

MINUTES OF THE APRIL 26, 2016 PLANNING BOARD MEETING  
BOROUGH HALL, BOROUGH OF HILLSDALE

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

MEMBERS ABSENT: G. Biener

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 7:00pm.

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

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

DISCUSSION:

***Annual Symposium***

Board Attorney Nabbie announced that there will be a six hour symposium on May 7, 2016 at Bergen Community College which will include an overview of Planning and Zoning Board member responsibilities, if any Board members are interested in attending. Ms. Nabbie will also be presenting the “ABC’s of Zoning” for Board members at the May 24, 2016 regularly scheduled 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. Committee members are Chairman Giancarlo, Councilman Pizzella, and Ms. Miano; Mr. Horvath is an alternate. Ms. Nabbie stated that it’s not appropriate for Councilman Pizzella to participate in the subcommittee due to the height variance involved in the application. Therefore, Mr. Horvath will take Councilman Pizzella’s place as a member of the subcommittee. Dr. Lichtstein informed the Board that he will be absent from the May 17, 2016 meeting.

***Redevelopment***

Mayor Frank, Councilman Pizzella, and Bob Benecke of Benecke Economics began their presentation to the Board. Mayor Frank stated that he is convinced redevelopment is the best way to develop how Hillsdale will move forward and would like to start with the Industrial Zone. Mr. Benecke then explained the general process of redevelopment and gave examples of other redevelopment projects with which he has been involved. The Board then had the opportunity to ask Mr. Benecke questions about the redevelopment process. Ms. Miano asked about the time frame for redevelopment and Mr. Benecke responded that he’ll have a better idea over the next three to four months, as length of time for redevelopment processes are largely dependent on how involved owners in the Industrial Zone react.

Vice Chairwoman Calabria asked the Mayor about Waste Management's State permits from the NJDEP with respect to the Mayor & Council's efforts. She believed that it may not be the right time to consider redevelopment of the Industrial Zone since it was unlikely that the NJDEP will deny Waste Management their permit to process solid waste. Mayor Frank explained that the NJDEP found deficiencies and as Waste Management now has the opportunity to respond; NJDEP is waiting on their response to determine whether or not the permits will be renewed.

Vice Chairwoman Calabria said that she does not foresee NJDEP denying Waste Management their permit renewal, as the Waste Management site in Hillsdale is one of only six transfer stations in the State. She did not feel that developers would invest in the redevelopment zone with the waste transfer station present.

Vice Chairwoman Calabria then asked Mr. Benecke procedural questions about redevelopment and Mr. Benecke explained that within 30-45 days, he, together with the Mayor and Council, will deliver a report to the Planning Board. Mr. Benecke confirmed that the decision and scope of redevelopment is the sole responsibility of the Governing Body; whether or not the chosen properties fit the criteria for redevelopment is something the Planning Board will play a role in deciding. Board Planner Grygiel noted that once the redevelopment process is complete, each property involved will still require site plan review, which will be the Board's responsibility.

Mr. Franco asked how many property owners might be involved and Mr. Benecke responded there are currently about 15 properties. Mr. Benecke explained that he and his partner will speak with the property owners first. During the public hearing on redevelopment, the property owners would have an opportunity to be heard with other members of the public. Chairman Giancarlo had procedural questions for Mr. Benecke. Ms. Kates asked if sustainable design being incorporated. Lastly, Mr. Benecke confirmed that COAH/affordable housing can be mandated as part of redevelopment.

**PUBLIC HEARINGS:**

***PZ-01-15; Charles Messina; Block 2201, Lot 38; 60 Ruckman Ave  
Minor Subdivision with variances***

Board Attorney Nabbie announced that the application would not be heard, as neither the applicant nor the applicant's attorney published notice for the hearing. In her communications with the applicant's attorney, Ms. Nabbie was informed that the applicant is currently trying to decide whether or not to continue with the application.

