

**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
December 2, 2021**

Members Present:	W. Kilpatrick (Chairman)	Also Present:	Mayor James Damiano
	R. Greco (Vice Chairman)		Richard Briigliodoro, Esq.
	C. Gaita		Thomas Lemanowicz (Engineer)
	K. Barry		Ryan Conklin (Planner)
	L. Damiano		Valerie Laky (Board Secretary)
	D. Cataldo (1 st Alt.)		
	R. Corage (2 nd Alt.)		
	D. Damiano (3 rd Alt.)		
	M. Pocius (4 th Alt.)		

Members Absent: J. Strothers
M. Seber
Anthony Sgobba (Councilman)

The “virtual” meeting of the Special Planning Board meeting 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 door of the Municipal Building.

Approval of Minutes: for November 18, 2021 (Special Meeting)

Ms. Cataldo motioned, seconded by Mr. Greco to approve the minutes of Special Meeting of November 18, 2021 as presented:

Poll of the Board: Ayes: Greco, Barry, L. Damiano, Mayor Damiano, Cataldo, Corage, D. Damiano and Chairman Kilpatrick

Nays: None

The Chairman declared the Special meeting minutes Approved.

Council to address the Board: No comments presented from the council meeting.

RESOLUTIONS:

1. 2021 Master Plan Amendment and Master Plan Reexamination Report

Mr. Greco motioned, seconded by Ms. Cataldo to approve the Resolution for 2021 Master Plan Amendment and Master Plan Reexamination Report as presented.

Poll of the Board: Ayes: Greco, Barry, L. Damiano, Mayor Damiano, Cataldo, Corage, D. Damiano, and Chairman Kilpatrick

Nays: None

The Chairman declared the Resolution Approved.

2. Ordinance No. 1426 -Amending the Township Code Chapter 280 Entitled Zoning to Eliminate the Floor Area Ratio Requirements from the R1-A, R1-B and R1-C Zones.

Mr. Greco motioned, seconded by Mr. Barry to approve the Resolution for Ordinance No. 1426 as presented.

Poll of the Board: Ayes: Greco, Barry, L. Damiano, Mayor Damiano, Cataldo, Corage, D. Damiano, and Chairman Kilpatrick

Nays: None

The Chairman declared the Resolution Approved.

3. Ordinance No. 1427 - Amending the Township Code Chapter 280-6 Entitled Zoning Map.

Mr. Barry motioned, seconded by Mr. Greco to approve the Resolution for Ordinance No. 1427 as presented.

Poll of the Board: Ayes: Greco, Barry, L. Damiano, Mayor Damiano, Cataldo, Corage, D. Damiano, and Chairman Kilpatrick

Nays: None

The Chairman declared the Resolution Approved.

APPLICATIONS:

1. Clayton Turner – 62 Cedar Grove Road. Block 165, Lot 13, R-1B Zone. Second Floor Addition.

The applicant Clayton Ross Turner was not represented by legal counsel. The applicant is seeking a variance relief for an addition to an existing single-family dwelling. Testifying on behalf of the applicant was Jonathan Van-Ostenbridge, Architect for the applicant. Mr. Van-Ostenbridge testified that he has reviewed the plans on file. He testified that the applicant is seeking to construct a second-floor addition with the rear expansion over the existing deck to square off the rear of the dwelling. He further stated that the existing enclosed porch would be reconfigured as an open roofed porch entry, while keeping the same footprint of the dwelling. He also said that the utility shed encroaches into the side yard setback and that would either be removed or relocated to another section of the property which, would not need a variance relief. He also testified that the frontage of the property is along Cedar Grove Road and Charles St. In accordance with Township Code, the front yard on a corner lot will be considered the frontage on the longest side of the property. With discussion by the Board, this matter concluded that Cedar Grove Road should be considered the front yard. He further stated that the applicant requires the following "c" variance reliefs: (a) corner yard setback of 15.5 feet is proposed (20 feet is required and 15.77 feet is existing); (b) minimum lot width of 62 feet is proposed (75 feet is required); (c) accessory structure setback for the pool house 4.75 feet is proposed (6 feet is required); and (d) accessory structure setback encroaches into the right-of-way (6 feet is required)[the applicant stated that such portion of the deck will be removed and the deck will be setback to 1 foot off the property line. This will eliminate the encroachment into the right-of-way. The applicant will have a setback of 1 foot and this will require a variance relief.] the applicant stated that they will bring the fence and deck into compliance. A Board member asked if the air conditioning unit will be shielded? Yes, a fence is going around it.

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. Greco, motioned, seconded by Mr. Barry to approve the application as presented. The Board finds that the applicant has satisfied the positive and negative criterias, and that approval will be granted with all of the "c" variances needed as outlined by the applicant and the Board Attorney hereinabove, along with the approval of the encroachment.

Poll of the Board: Ayes: Greco, Barry, L. Damiano, Mayor Damiano, Cataldo, Corage, D. Damiano, Pocius, and Chairman Kilpatrick

Nays: None

The Chairman declared the application APPROVED.

