

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

APPLICATION TO BE DEEMED COMPLETE:

- 1. Application No. 2025-02 / 48 Route 23 North / Walmart Real Estate Business Trust / Block 13 Lot 29 / HB Zone**

Letter from Darmofalski Engineering recommending completeness dated May 13, 2025

Chairman Trowse asked is Boorady had anything to add, Boorady stated that the application is ready to be deemed complete

Thereupon Vice Chairman Warren Sheps set forth the motion seconded by Christopher Scilingo to deem the application complete.

ROLL CALL: **Ayes:** **Sheps, Scilingo, Carelli, Pellegrini, Poli, Malanga, Reilly, Trowse, Bulger, Talerico**
Nays: **None**
(10 Ayes – 0 Nays – Motion Carried)

Chairman Trowse set forth the motion seconded by Sal Poli to assign the hearing date for September 27th.

ROLL CALL: **Ayes:** **Trowse, Poli, Carelli, Pellegrini, Malanga, Reilly, Scilingo, Sheps, Bulger, Talerico**
Nays: **None**
(10 Ayes – 0 Nays – Motion Carried)

RESOLUTION:

- 1. Application No. SD11142023 / 4 Paterson Hamburg Turnpike / Daniel J. Salameno / Block 9 Lot 9 / R-7.5 Zone**

John Barbarula stated that this Resolution extends the applicants time to get documents filed. This is the memorialization of the Resolution.

Thereupon Sal Poli set forth the motion seconded by Rick Malanga to approve the Resolution.

ROLL CALL: **Ayes:** **Poli, Malanga, Carelli, Pellegrini, Scilingo, Sheps, Trowse**
Abstained: **Reilly, Bulger, Talerico**
Nays: **None**
(7 Ayes – 3 Abstained – 0 Nays – Motion Carried)

WAIVER HEARING:

- 1. Application No. 2025-01 / Riverdale Quarry, LLC / 125 Paterson Hamburg Turnpike / Block 13 Lot 3 & Block 13 Lot 25-28 / IQ Zone**

Letter from Darmofalski Engineering recommending a waiver hearing dated June 26, 2025.

Michael Levigne, the attorney for the applicant, the application submitted was for preliminary site plan approval for the Quarry property. Not too long ago there was a redevelopment plan adopted for the conversion and future use of the property. The application pending the contemplates the development of the property with a warehouse building. The letter from

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

Darmofalski Engineering dated June 26, 2025 which recommends waivers. Mr. Levigne introduced the engineer for the application.

Brett Skapinetz from Dynamic Engineering PC was sworn in by Mr. Barbarula. Mr. Skapinetz stated his credentials as an expert engineer; the Board accepted him as an expert. On the completeness report there is a completeness and technical review, this evening will be based off of the completeness review. There are 10 points in the letter

1. Checklist Items 1, 2, 3, 13, & 17 - Additional information that was requested will be provided
2. Checklist Item #14 – regarding steep slope map, per the code there are limits as to what can be disturbed, additional information will be provided for clarity. There are two parts to this the applicant is in the process of looking to amend the reclamation plan, there will be additional disturbance in the north west corner of the site, that is the site Mr. Boorady is asking to clarify. At the time of construction, the area will be cleared and there will be no steep slopes, 15% or less. We are seeking a waiver since the site plan application will not be proposing any disturbance of steep slopes.
3. Checklist Item #15 – availability of sanitary water and sewer to service the project. For sewer we did receive a letter from a treating authority noting that there is capacity in the treatment plant. From a collection system standpoint, we know we have sanitary sewer at the site and there is a main to tie into the runs through the property and downstream there is a 30-inch trunk line that runs out of town that should have more than enough capacity, we do not believe there is an issue when it comes to sanitary sewer. For water there is a water main at the property on the street that runs into the site, we did request a will serve letter, the utility, the local utility, does not give out will serve letters. We had our own private test done it did not come back do great especially for fire. On the plan we are representing a fire tank on site for that reason to serve fires. From a domestic stand point we do believe there is enough water, we have a break out for office space and we believe there is enough water based on that testing and there is no issue. A board member asked how the tank would be fed. The tank will be fed by the system that is there, no well. Chairman Trowse asked if the tank services the fire sprinklers in the building and is there a pump on there for pressure, will there be a back up generator. Mr. Skapinetz stated that it is for the sprinklers, there will be a pump and a backup generator.
4. Sections 149-36B(5) - We will provide additional information on signage
5. Section 149-36C(10) - We have the utilities on the plan, the majority on the roadway, sewer runs on the property. Mr. Barbarula asked is there was a fire hydrant on site. Mr. Skapinetz stated there is not on the site but on the street near the road.
6. Section 149-36C(11) - The main for sewer from the facility to that main is on the plan as well.
7. Section 149-36C(16) - We did provide an extensive landscaping plan if additional information is required, we can provide, we believe this should be technical and not part of the completeness.

