

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

June 19, 2012

Chairman DeCarlo called the public session of the New Milford Planning Board to order at 7:39 pm. The Chairman read the Open Public Meetings Act. All recited the Pledge of Allegiance.

**ROLL CALL**

Chairman DeCarlo	Present
Mayor Subrizi	Present
Council Liaison Berner	Absent
Secretary Scavetta	Present
Vice Chairwoman Hudak	Present
Ms. Sirocchi	Absent
Mr. Santino	Absent
Mr. Pecci	Present
Mrs. Prisendorf	Present
Mr. Newman, Alt. 1	Present
Ms. DaCosta, Alt. 2	Absent
Mr. Abrahamsen - Attorney	Present
Mrs. Batistic – Engineer	Excused

The Borough Planner, Mr. Burgis of Burgis Associates, Inc, explained to the members that he prepared a draft amendment to the Borough’s Master Plan to address the inconsistency between the Borough Recreation and Open Space Element, the Land Use Plan Element and the Borough’s Recreation and Open Space Inventory (ROSI) on file with the New Jersey Department of Environmental Protection (NJDEP). He said that this 2012 amendment is designed to amend the Borough’s Recreation and Open Space Plan Element to ensure consistency between the Boroughs’s various planning documents. It is part of Borough’s continuing planning effort to ensure the community’s planning program reflects the Borough’s current planning philosophy and contemporary approach to land use issues, and maintain the consistency between plan elements, their goals and objectives, their plan recommendations, and ROSI. Chairman DeCarlo asked if schools, borough owned properties should be added to the inventory for an aesthetic point of view. Mr. Burgis said the Master Plan is a living document and could always be updated.

He said the Borough of New Milford Planning Board adopted its most recent comprehensive master plan in 2004. This plan included a number of plan elements including a land use plan and open space plan. In answer to Chairman DeCarlo, Mr. Burgis said the 2010 Re-examination report of the Master plan was an element of the 2004 Master Plan. Chairman DeCarlo said the 2010 Master Plan Re-examination report is not as comprehensive as the 2004 document. Mr. Burgis agreed.

Mr. Burgis said the Recreation and Open Space Inventory that identifies lands that are wholly undeveloped and are held for recreation and conservation purposes. He said however a few lots on the ROSI document were not identified in the Recreation and Open Space Element of the master plan. He said this document was prepared so that the inconsistency could be corrected.

Mr. Ed Snieckus, Mr. Burgis's associate explained to the members that the seven page document included some Geographical Information System (GIS) digital maps retrieved from NJDEP. He said they highlighted the parcels on the map that was on the ROSI document and not included in the Master Plan. Mr. Snieckus said after reviewing the documents reveals that the lots referred as the Mansoldo Property located on Block 501, Lot 12, Block 906, Lots 16-19 and Block 101, Lot 5) are not identified in the Borough's Recreation and Open Space Element of the Master Plan. In answer to Chairman DeCarlo, Mr. Burgis said all the lots in question are in the 100 year flood plain.

In answer to Board Attorney, Mr. Burgis said the document before the Planning Board members was a draft document a final document would need to be prepared and held before a public meeting where Bergen County Planning Board and the adjoining towns would need to be notified.

Chairman DeCarlo asked Mr. Burgis if he added verbiage to the document regarding acquisition of flood prone properties. Mayor Subrizi said the Blue/Green Acres funding requires the acquisition of flood prone properties to be a priority documented in the Master Plan. Mr. Burgis said he would have it available in time for next week's meeting. Mr. Burgis said he could have an illustrated map showing the 100 year flood plain parcels from the FEMA maps. In answer to Mayor Subrizi, Mr. Snieckus said it would be the latest FEMA GIS maps. Mr. Burgis asked if the tax maps were digitalized. Mayor Subrizi said no. After much discussion it was decided for Mr. Burgis to give a price estimate on the maps for the flood prone areas but language would be added to the revised document and available to the members for the June 26<sup>th</sup> meeting. Chairman DeCarlo said the public session, which would be noticed, to include Bergen County Planning Board and the five adjoining towns would be held on July 24, 2012.

In answer to Chairman DeCarlo, Mr. Burgis said this amendment to the Master Plan would be part and parcel to the 2004 Master Plan. He said he would be delivering to the members' one complete final document.

