



**BOROUGH OF NEW MILFORD  
PLANNING BOARD  
SPECIAL SESSION MINUTES**

**July 6, 2017**

Chairman DeCarlo called the meeting of the New Milford Planning Board to order at 7:14 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	Present
Council President Hedy Grant	Present
Mr. John DaCosta	Present
Mr. Frank Mottola	Present
Ms. Joanne Prisendorf	Present
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. Margita Batistic – Engineer	Present
Mr. Paul Grygiel – Planner	Present

**REVIEW MINUTES** – minutes were tabled.

**NMRA, LLC** – Mr. Andy Del Vecchio of Beattie Padovano on behalf of NMRA. First marked exhibits as follows: **A9 – architectural plans for ShopRite by Mr. Thomas Ashbahian two plan sheet set dated March 29, 2017, part of A2 – exhibits of settlement agreement; A10 – unrestricted use and NFA letter from NJDEP dated March 25, 2010; A11 – full size color site plans elevation and pylar sign from Lesar Group dated June 21, 2017; A12 – NJDEP application flood hazard area verification dated April 4, 2017; A13 – photograph sheets, 10 photos two per page w/photo location map plan, L2A Group; A14 – LOI from NJDEP dated April 5, 2011; A15 – NJEP Division of Parks and Forestry letter dated February 13, 2017; A16 – Storm Water Management and Maintenance, L2A Group dated March 30, 2017; A17 – Engineering Report, L2A dated March 30, 2017; A18 – DEP Flood**

**Hazard Area Permit, dated June 30, 2017** satisfies obligation of settlement agreement. Ms. Batistic, borough engineer concurs.

Gerry Simon of Lasar Design, 8521 Leesburgh Pike, 7<sup>th</sup> floor, Vienna, Virginia 22182 was sworn in by Mr. Leibman, borough attorney. After verifying Mr. Simon's qualifications in the field of architecture Mr. Del Vecchio requested Mr. Simon be accepted as an expert witness. Chairman DeCarlo asked them to proceed. Exhibit A11 is the bank component of the project. Mr. Simon described the one story 3000 sq. ft. prototype building. Discussed was an oversight in setback which was due to a change of the zone to MUPD that resulted in a 34 ft. setback instead of the required 50 ft. The drive-thru canopy, not the building, is the structure in the setback. An oversight on both parties, this could be a minor variance. Discussion continued about the drive-thru location, queuing, traffic flow and emergency vehicle access. The ingress driveway is 18' wide to accommodate turning from east entrance and emergency vehicles. The only permitted zoning uses of the property are a bank, supermarket and parking. Any change would go to the zoning board. The bank pylon sign which is 13'4" wide x 21'4" high, is internally illuminated and is located northeast of the bank by River Road is a concern. The other two signs are located on Madison Avenue (the primary entrance) and Main Street. The board expressed great concern about pylon sign located on River Road which will impact the neighbors in that location. In consideration of the board's concern for the River Road sign, Mr. Del Vecchio will look into options for that sign. Mr. Grygiel questioned the building-mounted signs, dimensions and variances which would be required. A revised plan was requested to provide all signage information. It was requested that bank signage be modified to fit into the residential neighborhood. This led to a discussion of the landscaping for the bank area with Mr. Dipple. An attractive and visible sight will be maintained including London Plain/Sycamore trees. The transformer is to be located near the trash enclosure if approved by utility. Mr. Simon was brought back to the discussion. Although there were no mechanical drawings at this time it was indicated it would have a roof packed system. It is 18' to the parapet of the building and the mechanicals will sit below.

There being no further questions by the board Chairman DeCarlo entertained a motion to open to the public, which was made by Ms. Grant and seconded by Mr. Alonso, approved by all.

