

**Township of Little Falls
County of Passaic
New Jersey**

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Municipal Building
225 Main Street
Little Falls, NJ 07424

**LITTLE FALLS PLANNING BOARD
MINUTES OF REGULAR MEETING OF
March 7, 2024**

Members Present:	W. Kilpatrick (Chairman) R. Corage L. Damiano D. Cataldo M. Seber M. Pocius Dr. Abdi (1 st Alt.) R. Doland (3 rd Alt.)	Also Present:	Richard Briigliodoro, Esq. Michael Kobylarz (Engineer) Sanyogita Chavan (Planner) Valerie Laky (Secretary) (via zoom)
Members Absent:	K. Barry (V. Chairman) Mayor James Damiano Anthony Sgobba (Councilman) Ahmad Awawdeh (2 nd Alt.) J. Ariemma (4 th Alt.)		

The meeting of the Planning Board was called to order at 7:00 p.m. by Chairman Kilpatrick stating at least 48 hours' advanced notice of this meeting was given to The Herald & News, The Bergen Record, the Little Falls website, and filed with the Township Clerk.

Council to address the Board: No council member was present for comment.

Approval of Minutes – February 1, 2024

Ms. Cataldo motioned, seconded by Mr. L. Damiano to approve the minutes of the February 1, 2024 meeting of the Board as presented:

Poll of the Board: Ayes: Corage, L. Damiano, Cataldo, Seber, Pocius, Dr. Abdi, Doland and Chairman Kilpatrick
Nays: None

The Chairman declared the minutes for February 1, 2024 APPROVED.

RESOLUTION:

None.

APPLICATIONS:

1. **Zen Real Estate, LLC** – (continuation from February hearing) -75 Harrison Street, Lot 8, Block 218. Industrial Zone. Bifurcated site plan with variances. Seeking “d(6)” height variance and “c” variance relief regarding an addition to an existing warehouse building.

Nassir Almkhtar, Architect for the applicant came forward to state that there is an existing warehouse on the property in which the applicant will continue to operate as a warehouse. The current building height is 22 ft. The applicant is proposing to increase the height of the roof to 30 ft., then stepped back for a distance of 20 ft. at which point the roof would be a total of 40 ft. He stated that by stepping back the height, it would cut down on the visual impact to the neighbors. He also stated that the HVAC equipment would be located on the roof and will be screened.

One member of the Board asked if there will be an inspection of the roof, and if the roof can support the HVAC systems, and questioned a safety concern for those inside the building. Yes, it will meet with the building safety code requirements, and will be subject to the review of the Board Engineer and Planner. Another member of the Board questioned the site line of the building, and that the illustration shows its in view and shows it to appear to be 40 ft.

This portion of the meeting was opened to the public, no one coming forward, this portion of the meeting was closed to the public.

Board Attorney Richard Briigliodoro, Esq. stated to the Members of the Board that this application has been presented as a bifurcated application with the applicant seeking a “d(6)” height variance with regard to a height of 40 ft., where a maximum building height is 30 ft. The applicant provided drawings stating that the height would be increased from 22 ft. to 30 ft. with a step back of 20 ft. therefore, the building height would increase to 40 ft. for the remainder of the building, thus the need for a “d(6)” variance.

The applicant is also requesting “c” variance with regard to

- 1) a side yard setback of 10 feet where a minimum of 20 feet is required (89.1 ft is existing); and
- 2) A building coverage of 43.9% where a maximum of 40% is required (29.7% is existing);

Also, there are several non-conformities:

- 1) Frontage of less than 150 ft. is proposed, 150 ft. is required (150 ft. is existing);
- 2) Buffer to residential zone of 11.3 ft is proposed, 40 ft. is required; (11.3 ft. is existing);
- 3) Minimum side yard setback of 10 ft. is proposed, 89.1 ft. currently exists; and
- 4) Maximum building coverage is being increased to 43.9%, 29.7% currently exists.

