



BOROUGH OF NEW MILFORD

PLANNING BOARD WORK SESSION MINUTES

August 22, 2017

Chairman DeCarlo called the meeting of the New Milford Planning Board to order at 7:08 pm. The Chairman read the Open Public Meeting Act, The Pledge of Allegiance was recited.

ROLL CALL

Chairman Angelo DeCarlo	Present
Councilman Al Alonso	Present
Secretary Tomy Thomas	Absent
Council President Hedy Grant	Present
Mr. John DaCosta	Present
Mr. Frank Mottola	Present
Ms. Joanne Prisendorf	Absent
Mr. Dominic Colucci	Absent
Mr. Matthew Seymour	Present
Ms. Kerri Capasso Alt. 1	Present
Mr. Ray Cottiers Alt. 2	Present
Mr. Marc Leibman - Attorney	Present
Ms. Morris – Engineer	Present
Mr. Paul Grygiel – Planner	Present

New Milford Redevelopment – continuation of the site plan application. Mr. Del Vecchio presented exhibit A32 a ground sign (monument sign) to replace the proposed pylon sign at the south driveway on River Road. The sign would be perpendicular to the road with street number on side facing street, ground lit and complies with requirements. The application is formerly amended to reflect this change. Mr. Grygiel indicated there is no problem with visibility as there is no exiting traffic. Mr. Del Vecchio was asked if the monument sign would be on Main Street also and his response was no, there is no impact to residential addresses across the street, this is a concession to the board and do not see similar need at the other locations. The pylon sign on Main Street is a smaller sign. Mr. Dipple was unavailable for the meeting. Mr. Leibman swore in William R. Vogt, Jr. one of the principal owners of L2A, 600 Grand Avenue, Englewood, New Jersey; licensed engineer in New Jersey confirmed the information presented by Mr. Del Vecchio.

A motion to open to the public was made by C.P. Grant second by Mr. DaCosta all in favor none opposed.

Lori Barton - 399 Rosalind Avenue, questioned the proximity of the Main Street pylon sign and driveway to Washington Avenue a residential street. Mr. Vogt and Mr. Del Vecchio confirmed the location of Washington Avenue to the site driveway on Main Street with exhibit **A33** sheet EX-01 prepared by L2A dated 8-31-2017. Bergen County lot is across from the driveway with the residential area north east.

A motion to close to the public was made by C.P. Grant second by Mr. Mottola all in favor none opposed.

Mr. Del Vecchio discussed Bergen County requests and indicated discussions are close to finishing. Some items are Madison Avenue driveway will be widened to include right and left turn exit lanes, curbing on Madison Avenue from Cecchino north to Suez driveway and widen southbound portion of roadway on Madison across from site which is depicted in Exhibit **A34** drawing EX-07 and exhibit **A35** prepared by L2A dated 8-22-2017. . Concerns were raised as school buses use the northern portion of Madison Avenue to stage during school activities. Mr. Morris addressed concerns of the turning radius for the driveways. Mr. Del Vecchio indicated the county has jurisdiction and approved. Mr. Leibman asked the board engineer to apprise the county engineer of these concerns. Financial contribution for county improvements include bridge modifications on Main Street and signaling improvements.

A motion to open to the public was made by C.P. Grant second by Mr. Mottola all in favor none opposed.

Michael Gadaleta - 270 Demarest Avenue, questioned if the board was copied on correspondence and participating with the county and asked the applicant if the county offered any resolution to preserve the trees and the River Road access. The county has not made comment.

Lori Barton - 399 Roslyn Avenue, asked what kind of upgrades have the county suggested. Mr. Del Vecchio responded a financial contribution was requested and it is the county's decision how it will be used.

A motion to close to the public was made by C.P. Grant second by Mr. DaCosta all in favor none opposed.

Mr. Del Vecchio indicated this concluded the applicant's presentation/testimony.

