

**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
October 6, 2016**

Members Present:	J. Strothers W. Kohlman W. Van Houten W. Kilpatrick AJ Alvarez R. Kostroski	Also Present:	D. Lindsey J. Bryce, Esq. Mayor Conti V. Laky J. Macones
------------------	--	---------------	--

Members Absent: R. Grecco
M. Fojut
Councilman Fontana
L. Dearani
J. Reilly
J. Janota

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.

The Chairman stated that the attorney, John Chiaia, Esq., for the 730 Main application has requested that the matter to be carried to the next regular meeting of the Board.

Mr. Kilpatrick motioned, seconded by Mr. Alvarez to approve this application to be heard at the next regular meeting of the Board in November.

Poll of the Board: Ayes: Strothers, Kohlman, Kilpatrick, Alvarez, Kostroski, Van Houten
Nays: None

The Chairman stated that this application will be listed on the agenda for hearing in November.

John Veteri, Esq., attorney for the applicant, 221 Wilmore Road Associates, LLC and attorney for the applicant, Oakwood Estates, also requested from the Board to carry these applications to the next regular meeting of the Board.

Mr. Kilpatrick motioned, seconded by Ms. Strothers to approve these applications to be heard at the

next regular meeting of the Board in November.

Poll of the Board: Ayes: Strothers, Kohlman, Kilpatrick, Alvarez, Kostroski, Van Houten
Nays: None

The Chairman stated that these applications will be listed on the agenda for hearing in November.

Outfront Media – 1400 Route 46 West (Park West Diner Billboard). To construct a billboard/off-site advertising sign at the premises.

Louis D’Armino, Esq., attorney for the applicant stated that they are seeking approval for a single pole double faced static billboard. He stated that based upon the Board’s input his client has revised the application and to relocate the proposed billboard at a different location on the property and has revised the height, which now makes the application conforming to the conditional use standards required by the Ordinance.

Gregory Mascera, Esq., attorney for Levko 46 (who owns the entire shopping center where Kohl’s is located) came forward to ask if the Mayor was going to stay for the entire application because a “D” variance will be need for this application, or whether the amended plan has corrected this.

Mr. Bryce stated that initially the applicant needed certain relief. We don’t know if the amended plan is requiring that the “D” variance is still in use. We will have to make a decision, and then the Mayor can step down.

Mr. Kilpatrick, motioned seconded by Mr. Kostroski that the amended application met the conditional use standards of the ordinance and no variance is required.

Poll of the Board: Ayes: Strothers, Kilpatrick, Van Houten, Alvarez, Kostroski
Nays: Kohlman

The Chairman declared that the amended application has met the conditional use standards of the ordinance.

At this time, Mayor Conti excused herself from this application.

Attorney, James Bryce, Esq. explained to Mr. D’Arminio, attorney for the applicant, that to date, all members of the Board have either listed to the tapes and/or read the transcripts of this application and those members stand ready to vote at the end of its presentation.

Alex Zeponi, Engineer for the applicant came forward to state that since the last meeting he has prepared and revised the site plan. He said that the proposed billboard has been moved to the northern corner of the lot and that the height of the billboard is 50 ft. tall and all the setbacks are within the required code. No variances are needed. He also stated that the parking spaces would remain as current due to a line error on the site plan. He also confirmed that the billboard is not within 500 ft. of any residential areas, schools, playgrounds or other neighboring uses. He demonstrated various distance perspectives of the location being proposed to the Board. He also indicated that there will need to be testing done to ensure adequate foundation footings.

Mr. Mascera came forward to question Mr. Zeponi. He argued that the sign is a “V” shaped sign which should be viewed under the general sign ordinance. He was told that the offsite advertising signs are specifically controlled per side which anticipates two sides to the sign. Mr. Mascera also argued that the property is non-conforming as to pre-existing signs, which would require a conditional use variance. He was told that there is no conditional use relating to pre-existing signs on the site.

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

At this time, the attorney for the applicant for Notch Road/Jackson Lane/Lackawanna Avenue came forward to request that his application be carried to the next regular meeting of the Board because of the time.

Mr. Kilpatrick motioned, seconded by Mr. Kostroski to approve the request of the attorney, to carry the application to the next regular meeting of the Board in November.

Poll of the Board: Ayes: Strothers, Kohlman, Kilpatrick, Alvarez, Kostroski, Van Houten
Nays: None

The Chairman stated that this application will be listed on the agenda for hearing in November.

After a brief intermission, the Outfront Media application continues.

Mr. George Williams, Planner for the applicant comes forward to state that he has reviewed the site on several occasions and confirmed that the property is in compliance with Route 46, and the amended plan meets the setbacks and clearance levels as stated in the Ordinance. He stated that the billboard has two sides each 672 sq. ft. and that it is not within 500 ft of any overpass or intersection or that it is not within 500 ft. of any prohibited location as outlined in the Ordinance. Lastly, he stated that in his opinion, the proposed billboard does not obstruct or diminish other signs in the area. He also stated that the billboard ordinance is the ordinance that controls the application and not the general sign ordinance of Little Falls.

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

Mr. Macera cross examines Mr. Williams as to compliance and jurisdictional questions.

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

Mr. D’Armino at this time stated that concluded his application and that he and his applicant were determined to proceed with a six-member vote to determine the application, rather than wait until a full board was present.

Mr. Kilpatrick, seconded by Ms. Strothers to approve the application as presented with the shade and tree commission approval, and satisfaction of Mr. Lindsay’s report as to the structural findings upon the

ground testing.

Poll of the Board: Ayes: Strothers, Kilpatrick, Van Houten
Nays: Kohlman, Alvarez, Kostroski

The Chairman stated that the application has been denied based upon the votes of the members.

At this time, Mr. Kohlman moves, and is approved by the board members present, to close the meeting to the public and go into executive session only. After a brief discussion, executive session was closed and re-opened to the public to continue the meeting.

Old Business:

New Business:

Approval of Minutes: for September 1, 2016.

Mr. Kilpatrick motioned, seconded by Mr. Kohlman to approve the Minutes of the September 1, 2016 meeting:

Poll of the Board: Ayes: Strothers, Kohlman, Kilpatrick, Alvarez, Kostrowski, W. Van Houten,
Nays: None

The Chairman declared the Minutes Approved.

Approval of the Bills: As presented.

Resolutions: 1. Laborda

Mr. Kilpatrick motioned, seconded by Ms. Strothers to approve the Resolution as presented:

Poll of the Board: Ayes: Strothers, Kilpatrick, Van Houten

The Chairman declared the Resolution Approved.

2. Schumacher

Mr. Kilpatrick motioned, seconded by Mr. Kostroski to approve the Resolution for denial as failure to request further adjournments and/or continuances from the Board.

Poll of the Board: Ayes: Kohlman, Kilpatrick, Alvarez, Van Houten
Nays: None

The Chairman declared the Resolutions approved as presented.

Adjournment