

**MINUTES OF THE MAY 13, 2021 PLANNING BOARD MEETING (VIRTUAL)
BOROUGH HALL, BOROUGH OF HILLSDALE**

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

MEMBERS ABSENT:

EMPLOYEES PRESENT: **N. Nabbie, Board Attorney**
C. Statile, P.E., Board Engineer
T. Behrens, Board Planner
R. Hamman, Deputy Secretary

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

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

January 14, 2021

A motion was made by Dr. Lichstein and seconded by Ms. Kates. The Board was polled and the motion passed.

January 26, 2021

A motion was made by Mr. Riordan and seconded by Mr. Friedman. The Board was polled and the motion passed

February 11, 2021

A motion was made by Dr Lichstein and seconded by Mr. Alter. The Board was polled and the motion passed.

APPROVAL OF INVOICES

A motion was made by Ms. Miano and seconded by Mr. Raymond to approve invoices from Cleary Giacobbe Alfieri Jacobs, LLC. The Board was polled and the motion passed. The invoices were approved for payment.

RESOLUTION:

PZ-07-20, Block 1119, Lot 4
Albino and Hailey Matesic,
61 Cedar St.

A motion was made by Ms. Kates and seconded by Mr. Raymond. The Board was polled and the motion passed. The Resolution was adopted.

COMPLETENESS REVIEW

PZ-03-21, BLOCK 501, Lot 2
Justin White
934 Hillsdale Ave
Fence application

Mr. Statile outlined the application and stated that the application could be deemed complete. A motion to schedule the hearing was made by Mr. Raymond and seconded by Ms. Kates. The application was set with a hearing date of June 10 at 7:30 p.m.

HEARINGS

PZ-02-21, Block 407, Lot5
Vartan Sayegh and Linda Leuffgen
27 Orchard Lane
(C) Bulk Variance and (D) Variance due to the proposed improvements and exceeding the Floor Area Ration (F.A.R) and encroaching int setback area.

Mayor Ruocco and Council Liaison Horvath recused themselves from the hearing.

The applicants introduced themselves.

Mr. Statile described what the applicants propose to do to their home and property.

Ms. Nabblie swore in the applicants and the professionals.

The applicants stated their proposed plans.

Ms. Nabblie swore in the applicant's architect, Mr. Bustamonte. He described his qualifications.

The Chairman accepted Mr. Bustamonte's qualifications.

Mr. Bustamonte described that the house is currently one story and the plan is to make it two stories,

A question was asked about existing variances.

A question was asked about the size of the addition.

A question was asked about the egress.

A question was asked about the rear yard setback both existing and proposed.

A question was asked regarding the number of variances that are requested.

A question was asked about the front porch.

A question was asked about the existing sun room.

A question was asked about the depth of the garage.

A question was asked about the current vegetation in the yard and if it would cause a drainage problem.

A question was asked about the existing rear yard setback.

A question was asked about the current and proposed house foot print.

A question was asked regarding the need for the variances.

A question was regarding the egress window in the basement.

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

A motion was made by Mr. Raymond and a seconded by Dr. Lichtstein. The Board was polled and the motion passed. The zoning table is incorrect. A revised drawing of #A100.00 must be provided.

PZ-04-21, Block 105, Lot 1

Sergey Dvoynos

178 Magnolia

(C)(1) Bulk Variance (C)(2) Variance and (D) Variance due to the proposed improvements exceeding the Floor Area Ratio (F.A.R)

Mayor Ruocco and Council Liaison Horvath and Vice Chair Riordan recused themselves from the hearing.

Dean Stamos, the attorney representing the applicants, described the property. The applicants also have an Architect and Planner present at the hearing.

John Bryjak, the applicant's architect was sworn in and provided his qualifications.

Mr. Dvoynos, the applicant was sworn.

Mr. Bryjak described the proposed changes.

Drawing A 1 was shown and described by Mr. Bryjak.
A correction to site plan A. What was described as a deck is actually a landing.

Drawing A .1.1 was shown and described by Mr. Bryjak.

Drawing A 1.2 was shown and described by Mr. Bryjak

Drawing A 2.1 was shown and described by Mr. Bryjak.

Mr. Bryjak showed a virtual tour of the proposed model of the home.

Drawing A2.2 was shown and described by Mr. Bryjak.

Mr. Stamos asked to confirm how many current bedrooms.

Mr. Bryjak stated they will not be increasing the existing footprint to the home. The garage will be eliminated reducing the F.A.R. The existing mud room will also be eliminated.

Mr. Dvoynos described that both interior and exterior will be improved. The items currently stored in the garage will be stored in the workshop within the home.

A question was asked about the existing retaining walls.

A question was asked about a conforming location for the air conditioning unit.

A question was asked about the current state of the attic space.

It was confirmed the only access to the basement was through the house.

A question was asked how this house was on such a small space.

