



BOROUGH OF NEW MILFORD
PLANNING BOARD
COMBINED SESSION MINUTES

MARCH 19, 2013

Chairman DeCarlo called the public session of the New Milford Planning Board to order at 7:35 pm. The Chairman read the Open Public Meetings Act. All recited the Pledge of Allegiance.

ROLL CALL

Chairman DeCarlo	Present
Mayor Subrizi	Present
Council Liaison Grant	Present
Secretary Scavetta	Present
Vice Chairman Pecci	Present
Mr. DaCosta	Present
Mr. Mottola	Present
Mr. Santino	Absent
Mr. Newman, Alt. 1	Present
Mr. Prendergast, Alt. 2	Present
Mr. Abrahamsen - Attorney	Present
Mrs. Batistic – Engineer	Present

APPOINTMENT OF ATTORNEY

Motion by Councilwoman Grant, seconded by Vice Chairman Pecci, to appoint Mr. Richard Abrahamsen, from Sekas and Abrahamsen LLC, for a period of one year commencing on March 1, 2013.

Ms. Grant	For the motion
Mr. Pecci	For the motion
Mrs. Prisendorf	For the motion
Ms. Scavetta	For the motion
Mr. DeCosta	For the motion
Mr. Mottola	For the motion
Mr. Newman	For the motion
Mr. Prendergast	For the motion
Chairman DeCarlo	For the motion

MEMORIALIZATION OF RESOLUTION

Application 13-01, 307 Milford/ 326 Kastler Court – Minor Subdivision

Motion by Councilwoman Grant, seconded by Vice Chairman Pecci, to accept the resolution as submitted to grant the application of Seung Joon Park, Kyung Ah Park & Mai Yong Chun a/k/a John Adams, Michael Kane & Leyla baloy for the minor subdivision approval with ancillary variances.

Ms. Grant	For the motion
Mr. Pecci	For the motion
Mrs. Prisendorf	For the motion
Mr. DeCosta	For the motion
Mr. Mottola	For the motion
Mr. Newman	For the motion
Mr. Prendergast	For the motion
Chairman DeCarlo	For the motion

Ms. Scavetta abstained because she was not present for the vote of the application. There were no members of the public in attendance; therefore there was no motion to open to the public. At this time the members went into the work session portion of the meeting.

WORK SESSION

Zoning Board Application Review

Chairman DeCarlo advised the members of a formality that the Zoning Board of Adjustment passed a resolution and copied the Governing Body and the Planning Board. The resolution memorialized on March 12, 2013 embodying its report of determination rendered by the 2012 applications heard before the Zoning Board of Adjustment. He advised that the resolution, containing its findings and recommendations, for the zoning ordinance amendments, and/or revisions, to be considered by the Governing Body. Chairman DeCarlo read the resolution into the record where the Zoning Board members finds that notwithstanding recent Master Plan re-examination reports having been issued, the foregoing issue regarding the current development trend has not been specifically addressed in the Master Plan. He said they recommend undertaking a review of the Master Plan and the zoning ordinances implementing the same, in response to the development trends identified in the Schedule A report. Chairman DeCarlo said after speaking with the Zoning Board Secretary she said it was discussed at the Board that the Planner could make recommendations to the Planning Board on reevaluating the Master Plan to minimize these types of applications appearing before the Zoning Board.

Chairman DeCarlo asked the Board Engineer for clarification due to her sitting on both boards. The Board Engineer advised the members that in the past the Zoning Board was hearing a lot of applications for expansion of driveway widths, the Planning Board members reviewed the applications and noticed that the driveways were typically being approved with 20' widths, where then the Planning Board recommended to the Mayor and Council to revise the zoning ordinance to allow 20' widths to alleviate the Zoning Board of Adjustment from consistently hearing those type of applications. The Board Engineer said the Planning Board annually reviews these types of applications such as the driveway example that she referred to. She advised the members that this was to streamline the process of consistently hearing the same applications that typically get granted. Board Engineer said lately the Zoning Board is hearing a lot of use variance applications where applicants are requesting to change the use from single family residential to a mixed use or different use. She said the Zoning Board would like the Planning Board to review these types of applications to see if they would recommend to the Governing Body to change the Master Plan.

The Board members reviewed all the 2012 Zoning Board applications individually. The Board members felt that the 229 Ridge Street, 404 Monmouth Avenue, 1109 Alessandrini, Fresh and Fancy Farms, Gospel Fellowship Church, and Sanzari's applications did not warrant changing the

Master Plan. The members felt those type of applications should appear before the Boards to keep within the zoning code that is already established. Mr. Abrahamsen said since there are many new planning board members he wanted to clarify what a Planning Board could do to assist the Zoning Board. He discussed an example of how the Planning Board of Englewood reviewed changing an area of town where the hospital was located to a specific hospital zone. He said that Englewood Hospital is a not permitted use. He said for approximately 20 years it was discussed changing the zone but the Planning Board members felt it was best to keep it a non permitted use. Mr. Abrahamsen advised the members that this Planning Board could review the Zoning Board applications and perhaps make a suggestion to change a zone.

Chairman DeCarlo questioned the houses being purchased by the Hackensack River by Blue Acres. Mr. Abrahamsen agreed that as Planners it could be discussed if the zone could be changed to open space zone and to make those types of recommendations to the Governing Body. In answer to Chairman DeCarlo, Mr. Abrahamsen said the existing houses would all become non-conforming and as soon as a house is torn down, no new house could be built without going for a variance. Mr. Abrahamsen said the Master Plan should be consistent with the open space/recreation plan. He advised the Board that's why the Planning Board recommended to the Mayor and Council after Mr. Burgiss's presentation that the open space/ recreation plan was not consistent with what the State had. Chairman DeCarlo said this discussion should be addressed at upcoming work session meetings especially with regard to the flood prone areas in this town.

In answer to Chairman DeCarlo, the Mayor said meetings have been scheduled to discuss with existing owners such as Mr. Brunetti to discuss areas to comply with COAH obligations. The Mayor said discussions have been made with regard to rehabilitation. She said she would keep the Planning Board advised as they would be involved in the planning. She said plans have not been received or viewed as of yet, she said Mr. Grygiel, the Borough Planner was going to be present at those meetings.

Soil moving permits, as built surveys and decks ordinances

The Engineer and Board Attorney advised the members of some areas of concerns with regard to soil moving permits, as built surveys, and deck ordinances. Board Engineer advised the members that the deck ordinance was never finalized as the Borough Clerk had some issues with the term impervious and improved lot coverage. The members discussed many issues regarding as built surveys. The Board Attorney said enforcement issues are not the jurisdiction of the Planning Board however a resolution could be drafted to assist the Zoning Officer and building department. The Board members were in agreement to address soil moving ordinance first since the ordinance hasn't been reviewed since the 1960's. Chairman DeCarlo asked the Board Engineer to bring some adjoining town ordinances so the board members can review at the next meeting.

As there was no further business to be conducted by the Board, a **motion** to adjourn was offered by Celeste Scavetta seconded by Mayor Subrizi, and carried by all. Chairman DeCarlo said the next meeting will be held on April 16, 2013 at 7:30 pm.

Respectfully submitted,



Maria Sapuppo
Recording Secretary