

**MINUTES OF THE MARCH 27, 2012 PLANNING BOARD
BOROUGH HALL, BOROUGH OF HILLSDALE**

MEMBERS PRESENT: E. Alter, E. Lichtstein, K. Fuchs, L. Calabria, Councilman Giancarlo, Mayor Arnowitz, J. Traudt, F. Franco, Z. Horvarth

MEMBERS ABSENT: J. Miano, W. Franklin

EMPLOYEES PRESENT: Stephen P. Sinisi, Esq., Acting Board Attorney
L. Neyman, P.E. for C. Statile, P.E., Board Engineer
C. Reiter, P.P., Board Planner
C. Wyssenski, Deputy Secretary

Chairwoman Calabria called the meeting to order at 7:30 pm with a reading of the Open Public Meetings Statement.

MINUTES FOR APPROVAL:

The Board unanimously approved the meeting minutes of March 7, 2012.

CORRESPONDENCE: All correspondence was received and filed.

C. Statile to Buck Seifert re: United Water

United Water NJ attorney letter to Planning Board attorney – Mr. Sinisi indicated the letter is now available under an OPRA request protocol.

DISCUSSION:

Escrow Fees – The Board Secretary provided the additional information requested by Board members at the last meeting. These were memos from the Borough asking for escrow refresher amounts for various accounts. After a lengthy discussion, Dr. Lichtstein made a motion to approve the Subdivision, Site Plan and Appeal from Zoning Officer escrow increases, but not Variance Applications. Councilman Giancarlo seconded the motion, the Board voted unanimously with the exception of Ms. Fuchs who voted no.

Master Plan – The Board continued its discussion on mixed use/Commercial Zones from the February 28, 2012 meeting. There was concern from Board members about the impact mixed use would have on traffic, municipal facilities, school facilities, development patterns, density, removal of historic buildings for replacement with new mixed use buildings, and impact on nearby residential uses. Ms. Reiter presented the Board with options. Board decided to amend the prior Master Plan Reexamination Report to remove all recommendations on expanding Commercial Zone and mixed use. The Board determined referrals were not needed for an amendment to the re-examination. A Public Hearing will be held on May 2, 2012 for the Board to adopt the amended Reexamination report.

COMPLETENESS REVIEW:

PZ-05-12, Merkel, Block 1306, Lot 6, 93 Lawrence Street, Front Yard Setback, Impervious Coverage and Floor Area Ratio Variances

The application was deemed incomplete by the Board.

PUBLIC HEARING:

*PZ-02-12, Alessi, Block 720, Lot 13, 31 Cherry Place, "C" Variances Application
"c" variance application for existing paver patio encroachment into sideyard setback and
maximum impervious coverage.*

Mr. and Mrs. Alessi were sworn in and testified that they installed a paver patio which exceeds the maximum permitted impervious coverage by 1.6% and encroaches into the sideyard setback by 8.13 ft. The applicants testified that prior to the installation they were informed that no permits were necessary to have their patio installed. They also indicated the pathway from the driveway to the kitchen is improved and that rainfall no longer "pools" in the backyard.

Mr. John Goldrick, 25 Cherry Place, submitted a photograph of his property indicating that he would not be impacted at all by the pavers remaining. He said he is in full support of the application.

Ms. Fuchs made a motion to approve the application, seconded by Mr. Horvath. The Board voted unanimously to approve the application.

OPEN TO PUBLIC:

Donald MacLahlan, Esq. was present and provided the Board with comments regarding his position on United Water and how the Borough can proceed with requiring a site plan application.

Jim Moldow, requested a copy of the letter sent from United Water's attorney to Mr. Sinisi. The Board informed him that he will need to make an OPRA request from the Borough Clerk.

Ms. Cifelli, 5 Church Street, thanked the Board for considering amending the Master Plan.

The Board adjourned its public hearing to go into closed session to discuss potential litigation involving a public utility provider.

The closed session meeting was adjourned at 11:30PM

Respectfully submitted,

Christie Wyssenski
Deputy Board Secretary