

MINUTES OF THE December 7, 2016 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE

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

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

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

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at 7:37pm.

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 *November 22, 2016 Meeting Minutes* were approved by the Board.

INVOICES:

Invoices from *Gittleman, Muhlstock & Chewcaskie* were approved by the Board for payment.

2017 RFQs

Chairman Giancarlo asked Deputy Secretary Saeli the status of the Requests for Qualifications for Planning Board Engineer, Attorney, and Planner. Ms. Saeli replied the RFQ's are due December 12th and notices for same were published in *The Record* and *The Ridgewood News*.

CAPITAL PROJECT REVIEW:

Stonybrook Swim Pool Commission; Lap Pool Seasonal Enclosure; Block 1910, Lot 29.02
Review recommendations for consistency with the Master Plan.

Rosemary Metz- Chairwoman, Stonybrook Pool Commission
Bill Petkovich- Vice Chair, Stonybrook Pool Commission

Board Attorney Nabbie started the discussion by telling the Board about a short memo that Board Planner Grygiel wrote on his opinion of site and that the improvements were in accordance with the Master Plan. The Board took a brief few minutes to read over the document. Afterward Ms. Metz and Mr. Petkovich handed out packets to the Board as a guide to their presentation.

Mr. Petkovich started by providing an overview of the new activities that will take place when the enclosure is built. He stated the enclosure will be assembled in the winter and disassembled in the time for summer opening of the pool complex. He discussed the distributed photos of a possible enclosure and the temporary bathrooms that were to be erected. He then presented a brief FAQ sheet, given by the Pool

Commission to the Board, about the project. He described that they will be paving the parking lot closer to the lap pool as it is presently gravel, and they will be adding lighting to the area.

Chairman Giancarlo then opened questions to the Board. Dr. Lichtstein asked if the pool was to be heated. Ms. Metz replied that it will be heated (as it currently is during the summer), and the costs will be paid by the winter operator. Dr. Lichtstein asked for clarification on the temporary bathrooms. Ms. Metz and Mr. Petkovich answered that they will be trailers with utility hookups, heated, and include showers. Dr. Lichtstein then asked about what areas of the parking lot will be exactly plowed. Ms. Metz and Mr. Petkovich stated that only the area needed for access and parking of the lap pool will be plowed.

Mr. Alter asked about the height of the enclosure. The Commission replied that it will be between 25 – 30 ft. in height. Mr. Alter then asked if that is compliant for height within the R2 zone district. The Commission replied yes, they were in compliance. He then asked about heating of the pool enclosure. The Commission replied that yes the area would be heated and paid for by the operator. Mr. Alter then expressed concern over the new lighting spilling into neighboring residences, and asked for clarification on the lighting being installed. The Commission stated there would be lighting for the pool area as well as the parking lot. Board Engineer Statile responded that the Borough is designing and installing the lighting for the parking lot, and it will not spill onto nearby residences. Plans have not be prepared at this time. Mr. Alter then asked about water runoff. Board Engineer Statile replied the change to impervious would be negligible. There was a brief discussion about the opening and closing times of the lap pool. Mr. Alter then asked if neighbors were notified of the changes. Mr. Statile replied they are not required to do so for a municipal Capital Project Review.

Ms. Miano asked where the enclosure would be stored. The Commission replied in a facility off-site by the operator. Ms. Miano then asked if there was operator interest in the contract. The Commission said had received inquiries but they must first put out a competitive public bid. Vice Chairwoman Calabria asked Mr. Statile for clarification of the current lighting on the site. Mr. Statile replied there are industrial flood lights provided by PSEG on utility poles. The Board and Commission then discussed any public interest in the project.

Mr. Franco asked what the goal of the project is. The Commission replied the goal is to retain its pool membership which may be lost to other competing facilities for winter swim practice. Mr. Franco then asked who pays the costs for the project. The Commission replied the operator for the enclosure and direct site work. The Board and Commission then discussed the financials for the project. Mr. Horvath asked if there would be facilities for changing. The Commission acknowledged there will be facilities in the temporary bathroom. He then asked for clarification about the entrance for the lap pool. Finally he asked where the parking area runoff water will go. Mr. Statile replied by sheet flow to the Hillsdale Brook where it currently drains.

