

BOROUGH OF HILLSDALE

Planning/Zoning Board

MINUTES

September 24, 2024

7:30 PM

Chairwoman Kates called the meeting to order at approximately 7:30 pm. Deputy Secretary Janeiro recited the Open Public Meeting Statement and Pledge of Allegiance.

**MEMBERS PRESENT:** Chairwoman M. Kates, Vice Chairman S. Riordan, Secretary S. Raymond, Mr. E. Alter, Mr. D. Friedman, Ms. G. Guzman, Dr. A. Weinberg, and Mayor Sheinfield

**MEMBERS ABSENT:** Mr. S. Griep, Mr. S. Sammarco and Council Liason Trochimiuk

**EMPLOYEES PRESENT:** Ms. Erica Parlavecchio, Board Attorney (Covering Attorney)  
Mr. Chris Statile, Board Engineer  
Ms. T. Janeiro, Deputy Secretary

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

The meeting was then opened to the public for matters not on the agenda. There being none, the meeting was closed to the public.

<b><u>INVOICES</u></b>				
<b><u>CSG LAW</u></b>	<b><u>Total</u></b>	<b><u>Motion</u></b>	<b><u>Second</u></b>	<b><u>Outcome</u></b>
620456	\$1000.00	S. Raymond	A. Weinberg	Passed
620458	\$777.00			
620542	\$37.00			
620543	\$111.00			
620545	\$55.50			
<b>Total -</b>	<b>\$1980.50</b>			

**MEETING MINUTES**

September 12, 2024

<b><u>Motion</u></b>	<b><u>Second</u></b>	<b><u>Outcome</u></b>
M. Sheinfield	D. Friedman	Passed

**DISUCSSION**

Mayor Sheinfield said they have started the cell tower process. The project will need DEP approval. This matter will eventually be sent to the Planning Board for board and public comment. Secretary Raymond asked what the time frame would be. Mayor Sheinfield said it depends on the DEP, but possibly the fourth quarter of 2025.

Chairwoman Kates said the Mayor and Council referral regarding the Patterson Street Redevelopment Plan will be reissued from the Mayor and Council on October 1, 2024. This matter will then be placed on the October 22, 2024 Hillsdale Planning Board agenda.

**NEW HEARING**

PZ-09-24

Block 1624 / Lot 10; 215 Lincoln Avenue

Michael Larsen

Front Portico and Roof Over Existing Rear Patio

Front Yard Setback Lincoln Avenue and Oakland Avenue, Rear Yard Setback, Building Coverage, Impervious Coverage and Floor Area Ratio

Mayor Sheinfield left the meeting due to the “d” variance.

Ms. Priscilla Triolo, Esq. from the Law Firm of Bittiger Elias Triolo & Diehl located in Paramus, New Jersey was present as the applicant’s attorney.

Ms. Triolo spoke about the proposed application. The applicant proposes to construct a portico over the front door and a roof over the existing rear patio.

The following non-conformities exist:

1. **Lot Area:** 5,334 SF where a minimum of 7,500 SF is required.
2. **Lot Frontage:** 50.17 ft. where a minimum of 75.0 ft. is required.
3. **Lot Width:** 50.17 ft. where a minimum of 75.0 ft. is required.
4. **Front Yard Setback (Lincoln Ave):** 29.0 ft. proposed vs. minimum of 30.0 ft. required
5. **Front Yard Setback (Oakland Ave):** 11.5 ft. proposed vs. minimum of 30.0 ft. required.

Note: For the purpose of determining the depth of yards of corner lots, all yards abutting a street line shall be deemed front yards, but if the front setback of one of such yards shall meet the requirements specified for the district in which it is located, the setback of the other such yard need not exceed one-half of the depth required for the first mentioned front yard. *This regulation does not apply as the front setback to Lincoln Avenue does not comply with the requirement. Therefore, the required front yard setback to Oakland Avenue is 30.0 ft.*

6. **Side Yard Setback:** 7.9 ft. proposed vs. minimum of 10.0 ft. required.
7. **Building Coverage:** 27.4% where a maximum of 25.0% is allowable.
8. **Impervious Coverage:** 36.1% where a maximum of 30.0% is allowable.

9. **Floor Area Ratio:** 41.6% where a maximum of 35.0% is allowable

The following variances are required:

1. **Front Yard Setback (Lincoln Ave):** 27.79 ft. proposed vs. minimum of 30.0 ft. required (decreased 1.11 ft. from existing conditions).
2. **Front Yard Setback (Oakland Ave):** 13.5 ft. proposed vs. minimum of 30.0 ft. required (expansion of non-conformity).
3. **Rear Yard Setback:** 20.1 ft. proposed vs. minimum of 25.0 ft. required (new).
4. **Building Coverage:** 30.6% where a maximum of 25.0% is allowed (increased 3.2% from existing conditions).
5. **Impervious Coverage:** 36.4% where a maximum of 30.0% is allowed (increased 0.3% from existing conditions).
6. **Floor Area Ratio:** 46.9% where a maximum of 35.0% is allowed (increased 5.3% from existing conditions)

Note: Per definition, "Roofed and/or covered decks & patios are considered Buildings and included in the FAR calculations."

The first witness is the homeowner and applicant, Mr. Michael Larsen. Mr. Larsen was sworn in by Ms. Parlavecchio. He has resided in the home for 20 years.

