

MINUTES OF THE MAY 24, 2016 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: E. Lichtstein, J. Miano, F. Franco, M. Kates, Z. Horvath, G. Biener
Vice Chairwoman Calabria, Chairman M. Giancarlo, Mayor D. Frank

MEMBERS ABSENT: Councilman F. Pizzella

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney
C. Statile, P.E., Board Engineer
P. Grygiel, P.P., Board Planner
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):
As no one wished to speak, the meeting was closed to the public.

MEETING MINUTES:
The *April 14, 2016 Minutes* were approved by the Board.

The *April 26, 2016 Minutes* were approved by the Board. Vice Chairwoman Calabria confirmed that there are six Waste Management transfer stations in Bergen County, not in the State, as she previously stated on the record.

The *May 9, 2016* were approved by the Board.

INVOICES:
Invoices from *Phillips, Preiss, Grygiel* were approved by the Board for payment.

COMPLETENESS REVIEW:
PZ-02-16; Nirmal Bavalia; Block 104, Lot 11; 20 Melville Road, Bulk and Use Variance (F.A.R.) Application for addition and new deck was deemed complete and scheduled for a public hearing date of June 28, 2016.

PZ-03-16; Tiger's Claw Martial Arts; Block 1207, Lot 8; 49 Prospect Place, Use Variance Application for Change of Occupancy was deemed complete and scheduled for a public hearing date of June 28, 2016.

PZ-04-16; James & Amy Babcock; Block 2002, Lot 13; 1 Rawson Court, Bulk Variance (Rear Yard Setback) Application for new deck was deemed complete and scheduled for a public hearing date of July 14, 2016.

PZ-01-16; Joseph & Sia Carney; Block 501, Lot 17; 20 Appletree Lane, Bulk Variance Application for Porch was previously deemed complete by the Board, was scheduled for a public hearing date of July 14, 2016.

PRESENTATION:

ABCs of Planning and Zoning

Board Attorney Nabbie reviewed all the different types of variances as well as what is and isn't within the Board's jurisdiction. Ms. Nabbie also reminded the Board that the focus should be strictly on zoning and statements relating to other topics should be avoided. Ms. Nabbie also spoke about conflicts of interest, the Board's time frame to act, and the length of time which the public is permitted to speak during open session.

DISCUSSION:

At this time, Mayor Frank announced that the Borough will be getting a new sound system on or around June 15, 2016. Mayor Frank then left the chambers.

The PSE&G Substation Phase III site plan subcommittee will meet on June 9, 2016 at 6:30pm.

As Board Planner Grygiel was not yet present at the meeting, Vice Chairwoman Calabria made a motion to adjourn the meeting until Mr. Grygiel arrives. This motion was seconded by Chairman Giancarlo and the meeting was adjourned at 8:11pm.

After several minutes, the Board returned and continued the meeting.

PUBLIC HEARINGS:

***PZ-13-15; The Nolan Partnership; Block 1523, Lot 3; 262-270 Broadway
Use Variance for rental apartments in the commercial district***

Counsel for the Applicant – Robert Mancinelli, Esq.

Ms. Nabbie announced that this application will be carried to June 28, 2016 at 7:30pm in these chambers and no further notice will be given to the public.

RESOLUTION:

***Caliber Builders; Block 506, Lot 1; Golden Orchards
Approval of Final Site Plan application for construction of age-restricted, single-family dwellings***

Counsel for the Applicant – Siobhan Spillane Bailey, Esq.

Counsel for Northgate Condominium Association – John J. Lamb, Esq.

Condition N found on page 24 was discussed, specifically, at what time the required COAH fees will be paid to the Borough and when Caliber Builders may obtain a Certificate of Occupancy. Ms. Bailey requested a re-write of the condition. Mr. Stuart Weinberger was also sworn in to speak.

Mr. Statile was sworn in as a member of the public. Mr. Statile directed the Board's attention to page 28 of the resolution wherein his name was mentioned in association with a recommendation that he not conduct inspections on this site as Borough Engineer. Mr. Statile asked to whom the recommendation was to be made. Chairman Giancarlo stated that he did not want to discuss the topic.

Ms. Kates spoke about the tree fund and Mr. Weinberger confirmed there are two bonds.

Mr. Horvath made a motion to approve the resolution with revisions and Mr. Franco seconded the motion. The Board was polled. Dr. Lichtstein, Mr. Franco, Mr. Horvath, Ms. Beiner, and Chairman Giancarlo all voted in favor of the motion and the motion passed.

PUBLIC HEARINGS:

***PZ-11-15; John C. Paterno; Block 1205, Lot 8; 279 Broadway
Major Site Plan with Variances Application***

Counsel for the Applicant – William Strasser, Esq.

It was confirmed that Mr. Paterno's engineer addressed everything in Mr. Statile's April 28, 2016 review letter when he revised the plans.

Mr. Grygiel and Mr. Statile were sworn in. Mr. Statile requested a 4 ft. decorative fence and that the lamppost on Broadway be installed closer to the crosswalk. Mr. Strasser confirms that applicant will add the decorative fence and move the lamppost. Ms. Kates made several landscaping suggestions on behalf of the Hillsdale Environmental Commission, including the decorative fence and narrow evergreens. Mr. Grygiel spoke about affordable housing set-aside requirements (15% vs. 20%), referencing his March 17th memo, and confirmed that while this application is eligible for rental bonuses, it's not guaranteed because it is based on how the obligation may have already been satisfied by the Borough (i.e. maximum number of units). The Board continued to discuss affordable housing set-aside obligations and/or contributions with Mr. Strasser and Mr. Paterno.

Dr. Lichtstein made a motion to approve the application with two units designated for affordable set-aside and a 0.25% monetary contribution. Mr. Horvath seconded the motion. The Board was polled. All eligible Board members voted in favor of the application and the motion was passed.

The meeting was adjourned at 10:45 pm.

Respectfully submitted,

Caitlin Chadwick
Deputy Secretary