

# CHRISTOPHER P. STATILE, P.A.

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NEW YORK, NY

June 18, 2024

Chairwoman Meredith Kates  
and Members of the Planning Board  
Borough of Hillsdale  
380 Hillsdale Ave.  
Hillsdale, NJ 07642

Regarding: **Block 1401, Lot 10, Borough of Hillsdale**  
**59 Central Avenue: Variance Application PZ-01-24**  
**Jeremy & Ellen Germain, Applicant and Owner**

Dear Chairwoman Kates and Members of the Board:

We are in receipt of a use and bulk variance application and site plan of the subject property that were originally submitted to the Board on or about January 22, 2024. Updated plans were submitted in June 10, 2024. The "Site Plan" is prepared by Scott C. Bella, Architect dated May 24, 2023, *revised to* June 8, 2024. A survey dated January 30, 2024 by Christopher J. Lantelme, P.E. & L.S. was provided.

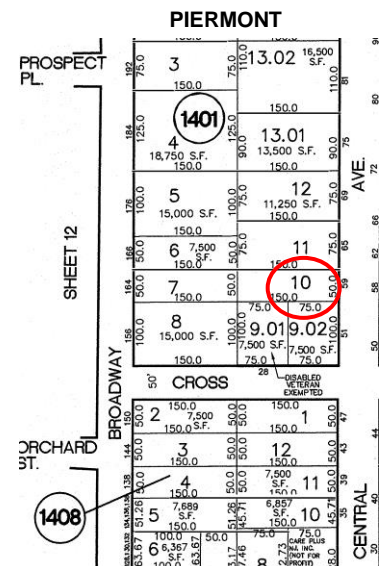
The applicant proposes to construct an addition to an existing single-family dwelling. The applicant is appealing an October 31, 2023 denial from the Zoning Official for multiple variances. The application involves multiple bulk ("c") variances and a "d(4)" use variance because the Floor Area Ratio (FAR) will exceed the maximum permitted for the zone district.

The Mayor and Council representative should recuse themselves from the application due to the necessary "d" variance.

## General Site Description

Lot 10 is a conforming for lot area and consists of 7,500 (0.17 acre). It is located on the west side of Central Avenue, between Cross Street (south) and Piermont Avenue (north) in the R-4 Residential Zone District (minimum lot size required 7,500 SF).

The property is improved with a 2½ story dwelling. A patio and detached garage are located to the rear of the dwelling. A macadam driveway provides access to the dwelling from Central Avenue.



## Application

The applicant proposes to construct a single-story addition to the existing house. The building footprint will also be increased by 275 SF causing multiple non-conformities. The proposed addition will not affect building height. The proposed first-story of the addition will include a mudroom, laundry and bathroom.

## Completeness Review

The application was reviewed against the Checklist for Variance Applications.

The application is complete to schedule a public hearing.

## Zoning Review

The following variances are required:

### Pre-Existing Variances:

1. **Front Yard Setback:** 16.5 ft. existing (to enclosed porch) vs. 30.0 ft. required.
2. **Side Yard Setback:** 5.9 ft. existing vs. 25.0 ft. required
3. **Accessory Structure(Garage) Setback (Side and Rear):** 2.0 ft. existing vs. 10.0 ft. required
4. **Impervious Coverage:** 32.0% existing vs. maximum 30% allowed, or 150 SF over.
5. **Lot Width:** 50 ft. existing vs. 75 ft. required.
6. **Lot Frontage:** 50 ft. existing vs. 75. Ft required.

### Proposed Variances:

1. **Building Coverage:** 26.3% proposed vs. maximum 25% allowed or 100 SF over.
2. **Impervious Coverage:** 44.3% proposed vs. maximum 30% allowed, or 1,079 SF over.
3. **Floor Area Ratio:** 35.3% proposed vs. maximum 35% allowed, or 24 SF over.

## General Comments

1. Although the lot meets Lot Area requirements, the *existing* impervious coverage is non-conforming (32.0% vs. 30.0% allowed). The applicant proposes to increase the non-conformity to 44.3%.
2. A detached garage appears to exist in the rear yard, although no driveway is shown. The applicant should explain the use of the structure.
3. Impervious Coverage could be reduced by replacing the driveway with paving stones which constitutes 50%.
4. The applicant is responsible for providing the required testimony for the need for all variances. The positive and negative criteria must be satisfied.
5. It appears that two trees are to be removed with the proposed driveway expansion. Therefore, four trees must be planted at 2½” caliper.
6. Depending on the volume of soil moved, a Soil Movement Permit may be required for the construction permit if the variance is approved.
7. The existing driveway is long and against the property line. The Board may wish to consider the requirement of stormwater management for the project to help protect from runoff onto adjacent properties with the proposed increase in impervious coverage.

The variance completeness checklist is attached. We trust these review comments assist the Board in this application.

Very truly yours,

C. P. STATILE, P.A.

(original signed)

Christopher P. Statile, P.E.  
Planning Board Engineer

CPS/mr

cc: Marc Leibman, Esq.

Bruce E. Whitaker, Esq. Applicant's Attorney

1120.052

**BOROUGH OF HILLSDALE PLANNING BOARD**  
**CHECKLIST - VARIANCE APPLICATION**

Applicant: Jeremy & Ellen Germain  
Address: 59 Central Avenue  
Block: 1401      Lot: 10  
Date: January 25, 2024

- A completed application form. [Obtain a form from the Building Department]
- A copy of the Land Use Officer's denial of your building permit application. This is usually the letter refusing to issue you a building permit. [Obtain this from the Building Department]
- A copy of the tax map indicating the subject property. [Obtain this from the Building Department]
- Sixteen (16) copies of the ground and typical floor plan of the existing building, and proposed additions or changes with all necessary measurements, as were submitted to the Land Use Officer.
- Sixteen (16) copies of a current property survey of the premises in question with all relevant proposed dimensions certified by a licensed Professional Engineer or Land Surveyor in the State of New Jersey. The surveyor or engineer only must show the proposed changes (i.e. new addition, deck, shed, fence) to your survey, with relevant dimensions.  
  
The property owner or architect may not change, add or adulterate the survey in any manner. The survey should include a bulk table showing the existing and proposed zoning requirements for the subject property. All sixteen (16) copies of the survey must have a raised seal by the surveyor or engineer's signature.
- A certificate from the Tax Collector stating whether any taxes or assessments for local improvements are due or delinquent. [Obtain this from the Tax Collector]
- Submit the filing fee as required by the Hillsdale Land Use Ordinance.
- Statement of reasons for seeking the variance. [This may be a separate attachment to the application form]
- Photographs of the property in question and of all adjacent properties. The applicant's name and the property address should be marked on the photographs.