Ms. Biener asked for clarification the lighting improvements. The Commission replied there will be no more flood lighting and it will concentrated on the lap pool area in the enclosure. Ms. Kates asked who is in charge of operations. The Commission replied a combination of the pool club and the selected winter operator. Ms. Kates then asked who would people contact. The Commission replied again it would be a combination of the pool club and operator depending on the need. There was a discussion on the details of the design and materials of the structure. Ms. Kates followed up asking who would staff the club and who holds insurance liability. The Commission responded that the winter operator would have staff and hold a liability insurance policy.

Board Engineer Statile gave his general opinion on the project's consistency with the Master Plan. Dr. Lichtstein then asked for clarifications about the generator, if it would be used for normal lighting. The Commission said it was only for emergencies and not 'tower' temporally lights were contemplated. Mr. Alter asked if there is flooding in the area and to clarify if the structure is in a flood plain. Mr. Statile replied that the north side of the pool area may be, but have never been flooding issues with the pools. The Board then proceeded to give their recommendations to the Pool Commission which will be codified by the Board Attorney.

COMPLETENESS REVIEW:

PZ-06-16; John & Darline MacEwen; Block 1612, Lot 4

F.A.R and Bulk Variance Application for a two-story addition to existing single-family dwelling

Board Engineer Statile explained to the Board that this variance application is for a two-story addition. It was deemed complete and will be scheduled for a public hearing after re-organization of the Board in January.

RESOLUTION:

PZ-12-15; PSE&G Substation – Phase III; Block 1212, Lot 14; 295 Patterson Street

Approval of Major Site Plan with Variances

Mr. Horvath made a motion to memorialize the PSE&G resolution No. PZ2016-20. Ms. Miano 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-06-16; Andrew Dellaquila; Block 1622, Lot 3; 303 Evergreen

Use and Bulk Variance Application for a second story addition to existing single-family dwelling

Counsel for Applicant- Mr. Robert Mancinelli, Esq.

At this time Ms. Miano recused herself on the basis that the applicant is her neighbor, as she lives on 312 Evergreen. Mr. Mancinelli then called architect Joseph Bruno, R.A., 1 Paragon Dr. Montvale, NJ. Mr. Bruno was sworn in and then gave an overview of the problems the applicant is facing and what variances the applicant is seeking. He then proceeded to hand out packets of photographs of the property. These photos were labeled **A1-A6**. Mr. Bruno then described each picture in detail for the Board. Mr. Bruno proceeded to then describe the existing structure and the addition that they would be adding to the home. Chairman Giancarlo then asked what would be done with the original bedrooms after the addition. Mr. Bruno replied one would be converted into family space and one would stay as a bedroom for relatives. There was then discussion on FAR percentages and how they vary depending on the addition and subtraction of accessory structures on the property.

There was then discussion of the impervious coverage percentage of the property. Mr. Bruno stated the applicant would install a seepage pit to mitigate the rise in impervious coverage. There was discussion on the existing patio and its zoning compliance. Mr. Bruno then testified that although the FAR is higher for the structure the scale is in line with the neighborhood. Mr. Alter pointed out that these larger neighborhood houses are on larger lots. Mr. Bruno replied that Mr. Alter is correct but a casual observer does not see the scale of the subject house as too large.

Mr. Mancinelli asked Mr. Bruno if this home would fit in with the neighborhood. Mr. Bruno replied yes and the family could use more space. Mr. Bruno then discussed the effect on property square footage with and without the existing car port. Mr. Mancinelli then asked Mr. Bruno his opinion on the addition. Mr. Bruno replied it would be a welcome addition to the neighborhoods and the property would fit in better.

Board Engineer Statile then expressed concerns over the percentage of impervious coverage. He recommended replacing patio and driveway with pavers to reduce percentage by 8%. Mr. Statile then asked if an HVAC system was to be installed for the addition. Mr. Bruno replied yes there would be and it will be within building setbacks. Mr. Statile then stated the existing patio is too close to the property line in violation of the zoning ordinance, and the concrete surface should be reduced.

