

MINUTES OF THE JUNE 28, 2016 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: J. Miano, F. Franco, Z. Horvath, G. Biener, Chairman M. Giancarlo

MEMBERS ABSENT: E. Lichtstein, M. Kates, Councilman F. Pizzella, Mayor D. Frank,
Vice Chairwoman Calabria

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney
C. Statile, P.E., Board Engineer
C. Chadwick, Deputy Board Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:30pm.

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

Kurt Wolckenhauer of 19 Hopkins Street, Hillsdale, had general questions regarding stormwater management on site plan applications. These were answered by Board Engineer Statile.

OATH OF OFFICE:

Ed Alter was sworn in as an Alternate #1 Planning Board member.

MEETING MINUTES:

The *June 9, 2016 Meeting Minutes* were approved by the Board.

INVOICES:

Invoices from *C.P. Statile, P.A.* were approved by the Board for payment.

RESOLUTION:

***PZ-11-15; John C. Paterno; Block 1205, Lot 8; 279 Broadway
Major Site Plan with Use Variance Application for Multi-Family Housing***

Board Attorney Nabbie announced that the resolution would be amended, specifically the language regarding affordable housing units. Ms. Nabbie read an email correspondence she had exchanged with Acting Board Planner Preiss regarding same. The Board would vote on this resolution later in the evening.

BOARD BUSINESS:

Chairman Giancarlo asked Mr. Statile to prepare the Board's finalized list of suggestions to the Mayor and Council for the August 9, 2016 Council meeting. Chairman Giancarlo stated that he plans on attending the meeting with Mr. Statile and Dr. Lichtstein depending on their availability.

PUBLIC HEARING:

***PZ-02-16; Nirmal Bavalia; Block 104, Lot 11; 20 Melville Road
FAR 'd' and Bulk Variance Application for Addition to Single-Family Dwelling***

The applicant's architect, Wayne Guskind of 26 Central Avenue, Hillsdale, was sworn in before the Board. Mr. Guskind explained to the Board the nature of the application as well as the variances being sought, stating that an addition is proposed which would all be located at the rear of the home. Mr. Guskind reviewed which rooms of the home would be expanded, as well as all aspects of the proposed addition.

The applicant, Mr. Nirmal Bavalia of 20 Melville Road, Hillsdale, was also sworn in before the Board and testified to his need for the use variance. Mr. Bavalia explained to the Board that the reason for the addition is to have his ill mother move in and live with him and his family. Furthermore, the mudroom is proposed in order to leave dirty shoes at the front door.

Board Engineer Statile was sworn in and asked Mr. Guskind to explain why the Board should consider granting the FAR variance and asked if the lot is substandard. Mr. Guskind stated yes, the lot is undersized, however the house is large despite the undersized lot. At this time, the meeting was opened to the public. As no one wished to speak, the meeting was closed to the public.

Ms. Nabbie announced that the applicant was missing two receipts of his certified mail and this application would need to be carried. Mr. Bavalia consented to waive the time frame for the Board to act until July 14, 2016 and Ms. Nabbie announced that the application is hereby carried to July 14, 2016 at 7:30pm and no further notice will be given.

In anticipation of the next application, Mr. Horvath recused himself.

***PZ-03-16; Tiger's Claw Martial Arts; Block 1207, Lot 8; 49 Prospect Place
Use 'd' Variance for Change of Occupancy in the Industrial Zone***

The applicant, Maureen MacDougal of 319 Knickerbocker Avenue, Hillsdale, was sworn in before the Board. Ms. MacDougal explained that her business has been at its current location since 1999 and is now being affected by the PSE&G Substation project which is the reason for the move to 49 Prospect Place.

Board Engineer Statile confirmed that the building at 49 Prospect Place has been there since 1973. Mr. Statile suggested that on future applications of this nature, the Board should ask landlords to make site improvements to the property prior to new tenants moving in. Board members then had the opportunity to ask questions and make comments. Mr. Alter stated that he likes the new location for Tiger's Claw and believes it will be better suited to the business than the current location. Mr. Alter also asked how the use was permitted at Knickerbocker. Mr. Statile stated that Dr. Lichtstein asked the same question and the Hillsdale Zoning Official, Mr. Suljic, is investigating it. The rest of the Board members agreed with Mr. Alter that the new location is a better fit for Tiger's Claw; Mr. Franco asked if the new location offers the same amount of space as the current location and Ms. MacDougal confirmed it actually offers more space.

At this time the meeting was opened to the public. As no one wished to speak, the meeting was closed to the public. Ms. Nabbie announced as a reminder that since this application is a use variance, it requires five affirmative votes. Mr. Alter made a motion to approve this application and his motion was seconded by Mr. Franco. The Board was polled. Ms. Miano, Mr. Franco, Mr. Alter, Ms. Biener, and Chairman Giancarlo all voted in favor of the motion to approve. Mr. Alter explained his reasoning for voting in favor of the motion to approve is because he believes the applicant meets all the positive and negative criteria for a use variance and the new location is better suited for the business. Ms. Biener, Ms. Miano, Mr. Franco, and Chairman Giancarlo agreed. The application was approved.

***PZ-13-15; The Nolan Partnership; Block 1523, Lot 3; 262-270 Broadway
Use Variance for Rental Apartments in the Commercial District***

Ms. Nabbie announced that Counsel for this application, Mr. Robert Mancinelli, had a medical emergency and therefore requested the application be carried; Mr. Mancinelli waived the time frame for the Board to act. Ms. Nabbie announced that the application will be carried to July 26, 2016 at 7:30pm in these chambers and no further notice will be given.

RESOLUTION:

PZ-11-15; John C. Paterno; Block 1205, Lot 8; 279 Broadway

Major Site Plan with 'd' Use Variance Application for Multi-Family Housing in the Commercial District

At this time, Mr. Horvath made a motion to approve the resolution with revisions made by Board Attorney Nabbie regarding affordable housing units based on her discussion with Mr. Preiss. Mr. Franco seconded the motion. The Board was polled. Ms. Miano, Mr. Franco, Mr. Horvath, and Chairman Giancarlo all voted in favor of the motion to approve the resolution. The resolution was approved. Ms. Nabbie will recirculate the revised resolution in advance of the next Planning Board meeting and the appropriate Board members will sign the resolution at that time.

The meeting was adjourned at 8:45pm.

Respectfully submitted,

Caitlin Chadwick
Deputy Secretary