

**Zoning Board of Adjustment
Regular Meeting Minutes
April 19, 2023**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, April 19, 2023 at 6:30pm., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Members Present:

Mr. Michael Cannilla, Chairman
Mr. Jeffrey Noss, Vice Chairman
Mr. John Novalis
Mr. Rick Zeien
Mr. Jason Jensen
Mr. Michael Shiviets

Members Absent:

Mr. Brian O'Connor
Mr. Ed Facas
Mr. Jason Jensen (alt)

Also Present:

Mr. Michael Mullen, Esq., Board Attorney

Call to Order:

Mr. Cannilla, Chairman called the meeting to order at 6:35 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.

Approval of Minutes:

1. Approval of Minutes from the April 5, 2023 Meeting.

Mr. Shiviets made a motion to approve the minutes, second by Mr. Novalis.

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

Site Plan Waiver:

2. **Steven Johnson & Lisa Florio** **Application #23SPW-3**
76 Burnet Road
Block 1501, Lot 3

Applicant is seeking to modify a condition of a prior use and bulk variance approval (BOA# 22-01).

Simone Calli, Esq. represented the applicant. She stated that they are before the Board for a relief of a condition of a variance approval that her client received in 2022 for a two-family home. Condition #6 of

the resolution states that a C/O will not be issued until the residence is connected to the sanitary sewer line. They are asking for a modification of this requirement.

Ms. Calli stated that there is no infrastructure in place at this time for the sanitary sewer line. She referred to the review memo by Board Engineer Michael Sgaramella. His memo stated that although the Borough is ready to move forward, an easement agreement from all property owners on the Green at Florham Park must be coordinated. The sanitary discharge from the Burnet and Carrigan residences will traverse thorough the Green's sewer collection system and be pumped to the Borough's collection system on Elm Street. At this point, there is no Development Association created for those property owners in order to formulate this easement agreement. This has caused a delay in the project with no projected resolution timeline.

Steven Johnson, property owner, was sworn in. He noted that there is a history of the former owners requesting a sewer connection to both Florham Park and Madison. He said that the two existing septic systems that were not functional have been abandoned. The Borough plumbing inspector closed the permits. Septic design permits for a new septic system have been applied for and approved by the Building Department and the Health Department. They also have a sewer line (grinder is capped) in place for a future connection.

Mike Cannilla reminded the Mr. Johnson that the sanitary sewer lines might someday be installed. They would be under obligation to connect if and when that occurs. This is a Borough ordinance and probably a State regulation.

Simone Calli and Steven Johnson understood this requirement and stated that they agree to that condition.

Mike Cannilla asked what the timeline is for a new septic system. Steven Johnson replied that it will take about four weeks. He added that soil testing has been done and the perc test was successful.

Mike Cannilla said that it is clear that the situation is outside of the control of the applicant. However, no C/O would be issued until the new septic system is installed. Steven Johnson said that he expects the project to be complete and ready for a C/O by September or October of this year.

The meeting was opened to the public. There were no questions. There were no final questions or comments from the Board. Mr. Cannilla called for a motion.

Mr. Noss made a motion to approve the request with the condition that they comply with Michael Sgaramella's memo. Second by Mr. Zeien.

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

On a motion duly made and seconded the meeting was adjourned at 7:00 p.m.

Marlene Rawson
Board Secretary

April 19, 2023