

Approved
6/7/22

**New Milford Zoning Board of
Work Session
05 03 22**

Chairman Adelung called the Work Session of the New Milford Zoning Board of Adjustment to order at 7:00 pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Adelung - Chair	Present
Mr. Birnbaum	Absent
Ms. DeBari	Present
Mr. Hicks	Present
Mr. Levine	Absent
Mr. Loonam	Present
Mr. LoPorto	Present
Mr. Rebsch	Present
Mr. Schaffenberger -Vice Chair	Present
Mr. Lagana - Attorney	Present
Ms. Batic - Engineer	Present

REVIEW MINUTES OF THE WORK/PUBLIC SESSION – April 5, 2022

The Board Members reviewed the minutes and there were no changes.

RESOLUTION

22-04 – 341 Marguerite Avenue – Dengel – Block 1206 Lot 31

New Modular Home – building coverage

The board Members reviewed the application and had no questions or comments

OLD BUSINESS

22-03 – 198 Center Street – Hollywood – Block 1518 Lot 4

Interpretation/Appeal from the zoning officer for change in tenancy

The Board Attorney stated the matter would be carried to June 7th at 7 pm and there will be no further notice.

Ms. DeBari asked for the reason that the application was being carried. The Board Attorney said as long as they consent to the timing of approval, the reason for the adjournment was irrelevant.

NEW BUSINESS

22-05 - 306 Webster Drive – Block 1604 Lot 7

Inground Pool – Impervious Coverage

The Board Members reviewed the application and had no questions or comments

Motion to close the work session was made by Mr. Schaffenberger, seconded by Ms. DeBari and carried by all.

**New Milford Zoning Board of Adjustment
Public Session
May 3, 2022**

Chairman Adelung called the Public Session of the New Milford Zoning Board of Adjustment to order at 7:10pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Adelung - Chair	Present
Mr. Birnbaum	Absent
Ms. DeBari	Present
Mr. Hicks	Present
Mr. Levine	Absent
Mr. Loonam	Present
Mr. LoPorto	Present
Mr. Rebsch	Present
Mr. Schaffenberger -Vice Chair	Present
Mr. Lagana -Attorney	Present
Ms. Batistic – Engineer	Present

PLEDGE OF ALLEGIANCE

OFFICIAL MINUTES OF THE WORK /PUBLIC SESSION- April 5, 2022

Motion to accept the minutes was made by Mr. Schaffenberger, seconded by Mr. Rebsch and carried by all.

RESOLUTION TO BE MEMORIALIZED

22-04 – 341 Marguerite Avenue – Dengel – block 1206 Lot 31

New Modular Home – building coverage

Motion to memorialize the resolution was made by Mr. Rebsch, seconded by Ms. DeBari.

For the motion: Members Rebsch, DeBari, Loonam, Hicks, Schaffenberger, Adelung

OLD BUSINESS

22-03 – 198 Center Street – Hollywood – Block 1518 Lot 4

Interpretation/Appeal from the zoning officer for change in tenancy

Daniel Lagana, Board Attorney, stated the matter would be carried to the June 7th meeting at 7 pm and no further notice would be given.

NEW BUSINESS

22-05 - 306 Webster Drive – Block 1604 Lot 7 - Bekdas

Inground Pool – Impervious Coverage

Daniel Lagana swore in the following: Apostolos Topsidis, 982 Boulevard, New Milford NJ. Mr. Topsidis, the pool contractor from Image Pools. He was accepted as a fact witness. Esmer and Caroline Bekdas, homeowners and applicant from 306 Webster Drive. They were accepted as fact witnesses.

Mr. Topsidis said the proposed pool was 18x38 with a patio around it. There were two seepage pits. If they are at the edge of the patio, they will not have to move them. If they have to be moved, they will have them inspected and do what needs to be done in order to relocate them.

There was a patio around the pool and an open French drain to collect the water from the patio, said the contractor.

Mr. Adelung asked if the raised patio was existing. Mr. Topsidis answered it was existing.

Mr. Loonam asked how far is the patio from the easement. Mr. Topsidis said it was 15' wide and 8' to the easement from the patio.

Motion to open to the public for comments or questions for Mr. Topsidis was made by Mr. Schaffenberger, seconded by Mr. Loonam and carried by all.

No one wished to speak in the public.

Motion to close to the public was made by Mr. Rebsch, seconded by Mr. Loonam and carried by all.

Mr. Bekdas said they had a challenging couple of years, and need a pool for the children to enjoy. Mrs. Bekdas said they have had some personal issues over the past few years and want to hang out by the pool in the back yard to keep all the family and friends together.

Mr. Loonam asked how deep would the pool be at its deepest point. Mr. Topsidis answered 8'. He was asked if there would be a diving board. Mr. Topsidis said no. Mr. Loonam asked how deep was the "L" shaped area. The contractor said 3 ½'.

Mr. Adelung asked why the pool equipment was not located by the generator. Mr. Topsidis said they needed to be closer to the gas line.

Motion to open to the public for comments or questions was made by Mr. Loonam, seconded by Mr. Rebsch and carried by all.

No one wished to speak in the public.

Motion to close to the public was made by Mr. Schaffenberger, seconded by Mr. Rebsch and carried by all.

Mr. Adelung reviewed and read into the record the board engineer's review letter dated 4/13/22 to construct a 18x38 pool with patio. The applicant was seeking relief from maximum lot coverage - required 40% proposed 51%. Based on current conditions, the property did not conform to the following ordinances: Maximum front yard coverage required 30% existing 42%. Maximum Driveway width required 20' existing 29'.

Mr. Loonam said although the applicant was requesting a significant amount of impervious coverage, it was a pool. Mr. Loonam said his opinion was a pool would catch water and did not create any water issues. He felt this was basically a water retention basin and did see any potential problems with flooding. No neighbors showed up with any concerns. Mr. Loonam felt

they went to great length to place this pool at the ideal location on their property for their neighbors. Mr. Loonam had no issues with this application and did not see anything negative about it. He thought it was a fantastic application

Condition: Daniel Lagana said based on the Engineer letter, the seepage pit design which has not yet been determined, is subject to borough engineer changes and approval. Mr. Topsidis agreed.

Motion made by Mr. Loonam to grant the application with a condition, seconded by Mr. Rebsch. For the motion: Member Loonam, Rebsch, DeBari, LoPorto, Hicks, Schaffenberger, Adelung
Vote 7-0

As there was no further business to discuss, a motion was made to close the meeting by Mr. Loonam, seconded by Mr. LoPorto and carried by all.

Respectfully submitted,
Maureen Oppelaar