### **Sign Ordinance revision**

Mr. Pecci advised the members of the change to move the new requirement under the subsection f. He said they also revised the document with regard to renovations. Mr. Pecci read the following sign ordinance revision into the record.

- f. If a sign, which is conforming, is destroyed it may be rebuilt or repaired to its original condition by obtaining a permit.

All existing non conforming signs are deemed to be permitted. For current use, until one of the following occurs:

- 1) Change of ownership, lessee, lessor, inclusive of individual unit or property.

- 2) Renovations or alterations to the business façade, signage or sign graphics.
- 3) Replacement by malfunction or damage by 50% or greater.

- h. Signs may be illuminated but shall not be painted with or composed of neon, fluorescent, phosphorescent. The use of LED lights shall be permitted such that the origin of the light source is not visible. No electronic signs shall be permitted that simulate the effect of motion. Any sign visible by the public advertising business shall conform to section 30-29.2(d) of this ordinance.
- i. Illuminated signs shall have sources of reflective light shielded in such a manner that the same is not visible from the street or adjoining properties. Light from illuminated signs shall not exceed beyond your property line.

The Board Attorney asked the Secretary to put the sign ordinance resolution on the Agenda for the June 26<sup>th</sup> meeting.

### **#12-01 Woodcrest Center/ Care One Developer's Agreement**

Board Attorney said he merged the two Developer's Agreements from the Borough Attorney and the one he prepared. He asked the members to review the document. He said if there were any questions, comments or alterations it can be discussed prior to a vote at the June 26<sup>th</sup> meeting. Mr. Abrahamsen said he had some issues with the owner of the property and how he wanted them to sign the document because the applicant did not match the owners on the tax records. Mr. Abrahamsen said he wanted to make sure the Borough best interests were protected. Chairman DeCarlo thanked Mr. Abrahamson.

### **PUBLIC SESSION**

#### **Approval of Official Minutes**

**Motion** by Mayor Subrizi seconded by, Joanne Prisendorf and carried by all to approve the official minutes of the May 29, 2012 minutes as submitted.

**Motion** by Vice Chairwoman Hudak, seconded by Secretary Scavetta, and carried by all to open the meeting to the public.

Lori Barton, 399 Roslyn Avenue, questioned if the map that Mr. Burgis was going to prepare for the Planning Board, was going to be focused on Columbia Avenue or the entire flood prone properties. Chairman DeCarlo and the Mayor said it would be for the entire flood prone properties. Ms. Barton questioned if the FEMA maps were different from the NJ DEP flood plain because the NJDEP maps were based on data from 1982. Chairman DeCarlo said that was a very good question and directed Ms. Barton to ask the Planner at the June 26<sup>th</sup> meeting.

John Rutledge, 335 River Road, questioned where the money came from to purchase the Mansoldo properties. Mayor Subrizi said a fifty (50%) percent was paid by Bergen County Open Space fund, while Green Acres funding was for twenty-five (25%) percent, and the Borough's portion was twenty-five (25%) percent. In answer to Mr. Rutledge the mayor said the Mansoldo properties were sold to the Borough at bargain basement prices

because they were all located in the flood zone and the owners just wanted to get rid of the properties. In answer to Mr. Rutledge, Chairman DeCarlo said the Borough Administrator should be able to have the price that the properties sold for. Mr. Rutledge asked if the Borough was responsible for any funding for the acquisition of the flood prone properties. The Mayor said that FEMA is funding seventy-five (75%) and the Blue/Green Acres is funding the remaining twenty-five (25%) percent. She said there was no cost to Borough. Mr. Rutledge wanted to know if the properties being acquired were located south of River Edge Road. Mayor Subrizi said she was not at the liberty to discuss where the properties were located as the negotiations were still continuing. She said they were spread out and not grouped together. In answer to Mr. Rutledge the Mayor said in order to participate in the program the homeowners were all voluntary.

**Motion** by Mayor Subrizi, seconded by Secretary Scavetta and carried by all to close the meeting to the public.

As there was no further business to be conducted by the Board, a **motion** to adjourn was offered by Vice Chairwoman Hudak seconded by Mayor Subrizi, and carried by all. Chairman DeCarlo said the next meeting will be a combined meeting and held on June 26, 2012 at 7:30 pm.

Respectfully submitted,



Maria Sapuppo  
Recording Secretary