Michael Gadaletta, 270 Demarest Avenue, New Milford asked about the placement of the bank, why is it backwards? Mr. Simon disagreed and commented it is situated for optimal drive thru traffic flow. Mr. Gadaletta next asked about re-notice for the setback. Mr. Leibman explained he responded to a question from a board member in light of the setback difference with the change of zone. Questioned if they were aware of the detention basins located at the Main Street, along property to be deeded to the borough and in the back. Mr. Simon indicated they are noted on the plan but not in blue. A question about the size of pylon sign compared to bank was not able to be answered.

There being no further questions from the public, a motion was entertained by Chairman DeCarlo to close to the public by Mr. Mottola seconded by Mr. DaCosta.

Chairman DeCarlo called for a 10-minute break.

The meeting resumed with Mr. Del Vecchio recalling Mr. Dipple who referred to CO3A Circulation and Open Space Plan. Described were the truck route into the complex from Madison Avenue and exiting north to Main Street, public vehicle routes, pedestrian access and noted bus stops. Concerns were raised about truck traffic on River Road. Chairman DeCarlo referred to the borough engineer. Ms. Batistic (revised traffic report not received) has concern with Main Street and Madison Avenue where the bridge and intersection is a tricky turn. There are no restrictions for truck traffic on those roads today. The Main and River traffic light may need the timing adjusted.

There is no public walkway in front of the supermarket, one would have to walk thru the vestibule for safe access to the other side of the property. Comment was made this is very common in the newer stores. There was discussion of outside shelter/canopy to avoid the elements once outside. Mr. Ashbahian will take the suggestion back to ShopRite.

CO3A shows Main Street will be widened. Mr. Dipple referred to CO4 as he explained that a left turn lane will be added. He stated this was well discussed at the Zoning meeting. There was a comment later in the meeting that members of this board are not privy to those discussions. Concerns were raised again in respect to left road turns in the area. Mr. Del Vecchio voiced his objection to what seem to be suggestions of restrictions to this site. There will be further testimony and discussion when presentations will be made by Ms. Dolan for traffic and a representative from ShopRite operations.

The crosswalk across the main access road was questioned as to the positioning from the activity field directly to the side of the ShopRite building and whether there will be a stop sign. Mr. Dipple we look at this again. Another concern is whether the access road will be built/developed at the time the activity field will be deeded to the borough. It is requested the road be completed within the time frame the borough takes ownership. Pedestrian movement from parking lot to field is expected to go toward Cecchino Drive then to field. All retention basins will have fencing around them. Activity field basin (#4) will work well on its own till area B is built, that basin will work with area B basins when constructed. Field will drain to the basin and out, parking lot for field drains to #4 also. There is a maintenance plan for the retention basins approved by the DEP.

Shopping carts – 6 spaces reserved for cart corral in the parking lot.

Snow removal – typical to be put in remote areas and landscaped areas.

Utilities connections - water main is 8", information will be provided for fire department needs.

CO8 lighting plan – LED for parking lots, postop will match borough. A concern for the residents having the lights shining in their homes was raised. Lights will cast downward not projecting outwardly.

Tree removal – remove approximately 267 trees, will replace with 156 trees caliper 3-3 1/2" plus shrubs and ground cover plants, 1 London Plain for the ingress drive to be removed, eight will remain. CO2 shaded with vegetation and trees not indicated on landscape plan will correct and have filled in with attractive planting.

Due to the time, questions from the public of Mr. Dipple will be allowed at the July 25 meeting.

Traffic reports were handed to board members. Lighting information will be provided for next meeting. Traffic report, Operational representative and Mr. Ashbahian scheduled for July 18.

The July meetings will begin at 7:00 p.m. Notice is given at this meeting and will be noticed in the papers.

This meeting is adjourned till the 18<sup>th</sup> of July. This is your notice, no further notice is needed.

Motion to adjourn meeting at 10:42 p.m. made by Ms. Prisendorf seconded by Mr. DaCosta, all in favor.

Respectfully submitted,

Lisa C. Sereno