

**Borough of Florham Park  
Planning Board  
Work Session Meeting Minutes  
February 10, 2020**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, February 10, 2020 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. Gary Feith  
Mr. David Roberts  
Mr. Jeffrey Noss  
Mr. Sid Dvorkin  
Mr. Jeffrey Hegan (2<sup>nd</sup> Alt)

**Members Absent:**

Mr. John Buchholz  
Mr. Joseph Guerin (1<sup>st</sup> Alt)

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Ms. Katherine Sarmad, Borough Planner  
Mr. John Inglesino, 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.”

**Planning Board Resolution**

John Inglesino stated that a resolution has been prepared that directs an investigation and study to determine whether certain property or any portions thereof within the Borough, as identified in Borough Council Resolution #20-41, constitute a non-condemnation “area in need of redevelopment under the Local Redevelopment and Housing Law, N.J. S.A. 40-A:12A-1 et seq.

John Inglesino explained that Board Planner Katherine Sarmad will perform and prepare the investigation and study and report her findings back to the Planning Board.

Mr. Feith 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.

On a motion duly made and seconded the meeting was adjourned at 6:40p.m.

February 10, 2020

Marlene Rawson  
Board Secretary



Chairman Mike DeAngelis explained the hearing process to the public. He said that the public will have the opportunity to ask questions of each of the applicant's witnesses about their testimony. It is not the time to voice their opinion or comment about the application. The comment period is reserved until after the conclusion of the application.

The first application is for the minor subdivision. Mark Mayhew, PE, was sworn in. He stated that the entire Sisters of Charity site traverses both Florham Park and Morris Township.

A-1: minor subdivision plan with colorized lines (12/3/19)

Mr. Mayhew said that the dotted line on the subdivision plan depicts the municipal boundary line. The blue line is the outline of the entire lot. It is located in the University zone. The pink line shows the proposed subdivision portion of 22 acres. This is the newly created MF-5 zone.

There is a water tower that is owned by New Jersey American Water. This will remain on the subdivided lot. NJ American Water has an easement for this. There are no roads associated with this subdivision and no variance request.

Mike Sgaramella asked about the northwest corner of the property that is located in Morris Township. He said that area is contemplated for an affordable housing project. He asked if that portion was subdivided off of the main lot.

Richard Hoff replied that he is aware of a site identified for affordable housing in that area. However, Toll Brothers is not the applicant and he has no knowledge of whether the subdivision has occurred or not.

Mike Sgaramella noted that the coordinates should be incorporated and the proposed block and lots must be coordinated with the tax assessor.

Sid Dvorkin asked about deed restrictions on the affordable housing. Mr. Hoff replied that there will be affordability controls by way of deed on the affordable housing units. John Inglesino replied that this application is for the subdivision only. Mr. Dvorkin said that both applications indicated that there are no deed restrictions. Mr. Hoff stated for the record that no deed restrictions are contemplated for the subdivision application, but deed restrictions will be required as part of the site plan.

The meeting was opened to the public.

Mike Renahan, 9 Birch Lane. He asked if the existing buildings on the site would be demolished. He asked about the cemetery that is across the street from the site and if there are any restrictions. Mr. Mayhew stated that the buildings would be demolished after site plan approval and when a permit is issued. He does not know of any restrictions involving the cemetery.

Susan McHugh, 8 Delaware Road. She asked to be oriented to the subdivision map and where the existing roads are. Mr. Mayhew explained the location of the site and identified the roadways on the map.

Don Felker, 43 Independence Way, Morris Twp. He lives in the Liberty Green community and was concerned about the impacts this will have on his community. John Inglesino responded that this time is for questions only of the witness's testimony and general questions and comments will be heard later.

Peter Begley, 3 Allen Drive, Morris Twp. He was what a minor subdivision is. He asked about the traffic conditions resulting from this. He asked if they would be voting on the subdivision tonight. Katherine Sarmad replied that a minor subdivision is the subdivision of a lot that creates 3 or less lots and does not have any roads or variances associated with it. She read the entire definition from the Borough Code.

John Inglesino confirmed with Katherine Sarmad that this meets the definition of a minor subdivision. He reiterated that the subdivision application only creates the lots. The Board will vote on the subdivision this evening. Traffic is part of the site plan application and it was stated that traffic testimony will be at the next meeting.