Mr. Larsen explained the need for the covered porch and patio. He spoke about the plans submitted by Element Architectural Group dated May 16, 2024. Two pages Z-1 and Z-2.

**Board questions of Mr. Larsen:**

Dr. Weinberg

No questions

Secretary Raymond

Spoke about visiting the property this afternoon. He asked if the applicant ever had future plans to enclose the covered patio and make it a three-season room. Mr. Larsen said no. Secretary Raymond asked Mr. Statile if the applicant ever wanted to enclose the rear patio if they could. Mr. Statile said yes, it would not affect the FAR. Chairwoman Kates commented that we could always make a condition of the resolution that the structure could not be enclosed.

Secretary Raymond asked if there would be any interior alterations done in the home. Mr. Larsen said no.

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Mr. Alter

Asked if the concrete patio was present when the home was purchased. Mr. Larsen said yes.

Mr. Alter asked about the neighboring lots.

Mr. Alter asked if the roof was going over the existing patio and where the water would be draining to. Mr. Larsen said yes and the water would be draining on the property.

Vice Chairman Riordan

No questions

Ms. Guzman

Asked if any additional concrete would be added to the rear patio. Mr. Larsen said no.

Mr. Friedman

Do you have an architect appearing? Mr. Larsen said no.

Chairwoman Kates

Asked what the amenities would be added to the property as discussed in the July 25, 2024 letter submitted from Ms. Triolo. Mr. Larsen said front portico and rear roof over the existing patio only.

Mr. Alter

Is the back yard on a slope? Mr. Larsen said a very slight slope.

Mr. Statile

Will any lights be installed. Mr. Larsen said Edison lights and a ceiling fan with light. No flood lights.

Mr. Friedman

Asked about the rear yard set-back.

Asked if the roof will align with the patio. Mr. Larsen said yes.

Dr. Weinberg

Asked Mr. Statile if there would be any issue with the water draining onto the property? Mr. Statile said no, it drains there now.

Board Engineer, Mr. Chris Statile, was sworn in by Ms. Parlavecchio.

Mr. Statile commented to watch out for the sanitary sewer, as it may need to be cleaned out.

Vice Chairman Riordan

Questioned the rocks in submitted photograph number three. Mr. Larsen said it was a field drain.

The applicants engineer, Mr. Charles Osterkorn of 121 Goodwin Avenue in Wyckoff, was sworn in by Ms. Parlavecchio. Mr. Osterkorn gave his professional background and was accepted as an expert witness. Mr. Osterkorn is a licensed engineer, planner and surveyor.

Mr. Osterkorn went over the plans and described the current conditions. He spoke about the portico and covered existing rear patio. The drainage will continue to drain as it currently is.

Mr. Triolo asked if Mr. Osterkorn looked at any of the surrounding homes in the area. He said yes and presented **Exhibit A-1**, an aerial exhibit of surrounding homes taken on September 24, 2024. Mr. Osterkorn spoke about the surrounding homes and their pre-existing non-conforming conditions. **Exhibit A-2**, a photo looking at 209 and 203 Lincoln was taken on September 22, 2024 by Mr. Charles Osterkorn. The photograph shows the front yard projection of the homes.

Mr. Osterkorn believes this is a good project. He said some neighbors have existing porticos on their properties.

Mr. Osterkorn went over the positive and negative of this application. He does not believe there is any negative. Spoke about the D4 variance needed for this application.

**Board questions of Mr. Osterkorn:**

Mr. Friedman

No questions

Ms. Guzman

No questions

Vice Chairman Riordan

The lot is undersized, but not undersized in depth. The rear corner of the patio is not driven by hardship. Spoke about the footings that will need to be drilled. Mr. Osterkorn believes the hardship is justified.

Mr. Alter

Any flooding issues. Mr. Osterkorn said no. Mr. Larsen said they are not in a flood zone.

Secretary Raymond

Asked if the footings for the structure will be outside the patio? Mr. Statile said the columns for the patio will be placed on the existing patio.

Secretary Raymond questioned the FAR. Mr. Statile answered.

Dr. Weinberg

No questions

The meeting was open to the public to ask questions of Mr. Larsen or Mr. Osterkorn. No members of the public were wishing to speak.

Mr. Triolo discussed why these additions to the home were needed.

Mr. Friedman commented that no expansion upward should be permitted. Vice Chairman Riordan said FAR would then be an issue.

A motion was made by Secretary Raymond to approve the application with no conditions. The motion was seconded by Ms. Guzman, and carried by a roll vote as follows:

Vice Chairman Riordan	Yes
Secretary Raymond	Yes
Mr. Alter	Yes
Mr. Friedman	Yes
Ms. Guzman	Yes
Dr. Weinberg	Yes
Chairwoman Kates	Yes

The resolution will be placed on the next meeting agenda.

Ms. Triolo thanked the board and thanked Ms. Janeiro for all of her assistance.

**DISUCSSION**

No further board discussion.

The meeting was then opened to the public for any questions. There being none, the meeting was closed to the public.

**ADJOURNMENT:**

The meeting was adjourned at approximately 8:18 pm.

Next Public Hearing - Tuesday, October 22, 2024 7:30 pm; Borough Hall Council Chambers