Mr. Franco asked if the carport would have to be removed for the addition. Mr. Bruno said no they can build the new structure with the carport. Mr. Franco then asked if there were stairs to the basement. Mr. Bruno replied that there are exterior stairs leading to the basement. Ms. Kates then asked about the usage of the carport. Mr. Bruno replied the homeowner would have to answer the question. There was discussion on impervious coverage and Ms. Biener expressed that the impervious coverage should be reduced. Vice Chairwoman Calabria asked about the canopy and overhang for the home. Mr. Bruno replied there are no setback issues with it. Vice Chairwoman Calabria confirmed the height of the structure is 29 ft. She then stated she though the proposed new impervious coverage is high.

Mr. Alter stated he wanted a lower impervious coverage and asked if the carport will remain the same after the addition. Mr. Bruno confirmed the carport would remain the same. Mr. Alter then expressed concerns over the building setbacks. Dr. Lichtstein stated he was not concerned with impervious coverage and believes the addition is a welcomed improvement and adds value to the neighborhood, but wished there was larger setbacks. Mr. Bruno stated that they will install a seepage pit to mitigate the impervious coverage.

Mr. Statile stated the patio is in violation of the ordinance as it is too close to the property line. There was then discussion on the ordinance and what could be done about the patio. Chairman Giancarlo stated he believed the plan was an upgrade to the neighborhood. Mr. Franco stated the impervious coverage was a difficult situation. Dr. Lichtstein pointed out the addition could hold two bedrooms instead of the proposed three.

Chairman Giancarlo then opened the meeting to the public to question the witness Bruno. As no one wished to speak the meeting was closed to the public.

Mr. Andrew Dellaquila, applicant, was then sworn in. Mr. Dellaquila clarified the purpose and use of the carport. Vice Chairwoman Calabria asked how many cars fit in the car port. Mr. Dellaquila replied three.

Board Attorney Nabbie then asked for clarification on the FAR percentages. The Board then discussed impervious coverage mitigation. Mr. Statile stated the patio should be removed because it is against ordinance. The Board discussed installing a seepage tank and Mr. Statile responded it should be a 750 gallon capacity system. Vice Chairwoman Calabria then withdrew her concerns on impervious coverage.

Mr. Horvath motioned for approval on the conditions that the patio can remain if a seepage pit is installed. Mr. Franco seconded the motion. The Board was polled and all eligible Board members voted in favor of the motion and the motion was approved.

PZ-08-16; John Newell; Block 1612, Lot 5; 155 Arthur Street

Use and Bulk Variance Application for a second story addition to existing single-family dwelling

Counsel for Applicant- Mr. Robert Mancinelli, Esq.

Mr. Mancinelli called architect Joseph Bruno, R.A., 1 Paragon Dr. Montvale, NJ. Mr. Bruno described the planned additions to the Board. Mr. Bruno then advised the Board to look at Exhibit B of their packets and proceeded to describe the pictures for the Board.

Mr. Grygiel then arrived at 9:29pm.

Mr. Bruno then outlined the non-conforming conditions to the Board and discussed the FAR percentages and changes. He then testified the addition is consistent with the neighborhood.

Mr. Statile asked why there are two sheds on the property and why there is a chimney on the garage. Mr. John Newell, applicant, was then sworn in. Mr. Statile re-iterated his question about the chimney to Mr. Newell. Mr. Newell replied that the chimney was leftover from a bomb shelter that a previous homeowner had built. He then described the uses of the other two shed on his property. Mr. Giancarlo asked the size of the proposed basement. Mr. Bruno replied 23' 4" by 15' 4". Mr. Franco asked if the applicant would keep the garage chimney. The applicant replied he would like to get rid of the structure. Mr. Franco asked if they could reduce the FAR. Mr. Bruno then described the different ways FAR could be reduced.

Ms. Kates asked if there would be change to landscaping and why the expansion is needed. Mr. Newell replied the landscaping would stay the same and they would like a 4th bedroom for visiting elderly parents. Mr. Bruno said the applicant would like to expand the kitchen into the formal dining room, eliminating the dual eating spaces. Mr. Alter clarified that the applicant was going to remove the shed closest to the house. The applicant replied he would. Mr. Alter then asked how many cars the driveway could hold. Mr. Newell replied four and Mr. Bruno stated they are parked parallel to the street. Mr. Alter expressed concerns over impervious coverage and clarified percentages with Mr. Bruno and Mr. Statile.

