

**Zoning Board of Adjustment
Regular Meeting Minutes
November 4, 2020**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, November 4, 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. Matthew Engel (1st Alt.)
Mr. Michael Shivietz (2nd Alt.) (6:37pm)

Members Absent:

Mr. Rick Zeien
Mr. Ted Trautman

Also Present:

Mr. James Polles, 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 October 21, 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.

Resolution of Denial:

1. **Estate of Peter J. Sena, Jr. (Carmella Conca)** **Application #BOA 20-3**
76 Burnet Road
Block 1501, Lot 3

Applicant is seeking a certification that the premises is a valid, pre-existing two family home in the R-15 zone.

Mr. Noss made a motion to approve the resolution, second by Mr. O'Connor.
Roll Call: Noss, yes; O'Connor, yes; Novalis, yes, Jensen, yes.

C Variance:

2. 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.

Lauren Iannaccio, Greg VandeRydt, project manager, and George Glode, PE were sworn in.

Lauren Iannaccio stated that she and her husband always wanted to live in Florham park and they were able to move here in 2018. They are now wanting to install an in-ground pool. The children love to swim and although they spent much time at the municipal pool, due to the COVID pandemic, and their health and safety, they now want their own pool.

Mr. Glode said the improved coverage is proposed to be increased to 38.2% where 30% is permitted. He does not see any substantial detriment to the public good or negative impacts to the zone plan from this project. It is consistent with the overall objectives of the Master Plan.

Mr. Cannilla asked how the property drains and if there were any plans to mitigate runoff. Mr. Glode said that it drains to the northeast corner. He said he can install a seepage pit there if required to capture any runoff. They have not done a soil test yet because they do not want to incur the cost until they have an approval.

Mr. Cannilla said that it is important to know that there is even capacity in the soil for seepage. He does not want to see them commit to something that cannot be achieved.

Mr. Glode noted that there is a net increase of 650 square feet in lot coverage. This additional coverage will not impact the neighboring properties. The grass will help to break up the velocity of any flow.

Jeff Noss asked how the property exists at 33.9% lot coverage and how it exceeded what is allowed. Ms. Iannaccio replied that they bought the home as it is today and they have not made any changes to it.

Mr. Glode clarified that the 650 square feet that is being added includes the pool. The existing paver patio is being replaced and reduced in size. The existing rear patio that will remain is 345 square feet and they are adding 650 square feet to that.

John Novalis said the pool dimensions look like 18 feet x 32 feet. Mr. Glode said that it is 18 feet at the widest point and 32 foot at it longest. Mr. Glode clarified that the 995 square feet of proposed pool and pavers include re-doing 345 feet of the existing paver patio.

The difference is 4.3% increase over existing. Their lot size is 15, 151 square feet. The square footage to be added is 650 square feet.

Mike Cannilla reiterated that nothing can run off into the neighboring property to the north. He is also challenged by the amount of coverage. As it stands now, the property exceeds in lot coverage. He thought that some elements may not have been reviewed by the municipality, such as the patio and deck. He does respect and is sensitive to the desire for a pool.

George Glode said that they will put the seepage pit in for the runoff. John Novalis said that a drainage system is needed to capture the water and deliver the water to the system. George Glode said that the grading plans shows that they are providing grass swales that lead to a manhole grate for this.

Mike Cannilla thought they should review the project further. He wondered if there can be consideration to reduce the existing patio or deck since they are well over the coverage limits.

Mr. Noss asked about the pavers beyond the house and their purpose. George Glode replied that it is an existing sidewalk from the driveway to the back yard pool area for easy access. It is an area that can be reduced if necessary. He also can consider using pervious pavers for additional mitigation.

Mike Cannilla said that there is a benefit to using pervious pavers because they allow more water to drain through. He would like to see an existing condition document so that it is clear what is existing and what they want to add.

Mike Cannilla said that suggestions such as cutting back on the decking surrounding the pool are appropriate to consider. He would like an answer as to if storm water management is achievable.

Lauren Iannaccio replied that she is willing to reconsider the project. She did not realize the 30% limitation on lot coverage.

Mr. Cannilla opened the meeting to the public. There were not questions or comments.

Lauren Iannaccio asked what may be an acceptable amount that the Board would be comfortable with.

Mike Cannilla replied that he cannot tell them what the Board may or may not be happy with. He does not see any property hardship with this request. They must also address any potential detrimental issues.

John Novalis said that the pool is a collector of water. At some point after a heavy rainfall, water will need to be skimmed. It is important that we know where the water will go when it is skimmed off. He would like more information on how this will be managed.

Matt Engel added that he does not see where the equipment will be located. Greg VanderRydt said that the pool installer will make that decision. They will coordinate with the pool installer as to the location. It was stated that although the pad will count towards coverage, it is not that much.

George Glode also said that the retaining walls are included in the coverage numbers. Lauren Iannaccio said that the fence is existing and has been there.

They agreed to review the plan and return to the Board. They asked to be carried to the December 2, 2020 meeting.

Mr. Cannilla asked for a motion.

Mr. Noss made a motion to carry the application to the December 2, 2020 meeting without further notice, second by Mr. O'Connor

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 8:00p.m.

Marlene Rawson
Board Secretary

November 4, 2020