

**MINUTES OF THE MARCH 26, 2019 PLANNING BOARD MEETING  
BOROUGH HALL, BOROUGH OF HILLSDALE**

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

MEMBERS ABSENT: E. Lichtstein

EMPLOYEES PRESENT: B. Chewcaskie, Esq., Acting Board Attorney  
C. Statile, P.E., Board Engineer  
C. Chadwick, Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:45pm.

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

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

MINUTES:

The *March 14, 2019 Meeting Minutes* were approved by the Board.

RESOLUTIONS:

*Resolution No. 2019-08; Block 1611, Lot 8; Kevin Donatello; 116 Oakland Street*

*Approval of Bulk "c" Variance Application in connection with a proposed deck to an existing dwelling*

Councilman Horvath made a motion to approve the resolution, which was seconded by Mr. Franco. The Board was polled and the resolution approved.

PUBLIC HEARINGS:

*PZ 01-19; Block 1910, Lot 9; David Silver; 100 East Liberty Ave.*

*Bulk "c" Variance Application in connection with a proposed addition to an existing single family dwelling*

Applicant David Silver was sworn in, as was his architect Linda Del Nobile Menze. Mr. Silver and Ms. Menze explained the nature of the application and the variances being sought. Mr. Silver proposes a renovation of the existing home, including modifying and adding to the foundation, additional bedrooms, and a new 6 ft. fence.

Ms. Menze presented architectural drawings which were marked **Exhibit A-1**. Two images from Google Maps were also presented and marked as **Exhibit A-2** and **Exhibit A-3**. Ms. Menze stated the applicant does have a hardship and will not be diminishing anything on the property, just aligning the home with what is currently already existing in the area. Board Engineer Statile stated although being proposed as an addition, this is a completely new home being built if approved,

which is fine however as a result he has requested additional seepage pits be installed. Mr. Statile also confirmed for the Board there are no arborvitae at the corner of the property; rather they begin at the rear of the garage and run north. Mr. Statile confirmed for the applicant that the FAR has been met to the exact number required by the Borough's ordinance and any additional FAR type work will result in the need for a variance.

At this time, the meeting was opened to the public. As no one wished to speak, the meeting was closed to the public. The Board members then had the opportunity for questions and comments. It was confirmed there are paver walkways in the front and back of the home. The applicant stated he agrees to install additional seepage pits. Mr. Statile confirmed if a dwelling loses all its walls, it is considered demolished. Ms. Menze explained the reason to tear down the first floor walls was made in order to allow for the home to be a more thermally responsible building. She further stated the applicant is trying to make the home fit in with the rest of the neighborhood, especially visually. The fence is being proposed not only for privacy and safety reasons, but also as a way to keep the home visually similar to the rest of the neighborhood, Ms. Menze stated. The applicant confirmed he has three children and he and his family are not currently living in the house; they are leasing it out to a tenant. Mr. Riordan asked about underpinning. Ms. Menze replied the applicant will not be doing any underpinning work, but is adding 2 ft. The porch will be screened in as well. Mr. Riordan commented the applicant is going through a lot of foundation work and could make the home more conforming. He opined although it is a great design, it's an expensive build and the applicant may want to weigh that. Mayor Ruocco asked why the applicant purchased his home in Hillsdale; the applicant responded for the good school system. Chairman Giancarlo stated he believes the applicant is entitled to the same backyard his neighbors have and identifies with the work he is proposing. However, he is concerned about the area of the fence that is being proposed at 6 ft. high and feels 4 ft. would be a sufficient height. Mr. Raymond concurred with Chairman Giancarlo as this is a safe neighborhood and security should not be an issue. Mr. Silver stated he would be happy to accommodate the Board with a 4 ft. fence if the home can stay in the same location.

Mr. Raymond made a motion to approve the application with conditions of approval that the applicant install additional seepage pit(s) and the proposed fence be no higher than 4 ft. Councilman Horvath seconded the motion. The Board was polled and the motion passed. The application was approved.

Mr. Raymond recused himself at this time.

***REDEVELOPMENT: The Hillsdale Planning Board will undertake a preliminary investigation to determine whether the following properties qualify as an Area in Need of Redevelopment (without condemnation) pursuant to the New Jersey Local Redevelopment and Housing Law:***

***Block 1207, Lots 8, 9, 10 and 11; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3, 4, 5, and 6; Block 1210, Lots 6, 7, 8, 9, 10 and 11; Block 1211, Lots 1 and 2; and Block 1212, Lot 13.***

***DMR Architects prepared a report titled Preliminary Investigation for Determination of an Area in Need of Redevelopment without Condemnation (the "DMR Report") and will present testimony to the Board in connection with said report***

Francis Reiner of 77 Terrace Ave, Hasbrouck Heights, was sworn in as a Professional Planner and Landscape Architecture. Mr. Reiner presented an outline of the preliminary investigative report on

redevelopment in the industrial section of Hillsdale. Mr. Reiner confirmed if the Borough chooses to proceed with the redevelopment plan, it would be non-condemnation redevelopment. Furthermore, the current zoning and permitted uses would remain unchanged and businesses may continue to operate. Out of the investigated properties, six were found to be unsuitable for redevelopment and are indicated in his plan. The remaining properties which are being recommended for redevelopment are indicated in his plan as well.

Mr. Reiner gave a detailed overview of each property being recommended for redevelopment.

For each reviewed property, Mr. Reiner explained in detail *the current* site conditions and any violations of the Borough ordinances regardless of site plan approvals. Several of the properties were described as being in violation of the Borough's ordinances also received site plan approval from the Planning Board in the past, as pointed out by Board Engineer Statile.

Board Engineer Statile asked Mr. Reiner if he thoroughly checked the records on these properties and found the prior site plan approvals. Mr. Reiner responded he requested data on each property and although the documents he received date back a number of years, he did not receive any copies of site plan approvals for the properties.

Mr. Statile stated some of the issues found by Mr. Reiner with these properties are resolvable through zoning enforcement to bring them back into compliance with the approved site plans. Issues raised by Mr. Reiner may have been sanctioned by the Board because current stormwater management rules do not allow for improvements to certain existing conditions.

Mr. Reiner replied that his responsibility was/is to only look at each property "as is" and determine if it meets the statutory criteria; any previously granted site plan approvals from the Planning Board are not within his purview of responsibilities. Furthermore, he stated if the health, safety and welfare of the community was found to be at risk, a property could be considered for redevelopment. However, those investigations would not include any granted site plan approvals to the properties.

A potential DEP violation on one of the properties was also discussed. Ms. Kates asked Mr. Reiner for additional information regarding same however he stated he would need to pull the actual violation and look it up, so additional information was unable to be attained at that time. It was also confirmed that Mr. Reiner's assessments were made from the outside condition of the properties only.

Due to the late hour, the hearing on Redevelopment was officially carried to April 16, 2019 at 7:30pm and the public will not receive any further notice regarding same.

The meeting was then adjourned.

Respectfully submitted,

Caitlin Chadwick  
Deputy Secretary