

*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 REGULAR MEETING OF
June 3, 2021**

Members Present: W. Kilpatrick (Chairman) Also Present: Rya Conklin (Planner)
R. Greco (Vice Chairman) Richard Briigliodoro, Esq.
J. Strothers Thomas Lemanowicz (Engineer)
K. Barry Valerie Laky (Board Secretary)
L. Damiano
M. Seber
D. Cataldo (1st Alt.)
R. Corage (2nd Alt.)
D. Damiano (3rd Alt.)

Members Absent: C. Gaita
Mayor James Damiano
Anthony Sgobba (Councilman)
M. Pocius (4th 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.

Council to Address the Board: No council members were present tonight to address the Board at this time.

Approval of Minutes: May 6, 2021 (regular meeting):

Mr. Greco motioned, seconded by Mr. Barry to approve the minutes of the May 6, 2021 regular virtual meeting of the Board.

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

The Chairman declared the Minutes for May 6, 2021 Approved.

May 20, 2021 (“Special” meeting):

Mr. Greco motioned, seconded by Mr. Barry to approve the minutes of the May 20, 2021 “Special” virtual meeting of the Board.

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

The Chairman declared the Minutes for the “Special” meeting of May 20, 2021 Approved.

RESOLUTIONS:

1. **Consistency Determination for Ordinance No. 1406 (Redevelopment Plan for the Downtown Area of Little Falls):**

2.

Mr. Greco motioned, seconded by Mr. Barry to approve the Resolution as presented for the Redevelopment Plan of the Downtown Area (Ordinance No. 1406):

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

The Chairman declared the Resolution Approved.

APPLICATIONS:

1. **Continuation - Martorano Enterprises, LLC.** – 453 Main Street, Block 56, Lot 11, R-1B Zone and Lot 12, L1 Industrial District. Subdivision and site plan for a four-story age restricted residential apartment complex.

Mike Kuybida, Architect for the applicant came forward to state that he has reviewed the site and the ordinance of the Little Falls Township. He stated further that they have made some of the changes requested by adding an Amazon Locker drop off area, moved the bicycle rack into the center courtyard, accommodated 3 elevators (2 for the tenants and one large one to accommodate stretchers). He stated that the building is 4-stories with 3 levels of apartments, with the southeast wing only having 2 levels of apartments. The complex is age restricted and proceeded to explain the accommodations on each of the levels of the building. He further stated that parking for the tenants will be under the building, the building will have gray siding with black accents, and a portion of the building will be on Grove and Dewey, and the rear of the building will face Main Street.

Board members asked questions of Mr. Kuybida: (i) the garbage collection for the seniors – is this strenuous to bring it out to the dumpsters, (ii) can parking spaces be removed to create a refuge area closer to the building, (iii) is there enough parking spaces for the tenant, (iv) what are the hours of the gym – is it open to the public, (v) can gooseneck lighting be used as such by the example across the street from the site, and (vi) what about handicap parking – is there availability to this, is it close to the elevators including a van space.

This portion of the meeting was opened to the public for comments. A letter from Lonsky and Sardinsky sent to the Board was read to the public and put on record. No one coming forward, this portion of the meeting was closed to the public.

A ten-minute recess was called at this time.

The meeting resumed at this time and the Chairman stated that this application be continued at the next regular meeting of the Board. He and the Board agreed that due to all of the revisions that further need to be made, the applicant should submit a revised parking plan, address the lighting, address the drainage calculations and address the zoning mailing address of the building.

Mr. Fiorello agreed to revisit these changes and have the applicant return at the next regular meeting of the Board.

At this time, Mr. Conklin excused himself from the remainder of the meeting.

2. **Skender Gjevuka, SEAR HOUSE GRILL** - 1 Newark Pompton Turnpike, Block 51, Lot 7. B-1 Zone. Site Plan for a 607 Square open deck causing a parking deficiency.

Mr. Douglas Bern, representative for Sear Grill House came forward to state that they are proposing outdoor dining. Mr. Briigliodoro, Esq. stated that all notices were in accordance. Mr. Bern stated that our Ordinance permits outdoor dining (due to the Governor's request of outside dining so restaurants can survive and provide adequate ventilation to guests, and therefore is seeking a "C" variance (not a "D" as provided). He stated that an outdoor deck is permitted in the rear of the facility, but the deck was already constructed in the front yard and now is seeking a "C" variance. He stated that he has been conducting business already and feels that a "D" variance is not needed.

