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**New Milford Zoning Board of Adjustment  
Work Session  
September 12, 2017**

Chairman Schaffenberger called the Work Meeting Session of the New Milford Zoning Board of Adjustment to order at 7:32 pm and read the Open Public Meeting Act.

**ROLL CALL**

Mr. Adelung	Absent
Mr. Denis	Present
Mr. Joseph	Absent
Ms. Hittel	Present
Mr. Loonam	Present
Mr. Rebsch	Present
Mr. Stokes	Present
Mr. Weisbrot	Absent
Mr. Schaffenberger- Chairman	Present
Ms. Batistic - Engineer	Present
Mr. Sproviero - Attorney	Present

**REVIEW MINUTES OF THE WORK SESSION – July 11, 2017**

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

**REVIEW MINUTES OF THE PUBLIC SESSION – July 11, 2017**

The Board Members reviewed the minutes and there were no changes

**RESOLUTIONS**

**17-01 Boulevard 66 Realty – 66 Boulevard – Block 1508 Lot 3**

Subdivision, One Family Home, Two family Home

Use variance, maximum building coverage, Maximum # of families

The Board members reviewed the resolution. The Board Attorney said Mr. Alampi had no comments with regard to the resolution and believed his client would pursue in lieu of further challenge, a subdivision with plans for two one family homes.

**17 07 LIPPMAN - 1114 Boulevard – Block 202 Lot 13 –Front porch**

Front yard setback

The Board Members reviewed the application and there were no questions or comments.

**17-08 PHILIPOSE – 543 Windsor – Block 1009 Lot 3 – Addition**

Sidyard variance

The Board Members reviewed the application and there were no questions or comments.

**NEW BUSINESS**

**17 10 313 Lacey – Block 1609 Lot 13 – Addition**

**Building coverage/front yard setback**

The Chairman stated that there was a building coverage variance required and questioned if a front yard setback variance was needed. The Board attorney questioned if they needed a side

yard instead of front yard setback. Ms. Batistic said the applicant listed a side yard variance. The board engineer stated that the ordinance allows for encroachment of porches and did not think that 9.7' to the landing required a variance. The Board Attorney asked if there was a front yard variance required. Ms. Batistic said no and felt only building coverage was needed.

Mr. Loonam asked if the planning board has addressed any changes to the ordinances. Ms. Batistic said they were busy with applications but she would email the committee. The Board Attorney said he spoke with the borough attorney and they both agree that the current ordinance on impervious coverage calculations needs to be amended and clarified.

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

**New Milford Zoning Board of Adjustment  
Public Session  
September 12, 2017**

Chairman Schaffenberger called the Public Session of the New Milford Zoning Board of Adjustment to order at 7:55 pm and read the Open Public Meeting Act.

**ROLL CALL**

Mr. Adelong	Absent
Mr. Denis	Present
Mr. Joseph	Absent
Ms. Hittel	Present
Mr. Loonam	Present
Mr. Rebsch	Present
Mr. Stokes- Vice Chairman	Present
Mr. Weisbrot	Absent
Mr. Schaffenberger-Chairman	Present
Ms. Batistic – Engineer	Present
Mr. Sproviero - Attorney	Present

**PLEDGE OF ALLEGIANCE**

**OFFICIAL MINUTES OF THE WORK SESSION – July 11, 2017**

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

**OFFICIAL MINUTES OF THE PUBLIC SESSION – July 11, 2017**

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

**RESOLUTIONS TO BE MEMORIALIZED**

**17-01 Boulevard 66 Realty – 66 Boulevard – Block 1508 Lot**

Subdivision, One Family Home, Two family Home

Use variance, maximum building coverage, Maximum # of families

**Motion** passed by Mr. Loonam, seconded by Mr. Rebsch to memorialize the resolution with change on application number.

The motion passed on a roll call vote as follows:

