

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

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

MEMBERS ABSENT: None

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney  
C. Statile, P.E., Board Engineer  
J. Burgis, P.P., Board Planner  
E. Madger, Acting 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.

APPROVAL OF MINUTES

The minutes of June 11, 2020 were approved by the Board.

RESOLUTIONS:

**Resolution PZ-04-19; Block 1201, Lots 5-7; Built for Success; 10 Orchard Street** - Major Site Plan with Use & Other Variances application for two-story apartment building of 24 residential units.

Mayor Ruocco and Councilman Horvath recused themselves from the vote. A discussion occurred over a letter from the applicant's attorney. A motion was made by Mr. Alter and seconded by Vice Chairwoman Miano Horvath to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

**Resolution PZ-01-20; Block 1501, Lot 2; Ilda & Edward Beja; Niza LLC; 330 Broadway** - Use Variance approval to occupy 1<sup>st</sup> floor commercial space with a residential unit.

A motion was made by Dr. Lichtstein and seconded by Chairman Giancarlo to adopt the resolution. The Board was polled and the motion passed. The resolution was adopted.

**Resolution to approve a Board Planning Professional Contract with Burgis, Associates Inc. and Authorization to Execute Agreement**

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.

INVOICES:

Council President Horvath and Mayor Ruocco rejoined the meeting.

***C.P. Statile, P.A. Invoices***

A motion was made by Council President Horvath and seconded by Mr. Alter. The Board was polled and the motion passed. The invoices were approved for payment.

***Cleary, Giacobbe, Alfieri, Jacobs, LLC Invoices***

A motion was made by Vice Chairwoman Miano and seconded by Chairman Giancarlo. The Board was polled and the motion passed. The invoices were approved for payment.

PUBLIC HEARINGS:

***PZ-02-20 Block 1212, Lot 15.02 Preserve at Hillsdale, Patterson Street  
Amended Site Plan - 40-Unit Apartment approved via Resolution 2017-09***

Counsel for the Applicant – Ira Weiner, Esq.

Mr. Weiner gave background information on the previously approved application and a summary of the changes, an enlarged utility enclosure and proposed covered parking for cars.

Ms. Nabbie confirmed the Board has jurisdiction over the application. Grant Lewis, P.E., the applicant's engineer, was sworn in and accepted as an expert witness.

Mr. Weiner presented witness Mr. Lewis, who gave engineering testimony on the utility enclosure portion of the application. Mr. Lewis stated his firm has prepared the submitted documents for the application. Testimony was given on the purpose and need of the utility enclosure. Mr. Lewis detailed the reasoning for the enlargement of the utility enclosure. He stated the need for the variance for the structure.

**Exhibit A-1: Utility Building Site Plan + Photos (dated 7/2/20 - 2 sheets)**

Frank Meli, the property owner, presented testimony on the need for the enlarged enclosure and the timing of the application. The Board had the opportunity for questions and comments of Mr. Meli. The Board then had the opportunity for questions and comments of Mr. Lewis. There was a discussion about signage on the site. Ms. Nabbie clarified to the Board the purpose and ramifications of their vote. Mr. Statile clarified that a utility enclosure would absolutely be required for the building, no matter what the Board's decision. The Board continued with questions and comments for Mr. Lewis and Mr. Meli. No changes are being requested for the changes in site signage.

Meeting was open to the public.

James Mallet, of 34 Lake Drive, Hillsdale, provided comments and spoke favorable of the utility structure.

Meeting was closed to the public.

There was discussion of the landscaping plan by the Board, Mr. Lewis and Mr. Statile.

Joe Burgis, P.P., Board Planner was sworn in. Mr. Burgis gave testimony that a new landscaping plan would not be needed in his opinion. Mr. Burgis continued with testimony and guidance for the Board. There was a discussion on the height of the utility structure.

Mr. Weiner presented witness Peter Steck, P.P. Mr. Steck was sworn in and accepted as an expert witness. Mr. Steck provided planning testimony on the project in general and the utility structure. He confirmed that the utility structure needs a “c” variance and not a “d” variance. He talked about the benefits and aesthetics of the structure. He stated the benefits outweighed the detriments and a “c2” variance was justified.

The Board then had the opportunity to ask questions of Mr. Steck. With no questions or comments, Mr. Burgis then gave his testimony and questioned Mr. Steck, who provided additional testimony. Mr. Burgis provided additional guidance to the Board.

Meeting was open to the public.

There being no questions, the meeting was closed to the public.

The Board made the decision to vote on the utility structure aspect of the application. Mr. Weiner made a summation. Mr. Statile clarified the required variance. Mayor Ruocco made a motion to approve the application which was seconded by Councilman Horvath. The Board was polled and the motion passed with eight affirmative votes and one negative vote; the utility structure portion of the application was approved.

Mr. Weiner then presented witness Mr. Lewis, who gave engineering testimony on the proposed covered parking portion of the application. Mr. Lewis gave testimony on the technical aspects of the covered parking structures and the need for a variance for one of the structures.

The Board then had the opportunity to ask questions of Mr. Lewis. There was a discussion of the site lighting and storage. Mr. Meli spoke to reasoning for the covered parking spaces and that no lighting was proposed. Ms. Nabbie confirmed campers will not be allowed. The Board continued with a discussion of parking space sizes and columns. Mr. Statile provided the Board with guidance on parking space size. The Board then discussed aesthetics of the steel columns. Mr. Meli stated that prospective residents requested the covered parking spaces, which precipitated the requested change.

Meeting was open to the public.

James Mallet, of 34 Lake Drive, Hillsdale, asked a question about the color and slope of the covered parking structure.

Meeting was closed to the public.

Mr. Statile questioned Mr. Lewis on parking spaces available on the site and the extent to which spaces could be enlarged. A condition of approval was proposed to enlarge certain spaces and provide additional design measures on the columns.

Mr. Burgis made a comment that no additional variances for floor area ratio would be required. Mr. Statile stated that bollards are suggested. Mr. Weiner confirmed that resubmitted plans would also reflect these bollards.

Mr. Weiner presented witness Peter Steck, P.P. Mr. Steck provided planning testimony on the proposed covered parking. He talked about the benefits and aesthetics of the covered parking structure. He stated the benefits outweighed the detriments. Mr. Burgis then provided additional guidance to the Board.

Meeting was open to the public.

There being no questions, the meeting was closed to the public.

The Board then had the opportunity to ask questions of Mr. Steck. Additional questions and comments on lighting were provided by the Board and Mr. Statile. Mr. Steck stated that a “c” variance was required for the application. Ms. Nabbie and Mr. Steck both concurred that a “c” variances was required for the covered parking spaces.

At this time the meeting was opened to the public.

There being no questions, the meeting was closed to the public.

Mr. Weiner made a summation. The Board questioned Mr. Burgis about the justification for variances.

At this time the meeting was opened to the public for general comments.

There being no questions, the meeting was closed to the public.

Exhibit A-2: Preserve at Hillsdale Carport Architectural Plan

Mr. Weiner requested Board members also weigh in regarding lighting requirements along with their vote. Ms. Nabbie summed up conditions of approval with input from the Board and Mr. Weiner.

Council President Horvath made a motion to approve the application which was seconded by Mr. Alter. The Board was polled and the motion passed with eight affirmative votes and one negative votes; the application was approved. The Board also voted not to include any additional lighting.

**BOARD BUSINESS:**

Agenda items for the next meeting were presented. The meeting was adjourned.

Respectfully submitted,

Statile Associates Consulting Engineers and Planners