

**Zoning Board of Adjustment
Regular Meeting Minutes
May 20, 2026**

The Regular meeting of The Borough of Florham Park Board of Adjustment was called to order on Wednesday evening, May 20, 2026 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. Michael Shiviets

Members Absent:

Mr. Rick Zeien
Mr. Brian O'Connor
Mr. Ed Facas
Mr. Marc DeBoer (1st Alt)

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 20, 2026 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 for approval.

Resolutions of Approval

2. **Vivian Graham** **Application # BOA 26-08**
1 Pine Valley Way
Block 3601, Lot 26

Applicant is seeking approval to install an inground pool as well as a pool cabana.

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

Eligible voters: Cannilla, Noss, Novalis, Shiviets

C Variance:

7. **Jim Gruebert** **Application #BOA26-09**
6 Townsend Drive
Block 2605, Lot 30

Applicant is seeking approval to remove a rear patio and replace it with a brick and stone raised patio and construct a new conforming front entry portico.

Both homeowners, James and Patricia Grubert were present as well as their architect, Alan Andreas to provide testimony on their behalf. They all were sworn in and agreed to provide testimony.

Mr. Andreas provided testimony that the homeowners wanted to raise the patio up so they can enclose the rail that is currently on their patio. They now decided to replace the middle sections with a metal railing which would negate the need for a 4ft height rail variance. They do however want to retain the lighting lasters.

Mr. Andreas stated the hardship is not really with the lot, it is with the home as it is a ranch home where research tells them that their building footprints are 40-50% larger in building footprint than a standard colonial; with that being said it equates to 922.8 square feet where they are looking for a variance of 2.43 square feet.

The applicants are proposing a water retention system that covers the entire roof where none was in place prior. Although they are increasing the impervious coverage by 2.43 square feet, they are reducing the run off to almost 0 with the exception of the shed in the rear. They also are proposing 2 system dry wells negating the storage capacity.

Mr. Cannilla clarified that the current, existing condition is about 2% over; where Mr. Andrea provided the exact number of 1.95% over. They were over because they added the patio about 25 years ago stated Mr. Gruebert.

Mr. Noss inquired how long have they been in the house? Mr. Gruebert replied saying "since 1993", Mrs. Gruebert said "32 years".

Mr. Cannilla inquired about the existing shed's size which is 163 square feet where the shed is included in the architect's calculations.

Mr. Cannilla asked the architect to provide a little detail about the character of the project.

Mr. Andreas complied with they are expanding the front porch because there is no existing portico as there is no current protection when entering the front porch.

Mike Mullen, Esq. confirmed the changes to the front will not activate more variances. Mr. Andreas said that the board can make it a condition and the measurements fall within the contours of the existing as well as the 40-yard setback.

Mr. Mullen also asked if they conducted a PERC test, in which they didn't. Mr. Mullen suggested that be a condition for them to have one completed so whatever system they put in, will be able to handle the capacity.

Mr. Noss asked what made them want to put in dry wells?

Mr. Andreas said it was suggested when they initially submitted for review of their zoning application for this project.

Mr. Cannilla asked Mr. Gruebert what he uses the shed for and he replied with "odds and ends, lawnmower, tools and work stuff." Mr. Cannilla asked if there were any slates behind it and he said there are only a few slates on the side where he places their garbage cans. Mr. Cannilla's focal point with his questions was to see if he could reduce the coverage. Mrs. Gruebert stated questionably if it was removable and her husband, Mr. Gruebert agreed.

Mr. Cannilla asked if they were going to build the window well up the the patio surface? Mr. Andreas said "No. They were going to leave that down low." Mr. Andreas further clarified why which is because they were going to have a railing go right into the chimney.

Mr. Cannilla asked if the board had any questions, they did not. He also opened it to the public, there was none.

He asked for a motion to approve: Mr. Noss made the motion and Mr. Shivietz second.
Mr. Cannilla abstained. He then explained the next steps of the process to the applicants.

