

MINUTES OF THE AUGUST 26, 2014 PLANNING BOARD  
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: E. Alter, E. Lichtstein, M. Kates, M. Giancarlo, L. Calabria,  
J. Miano, F. Franco, J. Traudt, Z. Horvath, Councilman T. Kelley  
Mayor M. Arnowitz

MEMBERS ABSENT: None

EMPLOYEES PRESENT: Nylema Nabbie, Esq., Board Attorney  
Christopher Statile, P.E., Board Engineer  
Caitlin Chadwick, Acting Deputy Secretary

Chairwoman Calabria called the meeting to order at 7:39 pm with a reading of the Open Public Meetings Statement.

OPEN TO PUBLIC (for matters not on the Agenda):

As no one wished to speak, the meeting was closed to the public.

MINUTES:

The **August 13, 2014** meeting minutes were approved by the Board.

BILLS:

Invoices No. 417.005, 417.006, and 417.007 from C.P. Statile, P.A. were approved by the Board for payment.

RESOLUTIONS:

***PZ-04-14; Kevin & Janine Tedesco; Block 1516, Lot 3; 23 Oakland Street; Variances for front-yard setbacks & FAR for 2<sup>nd</sup> story addition*** was approved by the Board.

COMPLETENESS REVIEWS:

***PZ-11-14; Bergen TDC1, LLC; Tide Dry Cleaners; Block 1306, Lots 1 & 11; 2 & 16 Broadway Preliminary & final major site plan application with conditional use & bulk variances for new dry cleaners*** was deemed complete and scheduled for a public hearing on November 4, 2014.

***PZ-07-14; William Doody; Block 1208, Lot 2; 74 Prospect Place***

***Major site plan application with variances for change of use for subleasing & landscape vehicle parking*** was deemed complete and scheduled for a public hearing on November 4, 2014.

***PZ-08-14; William Doody; Block 1208, Lot 3; 539 Piermont Ave.***

***Major site plan application with variances for change of use for landscape material storage and vehicle parking*** was deemed complete and scheduled for a public hearing on November 4, 2014.

At this time, the Board realized that Walsky, represented by Mr. Ira Weiner of Beattie Padovano, is the only applicant scheduled to appear before the Board on the September 10, 2014 hearing. As Walsky had requested adjournment several times in the past, the Board discussed how they can make good use of the September 10 meeting in the event that the applicant requests adjournment again. Mr. Statile asked Mr.

Lamb, who is a colleague of Mr. Weiner's at Beattie Padovano, if he could reach out to Mr. Weiner and find out if his client plans on requesting adjournment again for September 10. As Mr. Weiner was unable to be reached at that time, Mr. Lamb advised that the Board could expect an answer regarding this issue the following day. In an effort to move some of the older applications forward, Chairwoman Calabria suggested that if Walsky requests adjournment on September 10, that the Board hear Gassib on that date. However, if Walsky does not request adjournment, the Board will hear Gassib and the Paterno informal on their originally scheduled date of October 28, 2014.

**PUBLIC HEARINGS:**

***PZ-23-11; Donald Oriolo; Block 2004, Lots 2 & 11; 23 Ruckman Road  
Minor Subdivision Approval; Request to extend the 190-day filing period***

Donald Oriolo, 23 Ruckman Road, Hillsdale, was sworn in before the Board. He was not represented by legal counsel.

A draft resolution was presented to the Board for review and was approved. This resolution extends the filing period to 12/31/2014, wherein the plat filing period will terminate.

Mr. Oriolo handed the mylar drawing to Board Engineer Statile for review and approval. After his signature is affixed to it, it will be signed by the Board.

***PZ-02-14; Andrew & Noreen Cohen; Block 202, Lot 9; 56 Royal Park Terrace  
Questioning the need for additional drainage/grading in connection with proposed in-ground pool***

Andrew and Noreen Cohen, 56 Royal Park Terrace, Hillsdale, were sworn in before the Board. Mr. & Mrs. Cohen informed the Board that they are unsatisfied with Mr. Statile's recommendations and suggestions regarding their property. To resolve this issue, Mr. Statile suggested that he, the Cohens, and the Cohen's engineer Tom Skrable all meet again on site to discuss how to proceed.

Mr. Statile further explained that this matter could have been resolved through communication with Tom Skrable and did not necessarily need to be brought before the Board.

***PZ-07-13; Caliber Builders; Block 506, Lot 1; Golden Orchards  
Final Site Plan Approval for construction of age-restricted, single-family dwellings;  
Continuation of July 24, 2014 Special Public Hearing***

Counsel for the Applicant – Siobhan Spillane Bailey, Esq.

Counsel for the Northgate Condominium Association Opposition – John Lamb, Esq.

Mr. Lamb brought to the Board's attention various "housekeeping issues" he had regarding this application i.e. why the May 27, 2014 meeting was cancelled at the last minute and his previous requests to have Mr. Darmofalski appear before the Board as a witness. Ms. Bailey suggested that these items could be discussed at a public hearing where there is a lighter testimony schedule, or that this issue be further discussed at the end of the hearing.

