

**MINUTES OF THE JANUARY 28, 2020 PLANNING BOARD MEETING
BOROUGH HALL, BOROUGH OF HILLSDALE**

MEMBERS PRESENT: E. Lichtstein, E. Alter, Vice Chairwoman J. Miano, S. Raymond,
S. Riordan, D. Burleson, Chairman M. Giancarlo,
Councilman Z. Horvath, Mayor J. Ruocco

MEMBERS ABSENT: M. Kates

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney
C. Statile, P.E., Board Engineer
L. Leheny, P.P., Acting Board Planner
C. Ryan, Interim Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:30pm.

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 9, 2020 ReOrg Meeting Minutes* and the *January 9, 2020 Regular Meeting Minutes* were both approved by the Board.

BILLS:

Invoices from *C.P. Statile, P.A.; Cleary, Giacobbe, Alfieri, Jacobs;* and *Phillips, Preiss, Grygiel* were all approved by the Board for payment.

RESOLUTIONS:

Resolution No. 2020-1 Appointment of Interim Deputy Secretary

A motion was made by Mr. Alter and seconded by Mr. Burleson to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Resolution No. 2020-2 Appointment of Vice Chairperson

A motion was made by Mr. Alter and seconded by Mr. Raymond to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Resolution No. 2020-3 Appointment of Board Secretary

A motion was made by Mr. Raymond and seconded by Mr. Burleson to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Resolution No. 2020-4 Appointment of Chairperson

A motion was made by Mr. Alter and seconded by Mr. Raymond to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Resolution No. 2020-5 Appointment of Board Engineer

A motion was made by Mr. Burlison and seconded by Mr. Alter to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Resolution No. 2020-6 Appointment of Board Attorney

A motion was made by Mr. Alter and seconded by Mr. Raymond to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Resolution No. 2020-7 Appointment of Representation for Patricia Brady v. Planning Board of the Borough of Hillsdale

A motion was made by Mayor Ruocco and seconded by Councilman Horvath to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

Due to the use variance nature of the upcoming public hearings, Mayor Ruocco and Councilman Horvath recused themselves.

PUBLIC HEARINGS:

PZ-06-19; Block 1622, Lot 9; John & Virginia Gray; 245 Lincoln Ave.

Bulk Variance application for reconstruction of an existing single-family dwelling

Counsel for the Applicant – Robert Mancinelli, Esq.

Board Engineer Statile and Acting Board Planner Leheny were sworn in. Dr. Lichtstein entered the chambers.

Mr. Mancinelli began by reviewing the previously marked exhibits. As it was determined no exhibits had been marked at the prior public hearing, they were marked presently. A plan dated 8/21/2019 was marked **Exhibit A1**. Submitted photographs were marked **Exhibit P2**. Mr. Mancinelli then called his first witness, architect Joseph J. Bruno, who was sworn in. Mr. Bruno presented a recently revised plan dated 1/14/20 which was marked **Exhibit P3**. Mr. Bruno reviewed each revision as well as the impact each revision has on the variances being sought. He also reviewed design changes which included elimination of the side entrance, elimination of the front porch, and an overall shrunken proposed addition. All living space is being located on the first floor, with additional bedrooms located on the second floor. A 6 ft. tall fence as well as 6-7 ft. tall green giants are being proposed to mitigate the neighbors' concerns for privacy. It was confirmed three entrance/exit doors now exist.

Next, Mr. Bruno reviewed each of Board Engineer Statile's comments and concerns regarding the application, which were outlined in his review letter to the Board dated 1/22/20. It was confirmed the height of the addition was reduced which successfully eliminated the need for a height variance. Mr. Statile stated he is concerned the driveway is too short to fit an average or larger sized vehicle. Mr. Statile stated a typical car is 16-17 ft. long.

At this time, the meeting was opened to the public. Daniel Miranda, 243 Lincoln Ave, Hillsdale thanked Mr. Gray for addressing his privacy concerns with the shrubbery. Mr. Miranda discussed details of same with Mr. Bruno. There was discussion regarding whether a planting on the Gray's

property was a tree or a shrub. The meeting was closed to the public.

Applicant Jack Gray was sworn in. Mr. Gray opined the planting in question is not a tree, it is more of an overgrown shrub. Mr. Statile confirmed a planting must be 16 inches in diameter to be considered a tree. Vice Chairwoman Miano discussed concerns regarding the potential presence of an underground stream; Mr. Statile stated that it will be addressed when test pits are conducted on the site.

As there were no additional questions or concerns, Mr. Alter made a motion to approve the application. The motion was seconded by Mr. Raymond. The Board was polled and the motion passed; the application was approved.

Mr. Burluson recused himself at this time, as the property location of the upcoming application neighbors his own property.

***PZ-06-18 Block 1308, Lots 15 & 16, RJN 333, LLC, Applicant, 333 Washington Ave.
Four-Lot Major Subdivision with Bulk Variances***

Counsel for the Applicant – Russell Huntington, Esq.

Mr. Huntington refreshed the Board that the applicant is continuing his public hearing from November 26, 2019, and has new materials to present. The first witness was landscape architect Bradley Meumann who was sworn in and presented a landscape plan dated 9/27/2019 which was subsequently marked **Exhibit A4**. A colorized landscape plan was also presented to the Board. Mr. Meumann discussed the details of both plans. The tree replacement requirements were also discussed. It was confirmed the applicant agrees to walk the site with the Environmental Commission at a later date.

The meeting was opened to the public. Josh Denbo, 321 Washington Ave, Hillsdale asked about the 2 ft. high retaining wall located on the property. It was determined it will be graded. Mr. Denbo stated he is concerned about density on the site but also thinks it will be attractive. The meeting was closed to the public.

Tree replacement rules were discussed. It was confirmed the 25% rule is not applicable to this situation. It was also confirmed dead trees do not count however whether or not a tree is dead must be confirmed by the Borough.

The next witness was professional planner Brigitte Bogart. Ms. Bogart presented photographs of the site surrounding area which were marked **Exhibit A5**. Ms. Bogart spoke about the photos and explained what they depicted. It was confirmed that the property is currently vacant and has been vacant for 15-20 years. Ms. Bogart stated this is a transitional neighborhood which moves from commercial to residential properties; the proposed project fits into the existing conditions of the neighborhood. Another document which contained both a Bing maps photo and a land use map was marked **Exhibit A6**. The Board took a five-minute recess.

Multi-family homes were discussed in terms of their legality in Hillsdale. Hardship and excessive depth of the site were discussed.

The meeting was opened to the public at this time. Josh Denbo stated 1102 is a two family home. He stated he owns an old Victorian farmhouse on the eastern side of the subject property. He asked if, from a professional planning perspective, his house will still fit into the conditions of the neighborhood in the event this project is approved and expressed concern for his home standing out in an odd and unsightly way. Ms. Bogart stated Mr. Denbo's home is certainly different from others in the neighborhood, and his lot is one of the larger lots on the street however she does not think his home will stand out in an odd way if the project were approved by the Board.

The Board took another brief recess at this time.

Upon return from recess, Mr. Huntington stated due to the late hour and the nature of the discussion, he would like to carry the application to a later date and the applicant will waive the statutory time frame for the Board to act. Board Attorney Nabbie announced this application is being carried to February 25, 2020 at 7:30pm and the public will not receive any further notice; the announcement serves as notice.

CLOSED SESSION:

The Board went into closed session to discuss personnel matters at this time. Upon return from closed session, Ms. Nabbie announced the Board discussed pending litigation and no formal action was taken by the Board.

Respectfully submitted,

Caitlin Ryan
Interim Deputy Secretary