

**HILLSDALE PLANNING/ZONING BOARD  
FEBRUARY 22, 2022 MINUTES FOR PUBLIC HEARING  
7:30 P.M.**

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**OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting was provided pursuant to the Open Public Meetings, by at least 48 hours prior to this meeting giving the time, date, location and, to the extent known, this agenda further indicating that formal action may be taken and this notice was (1) prominently posted in at least one public place reserved for such or similar announcements, (2) mailed, telephoned or telecopied to at least two newspapers which newspapers have been designated by the Governing Body of the Borough of Hillsdale to receive such notices one of which is the official newspaper of the Borough, and (3) filed with the Clerk of the Borough. Electronic copies of any public hearing are available by contacting the Borough Clerk.

The Planning/Zoning Board has established Tuesday, February 22, 2022 at 7:30 PM as the date and time at which a virtual public hearing shall be held on the application. Members of the public, either directly or through their attorney or agent, may participate in the meeting via Zoom on the internet, from their computer, tablet, or smart phone by going to the following website: <https://zoom.us/j/8038417065?pwd=OE51Q3B3Vnl1VmX0dTRyR3BZM1I2dz09> The access code for the meeting is 803 841 7065. The passcode is: 600094. Members of the public may also participate in the virtual meeting by calling 1-929-205-6099.

A copy of below listed applications may be obtained by requesting a copy in advance of the meeting by contacting the Board Deputy Secretary at **201-666-4800 ex 1525** Monday through Friday from 8 AM to 4 PM. In addition, the application documents may be available for viewing/download on the Planning/Zoning Board page of the Borough of Hillsdale website at [www.hillsdalenj.org](http://www.hillsdalenj.org), and by appointment at the Hillsdale Borough Hall, 380 Hillsdale Avenue, Hillsdale, NJ 07642.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL BY SECRETARY**

**Present: Chairman Dewey Burleson, Vice Chair Stephen Riordan, Secretary Meredith Kates, Mayor John Ruocco, Councilman Zoltan Horvath, Ed Alter, Scott Raymond, Joanne Miano, Dan Friedman, John MacEwen, Seth Griep, Professionals: Chris Statile, Nylema Nabbie ( Marina Stinely), Tom Behrens**

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**OPEN MEETING TO PUBLIC**

**(On any items/issues *other than* those listed on the agenda below or that may come before the Board on another evening)**

**Meeting opened to the public: No One Present**

**INVOICES:**

Burgis Associates	<b>Total: \$2066.25</b>
Invoice # 40085 Chipotle 441 Hillsdale Ave	\$1305.00
Invoice # 40086 Hillsdale- Professional Planning Services 2021	\$761.25

**Approved for Payment**  
**Motion: Ed Alter Second Scott Raymond**  
**Passed Unanimously**

Statile Associates	<b>Total: \$2260.00</b>
Invoice # 2022-1 Moraitis 5 Orchard Lane	\$ 170.00
Invoice # 2022-6 Chipotle 441 Hillsdale Ave	\$ 960.00
Invoice # 2022-9 Flavio 76 Broadway	\$ 1130.00

**Approved for Payment**  
**Motion Scott Raymond, Second Joanne Miano**  
**Passed Unanimously**

Cleary Giacobbe Alfieri Jacob LLC	<b>Total: \$3722.60</b>
Invoice # 104122 PB/ZB Matters	\$1657.60
Invoice # 104115 Mulholland/Jersey Mikes/Escrow	\$ 0.00
Invoice # 104121 Moraitis/Escrow	\$ 105.00
Invoice # 104120 Rubin, Donals/Escrow	\$ 70.00
Invoice # 104119 New Concepts for Living/Escrow	\$ 315.00
Invoice # 104118 441 Hillsdale Avenue/Chipotle/Escrow	\$ 420.00
Invoice # 104117 Amitrano/Escrow	\$ 385.00
Invoice # 104116 Athanasatos/ Escrow	\$ 700.00
Invoice # 104113 Oriolo, Donald/ Escrow	\$ 70.00

**Questions were presented by board members with regards to over payment of Jersey Mikes Escrow. Not approved for payment. Cleary Giacobbe asked to provide explanation. Bills pushed to the 3/10/22 meeting for approval once response received from Cleary Giacobbe.**

