

**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  
VIRTUAL MEETING WAS CONDUCTED  
MINUTES OF MEETING OF  
October 7, 2021**

Members Present: W. Kilpatrick (Chairman)      Also Present: Anthony Sgobba (Councilman)  
K. Barry      Richard Briigliadoro, Esq.  
L. Damiano      Thomas Lemanowicz (Engineer)  
M. Seber      Ryan Conklin (Planner)  
D. Cataldo (1<sup>st</sup> Alt.)      Valerie Laky (Board Secretary)  
R. Corage (2<sup>nd</sup> Alt.)

Members Absent: R. Greco (Vice Chairman)  
C. Gaita  
Mayor James Damiano  
J. Strothers  
D. Damiano (3<sup>rd</sup> Alt.)  
M. Pocius (4<sup>th</sup> Alt.)

The “virtual” meeting of the Planning Board was called to order at 7:00 p.m. by the Chairman stating at least 48 hours’ advanced notice of this meeting was given to The Herald & News, The Bergen Record, the Little Falls Website, filed with the Township Clerk, and a copy of the notice was placed on the bulletin board in the Municipal Building.

**Approval of Minutes:** no minutes to approve

**Council to address the Board:** Council stated that the Planning Board was doing a great job.

**RESOLUTIONS:** no resolutions to approve

Councilman Sgobba recused himself from the following applications at this time.

**APPLICATION:**

1. **MOHAMMAD and SAMAR AWWAD** – 10 Lynn Place, Block 186, Lot 28. Addition of a covered roof to an existing open air elevated rear terrace. R 1-B Zone. Variance relief for an addition to a single-family dwelling.

The applicants were not represented by counsel. Testifying on behalf of the applicants was Frank Troia, who was qualified as an expert witness in the field of architecture. He testified that the applicants seek approval to construct improvements to an existing 2 1/2 story house. He stated that there is a raised terrace in the rear of the house, and that the applicants seek approval to construct a covered terrace. He testified that the covered terrace would comply with the side yard setback and rear yard setback on the side of the house to which the addition is being attached. He stated that 10.17 feet on the side yard setback is existing and proposed. He stated that the rear yard setback is 63 feet existing and 49.58 feet

is proposed. He further stated that the covered terrace (approx. 243 sq. ft.) will enable the applicants to have a walk out balcony from the master bedroom on the 2nd floor with a single French door to permit access to the balcony. he stated further that the applicants need approval in order to construct a covered terrace with a second floor balcony to the rear of the dwelling the applicants therefore required the following "c" variance relief for maximum dwelling size, and the following "d" variance relief for floor area ratio.

Mr. Mohammad Awwad, owner of the premises, stated that the windows will not be changed. Existing R3 windows and they are just taking out the middle window to make a single French door.

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

Mr. Barry, motioned, seconded by Mr. L. Damiano to approve the application as presented with two variances; floor area (30% required) 31.87% proposed; dwelling size (3500 feet required) 4107 feet proposed. The applicant is also to provide a survey with location of building an height of building to the planning boards engineer for review.

Poll of the Board: Ayes: Barry, L. Damiano, Seber, Cataldo, Corage, and Kilpatrick

The Chairman declared the Resolution Approved.

2. **AHMAD MIRGHAHARI and ZIBA VAKILI** – 30-38 Newark Pompton Turnpike, Block 58, Lots 4, 5, 6, 7, 8, 9, 10, and 11, and a portion of the former Singac Place. B-1 Zone. Site Plan and Use Variance needed to construct a retail/residential mixed use building.

John Veteri, Esq., attorney for the applicant came forward to state but the applicant is requesting use variance preliminary and final site plan approval and see or bulk variance relief to permit the construction of a retail residential mixed use building. he stated that there is no market for the second floor office space therefore the applicant is seeking to construct 4 residential apartments above the retail space.

Ali Qureshi, Architect for the applicant, came forward to state that the footprint is the same as before coming before the board for this application on December 6, 2018. He did state that the applicant is making changes to the stairwell in order to get to the second floor apartments. He further stated that the majority of the building will be constructed of brick and a portion of the building will be stucco and a very little portion of the stucco would be visible. However, after discussion with the board it was agreed that the applicant would wrap the entire building in brick. He further testified that as a result of switching to four apartments with two bedrooms each there would be a total of eight parking spaces required. He stated that the dumpster for refuse collection would be located on the south side of the property near Muller place. He testified that the applicant is proposing four (4) two-bedroom apartments. He also stated that the applicant would enhance architectural elements of the building including gooseneck lighting for the second story of the building and Submit sign details as a condition of the approval granted by the planning board.

David Fantina, Engineer for the applicant, came forward to state that essentially everything outside the building will stay the same. He stated that the applicant will submit a signed and sealed survey depicting current conditions to the planning board engineer. He further stated that they will work with the Board Engineer to address issues of the grading in the parking lot area. He stated that this site is suitable for both residential and retail business, and that access to the site would be an advantage and an improvement to this corner lot.

Matthew Seckler, Engineer and Planner for the applicant came forward to state That a traffic study was performed in 2018 as part of the prior application. He stated now that the applicant is proposing to eliminate the offices on the second floor and replace them with residential apartments, that the residential activity would be out of the site early in the day and returning to the site later in the night. He stated that the applicant would be required to have 44 parking spaces, but the applicant is proposing 32 parking spaces. He concluded that 44 parking spaces would be maximum amount that would be required however factoring in non-sales area that number would actually be reduced and the 32 parking spaces

proposed would be sufficient. He represented that there would be no substantial detriment to the public with the approval of this application. The bulk of the building has already been approved by the Planning Board in their prior application for the two-story building with retail on the lower level and office space on the upper level. The office portion is now being replaced with residential apartments.

Chairman Kilpatrick asked if the applicant would reduced the size of the retail space? The applicant is willing to reduce the three-bedroom apartment to a two-bedroom apartment to accommodate more parking spaces.

This portion of the meeting was opened to members of the public. No one from the public came forward this portion of the meeting was closed to the public.

Mr. Barry, motioned, seconded by Mr. L. Damiano to approve the application as presented with preliminary and final site plan and lot merger reliefthe following variances:

- (a) D-1 use variance for mixed use residential on upper level and retail on lower level;
- (b) Ancillary "c" variance for minimum rear yard setback of 5.1 ft. is proposed (30 ft. required) but actual is 0.6 ft.;
- (c) Minimum number of onsite parking spaces of 36 parking spaces (41 parking spaces are required);
- (d) Parking set back of 2.9 feet proposed (5 ft. is required);
- (e) loading space is required and not permitted in the front yard. The applicant proposes a loading space in the front yard; and
- (f) Parking stall size 9 feet by 18 feet is proposed (20 feet by 10 feet is required).

also the applet agrees to reduce the footprint of approximately 540 feet, will not use stucco, will provide additional architecture features, add additional storage area at the top of the stairwell, provide a current signed and sealed survey, add a border hedge in the parking area, agreed to signage details on the site plan, and regrade parking lot in front with a standard concrete curb ramp.

Poll of the Board: Ayes: Kilpatrick, Barry, L. Damiano, and Cataldo

Nays: Seber and Corage

Because the applicant failed to secure the number of affirmative votes necessary to approve the application as set forth herein, the application was denied.

The Chairman declared the Resolution Denied.

**Old Business:** None

**New Business:** None

**Approval of the Bills:** presented to the Township.

**Adjournment:** 10:20 P.M.