Mr. Seber, member of the Board asked if this was a new Ordinance due to the Covid situation, and if so, the Board should be made aware of the Ordinance and review its content before making a decision as to hear this applicant as a "D" variance or a "C" variance. If this is a "D" variance, we do not have enough Board members to vote on this tonight.

Chairman Kilpatrick suggested that this matter be continued at the next regular meeting of the Board so that the Members of the Board can review the Ordinance and make a clear determination. The applicant agreed to return.

At this time, Board Member, Derek Damiano recuses himself from the remainder of the meeting.

3. **Gregorio Polimeni** - 22 Westend Avenue, Block 74, Lot 21. R-1C Zone. Addition to an existing two-family home

John Veteri, Jr., Esq., attorney for the applicant came before the Board to state that the applicant is seeking a variance relief for an addition to an existing (preceding the current zoning ordinance) two-family dwelling. He stated that in 1992, the Board granted a subdivision approval which allowed the two-family dwelling to remain on the lot and create a new lot adjacent to it as to create more functional living space for the applicant.

Cesar Padilla, Architect for the applicant came forward to state that he has reviewed the plans and states that the applicant is proposing to update a bathroom on the second floor and raise the dormer to follow the roofline. Currently, there are two (2) "C" variances which are pre-existing and will not affect the plans for the new addition (lot area and front yard setback). The two (2) new "C" variances are for accessory building for 0.3 ft. proposed (6 ft. is required), and accessory building distance for 14.4 ft. is proposed (15 ft. is required). He further stated that two (2) "D" variances are also needed. One for expansion of a pre-existing non-confirming use and Floor Area Ratio (FAR) for 37.9% is proposed (35% is requested).

Mr. Veteri stated that the applicant is not adding any additional bedrooms or increasing the intensity, or creating new density with regard to the expansion and therefore, requests that the granting of all of the variances requested is without substantial detriment to the public, and will provide an improved visual impact to the neighborhood.

This portion of the meeting was opened to the public for questions of Mr. Padilla. Lea Dunphy, 20 West End Ave. came forward to state that the garage was a prefabricated structure and placed on the site in its current location. Can the owners expand the two-family home or expand the size of the garage? The Board stated that the applicant would have to come back to the Planning Board if they want to build bigger. No other's coming forward, this portion of the meeting was closed to the public.

Mr. Greco, seconded by Mr. Barry to approve this application as presented with the following "D" variances - expansion of a pre-existing non-confirming use and FAR for 37.9%, and the following "C" variances - Lot area of 4,994 sq. ft., front yard setback 13.1 ft., accessory building setback 0.3 ft., and accessory building distance to primary dwelling 14.4 ft. Screening on the central air unit needs to be buffered (maybe with some boxwood plants).

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

The Chairman declared the application Approved.

4. **Richard and Sandra Olivola** - 232 Cedar Grove Road, Block 156, Lot 4, R-!A Zone. Fence Construction

Richard and Sandra Olivola came forward and were not represented by counsel. They were sworn in and stated that they are proposing to construct a 6' white fence around the rear portion of their premises. They stated that this is a single-family dwelling with a detached two-car garage located on the corner Cedar Grove Road and Douglas Drive. They are proposing to remove the existing split-rail fence and replace it with a 6ft. solid vinyl fence. Mr. Olivola stated that the section of the fence located on the Douglas Drive side of the dwelling will be moved inwards of the lot by approximately 3ft. because it is currently within the public right-of-way. The applicants further stated that the installation of the solid fence will not impact sight lines for vehicles because the fence will be moved back 3ft. Photos of the site were submitted to the Board.

The Board reviewed the existing two (2) "C" variances in connection with this application: (i) Lot area proposed is 14,685 ft. (this is an existing variance), (ii) front yard setback of 26.9 ft. (this is also an existing

variance). The Board also reviewed the two (2) new "C" variances: (i) fence height of 6 ft. proposed (4 ft. is required), and (ii) fences erected in front yard to be 50% clear (applicant is proposing solid).

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. Greco moved, seconded by Mr. Corage to approve this application as presented with the following variance for fence height of 6 ft., and a solid fence in the front yard. The Board found no negative impact to the public by granting of these variances.

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

Nays: None

The Chairman declared the application Approved.

5. **NOTCH ROAD/ JACKSON LANE, LLC** - 634 -636 Lackawanna Avenue/Jackson Lane, Block 185, Lot 5. MDR Zone. Site Plan Approval for Multi Family Building with a mix of Townhouses and Apartments.

Due to the time constraint of this meeting, this application was carried to the next regular meeting of the Board.

Old Business: None

New Business: None

Approval of the Bills: presented to the Township.

Adjournment: 10:15 P.M.