

MINUTES OF THE APRIL 14, 2016 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE

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

MEMBERS ABSENT: Councilman F. Pizzella, Mayor D. Frank, E. Lichtstein

EMPLOYEES PRESENT: Elliot Urdang, Esq., Acting Board Attorney
Christopher Statile, P.E., Board Engineer
Richard Preiss, P.P., Acting Board Planner
Caitlin Chadwick, Deputy Board Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:38pm.

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

Kevin O'Brien provided his concerns regarding the microphone system and recordings of Planning Board meetings. He also asked about New Jersey affordable housing and Chairman Giancarlo referred him to Counsel. Next, Mr. O'Brien spoke about his concern regarding rules of evidence during the hearings of applications and as Mr. O'Brien began to speak specifically about the "Preserve at Hillsdale" application; Mr. Weiner, Esq. who was in the audience, objected because this portion of the meeting is for matters not listed on the agenda.

Mr. O'Brien also had concerns about procedure for being advised when an application has been adjourned and Chairman Giancarlo explained that he does not communicate with members of the public regarding the Planning Board because he does not want to create a perceived conflict of interest. Vice Chairwoman Calabria asked why attorneys get notified when an application has been adjourned as a professional courtesy, yet interested members of the public do not. Mr. Urdang replied that an attorney has the responsibility to present a case to the Board.

Patricia Kamfor of 28 Esplanade and Marisa Cefali of 6 Manson Place also spoke about their concerns regarding notification that an application has been adjourned, as well as rules of evidence.

MINUTES:

March 10, 2016 Meeting Minutes were approved by the Board.

March 22, 2016 Meeting Minutes were approved by the Board.

March 28, 2016 Meeting Minutes were approved by the Board.

INVOICES:

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

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

DISCUSSION:

Redevelopment

Chairman Giancarlo explained to the Board that the Mayor and Council passed two resolutions at their last meeting regarding redevelopment in Hillsdale. As a result, the Board scheduled a potential re-development presentation for the April 26, 2016 meeting.

PSE&G Substation Site Plan Subcommittee

The PSE&G Subcommittee will meet on May 17, 2016 at 7:00pm, before the regularly scheduled Planning Board meeting. Mr. Horvath volunteered to be an alternate subcommittee member in the event that one of the regular members cannot attend.

Agreement - PZ-23-11; Donald Oriolo; Block 2004, Lots 2 & 11; 23 Ruckman Avenue

It was confirmed that Board Attorney Nabbie advised Mr. Carter that Mr. Oriolo's "sample" letter of credit was acceptable, however, he is still required to submit his letter of credit. Mr. Oriolo confirmed he will submit the completed letter of credit to Ms. Nabbie.

Mr. Horvath made a motion to pass the agreement and Mr. Franco seconded it. The Board was polled: Ms. Miano, Mr. Franco, Ms. Kates, Mr. Horvath, and Ms. Biener voted in favor of the motion. Vice Chairwoman Calabria voted against the motion, and Chairman Giancarlo abstained. The motion was passed.

COMPLETENESS REVIEW:

Block 1523, Lot 3; 262-270 Broadway; The Nolan Partnership

Use Variance for rental apartments in the commercial zone

Board Engineer Statile explained the nature of the application as well as the location of the property. He stated that the application is complete and ready to be scheduled for a public hearing. The Board scheduled this application to be heard at the May 24, 2016 meeting.

PUBLIC HEARINGS:

PZ-08-12; 305 Patterson St., LLC; Block 1212, Lots 15 & 16; Esplanade & Patterson St.

Major subdivision & site plan with Use Variance application for new 49 multi-family housing complex in Industrial Zone

Ira Weiner, Esq. – Counsel for the Applicant

Mr. Eichenlaub, P.E. remained under oath to give testimony as an expert in civil engineering. He spoke about the letter he sent Mr. Moyle of the NJDEP, in which Mr. Moyle stated "modeling indicated that there would be no changes to reservoir outflow/downstream flood elevations for the 100-year storm event." The letter was marked **Exhibit RL-1**. Mr. Eichenlaub explained that he was required to design for the two, ten, and one hundred year storm events and how calculations are made for those different types of storms. Mr. Eichenlaub stated that his design far exceeds what is required by the State as all stormwater was captured and detained versus a controlled release. Mr. Eichenlaub informed the Board that on March 7, 2016, he met with Board Engineer Statile and the Hillsdale Fire Code Official and gave the Board an overview of what was discussed at that meeting.

