

**Zoning Board of Adjustment
Regular Meeting Minutes
June 4, 2025**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, June 4, 2025 at 6:30pm., in the Municipal Building, 111 Ridgedale Avenue, Florham Park, New Jersey.

Mr. Michael Cannilla, Chairman
Mr. Jeffrey Noss, Vice Chairman
Mr. John Novalis
Mr. Rick Zeien
Mr. Brian O'Connor
Mr. Michael Shivietz
Mr. Ed Facas
Mr. Marc DeBoer (1st Alt)

Members Absent:

Also Present:

Mr. Michael Mullen, 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.

Approval of Minutes:

1. Approval of Minutes from the May 7, 2025 Meeting.

Mr. Facas made a motion to approve the minutes, second by Mr. Zeien

Roll: Facas, yes; Zeien, yes; Cannilla, yes; Noss, yes; Shivietz, yes; DeBoer, yes

C Variance:

2. **Daniel DeSimone**
252 Brooklake Road
Block 2002, Lot 23

Application #BOA25-5

Applicant is seeking approval for excess improved lot coverage and a two-foot grade increase in connection with a proposed pool and patio project.

Daniel DeSimone, homeowner, was sworn in.

Mike Cannilla noted that the previous owner who built the house received variance approval for building coverage in 2017. As part of that approval, he was required to separate the driveway that opens on Crescent Road and Brooklake Road so they are not connected. He agreed to separate them and put grass in between. Sometime after that, that grass separation was replaced with gravel and the driveways became connected again.

Mr. DeSimone stated that he has three children and would like to install a pool, patio and a shed for the pool equipment. A lot coverage variance is needed for this.

Mike Cannilla commented that this is a low area with a high-water table. Lot coverage impacts permeability of a property. He said that the request is a big number. He asked how committed he is to this plan.

John Novalis asked how large the proposed shed is. Daniel DeSimone replied that it is 8 x 12ft.

John Novalis asked about the grading issue that is part of the application. Daniel DeSimone replied that it is only a small area in the back corner that needs to be leveled off. There is a retaining wall of rock there. It is spot elevation of two feet.

John Novalis continued that the pool does not add to lot coverage but the patio will count. He recommended to somehow reduce the lot coverage.

There were some questions on whether large rocks on the property should count as lot coverage. They are factored in to the submitted calculations. Mike Cannilla thought that if they were original to the property then they likely would not be counted. This will be clarified with the Zoning Official.

Mike Cannilla thought that an option would be to revisit the driveway situation to see if some lot coverage could be gained by a different configuration. He stressed that these comments are our observations only.

John Novalis stated that the original builder did not want to make any changes.

Brian O'Connor verified with the Applicant that a pool code fence will be installed. He also emphasized that water cannot drain onto any neighbor's property.

The meeting was opened to the public.

Leslie Welsh. Her property is directly adjacent to the proposed pool and patio. She has a large koi pond on her property and when the Applicant's home was built a few years ago, the pond was destroyed by the runoff. The pond had to be rebuilt and raised in order to protect it. She has no runoff now but they want to raise the corner of the property and she is concerned about more damage to her koi pond from that.

Ms. Welsh continued that the Applicant assured her that it would not damage the pond. She said that there is a big water problem in her area. She referred to two new homes constructed on Brooklake Road a few years ago and how the area was flooded since then by that new construction. She now must have a drywell. She is friendly with the Applicant and has no objection to his pool project, but she wants assurance that she will not be affected by any runoff from the project.

John Aden. He asked what is meant by a two-foot elevation. He agreed with Ms. Welsh that water is a big problem in the area. He asked if pools get drained each year.

John Novalis replied that residential pools don't get drained completely. He said that in the winter, the pool company will lower the pool water slightly. This typically gets done with a drain hose that empties into the street catch basin.

In response to the increase in elevation of two feet, it was stated that it is only a small area in the back corner where the property slopes away will be raised. This is needed so the pool can be made level.

Mike Cannilla added that if you don't change the natural course of the water, then there will not be any impacts.

John Novalis asked how the applicant will capture the water from the proposed patio. Mr. DeSimone said that there will be an underground drain to the street.

John Novalis asked if there is a detention basin or seepage pit. Mr. DeSimone replied that yes, one exists on the property. John Novalis stated that it must be evaluated to be sure that it can accommodate the added coverage that is proposed. The original builder many have only installed the size he needed for what he built. In that case, a second basin might be required.

The operation of a seepage pit was explained.

Mr. Cannilla stated that at this juncture it is up to the Applicant on how he wants to proceed. He can ask for a vote tonight or take some time to think about the application a little more.

Mr. DeSimone stated that he would like to think about ways to reduce the lot coverage. He asked to be carried to the July 2, 2025 meeting without further notice or publication.

Mr. Zeien made a motion to carry the application to July 2, 2025, second by Mr. Noss
Roll: All members present and eligible voted to carry the application to July 2, 2025.

On a motion duly made and seconded the meeting was adjourned at 7:50 p.m.

Marlene Rawson
Board Secretary

June 4, 2025