

Approved  
May 21, 2019

## BOROUGH OF NEW MILFORD

### PLANNING BOARD PUBLIC SESSION MINUTES

April 16, 2019

Chairman DeCarlo called the meeting of the New Milford Planning Board to order at 7:37 pm. The Chairman read the Open Public Meeting Act, The Pledge of Allegiance was recited.

#### ROLL CALL

**Members Present:** Mr. Howard Berner, Ms. Kerri Capasso , Mr. John DaCosta, Councilwoman Hedy Grant, Councilman Ira Grotsky, Mr. Frank Mottola, Mr. Tomy Thomas, Mr. Jeffrey Geltman, Alt. 1, Ms. Tina DeLucia Alt. 2, Mr. Arthur Neiss – Atty., Ms. Nicki Louloudis – Eng., and Chairman Angelo DeCarlo. **Absent:** Ms. Joanne Prisorndorf. **Excused:** Mr. Paul Grygiel – Planner

**Minutes:** March 19, 2019, Chairman DeCarlo asked if there were any additions, deletions or corrections. There being none Chairman DeCarlo entertained a motion to accept as printed. Motion made by Ms. Capasso second Councilwoman Grant. In favor: Ms. Capasso, Councilwoman Grant, Councilman Grotsky, Mr. Mottola, Mr. Thomas, Ms. DeLucia and Chairman Angelo DeCarlo. **Abstained:** Mr. Berner, Mr. DaCosta and Mr. Geltman.

**Application – 125 Prospect Avenue, application #19-02** – A preliminary review of this subdivision was held on March 19, 2019. Mr. Mark Madaio, attorney, Bergenfield representing applicant for the subdivision also known as Block 1520 Lot 11. The application is to tear down existing structures, subdivide to create two fully conforming lots. This is a minor subdivision no notice is required to the public however it was noticed in the paper and letters sent. The application was corrected in regards to shareholder street addresses. Robert Louis Costa, engineer, Hackensack, NJ was sworn in for testimony by board attorney, Arthur Neiss. The minor subdivision plat/site plan and the boundary/topography plan, both dated March 18, 2019 is marked as Exhibit A1. The references from fire, police and OEM are marked as Exhibit A2 collectively. Borough references indicate no objections. Exhibit A3 indicates trees currently on the property. Mr. Madaio then proceeded to clarify with Mr. Costa that the minor subdivision of the property will yield two conforming lots with no variances needed to build one home on each lot. Per board engineer letter dated April 11, 2019 the removal of the structures must be completed prior to perfecting the subdivision. In regards to the removal of trees the applicant agrees to comply with shade tree requirements.

Chairman DeCarlo entertained a motion to open to the public for questions made by Ms. Capasso second Councilwoman Grant, all in favor none opposed.

Ms. Colette Haase, 135 Prospect Avenue questioned the applicant about the trees which are on her own property would be cut down and what is the side yard setback. The response was there is no intention of touching the neighbors' trees and the setback is 10 feet.

Mr. Thaddeus Hotto, 117 Prospect Avenue in regard to the current fence will it be moved. The requirements for the fence ordinance will be adhered to.

Chairman DeCarlo entertained a motion to close to the public made by Mr. Berner, seconded Ms. Capasso, all in favor none opposed.

Mr. Madaio expressed his appreciation to the board and indicated the application is a fully conforming minor subdivision and when the applicant comes in with plans they will have to comply in all areas.

Chairman DeCarlo entertained a motion to open to the public for general comments about this application, made by Councilwoman Grant, seconded by Mr. DaCosta, all in favor none opposed.

There being no comments Councilwoman Grant made a motion to close to the public, seconded by Mr. Berner, all in favor none opposed.

Chairman DeCarlo indicated he would entertain a motion where Ms. Capasso made a motion to approve the application as presented seconded by Mr. Berner with the limitations stated by Mr. Neiss: applicant shall comply with tree ordinance and directions from Shade Tree, applicant consented to withdrawal of that portion of the application for the tree permit and agrees to the normal conditions of a minor subdivision. Existing structures will be removed prior to recording the deed and perfecting the subdivision which will be reviewed and confirmed by board attorney. Vote by roll call: For – Mr. Berner, Ms. Capasso, Councilwoman Grant, Councilman Grotsky, Mr. Mottola, Mr. Thomas, Mr. Geltman and Chairman DeCarlo; none opposed; Absent - Ms. Prisorf.

There was discussion about the board application which needs to be reviewed and updated. Separate checklists need to be included for the different applications that can be brought to the board. The input of Ms. Louloudis and Mr. Grygiel will be needed. Ms. Capasso volunteered to be part of the process.

The April 23 meeting is cancelled, the next meeting is May 21 at 7:30 p.m.

There being no further business Chairman DeCarlo entertained a motion to adjourn. Motion made by Mr. DaCosta, seconded by Mr. Geltman, all in favor.

Respectfully submitted,  
Lisa C. Sereno