Will Kramer, 59 Independence Way, Morris Twp. He claimed that he did not receive notice of the meeting although all of his neighbors did. John Inglesino responded that the applicant is entitled to rely on the official 200 list that he received from the municipality. The Board is free to take the vote at this time. However, if the notice is defective, meaning that no notice was mailed to someone whose name appears on that list, the applicant will be required to re-notice the meeting and re-present their case.

#### General Comments:

Don Felker. He is an original owner at Liberty Greens. He received the notice last week and went to see the plans. This is the first time he heard about this. There are 170 owners and they are in an uproar over this. He asked about the variances for light intensity and the retaining walls. Mike DeAngelis responded that those issue will be discussed during the site plan application. John Inglesino said this application is for the subdivision and creation of new lot lines only.

Monica Mangan, 10 Northbridge Place, Morris Twp. She asked who the owner of the property is. Mayor Taylor stated that the owner is the Sisters of Charity.

Richard Kollster, 70 Independence Way, Morris Twp. He asked if there was any coordination between the surrounding towns. John Inglesino stated that we only have jurisdiction in Florham Park.

Franz Vintschger, 3 Canfield Way, Morris Twp. He asked what the property is zoned. Katherine Sarmad responded that the property was a former "University Zone". It was rezoned in 2017 and is now the MF-5 zone which means that multifamily is permitted on that area zoned M-5 zone.

There were no other questions or comments. The applicant has completed their testimony. Mr. DeAngelis called for a motion on the application.

Mr. Feith made a motion to approve the application, second by Mrs. Margulies.

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

Richard Hoff introduced himself again and began his presentation of the major site plan. This is a project containing 150 units that will have 20% of them as affordable. It is part of the Borough settlement with Fair Share Housing. He said that the architect will present his testimony tonight as well as the engineer. He restated that the traffic testimony will be heard at the next meeting on February 24, 2020.

A-1: colorized site plan sheet #4

Jeremy Greene, architect for Toll Brothers, was sworn in. He said that the townhomes are three story either out of ground or "tucked". They are units #1 through 114. They are all three bedroom units. There are also three buildings that have 10 units per building. These are the designated COAH buildings. There are overall 120 townhomes and 30 COAH units. He presented the architectural drawings.

A-2 through A-5: architectural floorplans

The 1st level of the townhomes will have a two car garage, powder room, mechanical room and a recreation room. Some are three stories out of the ground and some ground levels are below grade in the rear, known as tucked. The 2<sup>nd</sup> floor living space includes a great room, kitchen and dining area, home office or breakfast nook, and powder room. The upper floor has three bedrooms, and two full bathrooms, plus a laundry area. The units are approximately 2800 square feet.

A-6 through A-13: exterior elevations

There are five elevation styles and no two styles will be side by side. The finishes include vinyl siding, Azek trim work, cultured stone, Juliette balconies, and carriage style garage doors, variously styled dormers. There are different elevations due to the grading of the property. Some units are at grade and some have ground levels that

are below grade in the rear. Some buildings have stepped units, meaning each unit is stepped up slightly higher than the adjacent unit. This is all due to the sloped site.

Buildings that have units that are completely out of ground have ground level exterior doors in the rear leading outside to a patio. The second floor living space also has exterior rear door leading to a deck. Units that are tucked under in the rear will only have windows in the rear of their ground floor since it is below grade. They also have the second floor rear deck.

The side elevations of the buildings that are tucked have an exposed foundation that will be fully landscaped to soften the appearance of the sloped condition and parch coated.

#### A-14 through A-17: COAH floor plans and elevations

The COAH buildings are closer to the roundabout. They are stacked units. **Some** have a full basement or a walk-out basement. There are eighteen two bedroom units, six three bedroom units and six one bedroom units. They are all one floor living.

The upper level units will be two and three bedrooms. The two bedroom units have a large storage area. All upper level units have a one car garage.

The lower level units will be one and two bedrooms. They have an accessible parking space in the front. The sprinkler room that is depicted is no longer required and that space will be either storage or a bedroom. There is a false garage door that is in front of an unheated storage room that will house the trash and recycling receptacles. All lower level units are adaptable and accessible.

