

**Borough of Florham Park  
Planning Board  
Work Session Meeting Minutes  
April 10, 2023**

The Work Session Meeting of the Borough of Florham Park Planning Board was called to order on Monday evening, April 10, 2023 at 6:30p.m. in the Municipal Building located at 111 Ridgedale Avenue, Florham Park, New Jersey.

**Members Present:**

Mr. Michael DeAngelis – Chairman  
Mr. Joseph Guerin – Vice Chairman  
Mayor Mark Taylor  
Ms. Kristen Santoro  
Mr. Gary Feith  
Mr. David Roberts  
Mr. Jeffrey Noss  
Mr. Sid Dvorkin  
Mr. Jeffrey Hegan

**Members Absent:**

**Also Present:**

Mr. Michael Sgaramella, Board Engineer  
Mr. Derek Orth, Esq. Board Attorney

**Statement of Adequate Notice:**

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

*The following site plan waiver was administratively approved by Mike Sgaramella:*

23SPW-7: 200 Campus Drive, LLC (Datacor) – installation of a generator approved subject to environmental approval.

**Site Plan Waiver:**

5.        **One Seventy Five Park Avenue, LLC**                                **Application #23SPW-7**  
             175 Park Avenue  
             Block 1301, Lot 3

Applicant is seeking approval for a change in ownership of a hotel.

Robert Greenbaum, Esq. represented the applicant. Brian Schaechter, Executive Vice President of Operations, was sworn in.

Mr. Greenbaum questioned why the Planning Board must hear this application. Board Attorney Derek Orth stated that the Engineer has the authority to administratively approval site plan waivers, or he can refer the application to the Planning Board for a decision. Mr. Greenbaum requested a copy of the provision of the Borough Code.

Mr. Schaechter stated that he is overseeing the transition of the property. The hotel is now independently owned and operated. Since the application was submitted, a hotel name was chosen. It is “Shalvah”, meaning “rest” in Hebrew.

Mr. Schaechter said that the hotel would operate as a full service hotel. There will be multiple restaurants, catering, and conference/convention center. They will be renovating the hotel rooms. He reiterated that it would operate exactly the same as the former Sonesta hotel. There will be no changes to the exterior of the building or property.

Investments in the telecommunications systems must be made. Rooms will be redecorated and the HVAC system needs to be upgraded. The restaurant also needs to be renovated and a new kitchen must be installed. They will update the courtyard.

The agreements with FDU for parking and sewer have been extended. The overflow lot agreement continues with FDU. The number of employees should be amended from 50 employees to 200 employees. All inspections are up to date.

Mr. Schaechter said that they are not a non-profit entity. He said they have no hotel experience but the former Sonesta Hotel General Manager has been hired by them. The hotel will be open to the general public. He reiterated that the operation of the hotel would be exactly the same as the Sonesta and Wyndham. They are in the process of transferring and renewing the liquor license.

The name of the sole owner is Moshe Landau. They want to be good neighbors and he invests in the communities that he does business in. They are civic minded and have already met with Borough Officials.

Mayor Taylor said he has heard conflicting stories about the use. He heard that there is a school that is looking for space in there and also a program designed for women who had babies. He wants to be sure that this is operating as a hotel and nothing else. This is near a residential area. He wants to know exactly what the uses will be.

Brian Schaechter said that they have been approached by a religious school that wants to use the conference room space since they are losing their lease in Newark. He felt it is the same type of rental as any business. It is not permanent. The Fire Marshal had no concerns. It is a synagogue type of school that wants to use the conference center for educational purposes. He did not think it was any different from FDU or St. Elizabeth's using the space.

Derek Orth responded that the conference room is a hotel use. It is not an educational use from a land use perspective. The Mayor is asking if the intention is for a long-term use other than a conference center.

Brian Schaechter stated that he needs to start paying the bills and wants to rent the conference rooms

Jeff Noss said that if there are minors involved, there is a different security requirement.

Brian Schaechter replied that they would provide the necessary security. Jewish schools have the best security. He would run it by the State Department of Education. He added that if they cannot rent it to a school, then they will not. They will not do anything that they are not legally able to do.

Derek Orth said that we might be putting the cart before the horse. You have come to the Board to continue a preexisting use as a hotel. No one here has any issues with the uses that you stated in your testimony and application. Now you are mentioning that at some point you may want to rent space to a school on a temporary basis.

Derek Orth continued that what the Board is saying is that using a conference room for a school use, even temporarily, could at some point become a school use, which is very different from what was testified to.

Brian Schaechter said he wants to squelch the rumors. He said that it would be a temporary tenant. If it goes beyond that, they would come back to the Board.

