

**Borough of Florham Park  
Planning Board  
Work Session Meeting Minutes  
September 28, 2020**

The Regular Work Session of the Borough of Florham Park Planning Board was called to order on Monday evening, September 28, 2020 at 6:35p.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, which explicitly permits a public body to conduct a meeting electronically during a state of emergency.

**Members Present:**

Mr. Michael DeAngelis – Chairman  
Mayor Mark Taylor  
Mrs. Carmen Cefolo-Pane  
Mr. John Buchholz  
Mr. David Roberts  
Mr. Jeffrey Noss  
Mr. Joseph Guerin (1<sup>st</sup> Alt)  
Mr. Jeffrey Hegan (2<sup>nd</sup> Alt)

**Members Absent:**

Mrs. Jane Margulies – Vice Chairman  
Mr. Gary Feith  
Mr. Sid Dvorkin

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Ms. Katherine O’Kane, Borough Planner  
Mr. Justin Marchetta, 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 6:35 p.m.

**Borough of Florham Park  
Planning Board  
Regular Meeting Minutes  
September 28, 2020**

The Regular Meeting of The Borough of Florham Park Planning Board was called to order on Monday evening, September 28, 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, which explicitly permits a public body to conduct a meeting electronically during a state of emergency.

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. John Buchholz  
Mr. David Roberts  
Mr. Jeffrey Noss  
Mr. Joseph Guerin (1<sup>st</sup> Alt)  
Mr. Jeffrey Hegan (2<sup>nd</sup> Alt)

**Members Absent:**

Mrs. Jane Margulies – Vice Chairman  
Mr. Gary Feith  
Mr. Sid Dvorkin

**Also Present:**

Mr. Michael Sgaramella, Borough Engineer  
Ms. Katherine O’Kane, Borough Planner  
Mr. Justin Marchetta, Esq. Board Attorney

**Approval of Minutes:**

4. **Approval of minutes from the September 14, 2020 meeting.**

Mr. Guerin made a motion to approve the minutes, second Mr. Roberts  
Roll: Guerin, yes; Roberts, yes; DeAngelis, yes; Cefolo-Pane, abstain; Buchholz, yes; Noss, yes; Hegan, yes.

**Major Site Plan:**

5. **Primrose School** **Application #20SP-2**  
31 Columbia Turnpike  
Block 2101, Lot 53

Applicant is seeking approval for a building addition to an existing pre-school building.  
Carried from the September 14, 2020 meeting without further notice.  
Richard Sasso, Esq. represented the applicant.

Chairman Mike DeAngelis stated that an updated fire review memo has been received. He reviewed and summarized it for the record.

Their primary concern is that a fire truck is unable to circulate through the site. That condition cannot be changed. He reminded the Board that the Fire Department reviewed and approved the original plan in 2012 prior to construction. This Board approved that application.

Richard Sasso said that this is an 11-foot addition. The hoses are able to reach to the end of the building. This is a 12,000 square foot, one story building that is completely sprinklered. The proposed addition will also be sprinklered. He felt that the circulation request is unrealistic. He restated that the circulation had already been approved in 2012. They have complied with all other requests of the Fire Department. The Fire Department had some discussion about moving the fire hydrant which his client was willing to do. It was ultimately decided that it was better where it currently is.

Carmen Cefolo-Pane asked about item #4 in the review that states that the expansion will block access to the rear.

Richard Sasso replied that there is fence that encloses the play areas. The fencing is a requirement of day care facilities. This fence can be knocked down in an emergency if they needed to get back there.

Mike Sgaramella added that there is 2-3 feet of clearance in the rear left corner. They can go through classrooms to enter the rear area. Richard Sasso also said that each side has two large doors that lead to that area.

John Buchholz clarified that he thinks that Carmen is asking if someone could freely walk around the building to reach the addition.

Mr. Sasso replied that yes, and there is a four-foot-wide sidewalk that is being used. But they cannot drive around the building.

Rocco Varma remained sworn in. He stated that the topography behind the addition will remain the same as it exists today. He said that Police and Fire are able to get around. The detention portion is flat and can be walked on. The easement area is also behind there and can be used as access.

Carmen Cefolo-Pane asked about lock-down drills. She asked how they would function in that area. Mr. Varma stated that they would not exit from that point.

John Buchholz stated that daycare facilities are strictly regulated and the State has to approve this plan. Katherine Sarmad agreed and said there is a manual and protocol that must be followed. They had to go to the State first with the plan.

Carmen Cefolo-Pane asked what the approvals involve. Mr. Varma replied that they received their first approval in 2012 when they built the school. They approve the architectural design. Any modification also must be approved.

Carmen Cefolo-Pane suggested making it a condition of approval. Board attorney Justin Marchetta explained that the resolution conditions already include mandatory compliance with all State, County and Municipal agencies. This encompasses any state agency review and approval.

