

## **TOWNSHIP OF SADDLE BROOK PLANNING BOARD**

Following are the minutes of the Saddle Brook Planning Board's Regular Meeting, held on Monday, May 19, 2025 at 7:00 p.m.

**1. ROLL CALL:** Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Cook, Mr. Hickey, Mr. LaGuardia, Mr. Maniscalco and Mayor White – PRESENT. Councilwoman Mazzer, Mr. Camporeale, Mr. Vermilyea and Ms. Barrale - ABSENT  
Also present were Anthony Cialone, Board attorney and Gary Paparozzi, Board planner.

### **2. CHAIRMAN ANNOUNCES – OPEN PUBLIC MEETINGS ACT**

### **3. NEW BUSINESS**

A.) Review and Recommend Ordinance #1777-25

Mr. Cialone – This is an addition to our zoning ordinance pertaining to outdoor lighting. There are sections throughout our ordinances both zoning and other places that talk about lighting, but this will be a comprehensive ordinance that will require all applications to have a lighting plan. The Board's responsibility is to review the ordinance to determine that is not inconsistent with the Master Plan and we can make recommendations to the governing body as well.

Mayor White – The ordinance was written by our Township planner. Also, Steve Miraconda worked on it too. He may want to say a few words.

Mr. Hickey – Will people with incorrect lighting be grandfathered in?

Mr. Maniscalco – It says that post installation inspection should be done. Who are we calling when we have an issue with lighting and are we spending the money to go test it?

Mr. Paparozzi – If lights spill outside of their property, it's against the county and city guidelines. I have a recommendation for the Board. Instead of having everything grandfathered in, why not add language that says in 3 years or 5 years from the date of passing the ordinance, everyone has to be in compliance? That way, no one has to determine whether the lighting was installed before the ordinance or after.

Mr. Cialone – I don't know that we can retroactively enforce this ordinance against pre-existing approvals. We can make the recommendation and leave it to the governing body and the township attorney, who can make the final decision because he would represent the township if there's a challenge to this retroactively being applied.

Mr. Ambrogio to Mr. Paparozzi – In the compliance and monitoring section of this ordinance, it talks about the township engineer doing a light test. Would it be prudent, if there was a problem, that it is the obligation of the property owner to prove to us that it complies? Otherwise, it is costing the town money.

Mr. Paparozzi – All the new applications with lighting have a lighting plan, showing the foot candles.

Mr. Ambrogio – I'm talking about an existing site that changes lighting and neighbors are complaining.

Mr. Paparozzi – The engineer can ask the applicant to have their lighting engineer provide a foot candle projection.

Mr. Ambrogio – Shouldn't we build that into the ordinance?

Mr. Compitello – Does this apply to LED lights that are around?

Mr. Maniscalco – It doesn't mention the blinking lights.

Mr. Compitello – They're not blinking.

Steve Miraconda – It's mostly flood lights facing down.

Ms. Kapner – Should the ordinance include something that says that the township engineer performs the test at the applicant's expense? Maybe we can take escrow money.

Mr. Ambrogio – The engineer is not going to do this for free. They should be posting escrow for it.

Mr. Compitello – The other issue I see is the distance on measuring light. Is there a minimum distance or a maximum distance it has to be with a light meter?

Mr. Miraconda – It's measuring lumens per square meter. It only applies to commercial and municipal lighting, so you can't go over the property line. It's more about being shielded and facing down.

Mr. Cook – What's the reason for limiting it to 2,700 Kelvin? It seems low to me.

Mr. Miraconda – It's not. It's pretty up to par.

Mr. Cook – I would like it to be in compliance with ANSI standard.

Mr. Maniscalco – If there's a building we're getting complaints about, I think we need to be able to hold them to this.

Mr. Paparozzi – That's the thought behind the pre-existing and giving them a time frame. I don't remember if it was 3 years or 5 years in the town that did it.

Mr. Maniscalco – I think two years is enough.

Mr. Compitello – It sounds like we have a few recommendations.

Mr. Cialone – So you're looking for it to be retroactive within how many years?

Mayor White – I'd say two.

Mr. Hickey – What about the change from say a 500-watt quartz and they're going to change it to something much brighter?

