

**Zoning Board of Adjustment  
Regular Meeting Minutes  
January 19, 2022**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, January 19, 2022 at 6:30p.m. The meeting was conducted by virtual means utilizing the Zoom service in accordance with the guidelines set for by the State of New Jersey which 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. Rick Zeien  
Mr. Brian O'Connor  
Mr. Jason Jensen  
Mr. Michael Shiviets  
Mr. Matthew Engel (1<sup>st</sup> Alt.)

**Members Absent:**

**Also Present:**

Mr. James E. Polles, Esq., Board Attorney

**Call to Order:**

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

**Statement of Adequate Notice:**

Mr. Cannilla asked the Board Secretary if the statutory requirements of the Open Public Meetings Act had been met. Board Secretary Marlene Rawson responded that we are in compliance with the requirements.

**Nomination for Chairman and Vice-Chairman**

John Novalis of the Nominating Committee reported he received nominations for Michael Cannilla for Chairman and Jeffrey Noss for Vice-Chairman. There were no other nominations made.

Both Michael Cannilla and Jeffrey Noss accepted the nominations and were thankful for the support and professionalism of the Board members.

**Re-Organization:**

**Re-Organization Resolutions of Approval:**

1. **Scheduled Meetings for 2022 and the month of January 2023**

Mr. Jensen read into the record the annual schedule of meeting dates for the Board of Adjustment.

Mr. Zeien made a motion to approve the resolution, second by Mr. Jensen

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

2. **Retention of a Board Attorney**

Mr. O'Connor read into the record the resolution appointing Schenck, Price, Smith and King as Board Attorney.

Mr. Zeien made a motion to approve the resolution, second by Mr. Novalis

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

James Polles, Esq. thanked the Board for their confidence and support and noted the Board's preparedness and professionalism.

3. **Retention of a Planning Consultant**

Mr. Shivietz read into the record the resolution appointing Harbor Consultants as Board Planner.

Mr. Zeien made a motion to approve the resolution, second by Mr. O'Connor

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

4 **Retention of a Board Engineer**

Mr. Novalis read into the record the resolution appointing Michael Sgaramella, PE, as Board Engineer.

Mr. Zeien made a motion to approve the resolution, second by Mr. Shivietz

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

5. **Retention of a Board Secretary**

Mr. Cannilla read into the record the resolution appointing Marlene Rawson as Board Secretary.

Mr. Zeien made a motion to approve the resolution, second by Mr. Noss.

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

**Approval of Minutes:**

6. Approval of Minutes from the December 1, 2021 Meeting.

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

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

7. **2021 Annual Audit:**

Mike Cannilla stated that the Board of Adjustment Annual Report has been prepared. It is an audit of application activity for 2021. The audit is required to be prepared annually and distributed to the Planning Board and Governing Body.

Mike Cannilla said that the Board of Adjustment heard many similar applications over the past year and beyond. Improved lot coverage relief was the most common request. Many projects are pandemic related improvements as well as a likely indication of a general trend toward the desire for more personal outdoor living amenities. This is an opportunity to make recommendations for any adjustments that the Board feels may be appropriate.

James Polles stated that the Board of Adjustment has the statutory authority to make recommendations to the Planning Board and Governing Body on what zoning standards may need to be re-examined. It may be timely to do so because he has been advised that a review of the entire zoning ordinance is in progress at this time.

Jeff Noss added that he is also on the Planning Board and there have been presentations by the Board Planner on ideas and observations about the current Zoning Ordinance. Pools and their effect on lot coverage have been a topic of conversation.

Mike Cannilla said that residents have been making the best use of their property particularly during the past two years. It makes sense to consider an adjustment for certain elements. This Board has been sensitive to the requests of the residents, especially as it pertains to outdoor improvements. Pools offer storage and they mitigate some of their existence. A modification to the lot coverage for a pool may have traction. He is not as inclined to endorse a straight increase to overall improved lot coverage.

John Novalis confirmed that it would be for the pool area only and not pool houses, or related hardscape. Mike Cannilla agreed and noted that the pool itself is different than other improved surfaces.

James Polles stated that the 2021 audit contains more details on the variance requests and decisions of the Board. He added that more information can be helpful and the detail has been provided to better illustrate the Board actions. Jeff Noss agreed that the information will be helpful to the Planning Board who do not see the specifics of the residential variance requests.

James Polles said that the Board can vote to approve the audit as is now, or they can revisit the matter at the next meeting. A cover letter can be prepared recommending what changes the Board thinks might be appropriate if the Board wishes to do so.

Mike Cannilla agreed that it would be beneficial for the Board to review the cover letter before sending it.

Mike Cannilla said that the Board should contribute their thoughts on the residential requests and encouraged the Board to email the Board Secretary with any suggestions before the next meeting.

The meeting was opened to the public. Seeing no questions or comments, the meeting was closed to the public.

Mike Cannilla stated that Mike Shvietz has been appointed to a Regular Member position that will complete the unexpired term vacated by Ted Trautman.

Seeing nothing further on the agenda, Mike Cannilla called for a motion to adjourn.

On a motion duly made and seconded the meeting was adjourned at 7:15p.m.

Marlene Rawson  
Board Secretary

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