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

Bobby Roberts is present at the meeting 7:51 PM

- 8. Section 149-36C(18) – Per your ordinance a soil mining permit is not required for a land development application. In regards to the Reclamation plan there will be there will be volumes or material but that is independent of the application.**
- 9. Will provide additional copies and information**
- 10. Will provide additional copies and information**

Mr. Boorady stated that he did not mention in the completeness report the DOT permits, County approval, and DEP approvals. We do have the submissions they are just waiting to hear back from those agencies. Mr. Barbarula stated it is just the waiver for steep slope and soil mining, since they are agreeing to do everything else in the letter. Mr. Boorady stated that it is the details on water and sewer also, he agrees with the steep slope comment by the time the Reclamation plan is complete there will be no steep slopes. This is for preliminary approvals so the utility companies will not give any information until they have mechanical plans and a full build out. Chairman Trowse asked if stormwater was being discussed at this time. Mr. Boorady stated that is an item that is of incompleteness, it is currently with the DEP for approval. Mr. Malanga asked what Mr. Boorady's recommendation is with the waivers. Mr. Boorady stated that he does not have any engineering objections. Mr. Levigne states that the DOT, county and DEP have jurisdiction and with the Reclamation they will have to return to the Board for final approvals. When preliminaries are in place for a development plan. Mr. Skapinetz stated that this is the protocol for these applications, there have been pre-meetings with all of those agencies to know what they might be looking for. When it comes to the utilities JCP&L will not allow an application without preliminary approvals, they know there is power there but whatever it takes to get the proper approvals they will deal with it then. Mr. Boorady stated that these are checklist waivers only to proceed with the preliminary approvals. After getting all of the other agencies and an end user they will have to come back for final approval. Mr. Bulger asked if there is a final check list, Mr. Boorady stated yes.

Chairman Trowse opened the public portion for questions on the testimony, seeing no one from the public came forward Chairman Trowse set forth the motion seconded by Vice Chairman Warren Sheps to close the public portion.

ALL IN FAVOR / MOTION CARRIED

Chairman Trowse opened the public portion for comments on the testimony, seeing no on from the public came forward Chairman Trowse set forth the motion seconded by Sal Poli to close the public portion

ALL IN FAVOR / MOTION CARRIED

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

he will get something clearer and certifies the authenticity, even though this is about standard for pictures from the 1960's. As indicated with the photograph, it shows that this billboard was a pre-existing non-conforming use since at least 1967. According to the ordinance it did not become a prohibited use until 1969. The modernization we are proposing is not the face that faces the residential area it will be completely untouched. It is the opposite face, facing away from the residential area, it will be changed to a multi-media LED billboard, that face is smaller than the static billboard the presently exists. There will be testimony about the lights not being obtrusive and how no impact on the residential neighborhood, the catwalk will also be removed. The modernization allows the setback encroachments to be enhanced; it does not increase the size of the billboard or the intensity of the illumination. The face the is being replaced will be reduced from 672 feet to 645 feet. The property is currently owned by Outfront and has been owned by Outfront's predecessor company back to at least 1972. This was initially sought to be a modernization, there will be testimony that the modernizations are permitted as a matter of right and do not come before the Land Use Board. This billboard has been modernized twice in the past and we have the permits to show that.