Mike DeAngelis asked for a definition of temporary. He wants clarification.

Robert Greenbaum stated he agrees with Derek Orth that we are putting the cart before the horse. He said that if a school related use wants to rent the conference room at some point, they would come back to the Board to be sure that it is permitted. Mr. Schaechter testified that the hotel would be used in the exact same fashion as the Sonesta,

Wyndham and Hamilton Park. That is what is before you tonight. Mr. Schaechter has been honest about everything and has shown nothing but integrity.

Robert Greenbaum understood the Board's concern about a school use, particularly a long-term situation. However, that should be left for another day. The Board made it clear that the Applicant will need to get additional approvals should they want to rent to a school.

Brian Schaechter reiterated that they have come in for all approvals needed. He said that they might also offer a hotel stay retreat program designed for the rest and relaxation for women who just gave birth. Mayor Taylor thought it was a clinic use. Brian Schaechter said that everything is open to the public.

Kristen Santoro asked about the timeline for opening. Brian Schaechter replied that they are anticipating a 6-month window to get up and running. Supply chain is still an issue. He especially wants the conference center to be ready because there is a need for that type of space.

Mayor Taylor commented that the hotel has been vacant for three years. We want to be sure that we agree on the use.

Rob Greenbaum said that he would review the school use and what would be needed or required if they decide to rent out that space.

Mike DeAngelis asked how many students they are expecting. Brian Schaechter replied that it would be no more than 150 students. It would be three buses. Mike DeAngelis wanted a clearer definition of "temporary" if this is going to be allowed. It is too open to interpretation.

Derek Orth stated that the testimony is that this is a continuation of a previous use as a hotel and conference center and restaurant/bar. The application was amended to increase the number of employees to 200. The testimony is that there is no existing lease yet but they may at some point enter an agreement for use of the conference center. However, that is not before the Board today.

Robert Greenbaum stated that before we allow a school to come and use the conference center we will contact the Borough for further direction and what is required by law. He asked if this could be considered a use variance. It was stated that a use variance would go to the Zoning Board of Adjustment, not the Planning Board.

Jeff Noss asked if the HVAC system is on the roof. Brian Schaechter said yes, and the units will need replacement.

Mike Sgaramella asked if there are emergency generators. Brian Schaechter replied that there is a natural gas generator on the site.

The other amendment is the hotel name change to Shalvah.

Robert Greenbaum said the school use request could be coming soon.

The testimony was complete.

Mike DeAngelis called for a motion.

Mr. Dvorkin made a motion to approve the application with the conditions discussed, second by Mr. Guerin  
Roll: On a roll call vote all members present and eligible voted to approve the resolution

**Discussion:**

6. **Sisters of Charity of St. Elizabeth**  
2 Convent Road  
Block 1301, Lot 2

**Application #20SP-1 & 20MSD-1**

Applicant is requesting a "Confirmation of Tolling of Approvals" pursuant to P.L. 2020, c. 53 (N.J.S.A. 40:55D-136.7, *et seq.*)

Board Attorney Derek Orth stated that the request is for an affirmation of the time period that the site plan approval remains valid for. This is only for the site plan portion of the resolution. The former contract purchaser, Toll Brothers, properly recorded the major site plan approval as required. The site plan approval occurred prior to October of 2020 and is protected by the pandemic-related Permit Extension Act. This extension or "pause" will expire in November 2023.

Mike DeAngelis asked if they are able to request more extensions. Derek Orth responded that they are entitled to request up to three one-year extensions. He added that the appropriate manner to affirm the time period is by a letter that he will draft on behalf of the Planning Board. A potential developer will want to see this affirmation.

The Board unanimously agreed that the letter should be written.

On a motion duly made and seconded the meeting was adjourned at 7:45pm.

Marlene Rawson  
Board Secretary

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Derek Orth said that he received an email from the Applicant's attorney that stated they will not install a fence as requested but they will install a sign directing people to use the crosswalk. He read the email to the Board.

Mayor Taylor was disappointed in the response and felt the owner is arrogant. Mike DeAngelis recommended that a letter be written to the owner citing the unsafe condition noted by the Planning Board. The Borough Attorney should draft the letter.

Mr. Guerin made a motion to approve the resolution, second by Mr. DeAngelis

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

8. **Resolution Appointing Alan Zakin, Esq. as Conflicts Counsel**

Derek Orth explained that conflicts counsel is necessary from time to time when his firm has a professional conflict with a potential applicant to the Planning Board.

Mr. Guerin made a motion to approve the resolution, second by Ms. Santoro

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 8:10pm.

Marlene Rawson  
Board Secretary

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