

MINUTES OF THE JANUARY 28, 2015 PLANNING BOARD MEETING  
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: E. Lichtstein, M. Kates, M. Giancarlo, L. Calabria,  
F. Franco, J. Miano (late), Z. Horvath (late), Councilman F. Pizzella  
Mayor M. Arnowitz

MEMBERS ABSENT: J. Traudt, G. Biener

EMPLOYEES PRESENT: Nylema Nabbie, Esq., Board Attorney  
Christopher P. Statile, P.E., Board Engineer  
Caitlin Chadwick, Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:40pm.

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

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

MINUTES:

The *January 8<sup>th</sup>, 2015 Reorg.* meeting minutes were approved by the Board.

The *January 8<sup>th</sup>, 2015 Regular* meeting minutes were approved by the Board.

BILLS:

Invoices from the Board Engineer and Board Attorney were approved by the Board for payment.

RESOLUTIONS:

*2014-17; K & M Hillsdale, LLC; Block 1910, Lot 14; 68 East Liberty Ave.*

*Approval of Minor Two-Lot Conforming Subdivision* was approved by the Board.

*2015-01 Reorganization of Board positions* was approved by the Board.

*2015-02 Appointment of Board Planner* was approved by the Board.

*2015-03 Appointment of Board Engineer* was approved by the Board.

*2015-04 Appointment of Board Attorney was* approved by the Board.

BOARD BUSINESS:

*Retail/Commercial Parking Standards*

This memo from Board Engineer Statile was discussed. A range of parking standards were presented for retail/commercial uses, plus a listing of other municipalities and an example used in Hillsdale. Based on the Board's discussions, a square footage range of 200 – 225 per parking space is recommended. The Board will incorporate this recommendation in the other land use changes the Board is considering to the Mayor and Council late this year.

***Memo from Board Planner re: Various Zoning Issues***

Chairman Giancarlo announced that the Board will review various zoning changes on February 12<sup>th</sup>, when Board Planner Grygiel is present to discuss them.

***Draft Sustainability Checklist***

The Engineer informed the Board that he drafted a ‘sustainability checklist’ which he distributed to Ms. Kates for review by the Environmental Commission. Mr. Statile stated that he is concerned about using the term “checklist” in land use context and would rather refer to the sustainability document as a list of “guidelines.” He referred the reference to the Board Attorney.

Chairman Giancarlo announced that on February 12<sup>th</sup>, the Board will discuss the Board Planner’s memo and on February 24<sup>th</sup>, the Board will discuss the Sustainability Checklist/Guidelines List.

Due to the nature of the upcoming use variance application, Mayor Arnowitz and Councilman Pizzella recused themselves.

**PUBLIC HEARINGS:**

***PZ-15-14; Ruth & Dean Fiorino; Block 1406, Lot 45; 119 Large Avenue  
Bulk and Use Variance Application for Single-Family Dwelling***

Howard D. Geneslaw, Esq. – Counsel for Trader Joe’s

Ms. Fiorino’s agents are Taylor Associates Architects, and Trader Joe’s, where she was injured. Mr. Geneslaw gave some background information regarding the application, stating that in November of 2013 while working at Trader Joe’s, Ms. Fiorino was struck by a car and lost her leg as a result of the accident, and is unable to access certain areas of her home. In order to make the home handicapped accessible, the applicant is proposing to add an elevator and expand certain areas of the existing dwelling.

Mr. Geneslaw called Ms. Fiorino as his first witness and she was sworn in to testify. She stated that on March 31<sup>st</sup>, 1995, she and her husband purchased their current home where they live with their three sons, ages 12, 14 and 16. Ms. Fiorino further stated that she has been very active in the Hillsdale community and is involved with Hillsdale Boy Scout troops, volunteering as a CCD teacher at St. John’s church, and coaching a soccer team. Ms. Fiorino then told the Board how on November 13<sup>th</sup>, 2013 while walking along the curb outside Trader Joe’s, she was struck by a car and sent through the storefront glass window, subsequently causing her to lose her leg. Although Ms. Fiorino now has a prosthetic leg and uses a wheelchair, getting around her house is difficult. As the Board did not have any questions of the witness, Chairman Giancarlo opened up the meeting to the public for questions. As no one had questions, the meeting was then closed to the public.

The second witness sworn in to testify was Mr. Jeffery Taylor. R.A. of Taylor Associates, 572 North Broadway, White Plains, New York, an expert in architecture.

Several documents were marked as follows:

- Exhibit A1:** Existing & New Elevations, Sheet No. EL-1
- Exhibit A2:** Existing & New Elevations, Sheet No. EL-2
- Exhibit A3:** Existing & New Elevations, Sheet No. EL-3
- Exhibit A4:** Existing & New Elevations, Sheet No. EL-4
- Exhibit A5:** Site Photos, Sheet No. PH-1
- Exhibit A6:** Handout packet of all exhibits listed above, as well as  
Site Plan, Proposed Basement Floor Plan, Proposed First Floor Plan,  
and Proposed Second Floor Plan

Mr. Taylor reviewed his architectural drawings comparing existing conditions to proposed for each floor of the dwelling. Due to the split-level nature of the dwelling, if the elevator were placed in any other location it would not offer access to all floors. The basement level will also be accessed by the elevator. Railings are also being added to the front of the home so Ms. Fiorino can walk up the existing staircase. Mr. Taylor stated that he looked at several different options for the Fiorino dwelling and believes this is the best way to make the house handicapped accessible.

