

*Township of Little Falls  
County of Passaic  
New Jersey*

Tel: (973) 256-0170

Municipal Building  
225 Main Street  
Little Falls, New Jersey

**LITTLE FALLS PLANNING BOARD  
MINUTES OF REGULAR MEETING OF**

June 4, 2015

Members Present: W. Van Houten (Chairman)  
M. Fojut  
J. Strothers  
W. Kohlman  
L. Dearani  
W. Kilpatrick (Vice Chairman)  
R. Kostroski (3<sup>rd</sup> Alt.)  
B. Liscio (4<sup>th</sup> Alt.)

Also Present: D. Lindsay  
J. Bryce, Esq.  
V. Laky  
Mayor D. Conti  
L. Fontana  
J. Janota

Members Absent: R. Grecco  
E. Bennett (1<sup>st</sup> Alt.)  
J. Reilly (2<sup>nd</sup> Alt.)  
J. Macones

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, and filed with the Township Clerk.

Mr. Kohlman had a procedural question for Mr. Bryce: Our Township Engineer has merged in with another company. Do we have to have some type of approval for the new firm? Mr. Bryce stated that it was something he would look into, and if so, we will need to do an amended Resolution for the merge.

Mr. Bryce also stated that because the following application is a "D" variance, the Class I and Class II representatives (the Mayor and Councilman) can be excused.

**Verizon Wireless** – 75 Newark Pompton Tpk. Roof top small node network.

Frank Ferraro, of Ferraro and Stamos, Esqs., attorney for the applicant came forward to answer Mr. Van Houten's question, was the Firehouse considered a potential site for the roof top network. no it was not considered a potential site. The way that the telecommunications ordinance as written provides, it's a permitted use on a municipally-owned, leased or controlled property. The question is "control". Clearly, the fire department building is not owned by the municipality. It's not leased by the municipality, it's not leased

out by the municipality. The degree of control is, at best, uncertain. I don't know to what extent there is control -- municipal control over that property. Obviously, we tried to pull the deed to make sure, because at the time, we weren't sure if it was owned by the Township, but certainly, the tax records indicate that it is owned by the Singac Volunteer Fire Company No. 5, which is a not-for-profit corporation. Mr. Lindsay stated that he noted in his report that it is not owned by the municipality. Mr. Lindsay spoke to the fire department officials and was advised it was not owned. When he said that there was some degree of control, that's because the Township maintains the property and it stores some of its vehicles that it owns in there. There may be other nuances where the town has some control over it, but he noted that it's "some control"; he doesn't know if that meets the level of the definition in the code where it does talk about "control." Some members of the fire department are here, maybe they'll speak later regarding this.

Mr. Ferraro stated that they are proposing what is very similar to what they proposed a little less than a year ago before this Board at 201 Lower Notch Road. This is another small-cell facility, it's not your typical large wireless facility where we're proposing 9 to 12 six-foot panel antennas. It's a small network node at 75 Newark Pompton Turnpike, also known as Route 23. What's involved and their three experts will testify to is that they are proposing one two-foot antenna or 24.2-inch antenna on the building rooftop on the subject property and, also, two equipment cabinets will also be on the building rooftop. He stated that they are requesting a use variance from the Board, in that wireless facilities are not permitted anywhere in the Township, with the exception of municipally-owned property or within light industrial zones. He said that their radiofrequency engineer will testify to the fact that there are no acceptable light-industrial or Township-owned properties in the vicinity to address this capacity issue. In addition, their Professional Engineer, who will review the site design will go over the limited number of improvements that are associated with this installation.

Mr. Nicholas Barile, Professional Engineer for the applicant came forward to state that, basically, he meets with various parties from Verizon on site, walk through the whole building, including the rooftop, plan out our design based on the required equipment that Verizon deems necessary. Once locations are determined on where the equipment will be placed, we take field measurements and bring that back to the office and do our formal design at that time. In a situation like this, on an existing building where our design is fully contained within the building, we'll rely on the Township's tax maps and aerial photography along with our field measurements and we'll draw up the plans you see here. Each equipment cabinet weighs approximately 450 pounds. They're about 3 feet tall, 2 feet wide, 20 inches deep. The base of the platform is 8 feet by 8 feet. It's a metal prefabricated platform consisting of beams and grading that will be placed on the roof and upon that will sit two, small equipment cabinets about the size of a refrigerator. Also, there is a cable tray proposed running to the north corner where we are proposing one single antenna on a non-penetrating ballast mount. This antenna's 24.2 inches tall, 15.1 inches in diameter, it will sit, at the top of it, 31 feet 6 inches from grade, puts that at 6 foot above the roof line, even with the height of the existing HVAC units, also 6 foot above the roof line. And we're also proposing a vertical caged ladder to the rear of the building. This will allow the technician, which visits approximately once every six weeks, to access the roof and check on any equipment. To the rear is a Davit crane, which is a mechanical crane system mounted on the side of the building that will allow a contractor to manually crank up any proposed equipment or any equipment they need to put on the roof or remove and it allows them to safely do that.