Exterior finishes for the COAH units will be the same style as the market rate units. All residential units have firewalls and sprinklers. Mayor Taylor confirmed that the names depicted on the architectural plans are for exhibit purposes only because the Borough already uses those names for streets.

#### A-18 through A-20: clubhouse floorplans and elevations

Jeremy Greene stated that there is a clubhouse on the site that is available for use by residents only. It is 2200 square feet and will have a general purpose club room, a fitness center, and kitchenette. The kitchenette does not have cooking facilities other than a microwave and a coffee maker, ice machine, dishwasher. The maximum occupancy is 85 persons.

The clubhouse has smoke detectors that are connected to a security system, but not sprinklers or fire alarms. There are multiple exit points. The code does not require sprinklers or fire alarms in a building of this size. Sprinklers are required when the building is at least 12,000 square feet and or has an occupancy of 300 persons, or floor above or below. There is no loading zone on the plan. He added that there is a condo ownership association for the market rate units that will be in charge of the grounds and the club house. The exterior finishes will be similar to the residential units.

Mike Sgaramella asked about the finishes on the exposed foundations on the residential units. Mr. Greene stated that the foundations that are fully out of the ground would be covered in a cultured stone veneer. The partially exposed foundations would have an architectural stucco finish and fully landscaped.

Mike Sgaramella asked about the storage in the units. He asked if there was 250 cubic feet of storage. Mr. Hoff replied that that requirement is in in the MF-1 zone only and they did not think that it was applicable. However, the two car garage units have 5-6 feet in the rear of the garage to be used for storage as well as ample closet space. The affordable units have ½ basement plus a storage room.

Mike Sgaramella recommended that they show the floorplans to the Florham Park EMS to be sure that there is adequate access around the stair case with their gurney. Mr. Greene said that all the units including the stairs, meet the code requirements. He said that they would share them with the EMS. Mayor Taylor stated that EMS must agree that the access works for them in the event of an emergency.

Mr. Noss asked about the "c" variances associated with this site plan application and confirmed that this Board will hear them. John Inglesino said they will need to provide testimony in support of them.

Mr. Hoff stated that he does not think a variance is required for the loading zone because the clubhouse is an ancillary use to the residential use. His opinion is that the non-residential loading zone would not be required. Katherine Sarmad stated that ordinance says that the clubhouse is a permitted accessory use to the residential project and she concurs that no variance is needed.

Carmen Cefolo-Pane clarified that no sprinklers are planned in the clubhouse. She noted that the fire review committee wants the sprinklers. She confirmed that there are no cooking facilities in the clubhouse. Mr. Greene stated there may only be an exterior barbeque grill. She asked about storage. They do not anticipate a need for storage but there is a small mechanical room. There are smoke detectors, C/O detectors and a security system. They are routed to a third party security company. Mr. DeAngelis asked about a pull alarm. They stated that the smoke detector and C/O detector is better option.

Gary Feith asked where the pool is. They stated it is outside of the clubhouse. He asked about a call box for emergency since this is a remote location. Mr. Hoff and Mr. Greene stated that they will look into that.

Carmen Cefolo-Pane asked about deed restrictions on the storage rooms in the units so that they cannot be modified. Mr. Hoff said that the deed restrictions will be in the condominium documents.

She asked if there are windows in the storage areas. She was concerned that they could be converted into bedrooms. They stated that there are windows but the area is unfinished and unheated. John Buchholz responded that they are not permitted to leave open studs and exposed installation. He asked why it could not be a bedroom. They responded that they must follow COAH regulations on bedroom counts. The footprint of the unit is the same but with less bedrooms, so they needed to make it some type of room. Jane Margulies asked if they could make the existing bedroom larger. Mr. Greene said that it may be possible in some units but not all.

John Buchholz agreed that the EMS gurney must be able to go around the steps so they may want to look at options since it appears to be tight around the turns. He also thought that the garage door front is deceiving when there is no garage behind it. They stated that they will landscape in front of it.

The meeting was opened to the public.