***PZ-01-16; Joseph & Sia Carney; Block 501, Lot 17; 20 Appletree Lane  
Variance Application***

Board Attorney Nabbie announced that the application would not be heard as the applicant did not publish notice for the hearing. Mr. Statile informed the Board that the applicant's architect requested a new public hearing date. The Board assigned this application a new public hearing date of June 28, 2016.

***Caliber Builders; Block 506, Lot 1; Golden Orchards***  
***Final Site Plan application for construction of age-restricted, single-family dwellings***  
***\*for purposes of scheduling an additional special hearing only***

Ms. Siobhan Spillane Bailey, Esq. – Counsel for the Applicant

Ms. Bailey informed the Board that Caliber Builders is in the process of a settlement agreement with the only remaining oppositional party, Mr. and Mrs. Hogrefe. The Board then assigned this application a special public hearing date of May 9, 2016 at 7:30pm. Ms. Bailey announced that the applicant waives all statutory time frame for the Board to act until May 17, 2016.

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

Mr. William Strasser, Esq. – Counsel for the Applicant

Board Engineer Statile and Board Planner Grygiel were sworn in. Mr. Strasser's next witness was Mr. Moronski, P.P.

Additional documents were marked into evidence:

**Exhibit A-5:** Aerial Map

**Exhibit A-6:** Photographs of Site Frontage and Surrounding Area

Mr. Moronski stated that the site is located in the commercial zone, for which he reviewed the permitted uses. A use variance (d1) and height variance (d6) are required. Mr. Moronski further stated that the site is particularly suited for the proposed use.

Mr. Paterno was then sworn in to give testimony. Another document was then marked into evidence:

**Exhibit A-7: Architectural Drawings prepared by Mr. Paterno showing reduced amount of windows facing property owners south of development**

It was confirmed that at no place on the building does the height exceed that of the other buildings.

Board Engineer Statile then reviewed items still required from the applicant:

- The dumpster enclosure on the plans call for a concrete block – this must be shown on the plans and must be decorative.
- There is a twenty tree deficit on the tree restitution plan. For the landscape buffer, Mr. Statile suggested the applicant consider pine trees – perhaps six trees planted on each bordering owner's property as well.
- The Environmental Commission's comments must be incorporated into the landscaping plan.
- Two painted crosswalks are required on Broadway.
- Lighting – one lighting post must be installed on the street side of Broadway. Lights must also be installed along the southern property line, with houseside shields.

- Storm filter – not online system, is an offline system – Mr. Statile needs clarification on the storm filter system.
- Sewer computations are needed.

Mr. Strasser requested that Mr. Statile send a letter stating all of this and Mr. Statile confirmed he will.

At this time the meeting was opened to the public. As no one wished to speak, the meeting was closed to the public.

Board Attorney Nabbie had concerns regarding density of the site and its relation to affordable housing requirements. A discussion about affordable housing then occurred. Ms. Nabbie recommended the Board ask the applicant for 15% of the development allotted to affordable housing, which would be 2.25 units. The applicant proposed one unit for affordable housing. Ms. Nabbie asked Board Planner Grygiel if the Board were to condition affordable housing on approval, would it count towards positive criteria and Mr. Grygiel confirmed it would. Vice Chairwoman Calabria stated that due to the size of the development, three units, or even two designated to affordable housing, is unreasonable on the applicant and she would be pleased with one unit. Mr. Strasser stated that he and his client would like the Board to consider the proposal of one affordable housing unit and a contribution in lieu due to the size of the development. Mr. Statile stated he agrees with Ms. Nabbie. Mr. Grygiel confirmed that the requirement is based on the number of units.

Mr. Strasser then waived the statutory time frame for the Board to act until May 24, 2016 at 7:00pm. This application was therein carried to May 24, 2016 at 7:00pm and no further notice will be given.

It was also confirmed that Board Attorney Nabbie will present her “ABC’s of Zoning & Planning” at the start of the May 24, 2016 meeting and the Paterno application will be heard after she concludes her presentation.

Board Engineer Statile requested the applicant provide him with revised plans by no later than May 16, 2016.

The meeting was adjourned at 9:48pm.

Respectfully submitted,

Caitlin Chadwick  
Deputy Secretary