At this time, Mayor Damiano, M. Pocius, and C. Gaita recuse themselves from this application.

2. **MARTORANA ENTERPRISES, LLC.** – 453 Main Street, Block 56, Lot 11, R-1B Zone – Convert office space to apartments at 453 Main Street, and Lot 12, L1 Industrial District. Subdivision and site plan for a four-story age restricted residential apartment complex.

Anthony Fiorello, attorney for the applicant, provided an overview of the project and informed the Board of planned amendments. He stated that originally the applicant proposed 62 dwelling units on proposed Lot 12.2, however because the parking was a challenge, the applicant has reduced the number of dwelling units from 62 units to 56 dwelling units. As a result, the parking is now compliant. He further stated that the applicant is now proposing 6 electric vehicle supply service parking spaces to the site.

Michael Kuybida, Architect for the applicant, came forward to continue his testimony before the Planning Board. He stated that the dumpster area is being relocated and the applicant is providing a temporary storage room for refuse collection in the building. He said that they will have maintenance people collect garbage from inside the building and bring it to the dumpster. He further testified that six apartments were removed and the roof plan was modified. He stated that the applicant has eliminated the second floor office use at 453 Main St. and instead, is providing 4 one-bedroom dwelling units (non age-restricted) and will range in size from 850 square feet to approximately 950 square feet in area. With regard to the building of proposed Lot 12.2, the applicant is providing 36 one-bedroom dwelling units, 15 two-bedroom dwelling units, 3 studio apartments and 2 three-bedroom units, for a total of 56 dwelling units. Members of the Board questioned if the fire department reviewed this plan? He stated that the applicant has reviewed and agreed to comply with all comments contained in a report prepared by James D. Maria, Little Falls Construction Code Official and Fire Official. He further stated that the applicant agrees to provide a gate with a key fob or similar device to permit ingress and egress from proposed Lot 12.2 on Main Street to alleviate traffic on to Grove St. He said the applicant also agrees to match the streetscape with the Main Street streetscape of the Township. Also proposed is a designated parking space near the Amazon locker for pick up and drop off of packages.

Mr. Conklin, the Board Planner, addressed comments in his letter. He stated that the two users at the site, the laundromat and the clothing store, will remain at the site. He asked if there were any ground mounting signage proposed, and the answer was none.

Erik DeLine, Planner for the applicant, came forward to provide an overview of the variances required in connection with this application. With regard to Lot 12.1 the applicant requires a lot depth variance and a minimum front yard set-back variance as well as a D-1 variance because a multi-family use is not permitted in either the I zone or the R-1B zone. With regard to Lot 12.2, the applicant requires a D-1 use variance relief because a multi-family use is not permitted, a D-4 floor area ratio variance relief, a D-6 for building height, minimum side yard setback one side, minimum side yard setback both sides, minimum rear yard setback, buffered residential zone and maximum building coverage. He stated that the applicant is also proposing improvements that will benefit the public by improving stormwater management. He feels that the proposed use of the property is suitable for this site. He also feels that this is an appropriate location for a mixed-use project because of the availability of mass transit in the area. He further stated that the approval of this application would advance a number of goals and objectives of the Little Falls Township Master Plan.

This portion of the meeting was open to the public. Several members of the public came forward with concerns regarding the stormwater management flowing onto his property. The applicant's engineer agreed to meet to review this situation. No others coming forward this portion of the meeting was closed.

Mr. Greco, seconded by Ms. Cataldo to approve the application for preliminary and final site plan approval and minor subdivision approval as presented with the following "d" variances:

- a) D(1) relief for multi-family residential use in both I Zone and R-1B;
- b) D(4) F.A.R. variance relief for 124%, where by 30% is permitted;
- c) D(6) Building height variance for 4 stories and 47.1 feet, where the maximum height permitted is 2 stories and 30 feet.

And the following "C" variances for Lot 12.1:

- a) Minimum lot depth of 89.2 feet is proposed (120 ft. is required);
- b) Minimum front yard setback of 5 feet is proposed (25 ft. is required);
- c) No loading space is proposed (1 loading space is required);

And the following "C" variances for Lot 12.2:

- a) Minimum side yard setback 15 feet proposed (20 ft. is required);
- b) Minimum side yard setback 15 feet is proposed (40 ft. is required);
- c) Minimum rear yard setback 15 feet is proposed (25 ft. is required);
- d) Buffer less than five feet is proposed (25 ft. planting is required); and
- e) Maximum building coverage 42.4% is proposed (40% is required).

Poll of the Board: Ayes: Greco, Barry, L. Damiano, Cataldo, Corage, D. Damiano, and Chairman Kilpatrick
Nays: None

The Chairman declared the application **APPROVED**.

Old Business: None

New Business: None

Approval of the Bills: presented to the Township.

Adjournment: 10:25 P.M.