter of interpretation and they are the authority on this. Any approval from this Board would be contingent on the DEP approval.

Mr. Hamilton reviewed the variances. Lot 19.01 has a minimum lot width of 104 feet, where the requirement is 125 feet. Lot 19.02 has a minimum lot depth of 132.8 feet where the requirement is 150 feet.

He justified the variances under the C-2 criteria where the benefits of granting the variance outweigh the detriments. It is an efficient use of the land and a better zoning alternative. The lot is unique in that it is 3.28 acres which is 9 times larger than the standard lot size and much larger than area lots. It is an efficient use of lot sizes and they are all above the minimum lot area. They meet all the other bulk standards. The minor deviations will not negatively impact the neighboring lots.

A-7: 64 Ridgedale Avenue Tax map.

Mr. Hamilton pointed out the width of many corner lots in the area are substandard and this is not inconsistent with those conditions. The lot depth deficiency is not perceivable, especially since the overall lot area is larger than the requirement.

A-8: Zoning map highlighting R-15 zones

Mr. Hamilton said that the majority of lots in the R-15 zone in town are close to the ordinance standards. There are three lots that are similar size to the applicant's and two of them have churches. He believes that the lot sizes are consistent with the neighborhood development pattern.

They are asking for a tree canopy waiver. They will try to save additional trees and will add significant trees on the site. There is no impairment to the zone plan.

Bob Michaels asked if the lot can be reasonably developed without any variances.

Mr. Hamilton said that they must meet the storm water requirements but they will work to preserve more trees along the perimeter of the site. The interior of the lot would need to be cleared. Mr. Facchino said that there is no

way to meet the lot depth variance on lot 19.02. Even if they combined the lot with Lot 19.03, it would not make planning sense since the one lot would be much larger than the other lots.

Mr. DeAngelis noted that it is the applicant that is causing the variance. Mr. Hamilton agreed and added that is why they are going with a C-2 variance criteria in that it makes better planning sense, because there is no hardship.

The meeting was opened to the public.

Patrick McAuley, Esq. He questioned the C-2 variance justification. He asked about the safety concerns regarding the middle school driveway, particularly the site lines. Mr. Hamilton replied that he believes that the any safety concerns were addressed in the testimony of the project engineer.

Mr. McAuley thought that there is a negative impact to the homes along Afton Drive. They are creating a two front yard condition for those homes. Mr. Hamilton stated that additional landscape screen will mitigate that condition. Mr. Azzolini also said that the resolution can address that issue and declare that the rear yards along Afton Drive are to remain rear yards only. A note on the plat can verify this. There was also discussion on a deed restriction to be placed on the newly created lots that confirms the rear yard only on the affected Afton Drive lots.

There were no other questions. Mr. Azzolini stated that they have completed their testimony and stated their case.

Patrick McAuley, Esq. Attorney for the objector, stated that he has a witness that he would like to call upon.

David Shropshire, traffic engineer and transportation planner, was sworn in. He stated that he reviewed the plan and the audio tape of the previous meeting. He does not believe that the negative criteria with regard to the school driveway and the medical building has been met.

Mr. Shropshire said that the new road should be aligned with the school driveway in the interest of safety. The current location creates a conflict points when attempting left turns. There is also an offset needed to the commercial driveway that is immediately to the north. He said that it does not meet the 25 feet radius requirement and more separation is needed. As a result, cars will be competing for the same traffic gaps.

Mr. Shropshire continued to say that the location of the crosswalk and the stop bar will force drivers "inch out" to see traffic. This should be aligned with the school driveway. He also noted that the medical building sign will block the site triangle. If the road was aligned with the school, that issue could be resolved.

He agrees that the property cannot be developed without a corner lot variance but the road should be aligned with the school driveway in the interest of safety. The lot depth should be no issue but a larger buffer on the north side could be created by re-aligning the driveway. He recommended re-aligning this road to promote safety. He stated his information states that there are 15000 vehicles per day that travel that road, including 1000 during the peak hour.

Mr. Azzolini stated that there is no report on these statistics so it should be not be considered.

Mr. Shropshire concluded that Ridgedale Avenue has a lot of traffic and the offset street to the school road is not good as the benefits do not outweigh the detriments.

Mr. Cannilla asked Mr. Shropshire if the road way re-aligned as he suggested, he would not have concerns with the variances, even if the variance was made more significant?

Mr. Shropshire responded that he would be less concerned, and the benefits would outweigh the detriments.

Bob Michaels asked if he agreed with the applicant's traffic assessment and volume from the proposed subdivision. Mr. Shropshire said that he agrees, although if the medical office connects to this road, those numbers could be different.

There were questions regarding the stop line and the county site triangle since Ridgedale Avenue is a county road. Mr. Azzolini questioned Mr. Shropshire about the intersection concerns. He stated that there is a pending application at the County because it is in their jurisdiction. They will consider the safety factors. He added that the exit from the middle school is one way and there is a crossing guard there. He said that a church can also be constructed on this property and that is a much more intense use.

Mr. DeAngelis asked if they can review the plan again to see if the roadway can be realigned so that it meets the driveway since it seems to be a major concern. Mr. Facchino said that the lot 19.01 would be very impacted, but he would look into that. Mr. DeAngelis also said that there are neighbors that have large trees bordering this property that should be identified.

Mr. Azzolini asked that the application be carried to November 26, 2018 without further notice.

Mr. DeAngelis asked for a motion.

Mr. Cannilla made a motion to carry the application to November 26, 2018 without further notice or publication, second by Mrs. Margulies.

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 10:00p.m.

Marlene Rawson
Board Secretary

November 5, 2018