Ms. Bailey called her first witness, Mr. Ronald D. Boyer, P.E., of Langan Engineering, 619 River Drive, Elmwood Park, NJ who was sworn in to testify as an expert in geotechnical engineering. He is a licensed engineer in N.J. and N.Y. who specializes in geotechnical investigations, geotechnical design, and oversight of same.

Several documents were marked. They are as follows:

**Exhibit A-5:** NJDEP letter

**Exhibit A-6:** Mr. Boyer's resume

**Exhibit A-7:** Resolution of Caliber Builders' Preliminary Site Plan Approval

Mr. Boyer stated that he was first contacted by Caliber Builders after they were granted Preliminary Site Plan approval for the construction of 38 total units, 31 of which would be located in Hillsdale, six which would straddle the border of Hillsdale and Washington Township, and one which would be located solely in Washington Township.

Mr. Boyer confirmed that he received and reviewed the resolution approving this project. He also understood that the stormwater management system designed by Mr. Zepponi, a civil engineer from ENTEC was deemed feasible by the Board under the Preliminary Approval.

Two conditions of the resolution were pertinent to Mr. Boyer's role: **Condition D**, which required the soil test pits be conducted during high water periods, and **Condition P** which required a 3<sup>rd</sup> party geotechnical engineer to review soil test pits conducted above. Mr. Boyer stated that he was retained by the applicant as the 3<sup>rd</sup> party geotechnical engineer and accepted by the Board Engineer. He was also present on March 14, 2014 to observe all test pits. In addition, the observation of the test pits was conducted by Stewart Weinberger (Caliber Builders Applicant), Board Engineer Statile, Alex Zepponi of ENTEC, and another civil engineer from Langan Engineering.

At this point in time, additional documents were marked that had been previously provided to the Board:

**Exhibit A-8:** Test Pit Location Plan

**Exhibit A-9:** Langan Engineering Soil Test Pit Investigation Report

Mr. Boyer explained to the Board that he prepared the post soils report which contains test pit logs for all **25 test pit locations**, test pit photos, lab test results, and a copy of the resolution conditions D & P. The test pit logs include information regarding depth of the test pits, soil profile classifications, and additional notes regarding groundwater and/or seepage. Mr. Boyer further explained to the Board that there are three main detention basin structures/systems, B, C, and D. He gave an overview of the findings of the test pits located in those detention systems. Test pit 23 (located in detention system B), test pit 24 (located in detention system C), and test pit 25 (located in detention system D) all showed no evidence of groundwater modeling. Mr. Boyer explained the results of several additional test pits, confirming that they also showed no evidence of groundwater mottling (soil discolorations). However, five of the 25 test pits noted some seepage in the sides of the test pits which he dismissed as surface runoff from the snow melt working its way downward through the soil. In the remaining 20 test pits, no seepage was noted.

Mr. Boyer confirmed that for detention systems B, C and D, the depth of the test pits was determined based on the design elevations shown on the approved design drawings and were taken to a depth two ft. below those design elevations. The lab tests show the depth that the soil was extracted from, not the depths of the test pits. Mr. Statile confirmed for the Board and public that he accepted the depths all the test pits, and in some cases required them to be dug deeper. It was further confirmed for the Board and public that the stormwater management system was found feasible by the Board and was also approved by NJDEP under the Preliminary Approval. It was established that Mr. Boyer did not design the stormwater management system; Mr. Zepponi of ENTEC did.

Mr. Boyer verified for the Board that the test pits were conducted on March 6, 2014, which falls within the seasonal high water period of January – April. Mr. Boyer confirmed that mottling is a visual observation for seasonal high groundwater.

At this time, the meeting was opened to the public. Several residents from Hillsdale and Washington Township came forward to express their concerns regarding drainage. They were: Catherine Eastman of 25 Braeburn Drive, Washington Township; Theresa Pendergast of 281 Ell Road, Hillsdale; Chris Kessel of 39 Braeburn Drive, Washington Township; Kim and Janice Hogrefe of 746 Pascack Road, Washington Township; Ed Brereton of 48 Forsgate Court, Washington Township; and Simone Wilker of 49 Forsgate Court, Washington Township.

Many of the questions raised by the individuals listed above pertained to the design of the drainage system which was previously approved. Mr. Boyer did not design the drainage system, thus limited in his responses. Ms. Bailey stated that she and her client do not intend on providing the Board and public with another expert to testify on stormwater management.

Chairwoman Calabria announced that Caliber Builders will continue the application hearings at the Board's September 23, 2014 meeting, which will begin at **7:00pm** instead of 7:30pm. The Deputy Secretary confirmed that she will notify two newspapers of the meeting time change, as required. In addition, adequate notice will be provided on the Borough website as well as in the municipal hall, at least 48 hours in advance of the meeting. The November 25, 2014 meeting was also tentatively assigned to Caliber Builders to continue the application hearings. The December 16, 2014 was tentatively assigned to discuss miscellaneous items.

The meeting was adjourned at 10:38 pm.

Respectfully submitted,

Caitlin Chadwick  
Acting Deputy Secretary