Mr. Eichenlaub explained that the applicant is proposing pavers for the site and Mr. Statile requested Mr. Eichenlaub design for solid paving around the entire site instead. Mr. Weiner stated that the applicant is willing to have solid paving if that is the preference of the Board. Mr. Statile explained that the Woodcliff Lake Dam was modified for the largest potential storm event which is even worse than the 100-year storm event, and gave a brief overview of how the dam operates, further explaining that the modification improved the dam's stability.

Ms. Kates had concerns regarding landscaping and asked Mr. Statile about the tree replacement ordinance. It was confirmed that Mr. Statile will further discuss landscaping issues with Mr. Eichenlaub. Mr. Statile asked if the 45 gas meters are going inside a utility room and Mr. Eichenlaub and Mr. Weiner both confirmed that to be correct. Ms. Biener asked who is responsible for maintaining the pavers on site and Mr. Eichenlaub stated it is the responsibility of the owner.

At this time, the meeting was opened to the public. Kevin O'Brien of 61 Park View Terrace, Hillsdale, had concerns related to fire safety and read aloud sections of various documents which he requested be marked into evidence. Acting Board Attorney Mr. Urdang allowed certain documents to be marked for identification purposes only.

Exhibit KO-1: International Fire Code

Exhibit KO-2: Page LU7 of the 2005 Hillsdale Master Plan

Mr. Weiner objected to Mr. O'Brien referencing the 2005 Master Plan, as the section he read was a recommendation to the Borough, not a requirement. Mr. Statile stated that this application involves design waivers, not zoning ordinance variances, therefore the Board can waive any design standards they wish. Marisa Cefali of 6 Manson Place, Hillsdale asked questions regarding the soil movement calculations, grading on site, and the drainage/detention system. Ed Mateo, owner of 1 Esplanade Drive, Hillsdale, asked questions about the 100-year storm event, retaining walls, and the shed and gable; he also presented photographs of flooding to the Board. Mr. O'Brien returned to ask if balloons could be floated in order for the residents to get an idea of how high the building will be. Chairman Giancarlo explained to Mr. O'Brien that the proposed building is 30 feet which is compliant with the current ordinance. Patricia Kamfor of 28 Esplanade Drive, Hillsdale, asked where the air conditioning units will be located and Mr. Eichenlaub responded that they'll be in the units themselves. Ms. Kamfor then stated that she heard they would be located on the roof and Mr. Eichenlaub said he is unsure but they will not be on the ground, and referred Ms. Kamfor to the architect. Mr. Statile stated that since the roof is pitched, it's unlikely that the air conditioning units will be located on the roof. The meeting was then closed to the public.

Mr. Statile stated that when any application is filed with the NJDEP, a 200 ft. notice is sent out and a copy of the application is retained in the municipal hall. Any member of the public can go to the municipal hall, look at the application and contact the NJDEP with any concerns or objections as there is a 30-day comment period. For this project, four different applications were filed with the NJDEP.

The second witness was planning expert Mr. Peter Steck, P.P. Mr. Steck explained that the site is 8.657 acres of vacant property, irregular in shape, with frontage on two streets. It is burdened by wetlands and in a flood hazard area, and where it fronts on Patterson Street, where there is a dangerous "S" curve. Mr. Steck spoke about the design of the development as well as the drainage system. A group of photographs showing an aerial view of the subject property and surrounding areas of the property was marked **Exhibit PS-1**.

Affordable housing was then discussed and it was confirmed that the applicant is willing to designate five or six units as COAH/affordable housing units. Chairman Giancarlo asked if any consideration was given to a 15% or 20% designation. Mr. Weiner confirmed that the applicant is willing to give preference to veterans for up to 50% of the units, but this first must be agreed to by the developer and the governing body. If this were achieved, veterans would have first preference given to them for the COAH/affordable housing units. The applicant is also willing to offer the back portion of the property to the Borough for public open space as a condition of approval. There was then a discussion about open space. It was confirmed that the open space on this property provided by the presence of wetlands and their buffers would still exist regardless of whether the Borough or the developer retained ownership.

Acting Board Planner Richard Preiss, P.P. was then sworn in. It was confirmed that the developer is willing to offer a portion of the property as open space at no cost to the Borough. Vice Chairwoman Calabria asked, if this is not a favorable location for industrial uses, then why is it okay for residential uses. Mr. Steck responded that large trucks turning in and out of the site would create more of a safety issue. Ms. Miano asked how many children are projected to enter the public school system as a result from this development and Mr. Steck replied that it depends on whether or not the Board would accept a Mount Laurel housing component.

The applicant then granted extension of time for the Board to act until June 9, 2016 and the application was therein carried to June 9, 2016 at 7:30pm; no further notice will be given to the public.

The meeting was then adjourned.

Respectfully submitted,
Caitlin Chadwick, Deputy Secretary