

**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
May 4, 2017**

Members Present:	W. Kilpatrick (Chairman) R. Greco (V. Chairman) C. Gaita J. Strothers W. Kohlman L. Dearani K. Barry M. Fojut ((1 st Alt.) Rocco Corage (4 th Alt.)	Also Present:	Mayor James Damiano Anthony Sgobba (Councilman) Richard Brigliadoro, Esq. Michael Cristaldi (Engineer) Joe Macones V. Laky (Board Secretary)
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Members Absent: AJ Alvarez (2nd Alt.)
J. Reilly (3rd Alt.)

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 Marie Buikema (490 Main Street (fitness center)) application has requested an adjournment to the next regular meeting of the Board.

Council to Address the Board:

Approval of Minutes: for April 6, 2017.

Mr. Greco motioned, seconded by Mr. Gaita to approve the Minutes of April 6, 2017.

Poll of the Board: Ayes: Greco, Gaita, Strothers, Kohlman, Barry, Mayor Damiano, Councilman Sgobba, Fojut, Corage, Kilpatrick

Nays: None

The Chairman declared the Minutes Approved.

Resolutions:

1. Durocher: 38 and 40 Sindle Avenue (Block 218, Lots 7 & 14)

Mr. Greco motioned, seconded by Mr. Barry to approve the Resolution as presented.

Poll of the Board: Ayes: Greco, Gaita, Strothers, Kohlman, Barry, Fojut, Corage, Kilpatrick

Nays: None

The Chairman declared the Resolution Approved.

2. Jaloudi Properties, LLC: 355 Route 46 East (Block 251, Lot 15)

Mr. Greco motioned, seconded by Mr. Kohlman to approve the Resolution as presented.

Poll of the Board: Ayes: Greco, Gaita, Strothers, Kohlman, Barry, Fojut, Kilpatrick

Nays: Corage

The Chairman declared the Resolution Approved.

3. Veranda Ave. Properties, LLC: 29 Coney Road and Veranda Avenue (Block 15, Lots 8-12)

Mr. Greco motioned, seconded by Mr. Gaita to approve the Resolution as presented.

Poll of the Board: Ayes: Greco, Gaita, Strothers, Kohlman, Barry, Fojut, Corage, Kilpatrick

Nays: None

The Chairman declared the Resolution Approved.

APPLICATIONS:

Outfront Media, LLC – Billboard application remanded back to the Board by NJ Superior Court after Consent Order of the Court dated March 10, 2017. Located at 1400 Route 46 West, Little Falls (Park West Diner).

Attorney Louis D'Arminio, Esq., attorney for the applicant came forward to state that this application was for a site plan approval for the construction of a single pole double-faced outdoor advertising sign. During the course of several hearings of the Board, the applicant made several changes, such that the application became completely conforming, i.e., relocating the sign from the front of the diner to the furthest portion of the rear northern parking lot; increasing the setback from Route 46 from 12 1/2ft to 75 ft. and reducing the height of the sign from 85ft. to 50 ft. As such, the Board voted 3-3 and the application was denied. Thus, the applicant ensued litigation and a Consent Order of Remand was given by the Court and they are returning to the Board. He further stated that some of the Board members had not yet heard the previous testimony of this application and therefore, he is only looking to finish the hearing tonight and present the plan to the Board. The Board will then have a month, or whatever it needs to review prior transcripts and prior exhibits and can vote at the next meeting.

At this time, Mr. Alan Trembulak, Esq. came forward to state on record that he is appearing on behalf of Levco 46, which was an objector to the original application (Gregory Mascera, Esq.).

Mr. Zepponi, Engineer for the applicant came forward to state that they present a revised version of the site plan. He indicated that the pole was moved to the west behind the gas station, and that the sign was reduced to 50 ft. and the setback was increased. Basically, they have added more landscaping. He stated that they did lose one parking stall, but they are still within the requirement of parking stalls.

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

Mr. Trembulak came forward to question the only change to the application from the previous application was the landscaping. Mr. Zepponi answered yes. Mr. Trembulak stated that since there is not going to be a vote on this matter tonight, can this matter wait until his colleague returns to hear this testimony. Mr. D'Armino stated that the applicant has to finish the hearing by May 10th deadline. The Chairman state that the testimony should conclude this evening. The Board Members will now take the remanded case home and review it and take the vote at the next meeting of the Board in June.

At this time, the Mayor Damiano and Councilman Sgobba excuse themselves from the meeting due to the "D" variance in this application.

Verizon – 1200-1230 Route 46 West – nodes on free standing sign Kohl's sign ("D" Use Variance).

Frank Ferraro, Esq. attorney for the applicant came forward to state that the application is proposing to attach a wireless Verizon cell antenna onto the legs of an existing commercial free-standing sign. He stated that much of the cell tower ordinance addresses the criteria for the location of a cell tower. Since the antennas will not be placed on a cell tower and will be instead made use of an existing commercial sign, the ordinance will not be applicable since no cell tower is proposed.

Architect, Mr. Moresach came forward to state that the applicant is proposing to use an existing sign which is 57ft. tall and located in the commercial shopping center on Route 46 (Fairway, Barnes and Nobel, Kohls and Modell's share this location). The antennae will be at a height of 38 Ft. with wiring inside the legs of the existing sign. At the height of the sign, the antennae will exist and connect to the external antennae. There will be one antennae on each leg and will be covered with stealth boxes so they appear to be part of the structure itself. He also stated that there will be two (2) equipment cabinets located below the sign in the 10ft. space between the ground and the first sign on the frame. He has provided the Board with a photograph of the existing sign and with the proposed improvements. He also stated that landscaping will be provided to along with a 7ft. chain link fence (no barbed wire).

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

Ms. Frances Boschulte, Radio Frequency Engineer for the applicant came forward to state that there is a coverage deficiency of Verizon wireless and with the proposed antennae's, this will allow indoor coverage as well. She stated that the buildings were lacking wireless coverage in this central location.

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

Anthony Handley, FCC Emissions Compliance expert came forward to state that the radio frequency safety emissions were tested in this location and found that the exposure was within the New Jersey standards.

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

David Karlebach, Planner for the applicant came forward to state that he has reviewed all of the presented application materials and the Memo of the Board's Engineer and Attorney. He stated that this location of the sign is in the B-2 Highway Business Zone. The proposed wireless cell use is prohibited in this zone and therefore a use variance is required. Because the Ordinance states that the number of cell towers are to be minimized, the applicant is avoiding the need for a new tower by taking advantage of the existing commercial sign. He stated that the site is well suited for the use. The applicant shows the need because it has a service deficiency. He states that there is no detrimental defect with regard to the view on Route 46 and the benefits outweigh the detriments showing no negative community impact.

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

Mr. Greco motioned, seconded by Mr. Gaita to approve the minor site plan application as presented, with the use variance and height variance subject to approval of the NJDEP or county as necessary.

Poll of the Board: Ayes: Greco, Gaita, Strothers, Kohlman, Dearani, Barry, Fojut, Corage, Kilpatrick
Nays: None

The Chairman declared the application Approved.

OLD BUSINESS: Mr. Nuzzo presented to the Board an issue that he was having and needed the Planning Board advise as how to proceed with his subdivision. He was told that because he did not have an official application, he would have to submit one so that the Board can review all the appropriate materials.

NEW BUSINESS:

Approval of the Bills: As presented.

Adjournment