

**Zoning Board of Adjustment  
Regular Meeting Minutes  
December 2, 2020**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, December 2, 2020 at 6:30p.m. The meeting was conducted by virtual means utilizing the Zoom service in accordance with the "Senator Byron M. Baer Open Public Meetings Act" of 2020 that explicitly permits a public body to conduct a meeting electronically during a state of emergency.

**Members Present:**

Mr. Michael Cannilla, Chairman  
Mr. Jeffrey Noss, Vice Chairman  
Mr. John Novalis  
Mr. Brian O'Connor  
Mr. Jason Jensen  
Mr. Ted Trautman  
Mr. Matthew Engel (1<sup>st</sup> Alt.)  
Mr. Michael Shivietz (2<sup>nd</sup> Alt.)

**Members Absent:**

Mr. Rick Zeien

**Also Present:**

Mr. Matthew Posada, Esq., Board Attorney

**Call to Order:**

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

**Approval of Minutes:**

Approval of Minutes from November 4, 2020 Meeting.

Mr. O'Connor made a motion to approve the minutes, second by Mr. Noss.

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

**Nomination for 2021 Chairman and Vice Chairman**

John Novalis reported that upon a consensus of the Board, he is nominating Mike Cannilla as Chairman for 2021 and Jeff Noss as Vice Chairman. There were no other nominations.

Mike Cannilla thanked everyone for their support.

**C Variance:**

**Lauren Iannaccio**

6 Village Road  
Block 2803, Lot 3

**Application # BOA 20-8**

Applicant is seeking approval for excess improved lot coverage for an in-ground pool and patio. Carried from the November 4, 2020 meeting without further notice.

Lauren Iannaccio remained under oath. She said that they altered the plans and they added a seepage pit on the plan. But they could not perform a test in time for this meeting due to a fence removal that was needed for a machine to get back there.

Greg VandeRydt also remained under oath. He said that they slightly modified the pool configuration but it is the same general shape. They removed the deck and installed some pavers in the general area.

George Glode, PE remained under oath. He stated that the plan now shows the existing conditions. The modifications include reducing the amount of pool decking that was on the original plan. The actual shape of the pool is now shown. The new plan has the decking no more than half way up the sides. A seepage pit has been designed.

The previous plan had 650sf of new coverage. The existing coverage is 33.9%. The new plan has 463sf of new coverage or 37% coverage. This is 3% over what is existing.

The pool size is slightly larger than what was estimated on the previous plan. They now have the actual size from the pool installer. It is less than 100sf difference. The pool decking originally surrounded the entire pool. It is now only half way around. They removed the existing wood deck, but added some pavers in that area.

Mike Cannilla was concerned on the viability of a seepage pit. George Glode replied that he is confident that the ground will perk and agreed to a condition of the actual soil test. He said that a seepage pit is designed to take three inches of runoff over the additional 3% improved lot coverage. He will work with the Borough Engineer on the design criteria he requires. Mike would like the confirmation from the engineer that it will work.

Mike Cannilla preferred that the pit be sized to take on the added runoff beyond the 30% lot coverage since that is the lot coverage requirement. He would like a number closer to compliance.

Lauren Iannaccio said that they bought the home in this condition. They did not add anything. They are taking the deck off and making a smaller patio to try to reduce the coverage.

Jeff Noss asked what percentage of the lot coverage the pool encompasses. He considers it to be a collector of water. Greg VandeRydt replied that the pool surface area is 580 square feet which is about 3.8% of the total lot coverage. They are removing some of the existing coverage so the overall lot coverage is less than what was previously proposed.

Mike Cannilla noted that the even pools have to be drained after a significant rainstorm. It was again stated that it was designed knowing that it is considered impervious coverage and the pool decking was reduced.

Ted Trautman clarified that the rear yard is fenced with a six-foot fence. There is an entrance to the back off of the driveway.

Brian O'Connor said that he grew up in that neighborhood. He said that he is concerned because there is very clay soil in that area.

Mike Cannilla asked about the back wash system and where it drains to.

George Glode said that he plans to use the seepage pit. John Novalis said that if there is a paper filter, then there is no backwash. He said only sand filters need to be backwashed. Mike Cannilla asked if chlorinated water can discharge into the pit.

John Novalis replied that all his water goes into the town system. It is just chlorine. He did not see any issues with it going into the pit.

Lauren Iannaccio said that the pool will be salt water.

Mike Cannilla reiterated that he would like to know if the soil has permeability. The results should go to the Engineer. George Glode will submit them to the Engineer. He said that regarding the water discharge, it will go into a swale and then a yard drain.

The meeting was opened to the public. There were no questions.

Greg said that they have addressed every concern as best they could and he believes the design is more palatable now. Lauren Iannaccio said that she appreciates the Board's time.

Mike reviewed the conditions as he understands them.

- Mitigate the runoff with a seepage pit to manage the storm water that that is above the 33.9% to 37% lot coverage. He noted that he prefers to be anything over 30%.
- Proposed coverage to be from 33.9% to 37%.
- Contingent on permeability of the soil to be capable of handling the storm water with the test results to be submitted to Engineer and this Board.

Mike Cannilla asked if the pit could accommodate 7%. George Glode said that as designed, it can accommodate 453 sf. If everything above 30% were included, it would need to be 1061 sf which is more than double. The pit is designed to be 8ftx8ft square and 6 feet deep.

Ted Trautman commented that the soil test results are a major factor.

John Novalis agreed that the soil test results are important because of the amount of overage, but said that a pool is very beneficial. He is willing to stretch limitations for a pool to a point. He thinks that the tank could be made larger by installing two structures. That would work and probably not be much more expensive.

George Glode said that it is possible and they do have room to do it, if needed.

Matt Engel confirmed the location of the yard drain to be 10 feet off the property line in both directions.

Jeff Noss asked about the potential of the soil to perk. George replied that most soils perk. He has installed many pits and septic systems and has not had problems with permeability. He is confident that they will get the infiltration they need.

Jeff Noss asked if they are willing to install the second tank.

Lauren Iannaccio if it needs to be done, they will do it. Greg VandeRydt added that it will probably two concrete pits in one larger rectangular area. He noted that they have done 100 septic systems and had not had any that did not perk.

John Novalis agreed and said the thinks the soil will perk, but they may need the second tank to satisfy the town.

Mike Cannilla said that it is your application and we will vote on what you will propose.

Mike Cannilla confirmed with Lauren Iannaccio that they will double the capacity from what is on the current drawing.

The conditions are now a soil permeability test and the size of the pit to be doubled if it is required.

There were no other questions or comments. Mike Cannilla called for a motion.

Mr. Jensen made a motion to approve the application second by Mr. Novalis.

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

Mr. Cannilla requested that the results of the soil test be submitted to the Engineer for his review and his comments to be forwarded back to this Board.

On a motion duly made and seconded the meeting was adjourned at 7:30p.m.

Marlene Rawson  
Board Secretary

December 2, 2020