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Chairwoman Meredith Kates
and Members of the Planning Board
Borough of Hillsdale
380 Hillsdale Ave.
Hillsdale, NJ 07642

Regarding: **Amendments to Redevelopment Plan regarding Self Storage**

Dear Chairwoman Kates and Members of the Board:

We have been asked to review the proposed Redevelopment Plan amendments referred to the Board by the Governing Body. N.J.S.A. 40:55D-26(a) of the Municipal Land Use Law provides that the Planning Board may prepare a “report” to the Governing Body before adoption of any proposed development ordinance or amendment to that document. This law requires a “report” to be made within 35 days of referral. If the report is that the development ordinance (in this case an amendment to an existing redevelopment plan) is inconsistent with the Master Plan then the governing body can only adopt it with a majority vote of the full authorized membership of the governing body and must expressly state in the minutes of its meeting the reasons for such a decision. If the “report” does not deem the proposed development regulation to be inconsistent with the Master Plan then the council can adopt the amendment with a simple majority of those present and no special notation in the minutes.

The Board’s role here is to advise the council of any provisions which are inconsistent with the Master Plan and recommendations, if any, concerning the inconsistencies and “any other matters as the board deems appropriate.” The “report” need not be a formal resolution.

Our findings are strictly limited to the physical aspects of the proposed redevelopment plan/ordinance changes.

The Board’s report should identify any portion of the proposed ordinance that is inconsistent with the Master Plan, include recommendations concerning any inconsistencies, *and any other matters the Board deems appropriate*. The Planning Board must transmit the report to the Governing Body within 35 days, or the Governing Body may assume that the ordinance is deemed consistent.

Briefly, the amendments appear to effect two changes:

- Allow ‘self storage’ on Lot 1, Block 1208. (38,037 SF lot in the Flood Hazard Area)
- Allow open storage of miscellaneous vehicles & equipment in Block 1209 (this area consists of all lands inclusive of St. John’s Church, north to & including the PSEG

Substation, i.e. all along the east side of the Pascack Brook). Portions of this lot are in the *Floodway*.

First, it would seem appropriate to permit self-storage within all areas of the Redevelopment Area (Industrial Zone) rather than just one property.

We believe the following proposed change (in red) is superfluous because the NJDEP already regulates the Riparian Zone along all waterways in the State.

d. Setback from Pascack Brook: No building on Block 1209 shall be closer to Pascack Brook than any existing building on the same Tract, nor closer to the top of the bank than 100 feet where no building exists. Parking areas and circulation drives for any proposed development shall not encroach closer to the top of bank of the Pascack Brook that (sic) the existing edge of pavement at the time of application.

We note that the Pascack Brook *Floodway* encumbers these properties and that rigorous permit application conditions would be required. These would include restrictions to use of the 1st floor of the self-storage building due to the Flood Hazard Area flood elevation.

Vehicle Storage: paved parking area used for the storage of vehicles, including but not limited to landscape trucks and trailers, tree chipper trucks, chippers, bucket trucks, utility vans, open trailers such as landscaping, car carrier trailer, motor homes and RV's, plow trucks, and construction vehicles and equipment.

It should be clear in the above that no habitation is permitted in any stored vehicles. The storage of 'construction equipment' opens up a broad use that will be difficult to regulate by local land use officials.

Proposed Changes:

6. All Other Streets: Shall have a 32'-0" wide cartway comprised of two 12-foot lanes with 8 foot parallel parking on one sides (sic) of each street.

a. See on-street parking standards.

b. A minimum 5 foot landscape planting area and a minimum 5 foot sidewalk shall be provided contiguous to the back of curb. For vehicle storage uses on Block 1209, no sidewalk is required; an 8' landscape planting area is to be provided instead.

Since the Borough right-of-way extends 10 ft. behind the curblin, the entire 10 ft. width should be used for a landscap buffer, plus a decorative fence provided at the property line. All plantings must be approved by the Planning Board. We question retaining the use of commercial vehicle/truck parking in the Redevelopment Area, whose purpose was to enhance and elevate this area's land uses with the given new housing complex.

We suggest that only registered vehicles and trailers be allowed to park in Block 1209 to prevent the storage of broken-down equipment and vehicles in disrepair. Also, the parking of trailers should exclude the storage of materials in or on the trailers, or tank trailers containing flammable or hazardous materials.

Proposed Changes:

- a. A 5 foot wide landscaped buffer shall be provided within the side and rear lot lines between multifamily residential, mixed, and non-residential uses at a density of 1 tree and 3 shrubs per 750 square feet of buffer area and 30 linear feet of buffer area. **This requirement shall not apply to the vehicle storage use on Block 1209.**

We do not see the merit in exempting the above requirement for the vehicle storage use.

Proposed Changes:

The improvements shall be provided on all projects in order to ensure that the post-construction peak runoff rates for the 2-year, 10 year, and 100-year storm events are a maximum of 90 percent of the pre-construction peak runoff rates. **This requirement shall apply to "major developments" only as defined by N.J.A.C. 7:8.**

Any land use development in the Redevelopment Area is subject to NJDEP permitting requirements, which would include the above stormwater reductions. Secondly, given the widespread property damage and family displacements caused by the Pascack Brook flooding in the past, the Borough *should encourage* stormwater management within its boundaries.

Proposed Changes:

2. Primary Architectural Characteristics: All self-storage development shall have the following building components and materials:

- a. Self-storage structures shall have a minimum of 65% brick and glass on the sides that face a public street; **The other 35% of the facade can consist of other materials such as stucco.**

The Master Plan should not suggest using stucco, which is a cheaper building material. That should be left up to the Board and a future applicant.

Proposed Changes:

- c. Self Storage Facilities:
 - i. Minimum Tract Size: 39,000 sf.
 - ii. Building Height: 58 feet / 4 stories

The above building height is the same height as the PSEG Substation Building. The new re-development complex has a maximum height of 55 ft.

Lastly, the Hillsdale Council and Planning Board rosters should be updated, as well as the Planning Board Attorney Marc Leibman, Esq.