

MINUTES OF THE DECEMBER 16, 2014 PLANNING BOARD
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: E. Alter, E. Lichtstein, M. Kates, M. Giancarlo, L. Calabria,
F. Franco, J. Miano, J. Traudt, Z. Horvath

MEMBERS ABSENT: Councilman T. Kelley, Mayor M. Arnowitz

EMPLOYEES PRESENT: Nylema Nabbie, Esq., Board Attorney
Christopher P. Statile, P.E., Board Engineer
Paul Grygiel, P.P., A.I.C.P., Board Planner
Caitlin Chadwick, Acting Deputy Secretary

Chairwoman Calabria called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:00pm.

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

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

MINUTES:

The *December 3, 2014* meeting minutes were approved by the Board.

BILLS:

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

RESOLUTIONS:

PZ-12-14; K & M Hillsdale, LLC; Block 1910, Lot 14; 68 East Liberty Ave.

Approval of Minor Two-Lot Conforming Subdivision was not voted on due to issues with the evergreens on the perimeter of the property. The Board Attorney will discuss with Applicant's Attorney the need for a new landscaping plan to show Board members exactly what evergreens will be now be removed. As a result, a Resolution for this property will not be ready in time for our next meeting.

BOARD BUSINESS:

RFQ's

Chairwoman Calabria informed the Board of all proposals received for professional positions. For Planning Board Attorney, applicants included Nylema Nabbie, Esq. of Gittleman, Muhlstock & Chewcaskie, as well as Ronald P. Mondello, Esq. For Planning Board Planner, applicants were Paul Grygiel of Phillips Preiss Grygiel, LLC; Caroline Reiter of C.P. Statile, P.A.; and Neglia Engineering. Finally for Planning Board Engineer, applicants were Christopher Statile, Louis Raimondi, Boswell Engineering, and Neglia Engineering. Chairwoman Calabria reminded the Board of the by-laws which allow the Board many options; the Board can interview one applicant, more than one applicant, all applicants, or no applicants. Chairwoman Calabria also confirmed that she will scan all submitted applications for all positions and distribute them to the Board via email in order for the Board to review in advance, in order to discuss the Board's wishes at our re-organization meeting in January.

2015 Calendar Discussion

The 2015 Calendar was discussed and will be adopted at the January 8, 2015 re-organizational meeting.

Other Miscellaneous Board Business

Public Notice for minor site plans was an issue that was also discussed by the Board. Although New Jersey land use law (and Borough Ordinance) does not require an applicant to notice for a minor site plan, Chairwoman Calabria suggested that the Board require it of applicants anyway, as we were presently doing so without it being a formal requirement. No Board member expressed disagreement with this suggestion.

Also discussed was the Borough's definition of a "family unit" within the Borough ordinance. Board Engineer Statile stated that the Borough definition is inconsistent with case law. The Board then asked the Board Planner to research and present the Board with options at its re-organization meeting.

The definition of "height" within the Borough ordinance was also discussed, as well as the "FAR" (Floor Area Ratio) definition. Mr. Statile stated that FAR is considered to be everything with a roof over it, and that basements are not counted as FAR. Dr. Lichtstein stated that he thinks Hillsdale's FAR is too strict. Mr. Statile disagreed. Ms. Kates questioned when the FAR percentage was last increased. It was confirmed that it was actually lowered most recently. Mr. Statile stated that the FAR has always been 30%. Ms. Traudt suggested that perhaps sheds should be excluded from FAR. Chairwoman Calabria then suggested the Board do some research and discuss this issue again at the January 8th reorganizational meeting.

Ms. Kates suggested adding sustainability and/or green building to the Hillsdale Master Plan. Ms. Traudt stated that she is only in favor of the green building if it remains voluntary for applicants and does not become mandated. The Board asked the Board Planner to research and provide suggestions, which the Board will discuss at its re-organization meeting.

Chairwoman Calabria voiced concerns about zoning officials issuing certificates when it is not in their ability to do so. Suggestions were made to place guidelines in effect for the issuance of certificates. The Board agreed that when a property is in non-conformity, the burden of proof is on the applicant, not municipal staff. The Board asked the Board Attorney to provide a letter to the governing body stating the same. The issuance of such a letter or similar will be discussed at the re-organization meeting.

Mr. Alter asked if other towns consider swimming pools as part of impervious coverage. Mr. Statile answered that yes some do in his experience.

All topics and issues discussed were tabled for January 8th reorganizational meeting, during which the Board will memorialize these items.

Chairwoman Calabria announced that on January 8th, 2015 there will be a reorganizational meeting of the Hillsdale Planning Board, with a regular meeting to follow which will start at 7:30pm.

Chairwoman Calabria also announced that applicants Sirkin and Doody have both been carried to the regularly scheduled meeting on January 8th, 2014 which will begin at 7:30pm. The Board will not hear these two applicants on January 8th, however a public hearing date will be assigned to both.

The meeting was adjourned at 8:29pm.

Respectfully submitted,

Caitlin Chadwick
Acting Deputy Secretary