MINUTES OF THE AUGUST 13, 2015 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: M. Giancarlo, L. Calabria, F. Franco, M. Kates
G. Biener, Z. Horvath, J. Miano

MEMBERS ABSENT: Councilman F. Pizzella, T. Maalouf, E. Lichtstein, J. Traudt

EMPLOYEES PRESENT: Steven Muhlstock, Esq., Acting Board Attorney
Christopher Statile, P.E., Board Engineer
Paul Grygiel, P.P., A.I.C.P., Board Planner
Caitlin Chadwick, Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:32pm.

OPEN TO PUBLIC (for matters not on the Agenda):
Kevin O'Brien of 61 Park View Drive voiced concerns regarding the MLUL's "rules of evidence" pertaining to documents being marked into evidence by members of the public. Mr. O'Brien also had concerns regarding OPRA requests. As no one else wished to speak, the meeting was closed to the public.

MINUTES:
The ***July 28th, 2015*** meeting minutes were approved by the Board.

BILLS:
Invoices from the Board Engineer's office were approved by the Board for payment.

COMPLETENESS REVIEW:
PZ-05-14; JKD Inc; Block 1205, Lots 15 & 16; 30 Lake Drive
Application to Appeal the Administrative Officer's Decision; Site Plan Approval & Supplemental Notice of Approval was deemed complete and scheduled for a public hearing date of September 10, 2015.

PZ-12-15; Kevin Collins; Block 1903, Lot 26; 243 Everdell Avenue
Bulk variance application for fence on a corner lot was deemed complete and scheduled for a public hearing date of September 10, 2015.

PUBLIC HEARINGS:

PZ-10-15; The Barklyle Dog Resort LLC; Block 1210, Lot 9; 548-550 Piermont Avenue
Major Site Plan application with "d" use variance for change of occupancy to operate a dog boarding facility

Counsel for the Applicant – Robert Maloof, Esq.

Acting Board Attorney Muhlstock began by announcing that proper notice was received from the applicant. Board Engineer Statile gave an overview of the application, stating that the subject property is located in the Industrial Zone and is before the Board due to change of use.

Mr. Maloof introduced photographs of the subject property into evidence:

Exhibit A-1: Views of subject building and surrounding property
Exhibit A-2: Views of subject building and neighboring properties
Exhibit A-3: "Proposed Renovation" revision date of July 29, 2015; images of proposed indoor appearance of the facility

The first witness was Jennifer Jeune of 150 Brookside Avenue in River Vale. Ms. Jeune is the principal and sole owner of the business. Ms. Jeune, a licensed dog groomer, stated that she is proposing a high end dog daycare facility which will incorporate boarding and grooming. The facility will consist of a fenced outdoor play area, a reception area where incoming dogs would be evaluated and allowed into the facility, a grooming area, a boarding area and an indoor play/daycare area. Ms. Jeune stated that cleanliness is a top priority and any waste produced by the dogs, whether indoors or outdoors, will be disposed of immediately into a dumpster located on site. Arrangements will be made for regular waste pickup from the dumpster at least once a week, if not more frequently. Ms. Jeune said that in 2014-2015, approximately 850 dog licenses were issued in Hillsdale and approximately 3,000 issued in the Pascack Valley area. As this is the case, and there are no other facilities like this in the area, Ms. Jeune believes there is a need for this use in Hillsdale. Ms. Jeune chose this site for her business because it's in an Industrial rather than Residential zone, which can eliminate concerns of residents becoming irritated from any noise produced from the site. Ms. Jeune said that she believes the surrounding concrete buildings of the Industrial zone should also help to muffle any noise. This will be a standalone building with no other tenants. All dogs will be leashed at all times, except for when they're in the indoor or outdoor play areas. There will be cameras on site for security and monitoring. Dog owners will also have access to live video footage of their dogs while at the facility. Ms. Jeune will have three employees.

