

MINUTES OF THE MARCH 22, 2016 PLANNING BOARD MEETING  
BOROUGH HALL, BOROUGH OF HILLSDALE

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

MEMBERS ABSENT: Councilman F. Pizzella, Mayor D. Frank, Vice Chairwoman Calabria

EMPLOYEES PRESENT: Nylema Nabbie, Esq., Board Attorney  
Lisa S. Neyman, P.E., Acting Board Engineer  
Paul Grygiel, P.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 7:35pm.

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

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

MINUTES:

*March 10, 2016 Meeting Minutes* were not voted on and will be voted on at the following regularly scheduled meeting.

INVOICES:

*CP Statile, PA Invoices* were approved by the Board for payment.

*Gittleman, Muhlstock & Chencaskie* invoices were approved by the Board for payment.

*Phillips, Preiss, Grygiel* invoices were approved by the Board for payment.

DISCUSSION:

*PZ-23-11; Donald Oriolo; Block 2004, Lots 2 & 11; 23 Ruckman Avenue* was postponed until the March 28, 2016 special meeting.

PUBLIC HEARINGS:

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

*Major Site Plan with Use Variances Application for Multi-Family Housing in Commercial Zone*

William Strasser, Esq. – Counsel for Applicant

Mr. Strasser began by explaining that this application is for a major site plan with bulk variances, including a height variance and a use variance. The applicant is proposing a residential apartment complex located in the commercial zone, which will consist of 15 apartment units in total - twelve two-bedroom units and three one-bedroom units. The roof of the proposed complex is five feet higher than the Borough's ordinance allows. The property is currently vacant.

Mr. Strasser's first witness was Mr. Paterno, owner of the property. Mr. Paterno was sworn in to testify. Mr. Paterno stated that he has owned the vacant land for 33 years and is proposing a fifteen unit apartment complex. He then gave an overview of the specific details of the property including the amount of frontage it possesses as well as its location to nearby Colonial Village. Mr. Paterno informed the Board that he has already received

Bergen County Planning Board approval and made revisions to the plan, as they requested. Those revisions included increased size of curb cuts and garbage containers relocated closer to the apartment complex. Documents were then marked into evidence:

Exhibit A-1: Site Plan last revised 2/1/2016

Exhibit A-2: Colorized rendering of proposed apartment complex

Board Planner Grygiel asked Mr. Paterno what he previously proposed at his past two informal hearings before the Planning Board and Mr. Paterno responded, stating that he proposed 17 units at his first informal hearing; at the second hearing he proposed two different plan options – one with 18 units and another with 16 units. Acting Board Engineer Neyman asked Mr. Paterno about on-site storm water management.

The meeting was then opened to Board members for questioning of the witness and Mr. Franco asked Mr. Paterno about location of traffic ingress and egress. Mr. Paterno responded all traffic ingress and egress will occur via one point of access located on Broadway; the entrance and exit driveway will be 25.6 feet wide at the curb cut. Dr. Lichtstein asked if prospective residents of the apartment complex will lease or own the units and Mr. Paterno confirmed that residents will own the units. Mr. Horvath asked if the applicant has submitted the application and plans to all the necessary Borough departments; Mr. Paterno and Mr. Strasser both confirmed this task had been completed. It was also confirmed that the only department which responded with comments was the fire department and Board Engineer Statile will address the minor comments with the Board at the next hearing. Ms. Kates asked if Mr. Paterno ever had commercial interest in the property and he responded that at one time he considered installing a car wash but decided against it because of the traffic issues associated with it and the likelihood of it being a more difficult project to get approved. Board Attorney Nabbie asked if there will be an affordable housing set aside and Mr. Paterno responded that he is installing a handicapped accessible unit and has not yet addressed affordable housing set aside or specific percentage for it but is willing to consider.

The meeting was then opened to the public. Peter Morrow of 97 Winthrop, Beth Morrow of 97 Winthrop and Eric Sebian of 220 Knickerbocker Avenue had questions for Mr. Paterno regarding stormwater management and the time frame for the project. As no one else wished to speak, the meeting was closed to the public.

Mr. Strasser's second witness was Mr. Perry Frenzel, P.E. who was sworn in as an expert in civil engineering. Mr. Frenzel explained the details and specifics of the application in relation to the proposed setback measurements versus setback measurements allowed via Borough ordinance, and explained the nature of the variances being sought. He also explained stormwater management in general as well as the applicant's own proposed plan for stormwater management on site, stating that all water from the site will be channeled into seepage pit(s). Mr. Frenzel confirmed he does not foresee the residents of Knickerbocker Ave being adversely affected from the proposed apartment complex and also explained why. Mr. Frenzel addressed and described the proposed lighting for the site, stating that the spread of light will be minimal. Next, proposed traffic ingress and egress was discussed and it was confirmed that the line of sight is acceptable with absolutely no obstructions. Landscape buffers were discussed and the buffers will consist mostly of evergreen trees and other rapidly growing species. Signage was discussed and Mr. Frenzel confirmed that only one sign is proposed which will be located near the entrance, measuring four feet high from the ground, and will read "private parking residents only."

At this time, Board Planner Grygiel and Acting Board Engineer Neyman were sworn in. Mr. Grygiel asked if building mounted lighting is proposed and Mr. Frenzel referred to the architect on that question. Mr. Frenzel confirmed no identification signs are proposed. Ms. Neyman asked about the storm filter as it's shown in line but the NJDEP required it to be offset. Mr. Frenzel stated that there has been an amendment and if the NJDEP does not approve, he will comply via an alternative. Mr. Franco asked how close the ingress/egress driveway is to the road and if drivers can make both left and right turns during entering and exiting the property. Mr. Frenzel replied the driveway is about 20 feet from the road and there are no restrictions for turns made during entrance or exiting the property; there are no visual obstructions. Ms. Calabria asked about a typo in Mr. Statile's report and Mr. Frenzel confirmed that item number three, 2144, was a typo. Ms. Miano asked about the proposed monument type sign indicated on the drawing and Mr. Frenzel replied that it refers to a survey monument which marks the property. Ms. Miano also asked if each unit is assigned their own garage and Mr. Frenzel referred to the architect.

