

The staff includes herself who is the business operator, one receptionist and one acupuncturist. She plans to add another acupuncturist once the business is established. This is the first location in New Jersey and she does not know when her busiest times will be. The service is by appointment but walk-ins are welcome. She does not expect it to be the lunch hour because the appointments are 45 minutes long.

The acupuncturist must be certified and licensed by an accredited acupuncture program. The franchise will have general rules governing the day to day operation of the business. Any medical waste will be disposed of by a private carrier.

Mike Sgaramella stated that the signage will conform to the ordinance.

Mr. DeAngelis asked for clarification on the number of stations. He noted that there are 10 stations yet the testimony is that there will only be a maximum of two employees. Ms. Cook stated that each acupuncturist can work on a maximum of 5 patients at one time. The appointment times are staggered. She confirmed that employees will park in the rear.

The deliveries will be standard UPS, FEDEX, US Mail. Trash will be disposed of by the cleaning company. The days and hours of operation are 9:00am-10:00pm (amended), seven days a week.

There were no other questions from the Board or the Professionals, or public. Mr. DeAngelis called for a motion.

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

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

2. **LSREF Turtle, LLC**
180 Park Avenue
Block 1401, Lot 4

Application # 18SPW-16
Transwestern Commercial Services

Applicant is seeking approval for a change in tenancy – office use.

Matthew Schiller, Esq. represented the applicant. Lisa Adeo, Director of Operations, was sworn in.

She stated that they are taking 7211 square feet of building space. They are moving from Parsippany, NJ. They are a brokerage firm focusing on leasing and property management, and general brokerage services. They will be using this for general office space. The hours are from 8am to 5pm. There will be 28 employees on staff, however, only 10-12 would be in the office. Most will be out in the field and on the road.

Parking is adequate. Deliveries are standard carriers, UPS, FEDEX, US Mail.

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

Mrs. Cefolo-Pane made a motion to approve the application, second by Mr. Roberts.

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 6:55 p.m.

September 24, 2018

Marlene Rawson
Board Secretary

**Borough of Florham Park
Planning Board
Regular Meeting Minutes
September 24, 2018**

A Regular Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, September 24, 2018 at 6:55p.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
Mrs. Carmen Cefolo-Pane
Mr. Michael Cannilla (7:00p.m.)
Mr. Joseph Guerin
Mr. John Buchholz
Mr. Dave Roberts (1st Alt)

Members Absent:

Mrs. Jane Margulies – Vice Chairman
Mr. Gary Feith

Also Present:

Mr. Michael Sgaramella, Borough Engineer
Mr. Victor Vinegra, Planner
Mr. John Inglesino, Esq. Board Attorney

Approval of Minutes:

6. Approval of the minutes of the August 6, 2018 meeting.
Mayor Taylor made a motion to approve the minutes, second by Mr. Guerin.
Roll: On a roll call vote all members present and eligible voted to approve the minutes.

Resolution of Approval:

7. **The UPS Store** **Application # 18SPW-13**
186 Columbia Tnpk. (Regency)
Block 801, Lot 2

Applicant is seeking approval for a change in tenancy.

Mr. Roberts made a motion to approve the resolution, second by Mr. Guerin.

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

8. **LSREF Turtle, LLC**
180 Park Avenue
Block 1401, lot 4

Application # 18SPW-14
USI Insurance Services, LLC

Applicant is seeking approval for a change in tenancy (office use).

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

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

Ordinance Review:

- *AFFORDABLE ACCESSORY APARTMENTS*

John Inglesino stated that this ordinance was tabled at the Council meeting. The Planning Board will review this ordinance when it is introduced by the Council at a future meeting.

- *MANDATORY AFFORDABLE HOUSING SET ASIDE (Ordinance 18-20)*

John Inglesino said that the purpose of the ordinance is to ensure that multifamily residential development of three acres or more in any zone within Florham Park, proposed at a density of five units or more per acres, shall also produce affordable housing. The mandatory set aside is 15% on rentals and 20% on for sale units. This is consistent with the Settlement Agreement.

Mr. Guerin made a motion to find that the ordinance is not inconsistent with the Master Plan, second by Mr. Roberts.

Roll: On a roll call vote all members present and eligible voted to agree with the motion. (Cefolo-Pane recused)

- *AMENDING AND SUPPLEMENTING SECTIONS 250-56 & 250-58 OF THE ZONING CODE (C-2 ZONE) (Ordinance 18-21)*

John Inglesino stated that this ordinance is in compliance with the Fair Share Housing Plan and the Settlement Agreement. It will permit a number of additional uses in the C-2 zone, including up to 560 multifamily units. This ordinance was reviewed and discussed at a recent Planning Board meeting by Borough Planner Robert Michaels.

Mr. Guerin made a motion to find that the ordinance is not inconsistent with the Master Plan, second by Mr. Buchholz.