Correspondence was received from Boswell dated 8-17-2017 and from Mr. Ascolese with the same date. Mr. Morris summarized Mr. Ascolese letter indicating he felt generation numbers should be higher, improvement needed at both municipal and county intersections, notably Main Street and River Road, River Road turns into site

Mr. Del Vecchio read a response from Ms. Dolan to Mr. Ascolese's report referring to left turn movement from north bound River Road to Madison Avenue marked as exhibit A36 there is no change in volume as it is easier to continue straight on River to access the site. There was some discussion of what can be done to improve River/Main intersection among the board with Mr. Morris. Mr. Del Vecchio noted this is a designated truck route today and the site is not generating a capacity issue. The intersection does not have enough land area for changes needed without taking public party. Mr. Leibman asked if the applicant could meet with the borough engineer to discuss possible solutions. Mr. Seymour expressed concerns of additional truck traffic in the area. C.P. Grant asked Mr. Morris if this is not an issue of capacity. He responded the capacity will increase and as such will happen more often. Chairman DeCarlo asked Mr. Del Vecchio if the applicant would consider improvements to the intersection. He responded without knowing what the components would be he cannot make a commitment but is willing to have a conversation and reminded the board going forward they would sit down and talk about best truck routes. Chairman DeCarlo acknowledged this is an existing condition. Mr. Cottiers and Ms. Capasso spoke of concerns on Cecchino during lunch hours for student traffic and possible closing the roadway at those times, what it effect on the surrounding roadways and noting that is for the Mayor and Council to decide.

The football counts were provided to Mr. Leibman by Mr. Alonso. There is no witness to testify and are estimates and cannot be considered as evidence. Also received is correspondence from Sergeant Pisano and shade tree commission in reference to widening of River Road. Mr. Del Vecchio has no position on either item as they will widen the road if that is the board's decision. C.P. Grant noted the shade tree commission's letter argues against the removal of borough trees along River Road.

A motion to open to the public for final comments was made by C.P. Grant second by Mr. Mottola all in favor none opposed

Lori Barton - 399 Roslyn Avenue, sworn in by Mr. Leibman, stated the trees should be left, people will use other entrances, make the bypass lane. Madison will be major thoroughfare and students will still be using the field. There are no requirement to grant variances hold them to letter of the law. This development is an imposition enforce the sign ordinances, it is your responsibility to protect New Milford.

Casey Hittle - 277 Boulevard, sworn in by Mr. Leibman, informed the board of her concern of the proximity of her home to this development. The traffic on Demarest Avenue, no sidewalks and the narrowness of the street is dangerous now. Solutions to these problems would be a disadvantage to the residents. Asked to consider the location of the southern driveway to avoid additional problems to Demarest Avenue.

Chairman DeCarlo advised Ms. Hittle this was discussed at prior meetings, it is a concern of members of the board and there will be recommendations on how best to avoid a cut thru and as safe as possible to the residents.

Michael Gadaleta - 270 Demarest Avenue, sworn in by Mr. Leibman, stated this is a difficult position, asked the board to recognize he is a licensed architect and served on

planning and zoning boards. He gave reasons this application was denied previously. Sited conflicts he believes exists with some members of the board.

Joe Loonam - 469 Marion Avenue, sworn in by Mr. Leibman, commented that he sat on the zoning board with this application and had to decide if the application made sense from a legal and sensible standpoint. He feels there are some safety issues with the uses and numbers for the recreation field. Please consider if you have enough information considering safety aspects at the site to vote tonight.

There being no further comments a motion to close to the public was made by Mr. DaCosta second by Mr. Seymour all in favor none opposed.

Chairman DeCarlo expressed his appreciation to members of public who attended, followed our guidelines and board rules, they were respectful. It is important to have public input to make an educated decision.

Mr. Del Vecchio underscored certain important facts as the board prepare to render a decision. This is a permitted use by settlement agreement and by nature there will be traffic. He addressed the front yard setback and sign variances. The front yard setback was an “oops” as the front yard setback had changed after rezoned. The sign variances defaulted to the general standard and did not address the use of the site. Allowed is a 210 sq. ft. pylon sign but the applicant is proposing 2 pylon signs under 70 sq. ft. marking the two driveways main access driveways and a monument sign on River Road. Building mounted signs are all unlit and are the same as the existing building. We have worked with this board to present an application which we think satisfies the settlement agreement, the rezoning, the concerns and comments raised by the board and provides improvement to the property and neighborhood. We are prepared to accept your decision on River Road improvement, we ask that at the conclusion of your deliberations a favorable vote on this application. Thank you for your courtesies and extension of time.