The meeting was opened to the public to question the witness. As no one had questions, the meeting was closed to the public.

The Board then had an opportunity to question the witness. Dr. Lichtstein asked questions about the cantilever (EL-1), and if the basement would have a handicapped accessible exit. Ms. Kates asked where the seepage pit would be located and Mr. Taylor stated it will be put at the rear of the house. Mr. Statile asked how deep the egress window well is from the outside grade and stated to Mr. Taylor that if it exceeds 3 ft., protective railing must be put around it to protect small children from falling in.

At this time, Board Attorney Nabbie asked Mr. Bell to come forward regarding the Saddlewood application. As the Board recognized there would be time constraints, Ms. Nabbie requested Mr. Bell to consent to carrying Saddlewood Properties' application to the March 12<sup>th</sup> meeting and Mr. Bell agreed, waiving all statutory time frames for the Board to act until March 12<sup>th</sup>, 2015.

The third witness, Edward Snieckus, P.P., a licensed professional planner and landscape architect from Burgess Associates, Westwood, NJ was then sworn in before the Board to testify as an expert in planning. He stated that the Fiorinos are still maintaining a single-family use of the property and there are no other site improvements other than building improvements to the house. Mr. Snieckus explained that the existing home is being retro-fitted, with changes to the kitchen, three bathrooms, and bedroom. He further stated that the elevator access is necessary given the split level nature of the house, and building coverage is not being exceeded in this application. Furthermore, the applicant would be willing to add landscaping to re-buffer the U-buffer. Bulk "c" variances are needed for minimum side yard setbacks and mitigation is being offered to offset the side yard variance; the applicant will add landscaping (evergreens). No driveway improvements are being made, just improvements to the house. The appearance of the front of the house will be maintained and the applicant is proposing to extend the roofline, which will maintain the home's architectural character. The meeting was opened up to the public for questioning of the witness. As no one had any questions, the meeting was closed to the public.

Ms. Kates asked if there were any other landscaping changes than those mentioned and Mr. Snieckus replied no. Mr. Franco asked about seepage pit's leaders and gutters. Ms. Nabbie asked Mr. Geneslaw to list the variances for this application and he did. Mr. Statile asked what kind of backup system the elevator has for power and Mr. Taylor replied a battery pack. Mr. Taylor confirmed that a guardrail will be provided around the one deep window-well.

At 9:20pm, Mr. Horvath arrived.

Vice Chairwoman Calabria made a motion to approve this application with the three conditions that were set forth:

1. Install a guard around the deep window-well
2. Connect roof leaders to seepage tanks
3. Incorporate battery pack backup for elevator

All Board members voted in favor of this application and it was approved.

***PZ-13-14; Anne Sirkin; Block 1302, Lot 6; 82 Crosley Terrace***

***Bulk "c" variance for side yard setback for new addition to existing single-family dwelling***

Joseph Peters of Finest Home Design, 215 Richmond Ave., New Milford, NJ was sworn in before the Board to testify. Mr. Peters stated that the applicant seeks to build an addition, adding a bedroom, bathroom and one-car garage. The applicant needs a bulk variance for the combined yard setback. According to Mr. Peters and Mr. Statile, the lot is of an irregular "pie" shape. The applicant is proposing to leave the first floor of the house unchanged, except for the garage. A master bedroom is being proposed on the second floor, above the garage, and will include a bathroom and walk-in closet. On the plans, the master bedroom is referred to as being on the third floor because the house is split level.

Anne Sirkin of 82 Crosley Terrace, Hillsdale, was sworn in to testify.

Regarding side yard setbacks, it was then confirmed that the applicant as well as the Hillsdale Building Dept. only calculated the frontage of the house, while Mr. Statile's office calculated the 'average' lot width. Therefore, the calculations on the applicant's plans were incorrect and will be revised. Ms. Kates asked if the applicant had any other pictures of the property, it was confirmed they did not. The meeting was then opened to the public for questions.

David Giordano of 171 Washington Ave, Hillsdale, NJ was sworn in and came forward to speak. He is the property owner most affected by this application.

Since no members of the public had further questions the meeting was closed to the public.

Given mistakes were found in both Mr. Statile's and the applicant's calculations, Mr. Statile explained to the Board what the correct numbers should be for his report as well as the table on the applicant's drawing. Ms. Kates asked Ms. Sirkin about the reason for her addition and Ms. Sirkin explained that she has children who are growing and would like to provide sufficient space for them

within the home. Mr. Statile confirmed with Ms. Sirkin that when finished, the addition will include only three bedrooms and two full bathrooms.

Vice Chairwoman Calabria stated that she would like the applicant to provide the Board with revised plans as well as pictures of the property and surrounding homes. Chairman Giancarlo proposed to allow the applicant an opportunity to revise the plans and provide photos to the Board and the Board will hear them first at the February 12<sup>th</sup>, 2015 meeting. Chairman Giancarlo stated that the applicant must ensure the shed is shown on the plans and the Board will handle this swiftly on February 12<sup>th</sup> and conduct a vote. Ms. Nabbie announced that this application is being carried to February 12<sup>th</sup>, 2015 and no notice will be required. The applicant also agreed to extend the time for the Board to act through February 12<sup>th</sup>, 2015.

It was confirmed that there will be a closed session for the Board on February 12<sup>th</sup>, 2015.

The meeting was adjourned at approximately 10:00pm.

Respectfully submitted,

Caitlin Chadwick  
Deputy Secretary