Regarding dog urination on the premises, Ms. Jeune explained that the facility will have rubber floors in the indoor play area with heavy duty scrubbers to clean any waste off the floor, multiple times per day. The outdoor play area will have gravel and will also be cleaned regularly with safe, organic, "green" sanitizing products multiple times a day. There will be no storage of gravel on the site. The facility will also have a UV air filtration system which will help keep the air sanitary and odor free. Ms. Jeune plans on making improvements to the exterior of the building as well, however her lease does not currently allow for that, but the owner has agreed to amend the lease if she is granted a use variance. The entrance to the facility will be located at the rear of the lot. There will be ten total parking spots – one handicapped, three for staff members, and the remaining six will be for clients. Ms. Jeune testified that she will offer a pickup service to clients wherein she

will pick up and drop off their dog for them. Therefore, more than six parking spaces for clients should not be necessary. The proposed facility can accommodate 25-30 dogs at a time. In situations where there are one or more dogs boarding overnight, an overnight staff member will stay to monitor the dog(s). In response to the Board members' concerns regarding noise (dogs barking), Ms. Jeune stated that dogs are usually quiet when they are engaged in activities and not left by themselves. The dogs at this facility will not be alone and unengaged, and the applicant anticipates them being tired from activities and therefore relatively quiet.

Mr. Maloof stated that the applicant will comply with any and all Board of Health requirements. Ms. Jeune said that she plans on having some light retail available on site to her clientele, but only products pertaining to the use of her business. The Board members expressed concern over the gravel in the outdoor play area, and what type of "green" cleaning products would be used. Ms. Biener asked if she foresees needing additional staff members. Ms. Jeune responded that based on her current client basis, she doesn't need more than three staff members, however if her client basis expanded she may need one to two additional staff members. Mr. Horvath asked Ms. Jeune what the procedure would be if any animals became ill at her facility. Ms. Jeune stated that she has many vet contacts from working as a veterinary technician at Oradell Animal Hospital, including Dr. Fisher of Hillsdale Animal Hospital, and if any of the dogs became ill, she would contact Dr. Fisher or another vet.

Board Planner Grygiel asked Ms. Jeune if she had any limitations on the number of dogs in the outside play area at any given time. Board Engineer Statile stated that Ms. Jeune's parking plan is sufficient given the fact that on-street parking also exists. He also stated that the nearest residential building is 400 feet away and Barklyle's neighbors would be Waste Management and Trivali Landscaping, so he does not foresee noise emanating from her property when considering the surrounding buildings' uses and noise generators. Mr. Statile did, however, have concerns regarding what material would be used in the outdoor play area and asked if she could put anything beneath the green carpeting material, such as a liner with stone over it. Mr. Statile also recommended additional trees be planted along the street frontage.

Acting Board Attorney Muhlstock had concerns regarding the light retail aspect Ms. Jeune plans on incorporating, specifically concerned that this would become a destination for people looking to purchase pet supplies. Mr. Maloof stated that it will be a very small retail area and Ms. Jeune will not be marketing for that type of clientele, she will be marketing for grooming and boarding.

The meeting was then opened to the public. Ed Alter of 24 King Court expressed concerns regarding drainage of the site. Kevin O'Brien voiced concerns about noise emanating from the outdoor play area. Ms. Jeune stated that she will make any changes to the outdoor area that would be necessary to accommodate issues with draining; and expressed that if any dog becomes a nuisance, it will be removed from the outdoor play area and taken for a walk with a staff member. Unlike the River Vale dog kennel that has pens outside for each individual dog to stay alone, this will be more of dog park play area where dogs will engage with each other and play. Any noise will be as a result of the dogs being happy, and will be minimal. The meeting was closed to the public.

The second witness was Mike Dutra, owner of the property. Mr. Dutra confirmed that he owns this property under a corporate name. He also informed the Board that with four weeks, he received lease inquiries from five different dog businesses. Mr. Dutra also confirmed that the site is currently empty. Mr. Dutra stated that the building is only one story and therefore does not require a sprinkler system. However, the Fire Official of Westwood told Mr. Dutra that if a dog use variance were granted for the site, he would need to do another walk-through. Mr. Statile asked Mr. Dutra what the building is composed of and Mr. Dutra responded concrete block walls. The meeting was opened to the public. The meeting was closed to the public.