Susan McHugh. She asked if a second car would be able to park on the street, since there is only room for one car in some of the COAH units with no garages. She thought that on-street parking was not allowed. They responded that these are private roads, in addition, there are additional surface parking areas that will be designated for the residents.

Ms. McHugh also noted that the clubhouse is far away from the fire department and she thought a sprinkler system would be important. She also thought that there should be a loading area for the clubhouse. Richard Hoff replied that there are parking space in front for that.

Stephen Haughe, 16 Crescent Drive, Morris Township. He asked how many people will live there. Richard Hoff said that they did not know that. Mr. Haughe was concerned about having enough parking. Mr. Greene replied that there are two garage spot and two outside driveway spots for each market rate unit.

Peter Begley. He asked if they traded bigger units because they do not require sprinkler rooms. Richard Hoff clarified that all units are sprinklered but the system they use does not require a sprinkler room. It is only the club house that is not sprinklered.

Break: 8:15-8:25pm

Mark Mayhew, engineer for the project, was sworn in.

A-1: colorized site plan

Mr. Mayhew stated that it is a 22 acre site on the corner of Park Avenue and Convent Road. There will be 150 units total. Of that, 120 will be townhomes and 30 will be stacked units.

Road A, B, and C are private roads that will be maintained by the homeowner association. They are RSIS compliant. There is no on street parking, but there are surface parking areas. The resident parking arrangement is that each market rate unit will have a two car garage, and two car driveway. The COAH units will either a one car garage and one car driveway space or a one car driveway space and a designated surface parking space. There is also excess parking on the site for visitors.

There is a significant grading issue on the site with the elevations beginning at 400 and decreasing to a 250 grade change at Park Avenue. The water drains from west to east towards Park Avenue. The storm water management plan meets all the criteria and they have a basin by Park Avenue. They will reduce peak run-off, and also re-charge and clean the storm water. New Jersey American Water will service the site and they will use the exiting sanitary sewer line that they will tie into.

Retaining walls will be used due to the sloping site. They will be tiered on the site. Some units will tuck under in the rear and some units have flat rear yard areas. Twenty of the COAH units are able to have walk-out basements. The two buildings that exist on the site will be demolished. There will be tree removal and they will be required to and will replace many on the site. Toll Brothers uses extensive landscaping in their projects for esthetic value.

Mr. Mayhew explained the retaining walls. The Borough has a height limit of four feet for a retaining wall. Due to site issues, the retaining walls that are used of different sizes and are up to 14 feet. They are fully engineered and reinforced, and have a fence on the top of them for fall protection.

They are required to provide at least 4500 square feet of recreational space. They have a pool, decks, patio area and a clubhouse. This will equal approximately 6000 square feet of recreational space. There will be a separate pool building for storage of pool equipment.

Roadway design all complies with RSIS. It is acceptable to the Fire Review Committee. There is full pedestrian access with sidewalks and cross walks.

With regard to lighting, the ordinance requires walkway and parking areas to be lit. There is a foot candle requirement. They intend to use residential poles that are 12 feet high. The intersection of roadways will be lit but not every sidewalk. They stated that all townhome will have building lighting on them that will spill to a degree onto the sidewalk. The distance to the sidewalk is only 22 feet. They believe that more lighting will be a nuisance and not a desired situation because it is a residential neighborhood. They feel that the proposed lighting is adequate for safety although it does not meet the ordinance.

Parking spaces on the site are as follows: Required: 355. Provided: 382. If two cars are parked in each driveway, there will be 120 more. The condominium association will provide for snow plowing. They will agree to Title 39 enforcement throughout the site.

Mike DeAngelis suggested bollard lighting along the roads. Mr. Mayhew could consider that around the parking areas. They stated that they will work with Mike Sgaramella on that. The lights on the poles have shielded lamps and are night sky friendly. There is one monument sign that will face Park Avenue near the boulevard entrance.

The variances needed are for retaining wall height and the lighting. They want to limit the disturbance to the site so they are using the retaining walls. Also they must respect the easement of NJ American Water that is on the site.

Mike DeAngelis asked how far the Morris Township project is from this project. It was stated that it is about 2000 feet. Mayor Taylor asked if the mail would be delivered via clustered boxes in a certain location. They stated that mail delivery would be decided by the US Postal service.