Mr. Semeraro called his first witness, Ron Tourtellot came forward and was sworn in by Mr. Barbarula. Mr. Tourtellot is the Senior Director for Real Estate at Outfront Media, he stated his qualifications. Mr. Semeraro asked if he is familiar with the property in question and his knowledge of the property and how it has been used. Mr. Tourtellot stated that he knows the property and the sign it a single pole with double face sign that is indirectly illuminated. Mr. Semeraro stated that exhibit A-2 is the deeds that Mr. Tourtellot had. Mr. Semeraro stated the predecessor names on the deeds. Mr. Tourtellot confirmed. Mr. Semeraro asked what the origin of the billboard on the site. Mr. Tourtellot stated that it has been in existence since 1969 and the deeds stated ownership in 1972. Mr. Semeraro stated that the tax records are listed at exhibit A-3, the Borough's tax records indicate that the two-sided billboard with electric is at the location dated 1975. Mr. Tourtellot confirmed. Mr. Barbarula stated this is a preprinted form. Mr. Semeraro stated that yes, it is preprinted but used for the calendar year. Mr. Tourtellot stated that exhibit A-11 is a sign permit from the Borough of Riverdale. Chairman Trowse stated that the exhibit has a block 33 lot 24 listed. Mr. Semeraro asked when they acquired the property were there other sites and have you ever see subsequential lots like this. Mr. Tourtellot stated that the acquired a few properties from that company and it is possible to have a billboard on subsequential lots. Mr. Semeraro stated that exhibit A-12 is a permission. Mr. Tourtellot stated that this looks like another building permit for permission for a sign with the inspector's signature. Chairman Trowse stated that the date is from June 14, 1971. Mr. Barbarula stated that both A-11 and A-12 are from 1971, one is the permit that needs to go on the building and one is the actual permit. Mr. Semeraro stated the exhibit A-13 is a permit from 1984. Mr. Tourtellot stated that the exhibit was and to replace the old wooden structure with the steel structure. Mr. Semeraro asked if this was a form of modernization. Mr. Tourtellot confirmed. Mr. Barbarula stated that in exhibit A-2 that there is a deed that states Block 33 Lot 23 & 24. Mr. Malanga asked if it is in question if this is a legal billboard and what is the relevance

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

of all of this. Mr. Barbarula stated that no it is not in question, the applicant is entitled to appeal the Zoning Officers denial, this is going through showing that the billboard was rehabbed over time, that this should just be approved because it is a rehabilitation not a use variance. Mr. Poli asked if there were any Zoning permits. Mr. Semeraro stated that they asked for an OPRA request and there were no zoning permits given. Mr. Semeraro stated he has a building and electrical subcode permit dated July 18, 1985, tell about the scope of work. Mr. Tourtellot stated that this could be another modernization from the face from wood to steel. Mr. Reily asked if there was a difference between repair and modernization. Mr. Tourtellot stated that there is a difference that a repair could be for maintenance. Mr. Semeraro stated that this is case law, it is referenced by a right to modernization, if the board disagrees, we feel that we satisfied the standard for any relief necessary for an approval. Mr. Malanga asked how this message is applied to the Board. Mr. Tourtellot stated that the history of billboard and modernization stated as being in walls, and it changed into being on boards. It was in wooden sections and painted on and hung onto the wooden or steel structure. There was also paper that started being copied on the structure then that developed into steel structures being wrapped with vinyl. Mr. Reilly asked if this was an altered not modernized, it was still a static sign. Mr. Tourtellot stated that it did still remain a static sign. Mr. Semeraro stated that if you are changing the billboard from wood to steel, that is a modernization. Mr. Tourtellot stated that there was also a tri-vision and the triangle would spin with change the side of the billboard. The newest technology is that it can be done electronically, technology keeps improving and this is the best way now. Chairman Trowse how long that message is on there. Mr. Tourtellot stated that the ad would change every 8 seconds as if the vinyl was being changed every 8 seconds. Chairman Trowse stated that the brightness of the sign and coloring would change with it. Mr. Tourtellot stated that the engineer would give a lighting testimony with that information. Vice Chairman Sheps asked where the billboard is controlled from. Mr. Tourtellot stated that the message is sent remotely from Spokane Washington. Mr. Bulger asked what part of the sign is being modernized. Mr. Tourtellot stated that the sign face is being modernized from the static type to the modern way of change copy. Mr. Poli asked what is there now. Mr. Tourtellot stated that there is a static 14x48 indirectly illuminated sign on a steel structure with vinyl. Mr. Poli stated so not the tri sign. Mr. Tourtellot stated no. Mr. Scilingo asked why they did not propose to modernize both sides of the sign. Mr. Semeraro stated that they only did one side of the billboard due to the neighborhood, the chose the side that is facing away from the neighborhood. Mr. Semeraro asked if the intensity of the light on the LED adjusts automatically. Mr. Tourtellot stated there is a photocell in there, that during daytime hours the light have to compete with the sunlight, it is at a full capacity, at night it dims down automatically to maintain 0.3 over ambient light. Mr. Semeraro asked if there is any surveillance on the sign. Mr. Tourtellot stated that it is monitored by camera. Mr. Semeraro asked if the NJDOT has regulations and are they the licensing agent for the State of New Jersey. Mr. Tourtellot stated yes. Mr. Semeraro showed exhibit A-4 for outdoor advertising dated October 29, 2014. Mr. Tourtellot stated that this is an outdoor advertising permit that is renewed annually in May. Mr. Semeraro asked if this permit has been renewed annually and is