Roll: On a roll call vote all members present and eligible voted to agree with the motion. (Cefolo-Pane recused)

Proposed Ordinance Changes:

The Board Secretary stated that the introduction of a Minor Site Plan application, plus changes the site plan waiver process were discussed at the August 6, 2018 hearing. These changes have been incorporated into a proposed ordinance.

Mike Sgaramella summarized the site plan waiver change. He said that a site plan waiver application will continue to be reviewed by him. The change will give him the authority to administratively approve a change in tenancy when there are no issues or concerns with the new tenant. If he denies an application, the application will be referred to the Planning Board for review and decision. The Engineer will periodically submit a report to the Planning Board of all site plan waiver actions.

In addition, the Board Secretary stated that the Fee Schedules for both Planning Board and Zoning Board of Adjustment have been revised to include the new fees for a Minor Site Plan and to correct any inconsistencies within the current fees. Also, the initial escrow deposits for some applications have been increased.

The proposed ordinance will be forwarded to the Municipal Attorney to be put in ordinance form. Once introduced at the Council, the Planning Board will again review the ordinance prior to adoption.

Break 7:15pm-7:25pm

Preliminary and Final Site Plan:

9.	<u>Braemar Homes, LLC</u> 2 Vreeland Road Block 303, Lot 11	<u>Application #18SP-6</u> MF-9 zone
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Applicant is seeking approval to construct 49 residential units consisting of townhouses and garden apartments. Carried from the August 6, 2018 meeting without further notice.

Mr. Buchholz recused himself from this application.

Steven Schaffer, Esq. represented the applicant. Larry Appel, architect from the Appel Design Group was sworn in. Steve Schaffer gave a brief summary of the history of the project. Braemar Homes is an intervener in the settlement agreement involving the Mt. Laurel litigation. This property was rezoned to reflect the settlement. The units in this project will be owned units with a 20% set aside that are also all for sale.

- A-4: Building #2 rendering
- A-5: Building #7 rendering
- A-6: Building #5 rendering
- A-7: Building #4 floor plans 4.1
- A-8: Building #4 elevations 4.3
- A-9: Building #5 floor plans 5.1
- A-10: Building #5 elevations 5.3

Larry Appel described the various buildings. They are in accordance with the standards in the MF-9 zone. Building #2 is 45 feet high and three stories. It has five units and has bay windows, gables, architectural trim and panels. There is clapboard siding and dormers. There is a portico entry. Lighting will be provided by all doors, garages with accent lanterns.

Buildings # 1 & 3 have a garage in front. They are three bedroom units. The end units have a side entry. Buildings #6, 7, 8 are townhome style with one and two car garages, and a basement. All units are three bedrooms. There is a mid-level entry to these units.

Buildings 4 & 5 are ten unit buildings. There are 10 affordable units with a mix of 1, 2, and 3 bedrooms. There are no garage in the affordable units. They are stacked flats. The market rate units have a garage and a basement.

Bob Michaels' report was reviewed. In response to his questions on trash and recycling provisions, the townhouses and market rate flats would store the receptacles in their garages. The affordable units do not have garages so they are proposing a shed style storage alcove that would be located in front of the building entrances that will house the trash and recycling receptacles for those units.

Mike Sgaramella asked about the building sprinklers. The applicant stated that the developer will sprinkler the multi-family buildings (4 and 5) as required. They also have agreed to sprinkler the townhomes (Buildings 1, 2, 3, and 6, 7, 8) as requested by the Fire Department. However, they need a water room. This will be by the end unit and surrounded by a retaining wall. This bump-out will not cause an increase in floor area and is consistent with the ordinance.

The basement will be in all townhomes and will remain unfinished. The applicant confirmed that there is 250 cubic feet of storage available in the form of garage, basement, attic or closet spaces.

Mike Cannilla asked if the First Aid Squad has given clearance for this development. It was stated that the drawings were sent and they never received any comments. They were sent on September 4th and again on September 14th. Mike Cannilla asked them to reach out again and they agreed.

Victor Vinegra, Board Planner, was concerned at the lack of storage space in the affordable units for outdoor items such as bikes.

Larry Appel stated that although the units are for low and moderate income, they are spacious units with ample storage inside.

Mike Cannilla asked about individuals with mobility issues and whether there is an accessible route to the units. Larry Appel stated that only ground floor units are accessible and they are all two bedroom units.

There were no other questions for Mr. Appel from the Board or the Public.

Eric Keller responded to the letter from Martin Heller's attorney regarding storm water. He stated that the storm water is piped to the detention system and will not bypass it. The detention system is capable of receiving water from a 100 year storm. Although in such a storm, it may create a few inches of ponding in the parking lot, it will drain and is designed in accordance with engineering standards. He reiterated that the water will not bypass the system and continue to the Heller property.

A-11: existing drainage area map

There is an 18 inch pipe and the ASCO site drains into this.