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

**17 07 LIPPMAN - 1114 Boulevard – Block 202 Lot 13 –Front porch**

Front yard setback

**Motion** passed by Mr. Rebsch, seconded by Mr. Loonam to memorialize the resolution.

The motion passed on a roll call vote as follows:

For the Motion: Members Rebsch, Loonam, Denis, Stokes, Hittel, Schaffenberger

**17-08 PHILIPOSE – 543 Windsor – Block 1009 Lot 3 – Addition**

Sideyard variance

**Motion** passed by Mr. Stokes, seconded by Mr. Rebsch to memorialize the resolution.

The motion passed on a roll call vote as follows:

For the Motion: Members Stokes, Rebsch, Denis, Loonam, Hittel, Schaffenberger

**NEW BUSINESS**

**17 10 -313 Lacey – Block 1609 Lot 13 – Addition**

**Building coverage/front yard setback**

Brian Callahan, licensed architect, was sworn in by the Board Attorney.

The board members accepted the qualifications of Mr. Callahan as an expert in architecture.

Mr. William Bergmann, homeowner, was sworn in by the Board Attorney.

Mr. Callahan stated that the applicant was proposing a two story addition at the rear of the property. He added they were also proposing a covered porch in the front. The architect said they submitted plans dated 7/6/17.

The Board Attorney marked as exhibit A-1 – plans (5 sheets).

Mr. Callahan stated they were seeking two variances but said they were proposing 9.7' to the landing at the side entry of the kitchen and agreed that the applicant did not need a side yard variance. Mr. Sproviero agreed.

Mr. Callahan said they were looking at a 1.43 percent overage in the building coverage. The applicant would use the footprint of the existing concrete slab and the associated foundation to build their two story addition. The addition would accommodate an expanded kitchen on the first floor and a master suite on the second floor.

The Chairman asked if the wooden deck would have the concrete slab under it. The architect said it was a wood deck with a concrete slab underneath. The Chairman verified that they were keeping the concrete slab and not removing it. Mr. Callahan agreed.

Mr. Callahan said they were also proposing a patio at grade at the rear with steps and platform from kitchen down to it. Mr. Callahan said regarding impervious coverage they were proposing 36.88% where 40% was allowed. Mr. Denis asked if the patio was cement or pavers. Mr. Callahan said pavers. The Chairman questioned that the front of the house juts out further on one side then the other side and asked why he choose the further side that juts out for the extension of the front porch. Mr. Callahan said where it juts the least was only three feet and it would not be enough usable covered porch space. The Chairman asked if there was a foundation under the covered porch. Mr. Callahan said it would be pier post footings.

The Board Attorney asked if the front porch was included in the building calculations. Mr. Callahan answer it was listed on sheet A-1.

Mr. Bergmann said they love where they live and so many homes on their street have been revitalized. They not only want to keep up with that but their plan was that this proposed construction would be something that would be there for the next 20 years.

Motion to open to the public for questions of the witness or comments on the application was made by Mr. Stokes, seconded by Mr. Rebsch and carried by all.

There were no comments made by the public.

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

The Board Attorney said there was a single variance being sought which is building coverage. Mr. Sproviero stated that what is being proposed for building coverage is 21.43% and 20% permitted. The applicant seeks a 1.43% overage on building coverage.

The Chairman said the proposed project, keeping the cement pad and the front covered porch all made sense and he had no problem with this application.

Mr. Loonam agreed that this was a good plan. He felt it was resourceful and did not think it pushed the envelope. Mr. Loonam felt they were proposing to build something that made sense.

The Chairman asked Ms. Batistic if they would need a seepage pit. Ms. Batistic said since under the deck was all paved they would not need one. The Chairman clarified that there were no conditions. Ms. Batistic answered no.

Motion made by Mr. Denis to approve the application, seconded by Ms. Hittel.

The motion passed on a roll call vote as follows:

For the Motion: Members Denis, Hittel, Loonam, Rebsch, Stokes, Schaffenberger

Approved 6-0

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

Respectfully submitted,  
Maureen Oppelaar