The Board finds that building coverage and maximum side yard setback exceed the existing conditions and cannot be granted without proof of substantial detriment to the public good and impairment of the zone plan and zoning ordinance.

No further questions of the Board, Chairman, Walter Kilpatrick, motioned to approve the application as presented to the Board. Luke Damiano seconded the motion with a no vote.

Poll of the Board: Ayes: Dr. Abdi and Chairman Kilpatrick
Nays: Corage, L. Damiano, Cataldo, Seber and Pocius

The Chairman declared the application DENIED.

2. Roger and Wendy Mc Neill – 32 Cedar Grove Road. Block 166, Lot 1. Proposed single family dwelling. Variance application. R-1B zone.

John J. Veteri, Jr., Esq., attorney for the applicant came forward to state that the applicants are seeking a request for a d(1) use variance and “c” variance relief for the construction of a single family dwelling that has been their childhood home. He stated that the home was constructed in the 1920’s as a bungalow near the Peckman River. He stated that the foundation to the home will remain, but it will have no basement. The home will be elevated. The applicants will install flood vents and it is their intention to construct a brand-new home on the property.

Jeffrey Schlecht, Architect for the applicants came forward to state that the existing home is currently a 1 ½ story framed home with an existing concrete driveway, detached garage and a paver patio. The home is on a corner property with frontage along Cedar Grove Road and Hudson Street. He further stated that the applicant are increasing the height to 34.6 ft. (35 ft. is maximum allowed), and that the foundation was being raised 2 ft. to comply with flood elevation in this area. He said that they will be increasing the area of the home to 2,000 sq. ft. (from 700 sq. ft.). The first floor will consist of a kitchen, foyer, family room dinette, powder room and a laundry and utility room. The second floor will consist of 3 bedrooms, 2 bathrooms and a laundry. He further stated that the air conditioning unit will be located in the rear of the property and will be forced hot air system. He said the basement will be filled in with soil and concrete with a slab on bottom. Flood vents will be installed in case of flooding as they are located in a flood hazard area. No utilities will be located in this area. It will just be a crawl space and the elevation will not be noticeable.

Mr. Veteri stated that the property is located in the B-1 Zone and single-family residential swellings are not a permitted use. Thus, the applicants are requesting the following variance relief for existing non-conformities:

- 1) Minimum lot area of 3,390 sq. ft. existing, and 5,000 sq. ft. is required;
- 2) Minimum lot width of 38 ft. existing, and 50 ft. is required.

The applicants also require the following “c” variance relief:

1. Minimum front yard setback where 10 ft. is required and 1.35 ft. is proposed (pursuant to Section 280-4 of the Zoning Code, “the front yard for a corner lot shall be the longer dimension of the lot unless relief is granted by the Planning Board.”) The Hudson Street lot line has 105 feet of frontage while the Cedar Grove Road frontage has 38.15 feet of frontage. Therefore, Hudson Street is considered the front yard for purposes of determining the front yard setback.
2. Minimum rear yard setback where 30 ft. is required, and 10.74 ft. is proposed (Section 280-4 of the Zoning Code addresses the issue of the rear lot line). The rear lot line is defined as “that boundary of a lot which is most distant from and is most nearly parallel to the front lot line.” Therefore, the boundary line with Block 166, Lot 3 is considered the rear yard line.

Mr. Veteri stated that the property will only be used as a single-family unit and the applicants will reconstruct the house in the same location utilizing the existing foundation.

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

Mr. Seber motioned to approve the application as presented to the Board, seconded by Mr. L. Damiano to approve the application as presented. The Board is satisfied that the applicant's are proposing a very attractive residential dwelling that will enhance the aesthetics of the neighborhood and improving the visual site environment with no negative criteria.

Poll of the Board: Ayes: Corage, L. Damiano, Cataldo, Seber, Pocius, Dr. Abdi, 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: 9:05 PM