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

for the billboard in question. Mr. Tourtellot stated yes, it is up to date on renewals and is for the multmessage sign for the location on the side of Route 23 by Macopin Ave. Mr. Semeraro asked if this location has already been approved by the state for the multi message billboard. Mr. Tourtellot stated yes. Mr. Semeraro stated that this letter states that they are allowed by the NJDOT to have a multmessage sign at that location. Mr. Semeraro stated that he has exhibit A-16 which is 2 copies of the 2025 updated NJDOT multmessage sign permit. Mr. Boorady stated that the multmessage on the permit does refer to the digital billboard. Mr. Tourtellot stated that is correct and the state of NJ has laws that it has to be a static digital message changing every 8 seconds. Mr. Semeraro asked if the modernization impact how often the sign has to be accessed. Mr. Tourtellot stated that the sign can be changed digitally and less crews have to go out. Mr. Semeraro asked what the function of the camera on the billboard is for. Mr. Tourtellot stated that the camera shows the sign so they can monitor that the advertisement is running correctly and to show advertises their ad is running. Mr. Semeraro asked about the modernization to LED and how they work with the advertisers. Mr. Tourtellot stated that from an advertising standpoint they can advertise various message during the day, messages that a time relevant. Mr. Semeraro asked of there was any benefit to the general public. Mr. Tourtellot stated they could provide emergency messaging for the Borough and public service announcements. Mr. Semeraro stated that exhibit A-5 is a PowerPoint to show the examples of billboards. Mr. Tourtellot went through the examples on exhibit A-5. Mr. Tourtellot stated that public service announcements are free of charge. Mr. Poli asked if there is one static message on the billboard right now, the multmessage board will have multiple advertisers on the board per day. Mr. Tourtellot stated that the advertisers can buy different intervals of packages and be on a loop of every 8 seconds depending on which package the purchase. Mr. Poli stated that it expands the use of the billboard it is not just one advertiser it is multiple, correct. Mr. Semeraro stated that there is an argument to be made for that, advertising is advertising it doesn't different no matter how many copies are made, the use is the posting, if the crew comes every week and changes the posting, it is not an intensification of use so I don't think changing the copy electronically 8 times in the 64 second loop is intensifying it as well, however if you are inclined to think that and it turns into a D2 variance we have prepared to address those arguments and feel we meet the standard. Mr. Semeraro stated that we do not post unsavory ads. Mr. Tourtellot stated that we have protocols that the sales manager signs off on and if anything is questionable it goes to the legal team. Mr. Poli asked if the structure is staying the same. Mr. Tourtellot stated that the pole is staying the foundation is staying, we are modifying the one face the way it bolts on for digital. Mr. Bulger asked the hours of operation. Mr. Tourtellot stated that the billboard operates 24 hours. Mr. Boorady asked if all of the digital billboards operate 24 hours or did town restrict the hours of operation. Mr. Tourtellot stated that there are some instances that they turn off due to any sensitivities. Mr. Boorady asked if they would be offer that tonight. Mr. Tourtellot stated if there was a concern we could look at the time to as a conditional approval. Chairman Trowse asked what would be a sensitivity. Mr. Tourtellot stated if it was the face facing the resident they would turn it off at night. Chairman Trowse asked what is facing the residents, straight on