Mike Sgaramella confirmed that there are no wetlands associated with this property. There is no flagpole proposed at the clubhouse and the clubhouse does not have employees. He verified that there is a County review of this project. He recommended that they look into installing a "tot lot". They said that they will consider that and thought that there may be room down by the basins. There are grading issues elsewhere.

The following issues were brought up by Mike Sgaramella and discussed. He asked about public transportation access. They did not consider that but will look into areas that could work as a transit stop. The pool area has 26 parking spaces in the vicinity. It is within walking distance to most of the community.

Mr. Mayhew stated that regarding school buses, the Board of Education would decide where the stops will be. They said that a school bus is able to travel throughout the site. There are no generators permitted. They will remove the snow during an accumulating snowfall. They intend to deposit into the infiltration or detention basin. Mike Sgaramella noted that they should check with the DEP to see if that is permitted.

The retaining wall plans will be submitted to the town for review. The streets are 24 feet wide and ample space for a delivery truck to stop. There will be a street address for each unit. The fire department requires that water be onsite prior to construction and that will be done.

The original two gates to the college will be removed. A new gate will be installed on Convent Road as you enter and drive through the college campus. The Sisters will decide if the gate will close at night.

They agreed with the number of trees that must be replaced. Mr. Hoff stated that they are cognizant of the Borough Ordinance. They will add "no parking" signage. The club house has a Knox Box. They will check about the need for wayfinding signage on Park Avenue and Convent Road. It is their goal to make it a balanced site with regard to excavation and soil removal.

The site is within the Morris Township Sewer Service Area. The Sisters are dialogue with Morris Township and will address the issue.

Storm water runoff goes to Park Avenue into the County system. They will make two pipe connections as requested instead on only one. They will replace 16 feet of pipe. There is a split rail fence that will surround the basin and it will also have turkey fencing. They will submit a storm water operation manual.

Katherine Sarmad asked if there were any amenities in the pool area. They responded that there will be a deck area with pool chairs but that is it. They had not planned to use directional signage within the site but will consider one that indicates unit locations for visitors. Katherine Sarmad also recommended that the tot lot or play area should be centrally located or it will not be used. She agreed that the school bus stops should be coordinated with the Board of Education and recommended a bus shelter be placed at the entrance if they do not go into the site.

Gary Feith noted that there is only one way in and out. They responded that it was made as a boulevard entrance and exit and it meets the RSIS requirements. The area is very sloped and difficult to work with. He asked that see if there is possible second access point in case of emergency. They stated that they look into that.

John Buchholz suggested using the end of roads that are "dead ends" for snow storage in case of a large snowfall. He also felt that light poles should be installed at any intersections and parking lots. He thought that more poles should be put at road intersections and areas between the buildings since there is 20 feet. They will consider that on one side of the road. He asked about the fencing of retaining walls. All retaining walls are very steep and they must fence them for safety.

Mr. Hoff asked about the tree ordinance. Although they agree with the math, their replacement obligation is significant and hoped that there could be some leeway since this is an inclusionary development. Mayor Taylor and John Inglesino stated that all developers must pay into the tree bank if there is a replacement obligation. There are no deviation.

The meeting was opened to the public.

Will Kramer, 59 Independence Way, Morris Twp. He confirmed that the plan was to use the Morris Township sewer services for the project. He has heard that Morris Township does not want the sewer business. He asked what is going to happen if they cannot use it. John Inglesino responded that the project is in the Morris Township sewer service area. This Board will not discuss the matter.

Don Felker, 43 Independence Way, Morris Twp. He asked if it was possible to make a left out of the development and drive through the college campus. This would put traffic very near his development. They responded that a left turn out can be made it but may be gated off in the future. The Sisters are still in conversation about whether all traffic will be able drive through the campus.

Diane Holland, 26 Northbridge Place, Morris Township. She stated that there are Sisters still living in residential buildings on their property that are before the gate. She wondered why they would want to be gated off from the campus. She confirmed the location of a potential school bus shelter.

Mr. DeAngelis stated that the application must be carried to the next meeting.

Mayor Taylor made a motion to carry the application to the February 24, 2020 meeting without further notice or publication, second by Mr. Feith.

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

February 10, 2020