

**MINUTES OF THE AUGUST 23, 2016 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE**

MEMBERS PRESENT: E. Lichtstein, F. Franco, Z. Horvath, G. Biener, E. Alter
Councilman F. Pizzella, Vice Chairwoman Calabria, Chairman M. Giancarlo

MEMBERS ABSENT: J. Miano, Mayor D. Frank, M. Kates

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney
C. Statile, P.E., Board Engineer
C. Chadwick, Deputy Board Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:36pm.

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 *August 11, 2016 Meeting Minutes* were approved by the Board.

CORRESPONDENCE:
*Letter received August 3, 2016 from Pascack Valley Regional High School District Board of Education
Project Submission – New Modular Storage Building at the Pascack Valley High School*

Board Engineer Statile explained to the Board that a set of plans was received from the Board of Education for a single-story storage building to replace the existing storage garage and shed. The Board has 35 days to return comments to the State Board of Education in Trenton. The Board would like to review the plans on September 8, 2016 and the Deputy Secretary was asked to invite the Superintendent to a public hearing.

2015 ANNUAL REPORT BY ZONING BOARD:
2015 Annual Report

Board Engineer Statile explained that our combined board has an obligation under NJS 40:55D-70.1 to provide a summary zoning report at least once a year. This is required each year as the zoning function of the Board. The report assists in bringing attention to the (planning board) and Governing Body particular provisions of the zoning ordinance which are creating problems for the Board during the preceding year. It may be an indication that the ordinances should re-examined and possibly changed. The Board then voted to authorize Mr. Statile to send the report to the Mayor and Council for consideration.

COMPLETENESS REVIEW:
*PZ-08-16; John Newell; Block 1612, Lot 5; 155 Arthur Street
Bulk 'c' Variance Application with 'd' Use Variance for proposed addition*

Board Engineer Statile explained the nature of this application and deemed it complete. It was scheduled for a public hearing date of October 27, 2016.

CLARIFICATION OF SITE PLAN:

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

Applicant's Counsel – William Strasser, Esq.

Board Attorney Nabbie reviewed Mr. Paterno's former application for the Board and explained that there was a change in bedroom distribution between the site plan originally submitted by the Applicant in support of the application and the site plan that was submitted to the Board on or about May 24, 2016 (revised to May 11, 2016) modifying the bedroom distribution. There was no testimony on the modified bedroom distribution by the Applicant at the May 24, 2016 hearing. In addition, Board attorney Nabbie advised that UHAC regulations require a 3 bedroom unit. Mr. Strasser explained that his client revised the plan at the request of the Planning Board Professionals for the affordable housing unit mix. This revised plan was marked:

Exhibit A-8: Third Page of Site Plan revised to 8/12/2016 with revision note "per Borough Engineer and Planning Board Attorney."

Previously, the plans showed 1 one-bedroom and 2 two-bedroom units designated for affordable housing. However, the plans were revised to show 1 three-bedroom unit and 2 two-bedroom units. The parking requirements were unchanged. There was a statement made by the Applicant's counsel that his client desires to pay the \$45,000 affordable housing contribution on issuance of the final Certificate of Occupancy. Board Attorney Nabbie advised the Board that the amount of the fee was not discussed at the prior hearing and that the Hillsdale Tax Assessor, per the Resolution, determines the contribution in lieu, not the Board. Mr. Strasser stated no other changes have been made to the plan. Mr. Alter asked about impervious coverage and Mr. Strasser explained the zoning table and building footprint are unchanged from the previous plans. Bedroom sizes were discussed and Mr. Paterno confirmed the affordable housing two-bedroom units will have bedrooms sized at 10'x11' and 10' x 12'. The three-bedroom unit will have one 10' x 12' bedroom and two 10' x 11' bedroom. This differs from the market value units which will have bedrooms sized 14' x 16.' The meeting was then opened to the public. Gail Rosen of 52 Wilts Avenue, Hillsdale asked where the physical location of the property is and Mr. Strasser explained to her it is behind Ken Bauer Kitchens. The meeting was then closed to the public.

Mr. Horvath made a motion to approve the new page of the site plan with the changes to affordable housing bedroom distribution. Vice Chairwoman Calabria seconded the motion. The Board was polled and all eligible Board members voted in favor of the motion and the motion was approved.