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

or indirect on an angle. Mr. Tourtellot stated that it is angled out and the lights that are there now are on, if there are concerns that is something that Outfront would want to alleviate those concerns. Chairman Trowse asked if the residents on Wayside can see the existing billboard from their backyards and would see the new one from their yards. Mr. Tourtellot stated that the billboard is angled to Route 23 and my opinion is that there is no impact there. Mr. Semeraro stated that the Engineer is present and he will explain that there are louvers that direct the light away from that area. Mr. Bulger asked if there is an angle with the louvers that you can no longer see the billboard screen. Mr. Semeraro stated that they have a sample of the louvers and how they work.

Chairman Trowse opened the meeting the public to ask questions about the testimony given so far.

Laura Jennings Pitt – 5 Windbeam Road – Ms. Jenning Pitt asked if Mr. Tourtellot has been in the residential neighborhood where the billboard is located. Mr. Tourtellot stated that he has been in the area but he has not been in the back neighborhood, he has been up and down the site based on the angel of the sign and the car dealership there he has not walked back there for that. The Planner and Engineer would have that in their analysis.

Jared Wolf – 2 Wayside Place – Mr. Wolf asked if the LED billboard on 287 is theirs. Mr. Tourtellot stated yes. Mr. Wolf asked if that could be used for the public benefit. Mr. Tourtellot stated that he would have to look at the history.

Sue Nicoll – 7 Macopin Ave – Ms. Nicoll asked if he would come tour the neighborhood now and then come back in the winter when it looks completely different. Mr. Tourtellot stated that he would expand his ride area to see what is seen there, the Planner and Engineer would go there. The way the louvers and LEDs work the angel and the way the lights work might be an improvement from what you see now.

Jane Sharp Rowan – 13 Evans Road - Ms. Rowan asked if they would consider having the DOT come back to the site. Chairman Trowse stated that the testimony said they permit was updated each year by the DOT. Mr. Semeraro stated that this is a question for the Engineering testimony.

Angel Cruz – 1 Macopin Ave – Mr. Cruz asked if they could do the same thing to the Northbound side. Chairman Trowse stated that they can come back with another application.

Chariman Trowse set the motion seconded by Sal Poli to close to public portion.
ALL IN FAVOR / MOTION CARRIED

Mr. Barbarula stated that no new testimony can be heard after 10:00 PM, the time is now 9:50PM, a continuing date needs to be scheduled.

BOROUGH OF RIVERDALE

MORRIS COUNTY, NEW JERSEY

Paul M. Carelli
Mayor

Abubakar T. Jalloh
Registered Municipal
Clerk

Chairman Trowse called a recess at 9:52 PM

Chairman Trowse called the meeting back to order at 9:57 PM

Mr. Barbarula stated that the break was to allow to Board and applicant to do some house keeping to determine a continuing hearing date. The next meeting date of August 7 and September 4 did not work for the applicant and Board. The applicant agreed to send the exhibits to the Board Secretary to add to the website for the resident to view.

Chairman Trowse set forth the motion seconded by Michael Reilly to carry the hearing for Application No. 2025-04 / NJSH Route 23 South at Macopin Ave / Outfront Media, LLC / Block 33 Lot 23 / HB Zone to September 25th and 7:30 PM, no further notices required.

ALL IN FAVOR / MOTION CARRIED

ADJOURNMENT:

Thereupon Chairman Scott Trowse set forth the motion seconded by Michael Reilly to adjourn the meeting.

ALL IN FAVOR / MOTION CARRIED

Meeting adjourned at 10:01 PM

Respectfully submitted by:

Stephanie Colella, Planning Board Secretary

*****NO VIDEO OR AUDIO RECORDINGS OF THESE PROCEEDINGS WITHOUT EXPRESSED PERMISSION FROM THE BOARD*****