Glenn Pierson, Radio Frequency Engineer, stated that there is an exhaustion, similar to the site on 46, that we need to alleviate. He said that the business district that's right along Route 23/Newark Pompton Turnpike is where they are targeting, which are the heavy users. He did a radio frequency test of this site and an inventory of approved sites in Little Falls. He showed the Board an analysis report which showed the capacity of users in a particular area. He stated that this location is best qualified to address the immediate low capacity of the network. He also stated that the quality of service will be a very clean signal promoting fast data speeds.

Mr. Jim Kyle, Professional Planner for the applicant, came forward to state that all of the plans and reports prepared by his team, were reviewed, including the photo simulations. Also, the zoning ordinance was reviewed and looked at for other information and he has visited the site. He said, because a D-1 use variance is needed, and only permitted on Township-owned or otherwise controlled properties as well as conditionally permitted in the industrial zones, he look in permitted locations first and looked at the firehouse and the ownership and kind of moved on from that. He said that they also looked for other municipal properties in the area, and there were none. He again stated that they were really trying to address a very specific area and a very specific need. He said, looking at this property, it's situated, again, with frontage along Route 23, which provides, really, the optimum coverage, in his estimation, and it's located in a high-traffic area, about 13,000 cars on Main Street and probably more on Route 23, also a number of businesses. He indicated that this will also provide coverage to about 1200 people in this area that will benefit from the coverage as well. Because we have an existing building that's of sufficient height to support this, and also, it's structurally supported. The flat roof is really an ideal location for the equipment, and again, with frontage on Route 23, they can put that antenna up where needed to be, to approach the optimum coverage. So for those reasons, again, and location in a nonresidential zoning district, even though they are not in a permitted location, he said they still like to find nonresidential zones and nonresidential buildings where they can locate. So for those reasons he said, the site is particularly suited to the use that is proposed, and he feels that the applicant does satisfy the positive criteria.

This portion of the meeting was opened to the public. Michael Burke, President of Singac Fire Company No. 3 came forward to state that there are concerns from the fire department. First of all, we are disappointed that we weren't selected. Just to give you a little background of how the town is connected, we are leased, there is a lease agreement between the Township. They control all our radios, they pay rent to put the fire engines into our firehouse, so there is a lease agreement for that. They maintain the generator that we have on our property, they control all our utilities. He stated that there is a very tight property line between us and the drugstore and doesn't believe they used the right survey- we just had a survey done. This portion of the meeting was closed to the public.

Mr. Van Houten requested to the applicant that he would like them to have a conversation with the fire department, to see if the building is capable. He would rather have the applicant come back next month with just the attorney without his witnesses, as we've heard their testimony—to state that you've had a conversation with the fire department and it's not or is suitable, since it is only a 90 feet difference. The Chairman stated that he was not voting for the entire Board. He was merely making a suggestion and that the Board will vote on it. Mr. Ferraro stated that he did not have an issue putting the vote off for a month to have a conversation with the fire department.

Mr. Kohlman motion, seconded by Mr. Kilpatrick to defer this application to the next regular meeting of the Board on July 2, 2015 for the applicant to investigate the fire department building.

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

The Chairman declared the application moved to the next meeting of the Board.

**Old Business:**

**New Business:**

**Approval of the Minutes:** for May 7, 2015.

Mr. Kilpatrick, motioned, seconded by Mr. Fojut to approve the Minutes of the May 2, 2015 meeting.

Poll of the Board: Ayes: Fojut, Strothers, Kohlman, Kilpatrick, Dearani, Van Houten

Nays: None

The Chairman declared the Minutes Approved.

**Approval of the Bills:** As presented.

**Resolutions:** 1. Porter

Mr. Kilpatrick, motioned, seconded by Mr. Fojut to approve the denied Resolution by the Board.

Poll of the Board: Ayes: Fojut, Kohlman, Kilpatrick, Van Houten

Nays: Strothers, Dearani

The Chairman declared the Resolution Denied.

The meeting was adjourned at 10:30 P.M.