Chairman DeCarlo began the discussion on changes to River Road. Ideas and comments included altering River Road to have a pass area as exits at the current ShopRite site; leave as is to preserve trees, sight and noise barrier and aesthetics of the neighborhood; public will find the best way to access the property will be use of Main Street and Madison Avenue, condition/health of trees is unknown and emergency vehicle access on this area of River Road. The board agreed to have a bond posted by the applicant in order to have the opportunity to make the decision if needed once the project was finished. It was determined a bond was not an option available. With this in mind, it was requested to have trees replace for the ones taken down if the road was widened.

At this time a procedural vote was taken to widen the road. Approved by Mr. Alonso, Mr. DaCosta, Mr. Mottola, Mr. Seymour, Ms. Capasso, Mr. Cottiers, Chairman DeCarlo with members stipulating engineer review for minimal impact of tree removal and replacement; opposed by C.P. Grant for reasons previously stated to preserve the

neighborhood. Chairman DeCarlo stated this is a decision weighed heavily and he thinks this is the right decision for this corridor as it is important to emergency vehicles. Mr. Leibman will include in the resolution the applicant will meet with the board engineer about remove and replace trees. Mr. Del Vecchio suggested replacing with shade trees along the public road to recreate the canopy. The applicant will meet with the board engineer and bring the final plan to the board before the resolution is voted. Mr. Grygiel reviewed the variances requested for signs which is two pylon and ShopRite building wall signs. The one permitted is on the Madison Avenue frontage. The maintenance plan for the basins was discussed and it was agreed the property owner in perpetuity would be responsible for basin #4 with the DPW doing visual maintenance of debris. An access road to the recreation parking lot was accepted within six months of property conveyance. Any request for overflow parking would need to be addressed with the tenant.

The sign for the Main Street driveway was discussed and a number of board members preferred a monument sign for this location. Mr. Del Vecchio expressed the reasons for keeping the pylon sign which had been reduced in size. Mr. Alonso made a motion to approve the variance for the additional pylon sign second by Mr. Mottola because of the safety requirements and the proofs are there (present). Approved by Mr. Alonso, Mr. Mottola, Mr. Cottiers, and Chairman DeCarlo; opposed by C.P. Grant, Mr. DaCosta, Mr. Seymour, and Ms. Capasso. Tie vote is a denial on the request for pylon signs.

Chairman DeCarlo entertained a motion to accept or deny the variances as listed in Mr. Grygiel's letter other than the sign which was denied. Mr. Alonso made the motion second Mr. DaCosta. Approved by Mr. Alonso, Mr. DaCosta, Mr. Mottola, Ms. Capasso, Mr. Cottiers, and Chairman DeCarlo; opposed by C.P. Grant, Mr. Seymour.

Mr. Alonso made a motion to approve the balance of the site plan application with the subdivision, soil erosion and tree removal second by Mr. Mottola. Mr. Leibman listed agreements made by applicant. Mr. Alonso amended his motion to incorporate all conditions second Mr. Mottola. Approved by Mr. Alonso, Mr. DaCosta, Mr. Mottola, Ms. Capasso, Mr. Cottiers, and Chairman DeCarlo; opposed by C.P. Grant, Mr. Seymour.

The September 19th meeting is cancelled, the next meeting will be September 26th 7:30 p.m.

A motion to open to the public was made by C.P. Grant second by Mr. DaCosta all in favor none opposed. There being no questions/comments from the public a motion was made to close by Mr. Seymour second by Mr. Mottola all in favor none opposed.

REVIEW MINUTES – May 23, June 14 and July 6 sessions. Board members reviewed minutes. Motion to accept the minutes of May 23, 2017 as printed was made by Mr. DaCosta second by Mr. Alonso and carried by all. Motion to accept the minutes of June 14, 2017 as corrected was made by Mr. Alonso second by C.P. Grant and carried by all. Motion to accept the minutes of July 6, 2017 as printed was made by Mr. Alonso second by Mr. DaCosta and carried by all.

A motion to adjourn was made by C.P. Grant second by Ms. Capasso all in favor none opposed.

Adjourned 10:33

Respectfully submitted,

Lisa C. Sereno