

**Township of Little Falls
County of Passaic
New Jersey**

Tel: (973) 256-0170

Municipal Building
225 Main Street
Little Falls, NJ 07424

**LITTLE FALLS PLANNING BOARD
MINUTES OF REGULAR MEETING OF
September 1, 2016**

Members Present: R. Grecco
M. Fojut
J. Strothers
W. Kohlman
W. Kilpatrick
W. Van Houten
AJ Alvarez
J. Reilly
R. Kostroski

Also Present: D. Lindsey
J. Bryce, Esq.
Mayor Conti
V. Laky

Members Absent: Councilman Fontana
L. Dearani
J. Janota
J. Macones

The meeting was called to order at 7:30 p.m. by the Chairman stating at least 48 hours' advance notice of this meeting was given to The Herald & News, placed on the bulletin board in the Municipal Building, filed with the Township Clerk, and posted on the Little Falls Township website.

Board Member, Brian Liscio, has changed his primary residence. Therefore, he has left his position on the Board and will no longer be a member.

Laborda – 5 Muller Place – Daycare in a 1 family home (continuation). Site plan approval and associated variance relief.

[Because this application is requiring a "D" variance, Mayor Conti recused herself]

Douglas Kinz, Esq., attorney for the applicant came forward to state that they are returning to the Board with revisions to the application as to the Board's suggestions. He stated that they are seeking to convert a pre-existing single family dwelling into a daycare facility with a residential apartment on the second floor. He said that this single family dwelling is located in the B-1 zone district and is a pre-existing non-conforming use and converting the property to a daycare facility would make it a conforming use, however the residential apartment on the second floor would create the need for a D-1 variance.

Jaclyn LaBorda, the Applicant came forward to state that she has her pre-school teaching certificate from the State of New Jersey and is qualified to care for up to 30 children. She stated that internal modifications need to be met as to accommodate the two classroom conversion and meet state licensing regulations. A required bathroom and kitchen on the first floor needs to be provided and a kitchen on the second floor needs to be installed. She said she will have a staff of 3 people and there will be sufficient play area for the children. As to traffic, she said that there will be very brief pick-up and drop-off times by parents between the hours of 8:00 am to 9:00 am and again at 4:30 pm to 6:00 pm, and is proposing a circular driveway to accommodate 2 cars at one time.

Frank Mileto, Architect/Planner for the applicant came forward to state that the applicant is amending her application and addressing the issue of the drop off. He stated that the maximum amount of children in the daycare would be 20 children. He said instead of utilizing the front entryway for child pick-up and drop-off area, drop-off and pick-up will be accessed via the rear of the house with a chain link fence separating the driveway and parking area from the play area. Therefore, a 12ft. wide area to the rear of the property would be able to accommodate 2 cars and a handicapped parking space, or 4 cars if no handicap space is provided. He also stated that the parking spaces would be 9x18 in size and require a variance, and would place signage noting that there is only a right turn only onto Arlington Place. A variance would be required for the parking area which is 5 ft. from the property line.

This portion of the meeting was opened to the Public for questions of Mr. Mileto. No one coming forward, this portion of the meeting was closed to the public.

Craig Peregoy, Traffic Engineer for the applicant came forward to state that he has reviewed Mr. Lindsay's report. He also stated that he finds no detriment to the area and that there is enough room to make the turns necessary.

This portion of the meeting was opened to the Public for questions of the Traffic Engineer. No one coming forward, this portion of the meeting was closed to the public.

Attorney Kinz came forward to summarize that the proposal is for a mixed-use that eliminates a fully non-conforming use and makes a more conforming use with what is permitted in the B-1 zone district. In this regard, the parking onsite would accommodate the necessary cars associated with the staffing level of 3 individuals that would come during 2 shifts and that the revised parking and traffic plan would accommodate the concerns of eliminating on-street stacking during peak drop-off and pick-up times. He said that the applicant would be willing to repair or replace fencing where needed and install the signage as discussed with the Board.

This portion of the meeting was opened to the Public for questions. Michael Krudel who owns a business at 11 Muller Place came forward and was sworn. Mr. Krudel said that he believed it was a terrible idea for this application because traffic along Muller Place and Arlington was already bad especially in the peak timeframes when drop-off and pick-up are anticipated for this use. Mr. Krudel indicated that the streets are used as a cut-through to avoid the light at Route 23. No others coming forward, this portion of the meeting was closed to the public.

Mr. Kilpatrick motioned, seconded by Mr. Fojut to approve the application as presented. He stated that he felt that the safety and welfare of the children were taken into consideration with the proposed

development of this property, together with the requested variances, paring in the rear yard and parking spaces being 9x18, mixed use, and Muller Place to become the front yard.

Poll of the Board: Ayes: Fojut, Strothers, Kilpatrick, Van Houten, Reilly
 Nays: Grecco, Kohlman

The Chairman declared this application APPROVED.

221 Wilmore Road Associates, LLC – minor subdivision.

John Veteri, Esq., attorney for applicant of 221 Wilmore Road Associates, LLC came forward and stated that he spoke with the neighbors of the applicant and based on the discussions, he is requesting to seek an adjournment of this matter to the next regular meeting of the Board in October.