David Karlebach, the Planner was sworn in and his credentials were accepted. He reviewed the property. He also described why the variances needed to be requested. He described that the proposed changes will improve the property and be an enhancement to the neighborhood.

A question was asked about the covered porch affect the F.A.R.

A question was asked about the site being able to accommodate the renovation of the attic.

A question was asked about other surrounding homes having habitable attic space.

It was confirmed the attic will be a bedroom and office. It will be conforming.

A statement was made by the addition of a story would increase inhabitants to the home.

A question was asked about the existing staircase.

A question was asked about the locations of the bathrooms and to confirm there will be not bedroom in the basement.

A question was asked about the variances that were requested.

A question was asked about the proposed bathroom in the attic.

A question was asked regarding the differentiation between the bedroom and office on the 3rd floor.

A question was asked regarding other homes with that many proposed bathrooms and possibly bedroom.

A concern was made about the possibility of having multi-family within the structure.

The homeowner explained why he is requesting the proposed changes and that the bathroom in the basement currently exists and would be more difficult to remove.

Another comment was made about having 4.5 bathrooms in such a small space. If the house is sold it could be perceived as a multi-family home.

A comment was made that the retaining wall needed to be addressed.

A question was asked about the attic and if the office will be a commercial office.

A question was asked regarding the overhang facing Conklin.

The homeowner stated that the bathroom in the basement is not needed, but would be cheaper to leave it. He would be willing to remove it.

A question was asked regarding the number of proposed bedrooms and bathrooms. 3 bedrooms. 4 full bathrooms and one half bathroom on the first floor.

A question was asked about the attic height and the height of the proposed bathroom.

A question was asked why a full bath in the attic and if they sell it could be used as an extended or multi family home.

A question was asked if the homeowner currently owns any other homes in Hillsdale.

A question was asked about how many cars they currently own and how they will be parked.

The meeting was opened to the public.

Michael Breen, 183 Magnolia, stated he was pleased to see the renovations, but the number of bathrooms was a concern.

A compromise to the bathroom situation was suggested.

A comment was made regarding the driveway and a potential parking situation.

A comment was made regarding changes needed to be made to the retaining wall.

A comment was made regarding the lack of height in the attic.

A suggestion was made to reduce the basement bathroom to a half bath as well as the attic bathroom.

A suggestion was made about moving the air conditioner to the back yard.

The applicant's attorney spoke about some of the issues brought up by the Board and tried to describe what the applicant was trying to do and tried to explain that the property could accommodate the changes proposed.

The attorney was able to take a break to discuss the situation with the applicant.

The attorney explained the need for the additional bathrooms. The applicant will be willing to make the attic a half bath. As for the basement, they would prefer not to eliminate that bathroom due to the cost of removal.

The applicant agreed to eliminate the shower in the proposed attic bathroom and remove the shower from the basement bathroom. He will amend the application.

The Planning Board Planner explained regarding the F.A.R.

The applicant's attorney was asked if he wanted to re-appear or have a vote. They decided to go for a vote.

Two conditions were mentioned. The HVAC needs to be screened and the retaining wall be inspected by a design professional and any deficiencies in the side walk need to be repaired

A motion was made by Mr. Raymond and seconded by Ms. Kates. The Board was polled and the motion passed.

DISCUSSION:

ORDINANCE NO. 21-08

Opt out Ordinance Prohibits all 6 classes of recreational marijuana. If municipality does not opt out, all 6 classes will be allowed. The town can choose to opt back in, but if the town opts in, they can't opt out. This is an amendment to the Zoning Ordinance.

Any comments will be forwarded back to the Council by the Board attorney.

The Board Planner made comments on the Ordinance and asked the Board to determine if it is not inconsistent with the Master Plan.

A question was made regarding the opt out/opt in and if the Council decides to opt in, does the Planning Board have any say.

Council replied by saying yes, the Planning Board would have input if the Council decided to opt back in and allow recreational use of Marijuana within the Borough.

A comment was made it was smart to opt out with the option to opt back in at a later time.

The Board was polled and it was agreed it was confirmed that it was not inconsistent with the Master Plan. The Board Attorney will reply back to the Town Attorney.

MASTER PLAN

The Board Planner stated that a re-examination of the Master Plan needs to take place.

The Board Attorney suggested that the Planning Board form a Master Plan sub-committee.

The Chairman suggested Vice Chair Stephen Riordan, Secretary Kates and Dr. Lichtstein make up the sub-committee.

The sub-committee will meet with the Board Planner and then report back to the Board as to next steps.

The last full Master Plan was 2003. There have been several amendments since 2003.

A question was asked as to what happens if the vision of the Council differs from the vision of the Planning Board.

A motion to form a sub-committee was made by Mayor Ruocco and seconded by Council Liasion Horvath. The Board was polled and the motion passed.

With no further discussion, the meeting was adjourned at approximately 10:54 p.m.

Respectfully submitted Robin Hamman Deputy Planning Board Secretary.