Mike DeAngelis verified that the accessory shed is to be removed. He also stated that it was agreed that no planning testimony was needed.

There were no other questions or comments from the Board or the Public.

Mr. DeAngelis called for a motion on the application. Carmen Cefolo Pane stated that she intends to abstain. She said that she does not have enough information to be comfortable to vote. The lockdown testimony was vague to her.

Mr. DeAngelis asked if that is permissible. Justin Marchetta said that an abstention would align with the majority vote.

Mr. Guerin made a motion to approve the application, second Mr. Roberts  
Roll: Guerin, yes; Roberts, yes; DeAngelis, yes; Cefolo-Pane, abstain; Buchholz, yes; Noss, yes; Hegan, yes.

Mr. DeAngelis called for a motion to approve the resolution.

Mr. Noss made a motion to approve the resolution, second Mr. Roberts.  
Roll: Noss, yes; Roberts, yes; DeAngelis, yes; Buchholz, yes; Guerin, yes; Hegan, yes.

6. **Veterinary Center of Morris County** **Application # 20SP-4**  
134 & 136 Columbia Turnpike  
Block 905, Lot 32 & 33

Applicant is seeking approval for the construction of a veterinary clinic.  
Carried from the August 10, 2020 meeting.

Mike DeAngelis asked about the setback to a residential property and if it would change the legal notice.

Steve Azzolini, Esq. represented the applicant. He responded that the notice covers any other variance that is identified. He stated that he has re-noticed this application since the plan has been redesigned.

Carmen Cefolo-Pane left the meeting at 7:20 p.m.

Steve Azzolini reviewed the original plan and noted that since the August 10, 2020 meeting, there have been changes to the plan that will help alleviate some of the concerns. His client has purchased an adjacent lot to be merged with the original two lots. By doing so, some variances have been eliminated. They also have addressed the fire review committee's concerns as much as possible.

The architecture has also changed in response to the concerns of the Town Center Task Force. Steve Azzolini shared the new plan with them, and other than lighting requests, they had no further comments.

Andrew Clarke, the engineer for the project, was sworn in. He stated that he surveyed the additional lot and described the existing conditions. There is a residential looking building that is being used as a professional office.

The new proposed plan would be to retain this existing building on the newly acquired lot. The new construction veterinary office would be rotated to be horizontal with Columbia Turnpike. The will attain a 10-foot buffer in the rear and on the side. They are able to fit two ADA parking spaces in the rear north corner. The required number of parking spaces is thirty-two and they can provide that.

There is now a loading zone that is adequate size for trash and recycling vehicles and other delivery trucks.

The existing driveway on the newly acquired property at 132 Columbia Turnpike is only wide enough for one-way traffic. It will serve as an ingress only for this property.

The ground sign will be conforming. The dog enclosure area will remain. The new drywell system will serve all the lots. The back corner will be cleaned out.

The variances needed are the following:

Side yard setback (existing) to remain at 10.9 feet (15 feet is required).

Required buffer of 150 feet to a residential use. This is not realistic or possible and cannot be provided. Applicant is providing 65 feet.

The lot coverage request was originally for 70% where 60% is required. The redesigned plan is now reduced that request to 63.77% which is much closer to the ordinance.

Andrew Clarke said that the will merge all the lots into one lot.

Jeff Noss asked if the ordinance allows for two principle uses on a single lot. Andrew Clarke said that the ordinance does not prohibit that and there are many areas where there is more than one use on a one lot. He reiterated that the house on the newly acquired lot will remain.

Katherine Sarmad, Board Planner, concurred that there is no prohibition on multiple uses on a single lot.

Mike DeAngelis asked what the requirement was for the townhomes when they were approved for a use variance by the Zoning Board.

Steve Azzolini replied that there was no requirement and when the townhomes were constructed, it actually created this non-conformity.

Katherine Sarmad concurred that as per Chapter 250-54 of the Borough Code, the residential use that was approved via a use variance caused the adjacent properties to become non-conforming.

The meeting was opened to the public.

Robin Tanne, 4 Hanover Road, Unit C-3. She stated that she was not initially noticed on this application. She is not happy with the proposal. She does not want to look at this when she and her husband sit on their deck.

Mike DeAngelis said that the time for comments on the application will be at the conclusion of testimony. At this time, the meeting is opened to the public for questions of the witness.

Ms. Tanne asked what a drywell is and what it will look like. Andrew Clarke replied that it is a tool used for storm water management. They are basins that are below the surface and they are used to capture the water. They are not visible. The only evidence of them would be a manhole in the parking lot.

Ms. Tanne asked if trees will be eliminated from the Franchino property. Andrew Clarke replied that they will need to remove a number of trees. However, new landscaping will be planted. He deferred to the Architect on the landscape detail.

