

BOROUGH OF HILLSDALE

Planning/Zoning Board

MINUTES

February 27, 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.

ADMINISTERING OATH OF OFFICE

Oath of office was administered by Mayor Sheinfield to the below board member for the positions noted.

- Dr. Arthur Weinberg – Alt #2, Term Expiring 12/31/24

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

MEMBERS ABSENT: Mr. J. MacEwen

EMPLOYEES PRESENT: Ms. M. Stinely, Board Attorney
Mr. C. 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.

<u>INVOICES</u>				
<u>Professional - Christopher P. Statile</u>	<u>Total</u>	<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
2024-3	\$110.00	S. Raymond	E. Alter	Passed
2024-4	220.00			
2024-5	220.00			
2024-6	497.50			
Total -	\$1047.50			

<u>INVOICES</u>				
<u>Professional - Cleary Giacobbe Alfieri Jacobs, LLC</u>	<u>Total</u>	<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
130967	2117.50	S. Raymond	E. Alter	Passed
130968	393.75			
130969	122.50			
130970	647.50			
130971	105.00			
130972	17.50			
Total -	\$3403.75			

MEETING MINUTES

OPEN – February 8, 2024

<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
S. Raymond	D. Friedman	Passed

CLOSED – February 8, 2024

<u>Motion</u>	<u>Second</u>	<u>Outcome</u>
S. Raymond	D. Friedman	Passed

COMPLETENESS

PZ-03-24

Block 1504 Lot 9; 67 Vincent Street

Anita Sharma

Existing Patio and Gazebo

Impervious Coverage

Mr. Statile summarized the application. The applicant preformed construction on the patio and gazebo without permits. The applicant is appealing a February 8, 2024 denial from the Zoning Official for a bulk variance. The application involves a bulk (“c”) variance. Ms. Statile deemed this application complete.

Mr. Alter asked if all fees were paid. Ms. Janeiro replied yes.

A motion to approve the review was made by Mr. Alter and seconded by Vice Chairman Riordan. The board was polled and the motion passed. The hearing date was set for March 26, 2024.

HEARING

PZ-03-23

Block 105 Lot 7; 38 Glen Hook Road

Ricardo Arnt

Pool Patio

Patio Setback

Mr. Matthew Capizzi, Esq. was present as the applicant’s attorney.

Mr. Capizzi spoke about the application. The applicant is seeking approval to replace and expand an existing patio around an existing in-ground swimming pool. The applicant is appealing an April 27, 2023 denial letter for lot coverage and pool setback from the Zoning Official. The application is for “c” (bulk) variances. Mr. Capizzi said the pool was built in 1974. He sent an OPRA to the town to see if a prior resolution was received. The OPRA came back with no information on file.

Mr. Capizzi believes the proposed application will provide a greater buffer than what currently exists today.

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

Engineer:

Paul Gdanski

633 Woodmont Lane

Sloatsburg, NY 10974

Exhibit A-1 plans prepared by Mr. Paul Gdanski and dated April 7, 2023.

Mr. Gdanski gave his professional education and background and was accepted as an expert witness.

Mr. Gdanski spoke about the application. The swimming pool with a surrounding concrete patio and deck are located in the front yard along Craig Road. A driveway provides access to the dwelling from Craig Road. His client wishes to demolish the existing deck and some of the surrounding concrete and replace with a patio and walkway.

38 Glen Hook Road is located in the R-1 Residential Zone. The property is 16,545 Square Feet, whereas 15,000 is required. The existing pool, deck and portions of the surrounding patio are non-conforming.

Existing Non-Conformities:

- 1. Swimming Pool Location - 310-55.H.(3):** Constructed in required front yard where accessory structures are allowable in the rear yard only.
- 2. Deck Location - 310-55.H.(5):** 3.0 to front and rear lots lines where a minimum of 10.0 ft. is required.
- 3. Lot Area:** 16,545 S.F. where a minimum of 22,500 S.F. is required.
- 4. Lot Width:** 105.9 ft. where a minimum of 150.0 ft. is required.
- 5. Side Yard Setback Each (Dwelling):** 9.96 ft. where a minimum of 25.0 ft. is required.

Requested Variances:

- 1. Patio Setback - 310-55.H.(5):** 5.9 ft. to the lot line along Craig Road where a minimum of 10.0 ft. is required.
- 2. Patio Setback - 310-55.H.(5):** 6.0 ft. to the lot line perpendicular to the lot line along Craig Road where a minimum of 10.0 ft. is required.

Mr. Gdanski went over the variances that his client is seeking. The applicant is proposing a cultec drainage unit that will hold 132 cubic ft., where only 105 cubic ft. is required.

Mr. Statile asked about the impervious coverage. There will be approximately 600 ft. additional impervious coverage. The existing impervious coverage is 28.1 ft. and the proposed is 29.7 ft.