**HEARINGS:**

PZ-11-21  
Block 2004 lot 3  
33 Ruckman Road  
New Concepts for Living  
Bulk Variance  
Professionals sworn in

Jim Fuery, Wm Brown, David Spatz, Chris Statile, Tom Behrens, Wm Smith  
Jim Fuery provided professional background information. Expert as an expert civil engineering.  
Mr. Fuery worked with the plans that were submitted to the board. Mr. Fuery roll in preparing was discussion and review of plans. Three Variances are required. 1. Building Coverage, Impervious coverage, and front yard setback. Building coverage: Code allows 20% coverage, building design is one level living due to use and takes up additional coverage space.,42.8 % coverage is proposed.  
Impervious Coverage: 30% of lot area allowed Propose 45.2%, Covered porch area in front and rear to protect patients with disability when coming and going. Front Yard Setback required is 50ft proposed is

43.2ft, Building located a bit further forward to accommodate parking in the back to keep comings and goings in the back. Driveway and parking add to impervious coverage. 6 Parking spaces for a van and workers cars. Reviewed report from Mr. Statile, he questions the area on the north side yard, for slope, design engineer looked at it and can accommodate the drainage. Regarding item 7 of Statile report, that's the elevation and the side yard slope addressed above. Looking to put seepage pits for water drainage. Anything different about this property than a single-family home? Mr. Fuery answered NO. Asked to have plans shared unable to accommodate. Garbage to be stored in a collection area. Same garbage uses as a single-family home. Less garbage than a normal home would have. A closed corral for the pails would be needed. Is there Handicap parking spaces? Engineer says handicap visitors will have access to parking where van is and other spots. The back covered porch can serve as the area. Mr. Statile says a accessible parking spot is need. Mr. Smith will investigate parking. Mr. Setteducate stated that handicap can park in loading and unloading area. A sign indicating would be appropriate. Will allow for sidewalk easement. Exterior lighting addressed by Mr. Statile, Steve Constantin, property manager (sworn in) stated that lighting professionals will appropriately place outdoor lighting to not affect or bother neighbors. Requested to know where lighting will be. All lights are pointed down in another town, well lite low voltage lighting. Looks like any other house in the neighborhood. Willing to work with the neighbors and respond to their direct concerns. Tom Behrens: Why are 8 spaces are needed? Low intentional use. Mr. Setteducate stated that they keep a low profile in the neighborhood. Trying to keep everything in the back as to keep in line with the neighborhood look. No on street parking. Can the parking be orient to the southwest corner and shave off some impervious coverage? Is there any screening plan for the rear, nothing proposed? Mr. Riordan, Concerns for the driveway? How can a car enter and exit at the same time? Why 12 ft wide. Reason, over on coverage, trying not to make all coverage a parking lot. This is not a site that you have people coming and going. Near School and concerns regarding entrance and exit. 2 or 3 staff exiting at one time. Constructed to be driving forward upon entry and exit. Fire Concerns? The fire department usually does its referrals, Board has not seen any from them. Side yard is a variance needed? Variance for impervious coverage due to parking in the back. Needs to change building configuration.

Ed Alter: How many parking spots? 8 per Mr. Settducati. Mr. Fuery confirmed that. RSIS shows 3 spots for a 6-apartment complex. Is there a turnaround area? You can back up and turn around in the rear and be facing front. Concern regarding 12 ft driveway. Can a mirror be placed for being able to see vehicles coming in and out? Nor in a flood plain. Lighting will be designed by lighting consultant after building approved. John MacEwen- Questions covered. Joann Miano: No questions currently, seem amenable to addressing possible issues. Mr. Setteducati confirmed no Pole lighting and home has inside sprinklers, Meredith: Mr Statile, are you comfortable with the building pitch and yes he is. Has questions regarding landscaping. Is there a landscaping plan? Trees that are coming out 7 trees staying. Trees are along the perimeter of the back and left side. The evergreens are the buffer, trees not in good condition. The landscaping needs a walk through with the EC for consultation for reinforcement of EC for landscaping. Fire, Police, EC. Please look for information regarding the referrals. There were the 16 sets sent to the building department. Tom Behrens Single family application should not require a site plan due to single family. Bulk variance application does not require referral. EC would like to work with them on the landscaping plan. Mr. Setteducati wants to make the neighbors happy and the board. Taking 15 trees requires 30 replacements. Marina, does applicant agree to comply with board recommendations for landscaping? Yes Seth Greip, Fencing questions? Is there any fencing proposed? Will ambulances be coming in and out of their property with lights and sirens, thoughts on adding a fence to rear to mitigate car lights etc. Scott Raymond: How many patients in Rivervale? 5 patients. Parking spaces are for staff not residents. Staffing requirements 6 persons 8 spots. Do you need the 8 spots? Yes they do. Parking width 12 ft is concerning, should you consider an increased 4 ft area to prevent a bottleneck. Will consider anything the board would like to see done. Confirmed willing to work with EC. North side needs bigger trees are you willing? Willing to adjust accordingly for privacy for neighbors. Retaining wall on south side 2 ft high. Is there any parking requirement? Its same as single family dwelling per Mr. Statile. Mr. Horvath has no questions currently. Mayor: Any possibility that school lot can be used to offset parking? No borough parking available to facility. Ms. Stinely stated that this is not an