Dr. Lichtstein asked if the sanitary sewer will go to Broadway; Mr. Frenzel responded in the affirmative. Existing grade is 97 and will be raised to 99. Mr. Frenzel says it's an acceptable percentage by NJDEP requirements and Ms. Neyman confirmed this to be accurate. Mr. Horvath asked if there will be a stop sign at the entrance and Mr. Frenzel confirmed there will be a stop bar painted at the requirement of Bergen County; there is no marked crosswalk there currently. Ms. Kates asked if test pits were witnessed and Mr. Strasser, Mr. Frenzel and Ms. Neyman all confirmed that Board Engineer Statile was present for the test pits. Mr. Paterno stated the Environmental Commission requested additional indigenous trees be planted and he chose evergreens because they grow quickly and offer year round landscape buffering. Ms. Kates also asked about the retaining wall and seepage pit location on the property; Mr. Frenzel stated that seepage pits are more effective when dispersed throughout the property. Mr. Paterno confirmed that the temporary topsoil stock pile will be silt fenced as required by the Bergen County Soil Conservation District.

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

In respect to the southern portion of the apartment complex where the height is 35 feet, Mr. Franco asked if Mr. Paterno could eliminate the two windows from the unit to mitigate the height and Mr. Paterno explained to Mr. Franco that egress windows are required for fire safety. Removing the windows would also make the units significantly less marketable. Chairman Giancarlo asked if there are any HVAC mechanicals proposed in the top floor of the complex and Mr. Paterno responded that if the height variance is granted for 35 feet, there will be air conditioning units located in the attic of the complex.

The third witness, Mr. Thomas Ashbahian, was sworn in as an architectural expert. Documents were then marked into evidence as follows:

Exhibit A-3: Drawing "A-1"

Exhibit A-4: Drawing "A2"

Mr. Ashbahian spoke about the architectural drawings, the garages, and related topics. Mr. Ashbahian stated that the height perception will be lessened from Broadway and that a sloped, shingled roof is more desirable in terms of aesthetics and maintenance. With a sloped roof, the air conditioning units would be similar to what residents would have in their own homes. Regarding lighting, cutoff lighting could be achieved; in other words, the lighting would be entirely invisible to residents to the south of the property. Mr. Ashbahian then reviewed the area of the two bedroom units as well as that of the one bedroom units. Regarding windows, all bedrooms are required to have egress windows per fire code; the walk in closets and utility rooms will not have windows; kitchens may or may not contain windows. Mr. Ashbahian assured Mr. Franco that windows will be 80 feet away from any neighbors.

At this time, Chairman Giancarlo informed Mr. Strasser that the Board won't have enough time to hear the Professional Planner's testimony during this hearing; the Planner left the chambers. Mr. Ashbahian stated that the rendering is substantial to what the Board should expect to see, but the applicant is ready to accommodate the Board with aesthetics. Mr. Grygiel asked if the rear of the building has a flush facade and Mr. Ashbahian responded yes, one side and the rear elevation are flush, however the rear elevation will be heavily broken up with brick work. Mr. Grygiel recommended different colored brick, and Mr. Ashbahian stated that they will accommodate the Board and may propose a brick strip; Dr. Lichtstein stated the cantilever is a nice feature. Mr. Grygiel asked if the ramp is shown on the site plan and whether or not it is internal or external; Mr. Ashbahian stated external. Lighting at the courtyard and garages was also discussed. Garage lighting will be at each entry, right above the door and downcast.

Mr. Paterno said that he currently resides at a 12 lot subdivision in Montvale which he developed/built in the 1990's, and explained that this proposed subdivision will be similar to it if any of the Board members are interested in obtaining an improved visual understanding of what's being proposed.

Acting Board Engineer Ms. Neyman asked if the HVAC units will produce significant noise and Mr. Paterno responded they will low on the lowest possible speed setting and therefore will be very quiet. Dr. Lichtstein asked if the garage stalls themselves are separated and it was confirmed they are not. Some garage units will have space for two vehicles, others space for three or four vehicles. Vice Chairwoman Calabria asked if the southern portion has fascade lighting and it was confirmed it does not. Ms. Kates asked if there are any common areas and Mr. Paterno confirmed there are not. Ms. Kates also had aesthetic concerns. Mr. Horvath asked if there is a carbon monoxide detection system in the garages and Mr. Paterno responded carbon monoxide detectors are not permitted in the garages but there will be heat detectors. In front of the garages, no parking, tow away zone signs will be posted. Mr. Horvath also asked if the parking area will be macadam and Mr. Paterno responded yes; Mr. Horvath recommended he consider adding brick work and Mr. Paterno stated that from experience brick poses a problem with snow plowing. Dr. Lichtstein asked about sprinkler systems for fire safety and Mr. Paterno confirmed there will be sprinkler system in every unit.

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

Mr. Strasser confirmed that the applicant waives/extends the time frame for the Board to act until April 26<sup>th</sup>, 2016. Ms. Nabbie announced that this application is being carried to April 26<sup>th</sup>, 2016 at 7:30pm in these chambers and no further notice will be given.

The meeting was adjourned at 9:45pm.

Respectfully submitted,

Caitlin Chadwick  
Deputy Secretary