Mr. Kilpatrick motioned seconded by Mr. Grecco to carry this application to the next regular meeting of the Planning Board. All members present were in favor.

Outfront Media – 1400 Route 46 (Park West Diner Billboard) – continuation.

Chairman Van Houten explained to Mr. D’Arminio, attorney for the applicant, that some members of the Board would not be able to vote on the application, as they have not listened to the tape of the previous meeting on this application. Mr. D’Armino stated that he wanted to move forward to have his experts testify and reserve the right to make a decision at the end of the meeting.

Mr. D’Arminio stated that they were before the Board last on May 5, 2016 and since then have revised the plans. He stated that they have tried to eliminate the variance for the setback with the pole and moved it from 12 ½ ft. back to 63 ft. He said they have also lowered the height from 85 ft. to 72 ft.

Alex Zepponi, Engineer for the applicant came forward to state that since the last meeting, they prepared another set of plans. As a result and feedback from the last meeting, they moved the pole so that it is more than 25 ft. back from Route 46 (previously it was 12 ½ ft.). It was about 5 ½ ft. from the right-of-way, and now it is about 21 and ½ ft. back, however, it did take up a parking space. He also stated that by losing a parking stall, the restaurant was still in conformity with parking spaces (89 in total). He did state that the height of the pole will still require a variance. Also, there was concern by the Board Members of hitting the pole in the parking lot. Mr. Zepponi indicated that the pole does not interfere with circulation of the parking lot and there are precautions being taken to ensure that there is no damage or issues with regard to that. They feel that they have addressed the issue by moving the pole back, and in addition, they can put concrete filled bollards and a basket for barriers. He also stated that the lighting did not change. Everything else was exactly the same.

Mr. Mascera, attorney for Levko 46 (who owns the entire shopping center where Kohl’s is located) came forward to ask questions of Mr. Zepponi. He wanted to know if it was a permitted use for two principal uses on one lot? And will this sign proposal mean that there are two (2) signs on the premises already? He then reserves his right to discuss this matter at a later time.

Mr. Lindsey stated that the possible relocation may mean that they are moving it closer to Andrews Drive and he doesn’t know if it will be within 500ft. They may need a variance from the interstate sign

that is ion the municipal property.

Mr. D'Armino stated that his client may have to look into that a bit further and therefore should probably not continue further tonight as his Planner's testimony is going to be different depending on where the sign is located.

Board Member, Mr. Reilly asked what the benefits of the billboard sign would be. Mr. D'Armino replied that it supports the Master Plan because it promotes economic development in the area to local businesses in a form of communication.

Mr. D'Armino stated that the applicant at this time will come back to the Board in October. Mr. Bryce stated that they can carry notice, and will not have to re-notify. He said that he will copy Mr. Mascera on anything he gives the Board. On record, Mr. Mascera stated that Mr. D'Armino has been a gentleman and a true professional.

This portion of the meeting was opened to the public. No one coming forward, this portion of the meeting was closed to the public.

Mr. Kilpatrick moved, seconded by Mr. Grecco to carry the application to the October 6th meeting with no further notices required. All in attendance were in favor, none opposed.

Oakwood Estates – Stairway.

John Veteri, Esq., attorney for the applicant came forward to request that this application be carried to the October 6th meeting of the Board.

Mr. Kilpatrick motioned by Mr. Grecco to carry this application to the next regular meeting of the Board. All Members present were in favor of carrying this application, none opposed.

730 Main – Informal presentation hearing. Conversion of existing two-story building. Convert first floor retail into two residential units with two residential units on second floor.

John Chiaia, Esq., attorney for the applicant came before the Board to ask for the Board's opinions as a courtesy to his client's application before going any further. He stated that he represents Mr. Kalyoussef who owns the two-story building with residential units on the second floor and commercial units on the first floor. His business used to be the Grand View Deli from 1987 to January 2015. The building is primarily located in Little Falls, with the parking lot area in N. Caldwell. He is wishing to change the retail units to residential units and will be proposing 4 residential units in total. He is not in a flood zone. He also stated that the footprint of the property or the building will not be changing.

Chairman Van Houten stated that he does not see a problem with this application if he should come before the Board at a later date after he has made application to N. Caldwell.

Old Business:
New Business:

Approval of Minutes: for August 4, 2016.

Mr. Kilpatrick motioned, seconded by Mr. Grecco to approve the Minutes of the August 4, 2016 meeting:

Poll of the Board: Ayes: Grecco, Fojut, Strothers, Kohlman, Kilpatrick, Alvarez, Reilly, Kostrowski,
W. Van Houten,

Nays: None

The Chairman declared the Minutes Approved.

Approval of the Bills: As presented.

Resolutions: 1. Elray Outdoor Advertising 2. Veranda Ave. Properties, LLC

Mr. Kilpatrick motioned, seconded by Mr. Grecco to approve the Resolutions as presented:

Poll of the Board: Elray Outdoor Advertising (Denied)--Ayes: Fojut, Kilpatrick

Nays: Grecco, Strothers, Kohlman, Alvarez, Van Houten

Poll of the Board: Veranda (Approved)-- Ayes: Grecco, Fojut, Strothers, Kohlman, Kilpatrick, Alvarez,
Van Houten

Nays: None

The Chairman declared the Resolutions Denied and Approved as presented.

Adjournment