Approved

9/16/16

## New Milford Zoning Board of Adjustment

## Work Session

**July 12, 2016**

Chairman Schaffenberger called the Work Session of the New Milford Zoning Board of Adjustment to order at 7:35 pm and read the Open Public Meeting Act.

**ROLL CALL**

Mr. Adelung Present

Ms. DeBari Absent

Mr. Denis Present

Mr. Joseph Present

Mr. Loonam Present

Mr. Rebsch Present

Mr. Stokes Present

Mr. Weisbrot Absent

Mr. Schaffenberger- Chairman Present

Mr. Sproviero - Attorney Present

Ms. Batistic Not Present

**REVIEW MINUTES OF THE WORK AND PUBLIC SESSION – June 14, 2016**

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

**RESOLUTIONS**

**16-04 Lombardi – 178 River Lane – Block 307 Lot 2**

**Add a level – Building coverage/side yard variance**

The Board Members reviewed the resolution and there were no changes or comments.

**16-05 Pitch – 549 Boulevard – Block 1004 Lot 19**

**Deck – building coverage**

The Board members reviewed the resolution and Mr. Sproviero discussed a change that was made.

**OLD BUSINESS**

**16-03 Puglisi – 61 Bulger Avenue – Block 706 Lot 9**

**SOLAR PANEL INSTALLATION**

The Board Attorney read into the record the correspondence from Mr. Dan Schweizer, operations support manager for NRG Home Solar, retracting their application submitted because the Borough of New Milford now allows solar panels on the front of a residence. Mr. Sproviero said this withdraws the application and the board should mark their docket accordingly. Mr. Loonam asked if they had to still pay any fees. The Board Attorney said escrow was posted by NRG and he would be putting in his time spent on the application. Mr. Loonam asked if they had to pay an application fee. The Board Attorney said yes and it was paid by NRG.

The Board Attorney noted that they have the finalized the developer’s agreement for IEA. He added that while the resolution itself authorized the execution of the developer’s agreement, he thought it would be good practice to move a motion authorizing the board’s execution of the agreement on behalf of the Zoning Board of Adjustment.

Mr. Loonam asked about the recent Court decision regarding affording housing. The Board Attorney briefly discussed the decision.

The Chairman read into the record an email dated 7/11/16 from Ms. DeBari. Ms. DeBari wrote that this email served as her resignation effective immediately and that it has been an honor to serve the borough. The Chairman noted that Ms. DeBari has been a dedicated, responsible and contributing member to this board for a really long time. The Chairman wanted to acknowledge Ms. DeBari’s dedicated service to the Zoning Board of Adjustment.

The Chairman noted that the Board Attorney and several members would not be present at the August meeting and asked if they should cancel the August meeting. The Board Attorney stated that due to the summer schedule of the board members the August meeting has been cancelled.

The Chairman pleaded to the Board Members to put on the record any of their questions or concerns and to keep the cross talk to a minimum during the meetings. He explained it was very hard to listen to the tapes when everyone was speaking at once.

Motion to close the work session was made by Mr. Loonam, seconded by Mr. Stokes and carried by all.

## New Milford Zoning Board of Adjustment

## Public Session

**July 12, 2016**

Chairman Schaffenberger called the Public Session of the New Milford Zoning Board of Adjustment to order at 8:00 pm and read the Open Public Meeting Act.

**ROLL CALL**

Mr. Adelung Present

Mr. Denis Present

Mr. Joseph Present

Mr. Loonam-Vice Chairman Present

Mr. Rebsch Present

Mr. Stokes Present

Mr. Weisbrot Absent

Mr. Schaffenberger-Chairman Present

Mr. Sproviero - Attorney Present

Ms. Batistic – Engineer Not Present

The Chairman stated for the record Ms. Batistic was not needed because there were no applications.

**PLEDGE OF ALLEGIANCE**

**OFFICIAL MINUTES OF THE WORK SESSION – June 14, 2016**

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

**OFFICIAL MINUTES OF THE PUBLIC SESSION – June 14, 2016**

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

RESOLUTIONS TO BE MEMORIALIZED

**16-04 Lombardi – 178 River Lane – block 307 Lot 2**

**Add a level – Building coverage/side yard variance**

**Motion** made by Mr. Stokes, seconded by Mr. Denis to memorialize the resolution.

The motion passed on a roll call vote as follows:

For the motion: Members Stokes, Denis, Loonam, Rebsch, Joseph, Schaffenberger

**16-05 Pitch – 549 Boulevard – Block 1004 Lot 19**

**Deck – building coverage**

**Motion** made by Mr. Loonam, seconded by Mr. Rebsch

For the motion: Members Loonam, Rebsch, Denis, Stokes, Joseph, Schaffenberger

**OLD BUSINESS**

**16-03 Puglisi – 61 Bulger Avenue – Block 706 Lot 9**

**SOLAR PANEL INSTALLATION**

TheBoard Attorney read the correspondence from NRG Home Solar, on behalf of the applicant, into the record. The letter read that because of the new ordinance adopted that now allows solar panels on the front of a resident, they were retracting their application. The Board Attorney said that letter was sufficient to withdraw the application and the docket may now be closed.

The Board Attorney said a motion was needed to cancel the August meeting due to the summer schedule of the Board Members.

Motion made by Mr. Loonam, seconded by Mr. Rebsch.

For the Motion: Members Loonam, Rebsch, Denis, Stokes, Joseph, Adelung, Schaffenberger

The Board Attorney asked for a motion to authorize the Chair to execute the developers agreement by and between IEA, the Zoning Board of Adjustment and the Borough of New Milford as contemplated and required by the resolution memorializing the approval of application No. 15-08.

Motion made by Mr. Stokes, seconded by Mr. Denis

For the Motion: Members Stokes, Denis, Loonam, Rebsch, Joseph, Adelung, Schaffenberger

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

Respectfully submitted,

Maureen Oppelaar