The third witness was Robert Adamo, a licensed NJ architect. Mr. Adamo reviewed the proposed floor plan as well as the layout of various areas of the building. Mr Adamo also described the proposed signage, stating that the applicant seeks to apply letters to the stone veneer front of the building that spell out "Barklyle." There would also be etching on the back door containing the business name, in an area of approximately 2 square feet. The remaining exterior walls of the building would be painted.

The fourth and final witness was professional planner and architect, Arthur Michels. Mr. Michels went over all the various planning aspects of the application.

The meeting was opened to the public. Marisa Cefali of 6 Manson Place commented that she's happy to see an applicant putting a business in the Industrial Area where it belongs and stated that she has no objections to this application. Mr. O'Brien had questions and concerns regarding the Master Plan and beneficial use. The meeting was closed to the public.

Mr. Statile stated that this site is in the geographic center of the industrial zone and in that zone, the planning goal is to eliminate as much outdoor industrial use as possible, and stated that this use serves the local community more than other industrial uses do. Mr. Statile opined that 20 dogs in the outdoor play area at one time is too many and creates a dangerous situation for everyone. He recommended having five dogs out at a time, on a rotational basis.

The Board decided on conditions of approval:

- the amount of dogs in the outdoor play area at any given time will be no more than five
- the amount of dogs being boarded in the facility at any given time will be no more than twenty
- retail sales will not be advertised on the company's website
- there will be a private contract for waste pickup
- the outdoor play area will have an 8 foot fence
- the interior of the building will have soundproofing insulation
- the application will be subject to approval from the Fire Dept., Police Dept., Board of Health and other department.

Ms. Kates made a motion to approve this application with the above listed conditions. Mr. Horvath seconded the motion. The Board was polled and as all voting members were in favor, the motion passed and the application was approved with conditions.

PZ-08-12; Jeanne Marie Gardens, LLC; Block 1212, Lots 15 & 16; Esplanade & Patterson St.
Major subdivision & site plan with Use Variance application for new 49 multi-family housing complex in Industrial Zone

Counsel for the Applicant – Ira Weiner, Esq.

Mr. Weiner began by informing the Board that the test pits performed showed that the proposed drainage plan will not work and must be redesigned. Mr. Weiner also referenced his August 5, 2015 letter to Board Attorney Ms. Nabbie wherein he requested bifurcation of the pending application. During this discussion, a member of the public, Kevin O'Brien, attempted to object to the proceeding of the public hearing and made frequent interruptions; he was called to order by Chairman Giancarlo, as this portion of the public hearing was not yet opened to the public (when the application was opened to the public, Mr. O'Brien had left the proceedings). Mr. Weiner explained that he is still requesting bifurcation, to have the Board vote on the use variance separately from the site plan. He reminded the Board that in the event they grant the applicant bifurcation, he will still need to prove negative criteria when he returns for the public hearings. He said that the site plan would not change markedly, and that the applicant would provide any documents requested by the Board for the use variance request. If the Board denies the applicant bifurcation, it will need to provide reasons for denial. Mr. Muhlstock agreed with Mr. Weiner's statements.

Acting Board Attorney Mr. Muhlstock explained bifurcation to the Board and offered his professional guidance, as did the Board Planner and Board Engineer.

Vice Chairwoman Calabria made a motion to allow the applicant to bifurcate the application. Chairman Giancarlo seconded the motion. The Board was polled. As three members were in favor of the motion and four members were against the motion, the motion failed. The motion failed and the application will not be bifurcated.

The existing use and site plan application was carried to September 29th and the public will not receive further notice.

The meeting was adjourned at 12:30 A.M.

Respectfully submitted,

Caitlin Chadwick
Deputy Secretary