



**BOROUGH OF NEW MILFORD**

**PLANNING BOARD  
WORK SESSION MINUTES**

**March 28, 2017**

Chairman DeCarlo called the meeting of the New Milford Planning Board to order at 7:32 pm. The Chairman read the Open Public Meeting Act, The Pledge of Allegiance was recited.

**ROLL CALL**

Chairman DeCarlo	Present
Councilman Alonso	Present
Secretary Thomas	Present
Council President Grant	Present
Mr. DaCosta	Present
Mr. Mottola	Present
Mrs. Prisendorf	Present
Mr. Colucci	Present
Mr. Seymour	Present
Miss Capasso Alt. 1	Present
Mr. Cottiers Alt. 2	Present
Mr. Leibman - Attorney	Present
Mrs. Batistic – Engineer	Present
Mr. Grygiel – Planner	Present

Chairman DeCarlo welcomed Kerri Capasso filling the unexpired term of First Alternate and Matthew Seymour is filling the unexpired term of Chris Pecci. Marc Leibman administered the Oath of Office.

**APPLICANT 800 RIVER ROAD** - Care One/Woodcrest applying for a second one year extension. Mr. Thomas Trautner attorney for Chiesi Shahinian & Giantomasi PC representing the applicant introduced himself and stated he is here seeking to protect current approvals as they move ahead. He is asking The Board to grant a second one year extension. Hedy Grant asked if he would recap the work to be done which is adding covered exterior for 3 floors, additional onsite parking, landscaping enhancement, and remove sign. Dominic Colucci asked expectation of time frame for work to be completed. Angelo R. Caputo introduced as representative of Care One as in house architect, planner/developer. Added he is currently assessing the building to become more competitive in the market. The purpose of the balconies are to address the need of Alzheimer/dementia patients. There is no plan to change the number to accommodate rooms not part of current project. Looking for a little cushion of time to complete project - parking was done, landscape needs to be completed and the sign needs to comply. The heritage tree was diseased had to be removed.

The Permit Extension Act was discussed and was determined that an extension is needed.

Joanne Prisendorf recused herself due to business conflict from any testimony or action.

Chairman DeCarlo asked for any question for this applicant, there being none asked to entertain a motion. Council President Grant made a motion to approve the extension second by John DaCosta.

Approved by roll call – Mr. Alonso, Secretary Thomas, Council President Grant, Mr. DaCosta, Vice Chair Mottola, Mr. Colucci, Mr. Seymour and Chairman DeCarlo.

**REVIEW MINUTES OF THE – January 24, February 7 and February 21, 2017**

**SESSIONS:** The Board members reviewed the minutes with a change noted for February 21.

Let the record reflect Chairman DeCarlo and Joanne Prisendorf were absent on January 24 and February 7, Al Alonso was not a member for January 24.

**OFFICIAL MINUTES OF THE – January 24, February 7 and February 21, 2017**

**SESSIONS:** Motion to accept the minutes was made by Hedy Grant, seconded by Dominic Colucci and carried by all.

**REVIEW 2016 End of Year Zoning Report.** Chairman DeCarlo explained this is mandatory per statute, actions by Zoning Board are reviewed then this Board can make recommendations to the Mayor and Council to change ordinances. Chairman DeCarlo deferred to Margita Batistic for items brought to her attention. She started the discussion with lot coverage which is a concern. New Milford seems to have the highest lot coverage of surrounding towns, 60% (58% for larger lots). When the ordinance was originally established it was 25% building and 65% lot (40 in addition to 25). The Borough changed the building coverage to 20% it kept 40% impervious. This was interpreted as 20% and then another 40. The language needs to be for the overall lot coverage. Simplifying the zoning worksheet, a sliding scale for lot size and building height affected by grading were also discussed. Our attorney, Marc Leibman, suggested to form a subcommittee to closely review ordinances of concern. The Board would like building height with soil moving as related to height, lighting, signage, and lot coverage to be considered by this subcommittee. Council President Grant was asked to bring these concerns to the governing body that the Planning Board would like to reexamine. It was noted these items are to be included with consideration to the Master Plan. A two member subcommittee plus the professionals was set where John DaCosta and Frank Mottola volunteered and it was suggested our zoning officer should be included. This subcommittee does not include an effective majority. As for the report Frank Mottola commented that more detail would be helpful to address items the Zoning Board approved. Paul Grygiel had information for four of the applications – such as building coverage and set back, undersize lot, existing non-conforming. Chairman DeCarlo asked for more information on these decisions in order to evaluate if ordinances need to be adjusted.

**1070 RIVER ROAD** Angelo DeCarlo recused himself. Marc Leibman then informed the Board he received a letter yesterday for 1070 River Road which he read into the record showing minor revisions to the parking layout. It was requested this be presented to the Planning Board and approve this minor revision without requiring formal approval. This issue Margita Batistic had identified and stopped work on the project. This seems to be a minor change but it should be presented to the board to determine if this is *de minimus* or if an amended application is needed. Marc asked this be placed on the agenda for the next meeting.

**APPLICATION FORM AND REQUIREMENTS REVIEW** Marc Leibman noted the application comes from the Cox Book. He commented it is comprehensive and the escrow needs to be adjusted. This is done by ordinance from the Mayor and Council but is recommended by this board. During the discussion it was determined the various fees required

need to be updated and checked against the fee ordinance.

**WATER COMPANY PROPERTY** Paul Grygiel was asked for an update of the water company property. The Fairness hearing on the settlement agreement was approved by the judge. Ordinances to create the new MUPUD zone are needed for the existing ShopRite and the water company property and amend the Master Plan Housing Element as well. This will move forward over the next few months. The requirements are established within the settlement agreement. Anything not addressed in the ordinance such as land development regulations, site development standards, lighting were questioned if these would be under this board's approval.

John DaCosta asked for the ordinances for discussion to be sent in word format.

There being no further business Chairman DeCarlo entertained a motion to adjourn. Motion made by Joanne Prisendorf second by John DaCosta at 8:50, all in favor.

Respectfully submitted,

Lisa C. Sereno