It was noted that a veterinary clinic is a permitted use on the site.

Ms. Tanne questioned the notice requirements and said that she only received the most recent letter. Steve Azzolini responded that he receives the official 200-foot list from Florham Park. He is entitled to rely on that list when sending out his mailing.

Mike Sgaramella stated that he has no significant issues with this revision.

A-9 Fire truck circulation plan

Andrew Clarke said that he believes that a fire truck is able to circulate the site. He is basing that on the 42-foot truck. A trash truck can also navigate in. This is an improvement over the original plan.

Mike Sgaramella questioned the direction of the one-way drive that is proposed at the second driveway. Andrew Clarke stated that the can still be discussed.

Andrew Clarke said that they will meet the requirement for 10% landscaping. They sent the revised plan to the County but it has not yet been reviewed by them.

Katherine Sarmad asked if there will be shared parking between the buildings. Andrew Clarke replied that there will be and it is self-regulating. Employees will be directed to park in certain areas. There are no plans to segregate the parking at this time.

Andrew Clarke added that they will prepare a storm water maintenance manual. There will be a deed restriction for the drywell and they will maintain it.

He reviewed the Fire Review dated September 24, 2020. They will do a fire safety plan. He again commented on the circulation that is requested. A fire department ladder truck cannot enter or exit the site on the eastern driveway, and they cannot acquire more property. This is a one story clinic and it is probably not needed. This is not a perfect solution but it is a good plan.

The meeting was opened to the public.

James Franchino, 132 Columbia Turnpike. He agrees that the overall circulation is safer.

Mike DeAngelis confirmed that a fire department ladder truck is able to get in to the site from the west entrance, if needed. They will be able to back out of the site with the help of the police who will also be there in the case of an emergency.

Break (10 minutes)

Mike DeAngelis called the meeting back to order at 8:15pm. He asked what the requirement was for the townhomes when they were approved for a use variance by the Zoning Board. Because the zone is still a PB zone, he asked if there is still a requirement for a 150-foot buffer.

Katherine Sarmad stated that as per the Florham Park Code, Chapter 250-54, a 150-foot buffer is required between a PB zone and a residential use, not a residential zone. It was likely intended to keep some separation from residential and commercial uses since both are permitted in the zone.

Mike DeAngelis responded that when that use was approved, it recreated non-conformities on the properties along Columbia turnpike. Katherine Sarmad said when that was approved, they created a variance condition as far as the separation. The phrasing is a little awkward in the ordinance in that it seems to suggest that the commercial should separate itself from residential and that could explain why the variance was never captured during the hearing.

Steve Azzolini stated that the architect will now provide testimony.

Piero Gabucci, architect remained under oath. He described the landscape drawing. The new plan with more property now allows for more buffering. They will preserve as many trees as possible, but there is a tree that will probably be removed and trees in the rear that must be removed. They will landscape the back area with large arborvitae evergreens (18) that will be 5-6 feet tall at planting and will grow to 20-30 feet. It will also be fenced.

Piero Gabucci continued that the corners in the front and the rear will be planted with flowering trees and boxwoods. There is a significant increase in the amount of landscape.

Mark Taylor said that the evergreen trees should be taller than 5-6 feet. Steve Azzolini replied that the landscape designer noted that smaller and younger trees grow faster and are healthier. In two to three years, they will be 15-20 feet high. Mark Taylor disagreed and said significant sized evergreens should be planted for a buffer.

Jeffrey Noss recommended Green Giant arborvitae because they spread out and are very tall. Piero Gabucci said that he will work with the Town Center Task force on the landscape.

Piero Gabucci replied that they intend to plant two different trees in the rear. The trees on the east side are on the opposite property and will not be touched. They will meet with the Town Center Task Force for their input.

Mayor Taylor wants input from the Task Force on the landscaping plan. Steve Azzolini added that the Town Center Task Force has had these plans for quite awhile and he has repeatedly tried to set up a meeting with them. He agreed as a condition of approval that he will comply with their landscaping comments.

Piero Gabucci said that the site lighting will comply with the Town Center Task Force guidelines. They added more site lighting since the property is now larger. They will reduce the fixtures to 15 feet and will shield them. The rear

lights will be shielded from the residents behind them. They will provide timers. Floodlights will be on the site signage.

John Buchholz commented that the Town Center Task Force desired fixtures are very difficult to shield. Those fixtures are made to cast the light 360 degrees and a bad choice for light control in that area. A more modern style fixture is a better choice when shielding is needed since they are easily shielded. Piero Gabucci agreed that the modern fixture will work better.

Mike DeAngelis stated that the Town Center Task Force is a recommendation only and we are not obligated to follow it. Mark Taylor added that the fixtures can be changed in the back area between the residents. It may be a better choice for other areas on the property as well.