8. **Monica & Daniel Bucher** **Application #BOA26-10**
12 Shetland Road
Block 904, Lot 22

Applicant is looking to replace their fence on their property which is a corner lot.

Mr. Mullen, Esq. swore in the next applicants, Monica and Daniel Bucher.

Mrs. Bucher started off their application stating they are looking to replace their existing 6 foot fence with a 6 foot privacy fence on their corner lot property with the exact same layout as it is today. The reason for seeking the variance is for privacy and safety concerns.

Mr. Cannilla asked for more details regarding privacy and safety concerns because he said he has been here a long time and that's generally not a major concern here in Florham Park, so he would like to hear the applicants' point of view.

Mrs. Bucher replied with they have a pool that has been there since they bought it; stating how cars are going up and down Shetland Road, based on the elevation of Shetland Road, they can easily see into their backyard and pool. If her and her young children are swimming, playing kickball, whatever they are doing, you can see them. Mr. Bucher confirmed what his wife was saying that every vehicle coming down Shetland, you can see into their yard. She stated that Lauri Drive is adjacent to their home, over the last year, people will park there during their lunch hour where they have a direct view. There is also a lot of walkers now due to the apartments close by.

Mr. Bucher said adding to the safety feature; if someone were to get into their property, the 6-foot fence aides in securing the pool and not having people get into their property easily.

Mr. Novalis asked the applicants how long have they been in town? The applicants both replied with "since 2017." Mr. Novalis then furthered his questioning with when they went to the town and asked about replacing their fence, what did they say? He stated what if they put a 4-foot fence instead of 6 feet?

Where the applicants would like to replace the fence is their backyard, because the pool is directly behind their house. Mr. Novalis suggested vegetation, planting trees, to provide their coverage and achieve what they are looking for. The applicants reiterated they are looking to replace what is there now.

Mr. Cannilla reminded them politely what is there now is "non-compliant." He stated they can have a 6-foot fence along the concrete line on the right side where the back of the house is, which is compliant. He suggested they can put a fence along the side yard but it wouldn't have to be 6 foot high. He said he's been here a long time, as well as the other board members and they want to help maintain the neighborhood feel here in Florham Park. There are only two homes here in Florham Park that have 6-foot-high fence. He said having a corner lot is not too much of a hardship.

Mr. Cannilla suggested to place a 4-foot fence at the pool and 4 feet high for the fence.

Mrs. Bucher said trees would take away from their backyard and the space of their yard.

Mr. Noss suggested that if they were to plant some trees that are 3-4 feet high now in a couple years they will grow quickly and tall to achieve the goal of what they are looking for.

Mrs. Bucher replied that is something they spoke about and she said how now at this point, it is a monetary thing. It would not be something they can do immediately. They have saved since 2017 to get

fencing. She also said if they were to plant trees, it would take away from the backyard they have, space wise.

Mr. Noss suggested putting a fence around the pool and then 4 feet for the perimeter.

Mrs. Bucher said she didn't think it would look aesthetically appealing and they have a mess fencing up now so their young son can't run into the pool.

Mr. Cannilla stated he respected needing to secure the pool because it will keep the kids away from the pool and in the backyard. He likes it. Mr. Novalis suggested vegetation and then spoke of Country Club and what the owner did to cover it. He said the community is pretty safe.

Mr. Cannilla stated to the applicants how the board operates and how it goes with voting and not voting, to make sure they get the best opportunity for their application. He suggested them to drive around and take a look at other properties to consider what their best course of action would be. He informed them they need to prove a hardship.

Mr. Mullen asked for a break to use the restroom at 7:32PM to have a conversation with the applicants.

The meeting resumed at 7:45PM with Mr. Mullen asking for their application to be carried until our next meeting, on June 3rd.

Upon returning, the applicants agreed to carry their application to our next meeting which is on June 3rd.

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

Alyssa Van Liew
Board Secretary

May 20, 2026