Mr. Statile asked about the retaining wall around the deck. Mr. Gdanski commented the wall is approximately one ft. and no railing will be installed. The applicant is also proposing a 30" wall. Mr. Statile commented that the wall will need code compliant.

Board Questions of Mr. Gdanski:

Mr. Alter:

- Elevation of pool?
- Three and a half ft.
-
- How will run off be addressed?
- Cultec Drainage System.
-
- Was the pool there when the current homeowner moved in?
- Yes.

Secretary Raymond:

- Why is there a ramp from the street level instead of stairs?
- Existing ramp being replaced. Mr. Capizzi commented that the ramp is used to take out recycling.
-
- The elevation is three and a half ft. How high is the retaining wall?
- Two and a half ft. and one ft.
-
- Is pool being renovated?
- Yes, the pool liner and coping are both being replaced.

Mr. Griep:

- Is the pool equipment being replaced?
- No.

Mayor Sheinfield:

- Any reactions from neighbors? Chairman Kates commented that all neighbors within 200 ft. were noticed, but no neighbors are present.

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Mr. Alter:

- Is the fence being replaced?
- Yes, with a four ft. wooden fence.

Dr. Weinberg:

- Is there anything with this application that affects the neighbors?
- No, they believe it's an improvement.

Vice Chairman Riordan:

- What are the dimensions from the coping to the edge of the patio on the Craig Road Side and the opposite side?
- About five ft. and 13 ft.

- What is the reason for the narrow walkway?
- To provide a place for them to walk around without getting grass in the pool.

Chairwoman Kates:

- What is the reason for the replacement of the patio?
- The patio is in disrepair.

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

Landscape Architect:

William Boyce

180 Old Tappan Road

Old Tappan, NJ 07675

Mr. Boyce gave his professional education and background and was accepted as an expert witness.

Exhibit A-2 Landscape Plans prepared by Mr. Boyce and dated March 31, 2023

Exhibit A-3 Photographs showing existing conditions and proposed.

Mr. Boyce explained that the applicant has a dog that he wants to keep safe in the yard. Mr. Boyce showed on Exhibit A-2 where the applicant proposed to install green giant arborvitaes tip to tip for privacy. Mr. Boyce described the existing conditions on Exhibit A-2. The purpose of the retaining wall close to the pool is to lock in the pavers. The retaining wall will have a slightly depressed planting bed, supported by another wall and then the fence is in the outside of that wall, protecting the plant material from the ever-growing deer population. Mr. Capizzi asked how large the trees will grow? Mr. Boyce replied seven to ten ft. The intent is to keep the trees as a hedge, so they will be trimmed. There will be hydrangeas along the back side of the wall.

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Board Questions of Mr. Boyce:

Secretary Raymond:

- Is the proposed location for the arborvitaes a sufficient plant for that area?

- If trimmed as a hedge, yes.

A conversation was had by Secretary Raymond and Mr. Boyce regarding the proper type of hedge for that specific location. It was decided that this would be left up to the applicant to not plant anything that will exceed five-six ft.

Mr. Friedman:

- Mr. Friedman has some questions pertaining to the wall and fence. Mr. Boyce pointed out on the plans and pictures where the location of the fence and wall are proposed.

Mr. Griep:

- Mr. Griep is concerned about the drop off from the pool to the plantings causing a tripping hazard. Mr. Boyce said that Mr. Gdanski testified that there were no trip hazards. Mr. Boyce commented that a railing can be installed to give extra protection.

Vice Chairman Riordan:

- Vice Chairman Riordan commented how he commends the applicant for bringing a landscape architect to the hearing as it was very helpful to the board.

Mr. Capizzi offered a closing statement. He said the applicant purchased the home three years ago. The home has an undersized lot and is on a corner lot. He believes the applicant came to the board with a great plan that offers a drainage solution and has visual appeal.

Ms. Stinely announced that the board opened to the public and no public was present.

Mr. Capizzi agreed to comply with the boards recommendations and to submit updated plans.

Although not a condition, the applicant will agree to consider switching evergreens to a narrow tree.

Mr. Boyce clarified the applicant will install an iron fence along edge of pool deck, or something of similar material.

A motion was made by Secretary Raymond to approve the application. 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
Mr. Griep	Yes
Ms. Guzman	Yes
Council Liaison Trochimiuk	Yes
Mayor Sheinfield	Yes
Chairwoman Kates	Yes

CLOSED SESSION

The board entered into closed session to discuss the RFP's received for the Board Attorney position on a motion from Ms. Guzman, seconded by Mr. Griep.

The board came out of Closed Session at 9:20 pm.

DISUCSSION

No board discussion took place. All previous members, still present.

ADJOURNMENT:

The meeting was adjourned at 9:22 pm.

Next Public Hearing - Thursday, March 14, 2024 7:30 pm; Borough Hall Council Chambers.