Mr. Cialone – This talks about replacement of fixtures.

Mr. Maniscalco to Mr. Ambrogio – Do they come to you for replacement of lights?

Mr. Ambrogio – If it's a swap out, you don't need a permit.

Mr. Miraconda – A lot of this can be solved by redirecting. It's not like they have to get new fixtures. They could have curfews, like an hour after closing, so it's not on all night.

Mr. Ambrogio – There was nothing in there in terms of enforcement and penalties. If someone doesn't comply, what are the consequences?

Ms. Kapner – If this is going in Chapter 206, there is a penalty for noncompliance with items in that chapter.

Mr. Compitello – Another recommendation was to go to the ANSI standard.

Mr. Cook – 126B.(1) needs to include resale certificate and rental certificate, in addition to certificate of occupancy.

Mr. Compitello – Also, have the owner provide the lighting report to the township engineer for review, at the cost of the owner/applicant in section 132A.

Mr. Maniscalco – It should say something about blinking lights, like the pizza parlors have.

Mr. Ambrogio – That's in the sign ordinance.

Mr. Cook made a motion; seconded by Mr. Browne to authorize Anthony Cialone to send a letter to Mayor and Council stating the Board finds the ordinance is not inconsistent with the Master Plan and has four recommendations: retroactive two years of the effective date, revise light spectrum color from 2700 Kelvin to the ANSI standard, where certificate of occupancy is referenced, also include resale certificate and new tenant certificate with that language, the cost of the township be absorbed by the applicant or property owner and that also the township engineer would conduct such night light function test upon a compliant concerning the lighting on a specific piece of property.

VOTE: Mr. Ambrogio, Mr. Browne, Mr. Compitello, Mr. Cook, Mr. Hickey, Mr. LaGuardia, Mr. Maniscalco and Mayor White - YES

B.). Review and Recommend Ordinance #1780-25

Mr. Ambrogio – The DCA told us that we could not use the term Certificate of Occupancy when referring to the sale or rental of a property, as it is DCA terminology. They recommend the use of the terms Resale Certificate and New Tenant Certificate.

Mr. Browne made a motion; seconded by Mr. Hickey to find that the ordinance is not inconsistent with the Master Plan and to authorize Anthony Cialone to send a letter to the Mayor and Council to that effect.

#### **4. RESOLUTION**

Mr. Maniscalco made a motion; seconded by Mr. Browne to adopt the resolution of approval for Wal-Mart Real Estate Trust, 189 Route 46, Blocks 123 & 120, Lots 1 and 1.01 & 1.

VOTE: Mr. Browne, Mr. Compitello, Mr. Cook, Mr. LaGuardia, Mr. Maniscalco and Mayor White  
- YES

#### **5. MINUTES**

Mr. Maniscalco made a motion; seconded by Mayor White to approve the minutes of the April 21, 2025 meeting. All in Favor - YES

#### **6. COMMUNICATIONS**

Mr. Maniscalco made a motion; seconded by Mr. Browne to accept and file the communications. All in Favor – YES

#### **7. VOUCHERS**

Mr. Maniscalco made a motion; seconded by Mr. Browne to pay the following vouchers, provided funds are available:

Neglia Engineering Associates, 05/05/25, Wal-Mart Real Estate Business Trust, \$627.50

Paparozzi Associates, Inc., 05/07/25, Wal-Mart Real Estate Business Trust, \$255

Basile Pellino & Cialone, LLC, 05/09/25, Wal-Mart Real Estate Business Trust, \$288

VOTE: All in Favor – YES

#### **8. OPEN AND CLOSE THE MEETING TO THE PUBLIC**

Mr. Cook made a motion; seconded by Mr. Maniscalco to open the meeting to the public. All in Favor - YES

No public participation.

Mayor White made a motion; seconded by Mr. Maniscalco to close the meeting to the public.

All in Favor - YES

#### **9. ADJOURN**

Mr. Browne made a motion; seconded by Mr. Cook to adjourn the meeting.

All in Favor - YES

Meeting adjourned 7:56 p.m.

Respectfully Submitted,

Jayne Kapner  
Planning Board Secretary