Chairman Giancarlo asked for clarification on the use of the shed and garage. The applicant replied they are used for storage and not cars. Chairman Giancarlo stated there were difficulties with so much storage space. Mr. Alter stated he would like the exterior structure minimized and stated that could minimize the FAR percentage. Mr. Bruno then discussed various changes and their effect on FAR. Mr. Alter stated he would like a reduction in the size and number of sheds. Dr. Lichtstein then discussed alternatives to proposed addition configurations.

Mr. Franco asked if the new basement space could be used instead of accessory sheds. Mr. Newell replied it would be difficult to store some items there.

Chairman Giancarlo then opened the meeting to the public. As no one wished to speak the meeting was closed to the public.

Mr. Statile then stated if the sheds remained, mitigation for impervious coverage is required. Ms. Nabbie then asked for clarification on the FAR percentage. Mr. Bruno discussed the FAR, as well as impervious coverage percentages. Ms. Nabbie stated if the sheds are eliminated a 500-gallon seepage tank would be required. She then outlined conditions for consideration of approval. Mr. Alter put forward a motion to approve the application with Ms. Nabbie's conditions. Mr. Horvath seconded the motion. The board was polled and all eligible Board members voted in favor of the motion and the motion was approved.

PZ-13-15; The Nolan Partnership; Block 1523, Lot 3; 262-270 Broadway

Use Variance for rental apartments in the commercial district in pre-existing commercial building

Counsel for Applicant- Mr. Robert Mancinelli, Esq.

Mr. Mancinelli started the hearing by saying he believed the discussion on COAH should be resolved by the Borough Administration and not the Planning Board. He stated they are not increasing the size of the building, just adding three residential units and would like to discuss conditions with the Board. Board Planner Grygiel gave his opinion that the current municipal zoning ordinance is not clear and that the Board could accept a COAH cash contribution if they preferred, as they have done before. There was then discussion on the actual amount of units proposed for the building. Mr. Statile stated the board should use a 20% COAH obligation as court masters are now requiring that set-aside based on his office's experience. Mr. Grygiel corroborated the Board Engineer's statements, adding that it is situation dependent. There was then discussion on the possible contributions.

Ms. Nabbie stated the Board cannot state a contribution without specificity for the assessor. There was then more discussion on the possible percentage contributions. Mr. Grygiel clarified that contributions to funds would be used by the Borough to create more affordable housing options. There was then discussion on using 15% of assessed value of a market rate unit. Mr. Alter expressed concerns with the assessed value. Ms. Nabbie explained a previous application where the board stipulated 15% of assessed value of a unit. Chairman Giancarlo stated a 15% set aside of 3 units would lead to 0.4% of the value of a two bedroom unit. Mr. Grygiel gave clarification to the Board and explained assessed value.

Discussion continued on the number of units the board thinks the application is proposing. Chairman Giancarlo stated they settled on three units. Ms. Nabbie discussed the possible legal repercussions of leaving out the affordable housing set-aside. Vice Chairwoman Calabria asked if there could be ramifications if they choose 15% over 20% set aside. Ms. Nabbie replied she didn't believe so. Mr. Grygiel stated affordable housing should be uniformly applied and reviewed positive and negative criteria. Mr. Alter asked if the applicant agreed to the environmental commission proposal. Mr. Mancinelli replied that he believes the applicant did or will comply.

Chairman Giancarlo then opened the meeting to the public. As no one wished to speak the meeting was closed to the public.

Ms. Nabbie then gave conditions for consideration of approval. Mr. Alter asked if they could be more specific on the affordable housing contributions. Ms. Nabbie replied the Board must be more specific. The Board then discussed possible set aside percentage. Mr. Alter stated he believed the applicant should pay 0.45% based on assessed value of a two-bedroom unit. The Board agreed. Mr. Horvath put forward a motion with the conditions. Mr. Alter seconded the motion. The Board was polled. Mr. Franco, Mr. Horvath, Mr. Alter, Ms. Biener, and Chairman Giancarlo all voted in favor of the motion and the motion passed.

The meeting was adjourned at 11:09pm.

Respectfully submitted,

Meghan Saeli
Acting Deputy Secretary