

**MINUTES OF THE APRIL 16, 2019 PLANNING BOARD MEETING  
BOROUGH HALL, BOROUGH OF HILLSDALE**

MEMBERS PRESENT: Mayor J. Ruocco, E. Alter, Councilman Z. Horvath  
F. Franco, M. Kates, S. Riordan, E. Lichtstein, S. Raymond  
Vice Chairwoman Miano, Chairman M. Giancarlo

MEMBERS ABSENT: D. Burlison

EMPLOYEES PRESENT: B. Chewcaskie, Esq., Acting Board Attorney  
C. Statile, P.E., Board Engineer  
C. Chadwick, Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:45pm.

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

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

RESOLUTION:

*Resolution No. 2019-09; Block 1910, Lot 9; David Silver; 100 East Liberty Ave.*

*Bulk "c" Variance Application in connection with a proposed addition to an existing single family dwelling*

Adoption of the resolution was postponed until after the applicant submits revised plans and replenishes the escrow account.

PUBLIC HEARINGS:

*REDEVELOPMENT: The Hillsdale Planning Board will undertake a preliminary investigation to determine whether the following properties qualify as an Area in Need of Redevelopment (without condemnation) pursuant to the New Jersey Local Redevelopment and Housing Law:*

*Block 1207, Lots 8, 9, 10 and 11; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3, 4, 5, and 6; Block 1210, Lots 6, 7, 8, 9, 10 and 11; Block 1211, Lots 1 and 2; and Block 1212, Lot 13.*

*DMR Architects prepared a report titled Preliminary Investigation for Determination of an Area in Need of Redevelopment without Condemnation (the "DMR Report") and will present testimony to the Board in connection with said report*

Francis Reiner reappeared before the Board to continue his presentation. He began by presenting supplemental information, as a result of the comments and concerns brought up at the previous hearing. The supplemental information was marked **Exhibit A-3**. A map was also presented, and was marked **Exhibit A-2**. The violation list containing specific properties was marked **Exhibit A-4**. Mr. Reiner then continued speaking about 49 Prospect Place and there was a discussion regarding parking. 55 Prospect Place was the next presented property, and its prior site plan approval was discussed as well as right-of-way issues. Mr. Reiner stated he could not find a site plan for the property which permitted improvements made in the public right-of-way. However, a

drawing from 1992 for 55 Prospect Place, without a title block, says the site conditions are inconsistent with the site plan, Mr. Reiner stated. This drawing was marked **Exhibit A-5**.

Mr. Reiner explained to the Board that the number of and nature of violations were outlined by him in order to answer questions raised at the last meeting. He further stated 55 Prospect has over 100 violations dating back to 1992. The majority of the last 15 violations have been related to burglary, alarms, fire alarms, auto accident, police, burglary, armed hold-up, etc. Mr. Reiner clarified he is not stating the violations are the owner's fault and they are not true violations, but police reports. However, the construction of improvements within the public right-of-way are in violation of setback requirements. He also clarified properties are being reported based on decriteria. Being in violation of an ordinance does not indicate a property was in violation at the time it was approved. Mr. Reiner further stated he is not tying the violations to the decriteria or to the detriment of the public welfare and safety.

Board Engineer Statile stated he is not aware that an individual cannot back into or out of their driveway in the Industrial Zone, although he is not condoning it. Mr. Reiner referenced Section 310-113 and 210-60 which he stated identifies orderly movement of vehicles, therefore backing up a commercial truck into or out of the public right-of-way is "disorderly." Mr. Statile stated if such an activity is dangerous in nature, the police would enforce it. Mr. Reiner stated that is irrelevant.

67 Prospect Place was discussed next. 73 Prospect Place was discussed and Mr. Reiner stated he believes it does not meet the criteria for redevelopment. There was a discussion regarding the roof leader line wherein Mr. Statile and Mr. Reiner disagreed. Mayor Ruocco asked Mr. Reiner if in his line of work, is it common to have a site plan for a property specify one set of conditions yet during his study find that the site still meets the criteria for redevelopment. Mr. Reiner replied it is not necessary to review the site plan and therefore he would not look at same. Mayor Ruocco asked again if it is common to which Mr. Reiner replied his investigation is based upon the function of the property, and how it is laid out. Mr. Statile and the Board as a whole explained to Mr. Reiner that they are looking for consistency in his reviews of these properties.

560 Piermont Ave, 74 Prospect Place, 539 Piermont Ave, and 115-123 Patterson Street were also discussed. During the analysis/presentation of 115-123 Piermont Ave, there was a discussion regarding stair requirements wherein Mr. Statile and Mr. Reiner disagreed on what the requirements are regarding hand rails and guard rails.

550-554 Piermont Ave. was next and Mr. Reiner stated it was not included as it does not meet the criteria. Dr. Lichtstein stated this property is right in the middle of all the other properties, in the middle of the Industrial Zone. Mr. Statile stated this property is the third worst in terms of usage and feels it is ripe for redevelopment. Mr. Reiner replied that criteria D represents buildings or improvements which, through faulty layout or design, have detrimental impacts which put the health, safety, and welfare of the public at risk. Trash, unregistered vehicles, etc. do not constitute criteria D.

It was confirmed Mr. Reiner will return before the Board again and can discuss properties further after review of the supplemental information. Mr. Statile stated that 550-554 Piermont Ave has three or four storm drains in the back of the property and should be reconsidered for redevelopment;

Mr. Reiner stated he will reconsider it.

538 Piermont Ave. also known as the Waste Management site has several issues from a Criteria D standpoint, Mr. Reiner stated. These issues include the absence of a 10 ft. buffer, parking on side of the building coned off, a roof leader line which comes down adjacent to parking on Piermont Ave which is a faulty design, the wall on Patterson street – the stop sign is inside of the wall which is a faulty design and a detriment to driver safety.

The meeting was then opened to the Board for questions and comments.

77 Brookside was identified as not meeting criteria. Mr. Reiner stated he is hesitant to present this, and may reevaluate it based on comments received from the Board. 145 Patterson Street meets criteria for D. 60 Brookside Place has a faulty design and faulty arrangement. 270 Knickerbocker did not meet the criteria, Mr. Reiner stated. Mr. Statile asked if a property is excluded from the re-development plan but a developer wants to use it, are those properties then included in the new zoning. There was then a discussion regarding same. It was confirmed the governing body will have the final say regarding zoning and could designate the properties in need of rehabilitation which is another process outside of rezoning and applies to infrastructure over 50 years of age. Acting Board Attorney Chewcaskie stated the standards for rehabilitation are much lower than those for redevelopment, and it is essentially a two-step process wherein there is a resolution and no formal hearing. The question was raised if it is appropriate for adjacent properties to be Industrial zoned when the surrounding properties are being redeveloped. It was determined the Board was getting ahead of itself with such questions, and instead returned to discussions only regarding the preliminary redevelopment investigation.

Mayor Ruocco stated there are a number of documents on the Borough's website which address redevelopment, in the event anyone would like to learn more or obtain additional information.

Mr. Chewcaskie announced the hearing on redevelopment is carried to May 9<sup>th</sup>, at 7:30pm in these chambers and the public will not receive additional notice. It was confirmed that any additional investigatory documents will be submitted by Mr. Reiner to the Borough Building Department no later than April 29<sup>th</sup>.

The meeting was adjourned at 10:00pm.

Respectfully submitted,

Caitlin Chadwick  
Deputy Secretary