

**MINUTES OF THE SEPTEMBER 13, 2018 PLANNING BOARD MEETING  
BOROUGH HALL, BOROUGH OF HILLSDALE**

MEMBERS PRESENT: E. Lichtstein, E. Alter, F. Franco, M. Kates, S. Riordan, S. Raymond  
D. Burlison, Chairman M. Giancarlo, Vice Chairwoman J. Miano  
Councilman F. Pizzella, Mayor J. Ruocco

MEMBERS ABSENT: None

EMPLOYEES PRESENT: N. Nabbie, Esq., Board Attorney  
C. Statile, P.E., Board Engineer  
C. Chadwick, Deputy Secretary

Chairman Giancarlo called the meeting to order with a reading of the Open Public Meetings Statement at approximately 7:30pm.

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

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

MINUTES:

The *August 9, 2018 Meeting Minutes* were approved by the Board.

INVOICES:

Invoices from *C.P. Statile, P.A.* and *Gittleman Muhlstock & Chewcaskie* were approved by the Board for payment.

COMPLETENESS REVIEWS:

*PZ-08-18; Richard McCarthy, Jr.; Block 718, Lot 1; 20 Oak Street*

*Variance Application with FAR use variance for second story addition to existing single family dwelling*

The application was deemed complete by Board Engineer Statile and scheduled for a public hearing date of October 11, 2018.

CONSISTENCY REVIEW:

*Ordinance No. 18-09: To Amend Chapter 310 of the Borough Code Entitled "Land Use"*

*Ordinance No. 18-18: An Ordinance to Amend Chapter 310: Land Use of the Revised General Ordinances of the Borough of Hillsdale to Require A Continuing Certificate of Inspection for the Sale of a One or Two Family Residence*

Board Engineer Statile stated the F.A.R. and height increases were consistent with what the Board wanted to do. Councilman Pizzella stated the committee wanted to make changes which were less drastic. Chairman Giancarlo read Board Planner Preiss' email to the Board, which stated he reviewed the ordinances and does not recommend any changes. Furthermore, Mr. Preiss stated in his email that both ordinances are consistent with the Borough's master plan.

There was a discussion regarding the definition of personal or financial services, etc. as well as the definition of group homes. Councilman Pizzella stated the ordinance committee and council are aware that these ordinances took more time and needed more communication. He stated the council will strive to do better in the future and he apologizes for the inconvenience.

Councilman Pizzella made a motion to approve Ordinance 18-09 for consistency, which was seconded by Mr. Alter. The Board was polled and the motion passed.

Councilman Pizzella made a motion to approve Ordinance 18-18 for consistency, which was seconded by Mr. Raymond. The Board was polled and the motion passed.

PUBLIC HEARINGS:

*PZ-07-18; Brenda Candelaria; Block 1616, Lot 2; 135 Oakland Street*

*Bulk variance application for proposed driveway expansion*

Board Engineer Statile was sworn in at this time. Brenda Candelaria of 135 Oakland Street, Hillsdale was also sworn in. Ms. Candelaria stated she moved to her home in Hillsdale two years ago and is in the process of making improvements to her property including her driveway which is crumbling. The subject property is located in the R-4 zone; a detached garage is also located on the site.

Photographs Ms. Candelaria took in July 2018 were marked as **Exhibit A1 – A4** and she described what each photograph depicted, including the detached garage and crumbling asphalt driveway. Ms. Candelaria stated she is also considering replacing the cracked front walkway, perhaps with pavers to reduce the total FAR/impervious coverage. Ms. Candelaria stated she considered pavers for the entire driveway as opposed to asphalt, but it is not financially optimal due to the expense. Board Engineer Statile recommended Ms. Candelaria install a 500-gallon seepage tank. Ms. Calabria explained that both she and her husband use the driveway and cannot park on the street as they received parking tickets. Furthermore, they have two children who will also soon be of driving age.

The Board then discussed the total FAR and impervious coverage amounts previously calculated for the application. Upon realization that the mathematics were incorrect, the Board determined Ms. Candelaria's proposed improvements would actually reduce the total coverage by 2.2%. Board Engineer Statile confirmed that Ms. Candelaria actually did not need to appear before the Board and does not need any relief for her driveway expansion or home improvements.

The Board apologized to Ms. Candelaria for this error in calculation. Board Attorney Nabbie recommended Ms. Candelaria withdraw the application by a signed letter. Ms. Candelaria confirmed she will send Ms. Nabbie an email stating she withdraws her application. Councilman Pizzella and Mayor Ruocco stated Ms. Candelaria will be refunded all funds spent on the application. Board Engineer Statile stated Ms. Candelaria is still required to obtain a curb permit and inspection prior to commencement of any work.

***PZ 01-18; Donald Oriolo; Block 2004, Lots 1 & 2.01; 23 Ruckman Ave. & 100 Piermont Ave.  
Minor Subdivision Application  
Carried from August 28, 2018***

Mr. Franco recused himself. Donald Oriolo was sworn in. Mr. Oriolo stated the sewer line was disconnected and the gas meters have been removed by PSE&G; the electric meters will be removed soon. Mr. Oriolo stated that Borough Administrator DeJoseph contacted the DCA and an inspector has been assigned by the state.

There was discussion regarding the 2012 condition of approval for Mr. Oriolo to demolish the existing house. Mr. Oriolo stated he was unable to demolish the home due to litigation with the Borough which was settled, and that he was allotted time extensions for the demolition.

Board Attorney Nabbie asked Mr. Oriolo who the inspecting officer is which the DCA appointed; Mr. Oriolo responded Robert Hilser. There was also discussion regarding paperwork regarding same. Councilman Pizzella asked if the demolition is a precedent for Mr. Oriolo to move forward and the Board confirmed this is correct. Mr. Oriolo stated he feels that the Board not hearing his application until the house is demolished is a violation of the settlement agreement he had with the Borough and requested his expert witnesses be permitted to give testimony this evening. Ms. Nabbie recommended against this, but stated the Board can vote on whether or not to hear the expert witnesses.

Councilman Pizzella stated it would not be a good idea to move forward. The Board cannot do what it needs to do because Mr. Oriolo did not do what he needed to do, which was demolish the house. Ms. Kates requested the Board receive confirmation from Mr. Oriolo that the house has been demolished no later than ten days prior to the next hearing. Councilman Pizzella asked if the Board can make a motion to table the application until Mr. Oriolo demolishes the house, and Ms. Nabbie recommended the Board instead carry the application to October 11<sup>th</sup>.

Councilman Pizzella made a motion to carry the application to October 11<sup>th</sup> on the condition that Mr. Oriolo confirm with the Board ten days prior to October 11<sup>th</sup> (Monday, October 1<sup>st</sup>) that the home has been demolished. Ms. Kates seconded the motion. The Board was polled and the motion passed. The Board asked what will happen if the house is not demolished by October 11<sup>th</sup> and Ms. Nabbie stated the Board can carry the application or dismiss the application without prejudice in the event that Mr. Oriolo does not consent to carrying the application.

Ms. Nabbie made a formal announcement that the application has been carried to October 11<sup>th</sup> at 7:30pm in these chambers and stated the application is conditionally complete.

The meeting was adjourned at 9:08pm.

Respectfully submitted,

Caitlin Chadwick  
Deputy Secretary