

BOROUGH OF HILLSDALE

Planning/Zoning Board

MINUTES

July 23, 2024

7:30 PM

Vice Chairman Riordan 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: Vice Chairman S. Riordan, Secretary S. Raymond, Ms. G. Guzman, Dr. A. Weinberg, Mr. S. Sammarco and Mayor Sheinfeld

MEMBERS ABSENT: Chairwoman M. Kates Mr. E. Alter, Mr. D. Friedman, Mr. S. Griep, and Council Liason Trochimiuk

EMPLOYEES PRESENT: Mr. Marc Leibman, Board 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.

Mr. Kevin Harmony – 125 Ruckman Avenue

Mr. Sue Harmony – 125 Ruckman Avenue

Ms. Harmony spoke about how they are here this evening to talk about a previously denied application for 8 Willow Brook Road. The application was for a non-conforming, already existing pool. The board did not approve their application, which meant they would be required to make changes to their existing pool patio and pool equipment. She said that to date, no changes have been made. Mr. Harmony went to speak to the zoning official, who told him not to escalate anything, and he is working on this situation. She also commented that she never received notice regarding any additional meetings for that application, only the first hearing. Vice Chairman Riordan explained that this board denied the application, and that is where their jurisdiction ends. If they do not adhere to the resolution, they will receive a court summons. Mr. Leibman commented that Mr. and Mrs. Harmony may wish to consult with their own attorney or attend a Hillsdale Mayor and Council meeting to discuss this matter.

<u>INVOICES</u>				
<u>CSG LAW</u>	<u>Total</u>	<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
614586	\$1000.00	S. Raymond	A. Weinberg	Passed
614588	\$869.50			
614589	\$55.50			
614590	\$647.50			
614591	\$55.50			
614592	\$74.00			
Total -	\$2702.00			

INVOICES

<u>Christopher P. Statile, P.A.</u>	<u>Total</u>	<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
1120.05330	\$1200.00	S. Raymond	A. Weinberg	Passed
Total -	\$1200.00			

MEETING MINUTES

June 23, 2024

<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
S. Raymond	G. Guzman	Passed

CONTINUED HEARING

PZ-07-24

Block 2201/ Lot 20; 7 Cherry Hill Court

John & Jennifer Sabatie

Single Family Home Addition

Side Yard Setback

This hearing is a continuation of the June 13, 2024 hearing.

Attorney, Ms. Donna Vellekamp is appearing instead of the previous Attorney, Matthew Capizzi. Ms. Vellekamp is present as the applicant’s attorney.

Mr. Leibman sworn in Board Engineer, Mr. Chris Statile.

The following professional was previously sworn in by the Board Attorney to offer testimony:

Architect:

Frank Troia / Plan Architecture

267 Pascack Road

Township of Washington, NJ 07676

Mr. Troia went over the plans dated March 18, 2024 and revised on July 1, 2024. He said, given the location of the existing residence, the left side yard is the most practical location for the proposed addition. The lot is irregularly shaped. The following variances are required:

Minimum Left-Side Yard Setback

Minimum Combined Side Yard Setbacks

This application was revised to increase the garage width by two feet.

The existing roof line is going to be matched. The home will be below the permitted height.

Mr. Troia spoke about the existing driveway and the proposed driveway.

Board Questions of Mr. Troia:

Mayor Sheinfield

Asked if they had spoken to the neighbor on the driveway side. Ms. Vellekamp said the neighbors at 5 Cherry Hill Court are on vacation and could not be here this evening. They did, however, submit a signed certification fully supporting the application.

Vice Chairman Riordan commented that, to the naked eye, no one would notice the changes from the previous set of submitted plans.

The following professional was previously sworn in by the Board Attorney to offer testimony:

Engineer:

Tyler Vandervalk / Civilized Engineering, LLC

64 Valley Road

Butler, NJ 07405

Mr. Vandervalk was accepted as an expert witness.

Mr. Vandervalk described the property. He said it is located on a cul-de-sac with nine residential homes. The Edgewood Country Club is located to the east of the applicant's property. The property is unusual as it is narrow in the front, with most of the lot area located in the rear of the property.

The driveway currently encroaches on the property line. The garages will be replaced with front-loading garages. This will make the garages easier to access and pull the driveway away from the neighbors. The proposed changes to the driveway are a benefit to the property.

Mr. Vandervalk went over the zoning chart located on the plans dated March 15, 2024 and revised on June 28, 2024. He spoke about the variances that will be required for this application. They are as follows:

Minimum Left-Side Yard Setback

Minimum Combined Side Yard Setbacks

Currently, the driveway has a zero-foot setback from the neighbor. The proposed driveway change will now allow for a seven-foot setback and some landscape buffering. A trench drain will be installed at the end of the driveway.

There are a couple of sheds on the property line that will be removed.

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Mr. Vandervalk said the unique shape of this property poses a hardship. He believes that the variances can be granted without causing a substantial detriment to the public good as the dwelling is well below the permitted building height, permitted floor area ratio and the permitted building coverage.

Board Questions of Mr. Vandervalk:

Mr. Statile

What is the overhang.

18' due to the angel of the property.

Any landscape proposed at this time?

Nothing specific.

Secretary Raymond

Questioned how the setback is measured.

He would like to see some landscape on the buffer.

Questioned the number of trees coming down.

The owner would like to save as many trees as possible. If the trees need to be replaced, they will follow the borough tree removal ordinance.

Where is the retaining wall being placed, and what is the height?

Under 3 ½ feet, and it will be located by the garage door. No fall protection is required as it is not located in a path of travel.

Asked about soil moving

Mr. Statile said they will proceed with the borough engineer for that.

Asked if the sheds would be removed.

Yes

Dr. Weinberg

Asked for the requested variances

Vice Chairman Riordan

Asked if a rear yard variance is required.

Mr. Statile said we can add to the list of variances.

The meeting was open to the public to ask any related questions on this application. There being none, the meeting was closed to the public.

Mr. Leibman went over the following conditions:

- Soil Moving Permit if necessary.
- Landscaping to be installed along the driveway consistent with the artist renderings.
- Trees to be preserved if possible.
- Set-back to the overhang not to exceed 18”.
- Retaining wall not to exceed 3 ½ feet at the garage location.
- Board engineer makes a final site-inspection.
- Sheds to be removed.

Mayor Sheinfield asked if any tree needed to be removed, what would be necessary for replacement. Vice Chairman Riordan said two for one.

Mayor Sheinfield asked about the tree covering on the west side of the property.

A motion was made by Secretary Raymond to approve the application with the conditions stated by Mr. Leibman. The motion was seconded by Dr. Weinberg, and carried by a roll vote as follows:

Secretary Raymond	Yes
Ms. Guzman	Yes
Dr. Weinberg	Yes
Mr. Sammarco	Yes
Mayor Sheinfield	Yes
Vice Chairman Riordan	Yes

The resolution will be placed on the August 8, 2024 agenda.

DISUCSSION

Dr. Weinberg asked what Mr. Leibman said to the applicants from 32 Riverdale Street at the last meeting. Mr. Leibman advised them to get an attorney and make sure their contractor appears and is a licensed contractor.

A discussion on the updating of the board checklist will be placed on the August 27, 2024 agenda.

ADJOURNMENT:

The meeting was adjourned at approximately 8:45 pm.

Next Public Hearing - Thursday, August 8, 2024 7:30 pm; Borough Hall Council Chambers