PUBLIC HEARINGS:

PZ-07-16; Nancy Culhane; Block 1112, Lot 5; 33 Glendale Drive

Bulk variance application for impervious coverage for a sun room addition to a single family dwelling

Applicant Nancy Culhane of 33 Glendale Drive, Hillsdale was sworn in to give testimony. Ms. Culhane explained that this application is to construct a three-season sunroom in the back of her home because her backyard is too insect ridden to enjoy sitting on her deck. Ted Cline of 520 Temple Hill Road, New Windsor, NY, 12553 was sworn in to give testimony as Ms. Culhane's contractor. Ms. Culhane explained that her 87 year old and wheelchair bound father lives with her and the sunroom would be used primarily by him. Mr. Cline explained the sunroom would be built over the existing wood deck. He plans on building the sunroom within the next 5-8 weeks and once started, it would be finished in about a week.

Board Engineer Statile spoke about the impervious coverage of the application. Mr. Statile also asked Ms. Culhane how her father enters and exits the home and she stated there is a stair lift in front of her home. Councilman Pizzella asked if Ms. Culhane's neighbors expressed any issues with the sunroom proposal and she explained they did not. Ms. Culhane then offered a letter from a neighbor who is in favor of the

sunroom but could not attend the hearing. Board Attorney Nabbie explained to Ms. Culhane that the Board cannot accept letters from neighbors unless the neighbor is present.

Mr. Statile then explained to Mr. Cline that since this property is in the flood hazard area of the Pascack Brook, the sunroom (if consider habitable space) must be built one foot above the flood hazard elevation otherwise a building permit cannot be issued by the construction official. Mr. Cline explained he intends to install hydrostatic relief vents instead which allow floodwater to flow through the building. Mr. Statile informed Mr. Cline that in order to do that, he will need to possibly obtain an NJDEP General Permit. Mr. Cline stated that the Hillsdale *zoning official* did not mention that to him and Mr. Statile explained that the *zoning official* only reviews for zoning and the *construction official* Ms. Wood is be the person to speak to about this matter. Mr. Statile asked what the ground elevation is and Mr. Cline confirmed it to be 4 ft. Mr. Statile stated the sunroom must be built at 5 ft. elevation (base elevation plus one foot) otherwise an NJDEP Permit will be needed. Also, if any piles or columns are placed within the flood hazard area, a permit may be required. New NJDEP rules came into effect in June 2016.

Mr. Cline also confirmed that the sunroom will be enclosed with glass, not screens, and it will be unheated. Dr. Lichtstein asked about electricity for the sunroom and Mr. Cline confirmed it will be built in electric but is not GFI protected since it's all inside. It was confirmed that the windows will open and a sliding glass door will divide the sunroom from the rest of the house. At this time the meeting was opened to the public. As no one wished to speak, the meeting was closed to the public.

Ms. Nabbie marked a series of photographs as **Exhibit A-1**. These photographs were taken by Ms. Culhane in July and she confirmed that the photos accurately depict the site as it appears today. Vice Chairwoman Calabria asked if a condition should be added that the applicant comply with the flood requirements. Mr. Franco asked if a condition can be added that the underside of the deck/sunroom not be enclosed. Mr. Horvath asked Mr. Cline if foundations are being added and Mr. Cline confirmed he is adding foundations. Mr. Statile explained this may require an NJDEP General Permit. Ms. Biener asked if there will be an exit from the sunroom; Mr. Cline responded the existing exterior stairs will be used.

Councilman Pizzella made a motion to approve the application with conditions. This motion was seconded by Mr. Horvath. The Board was polled: Dr. Lichtstein, Councilman Pizzella, Mr. Franco, Mr. Horvath, Mr. Alter, Ms. Biener, Vice Chairwoman Calabria, and Chairman Giancarlo all voted in favor of the motion and the application was approved.

Board Attorney Nabbie stated that another notice of approval should be published for Mr. Paterno's clarification of his site plans. Ms. Nabbie further stated there will be a Closed Session at the next meeting for the Board to discuss affordable housing. At this time, the meeting was opened to the public. As no one wished to speak the meeting was closed to the public.

The meeting was adjourned at 9:08 pm.

Respectfully submitted,

Caitlin Chadwick
Deputy Secretary