Robin Tanne. She appreciates the thoughtfulness of the comments on lighting.

Piero Gabucci said the property size has doubled and the building has been rotated and increased slightly in size. He said the spaces in the building got larger but they did not add extra rooms. The design has been changed to a more residential character. There is clapboard siding, wood windows, gables and a metal roof. The building is 27 feet high. The condenser units on the roof will be in between two gables and hidden by a parapet.

Mark Taylor asked for maximum screening from the residents that are behind the property. Dave Roberts confirmed that the units will not be seen or heard from the rear.

John Buchholz noted that they can try to screen but it will be difficult because the townhouse buildings are high. They will be looking down at this property. He does not think that the Board wants the residents to see the units. He said he likes the look of the building but maybe they can add another triangle peak to raise the parapet and hide the mechanical units.

Piero Gabucci felt that he could hide the units and provide site lines if that is what the board wants. He said that the proposed building is about the same height as the existing building. Katherine Sarmad stated that the zoning table lists the existing building is 32 feet. The alternative is to put them on the ground against the building.

Katherine Sarmad said that as per Chapter 250-54, the mechanical units are not permitted on the roof in PB zones. They would need a variance or a design waiver for this and supported by the Planner.

Mike Sgaramella asked if the building would be sprinklered. Piero Gabucci replied that it is not a code requirement to sprinkler the building but he will look into that. John Buchholz said that a building has to be 12,000 square feet to require a sprinkler. Mike DeAngelis suggested that they consider sprinklers due to the wood structure. They agreed to look into that. They will probably add gutters as well. Jeff Noss asked if there will be larger pictures. John Buchholz confirmed that the floor plans are missing some windows but it will match the elevations

There were no further questions.

Dr. Megan Edelle, owner of the Veterinary Center of Morris County, remained under oath. She reviewed her prior testimony. This is a satellite office to the office in East Hanover. She has lived in Florham Park since 2014 and has a vested interest in building a pleasing building and providing this service. The hours of operation are 7am to 8pm from Monday to Friday, and 7am to 5pm Saturday and Sunday. There are no overnight stays, no boarding, and no grooming. There will be no changes in the number of exam rooms with this revised plan. It will be a one doctor practice initially but will grow from there.

Her office in East Hanover is right next door to a residence that is probably 20 feet from them and they have never gotten a complaint. That location is a boarding facility as well. The staff will not increase with the larger building. The rooms will become larger for more working room. With a two doctor practice, there will be 9 staff members in total. There is no noise or odor issue with this use. There are only 3 appointments per doctor per hour at maximum. There will not be a large amount of activity on the site.

The meeting was opened to the public.

Robin Tanne. She confirmed that there is no overnight boarding even for animals who have had procedures. She asked about the area where the dogs relieve themselves. She did not see the area on the plans.

Megan Edelle said that there are times when an animal must be there during the day for an extended amount of time due to surgery. They may also need to collect a urine sample from an animal, or a dog may need to relieve itself. However, this is not a frequent occurrence during the day. But they do need this area. There is a sealed container within the area for any waste. It is emptied into the dumpster on the scheduled trash pick-up day. She reiterated that they are a medical facility and are very clean and sanitized.

Robin Tanne. She said that she will overlook the property and will see this when she is on her deck. She asked if there will be a barrier so they do not see this. She asked if it can be relocated so that they and other future homeowners do not have to see it.

Piero Gabucci said that the fence is 6 feet high. He can add taller landscaping. Robin Tanne responded they do not want see this when they are enjoying their deck.

Megan Edelle responded that the area is fenced for shielding, privacy, and safety. She restated that it would only be used three to six times a day at the most. It will not be used frequently. She said that we will do her best to be the least offensive. They are operating within the framework of her business.

Rich Stabile, NRAA. He is the developer of the townhome community behind the property. He said he did not see the notice until recently but acknowledged it may have been delivered. He thinks that the setback relief that is being requested is a very big variance. He asked if that was considered. He said that 65 feet is a big difference from the 150-foot requirement.

Steve Azzolini stated that their planner will respond to that question.

Mike DeAngelis said that the townhomes are only about 20 feet away from the back of this property. The proposed building for this property is about the same distance as what exist today.

Mr. Stabile said that the doctor's testimony sounded nice but the current user is very quiet and hardly has any visitors. He felt that this use is different. He said that his attorney will be present at the next meeting.

Mike DeAngelis responded that planning testimony is needed for the variance. Steve Azzolini stated that they would like to be carried to the November 9, 2020 meeting without further notice.

Mike DeAngelis called for a motion.

Mr. Guerin made a motion to carry the application to November 9, 2020, second Mr. Hegan.

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

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

Marlene Rawson  
Board Secretary

September 28, 2020