option for the board to consider. Just focus on the relief requested for the specific application. The Landscaping needs to be improved and all sides. Mr. Burleson, regarding impervious coverage; Mr. Statile the elevation looks like 79 ft back goes down additional 2 ft. How do we stop runoff from snow etc., There is an underground water catching system, driveway is curbed, would like bigger trees for privacy and the lights from cars pulling in the back, Lightbulb covers are preferred? What's the hardship for 6 residents instead of 5? Mr. Setteducati stated they need the income produced to fund round the clock care. This could help the municipality towards fair share housing requirements in future. Chairman has concerns with the size. Needs to be addressed. Regular homeowners would be required to adjust. The design needs to be adjusted and there is a possible 4<sup>th</sup> requirement. Asked if vote could be on the 3 submitted. VC Could be additional 3 variances? Major questions need to be resolved. Applicant should come back with a modified plan. Dan Friedman: Fencing would satisfy a lot of problems with lights going In and out, especially on the left. Fencing would be good to satisfy concerns. Is driveway paved? It is asphalt. Is there a way to cut it down a bit by doing gravel can bring down the impervious percent? What is the diagonal pathway made of? Concrete.

### **OPEN SESSION:**

Open to the Public: Nancy Tompson 40 Rostin CT: I appreciate what New Concept is doing as a facility and the boards concern. The evergreens on my side are beautiful but the other side she is not sure of. Would like to still have trees. Concerned with the lights from cars coming into the lot, feels a fence would be helpful. Setteducati, stated they are amenable to any changes, we are willing to do whatever it takes to make it mre palatable. Mr. Alter: Do you get runoff? Yes, she does. Not sure where coming from. Her property is sloped also.

Noreen and Robert Gillen 23 Ruckman Ave abut south side. They had to have a 10 ft barrier to build their house. There will be 10-12 feet. Medical waste? No. Hospital beds or wheelchairs. Retaining wall is 2 ft off the property line of applicant. They would like to see a fence. Soundproof fence? Cars will not be always going in and out. They are willing to investigate what would look nice. 24-hour care. Entry and exit is through back doors. The side exits are for emergency only. Evening care? How many people will be there? 2-4 people. Will house be hardwired to Police and Fire? Yes, Generator is 12 feet off property line, if building moved will increase distanced, hooked up to gas. What are the decibels? Not sure. Concerned with getting in and out of parking lot. They don't see an issue residents leave daily at 8:15 am for activity. Staff would change at 9 am and only pulling out. No fire engines up to the home. Exterior lighting, we are south of you. There is no pole lighting. Only on the house above the doors and directed away from their home. If the Gillen's have any concerns, he is willing to address. Mr. Gillen feels the building is too big for lot. The lot size is 22275 ft slightly more than ½ acre and acre is 44360. He is against that building on this property. The Gillen's informed they will have opportunity again to speak.

Chairman recapped: Resolve side and rear yard setback, work with the EC and lighting. Mr, Setteducati asked who to work with. Chris and the EC will come up with a plan and send to New Concepts in Living. This is a single-family home review not a site plan. Applicant is more than willing to adjust. VC- historically wants a clear answer on ADA parking if required? What are the calculation requirements? RSIS applies to approval plan.

### **ADJOURNMENT:**

Next Public Hearing- March 10, 2022 (In Person)7:30 PM