A-12: sheet #2 of 3 of the storm water management report proposed drainage map.

This page shows that the 15 inch pipe is more than sufficient to carry the water. He noted that the runoff on the Heller property is coming from the ASCO property and they cannot control that. The area behind the ditch drains into the wetlands and then on to the Heller property. It is all ASCO property.

Martin Heller: Asked how deep the ditch was and if it had a lining.

Eric Keller said the ditch is 3-4 feet deep and there is no lining. The ditch will remain in its natural condition.

Ray Goldstein, Northgate Board of Trustees President. Asked to have the drainage system explained again. He was concerned that it would impact Vreeland Road.

Eric Keller said that there would be no impact to Vreeland Road.

A-13: Frontage landscaping

Eric Keller said that there was a suggestion of a berm and they are able to install a berm. It would be in front of Building 5 and 6. They can build a 3-4 foot berm. It cannot be too close to the road though.

Ray Goldstein. Wanted to know the distance between the road and the landscaping plant material.

Eric Keller said that the plantings would be 40 feet off the road. There is a sign in that area that cannot be obstructed. The size of the trees at planting will be a mix of heights.

The meeting was opened to the public.

Marjorie Heller. Asked if the drainage pipes can be sized for a 100 year storm and wants the Board to take her request under consideration.

Eric Keller stated that they would have to increase the pipe size to 24 inches and there is no need to do that. He added that this is an inclusionary project and that would impact cost. They are complying with state storm water regulations. The basin is sized for a 100 year storm. The pipes do not store the water. He restated that they are improving the condition over what exists today.

Mike DeAngelis confirmed that the setback requirement is 50 feet and that they are in compliance.

Martin Heller. He is not convinced that the proposed building is 50 feet from the curb. He thought that the aerial picture may not be to scale. He stated that his building has a 50 foot setback and it looks much further back than the project.

Eric Keller verified that the project is 50 feet, 6 inches from the curb.

Mike Sgaramella stated that Mr. Heller's building is located in the C-1 zone and the required setback is 100 feet.

Eric Keller gave the planning testimony. They are seeking a "flexible" C-2 variance for improved coverage. He stated that the improved coverage requirement is 50%. This property was formerly in the C-1 zone where the permitted coverage is 60%. He added that the surrounding properties are in the C-1 zone.

Eric Keller continued that the addition water rooms for the sprinkler systems and also the storage sheds have increased the needed improved coverage to 54.5% total. These were not anticipated in the planning process.

The benefits of granting the variance include the 10 units of affordable housing that is included with this project. They are oversized units and comparable to the market rate units. The developer is offering generous sidewalk systems for pedestrian circulation. The relief requested will not be perceptible. The storm water management system is designed to handle this size project. Also, the C-1 zones have a requirement of 60%.

Mr. DeAngelis disagreed with the last point and noted that the ordinance change was crafted with input from this developer.

Steve Schaffer stated that they requested the lot coverage requirement that they thought that they needed. Eric Keller said that his office also did not fully account for the sidewalks and pedestrian circulation. He stated that cutting back on the sidewalks would be detrimental to the development.

Mr. DeAngelis agreed that was a valid point.

Mr. Keller added that the benefits are better in that it provides sufficient open space and lush landscaping. It is consistent with the Northgate development design from a usage perspective. It looks more residential and less industrial. He does not see a negative impact from this request.

Victor Vinegra said that the coverage could be mitigated by cutting back on the sidewalks or parking areas but he did not recommend that.

The meeting was opened to the public.

Marjorie Heller. She asked where the guest parking is.

Mr. Keller replied that the parking spaces are scattered throughout the complex and the project remains RSIS compliant.

There were no comments from Board members. Mr. DeAngelis invited any comments from the public.

Ray Goldstein. He is happy that they responded to the concerns of the Northgate residents with respect to the frontage and the overall look of the community. The developers of this project had the conversation with him and

agreed to the berms with the trees. His primary concern at this time is in connection with the future construction of the project.

Mr. Goldstein would like the construction vehicle entrance to be as far away as possible from the Northgate community. He is worried about noise, traffic, and dirt. He does not want the noise so early in the morning. He wants the dust controlled, especially during demolition.

John Inglesino explained that these concerns are addressed at a pre-construction meeting that the Engineer will have with the developer. They are not part of the approval process from this Board. He added that the Engineer is here tonight and noting Mr. Goldstein's concerns.

John Inglesino agreed that the variance request is not out of line and understandable after a fully engineered plan is developed.

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

Mr. Guerin made a motion to authorize the attorney to prepare a resolution of approval, second by Mr. Roberts. Roll: On a roll call vote all members present and eligible voted to authorize the preparation of the resolution of approval.

On a motion duly made and seconded the meeting was adjourned at 9:15 p.m.

Marlene Rawson
Board Secretary

September 24, 2018