

**MINUTES OF THE MAY 29, 2012 PLANNING BOARD
BOROUGH HALL, BOROUGH OF HILLSDALE**

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

MEMBERS ABSENT: F. Franco

EMPLOYEES PRESENT: Stephen P. Sinisi, Esq. Board Attorney
Christopher P. Statile, P.E., Board Engineer
Christie Wyssenski, Deputy Secretary

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

RESOLUTION:

Amendment to the Reexamination Report of the Master Plan. Mr. Sinisi provided the Board with a Memorializing Resolution approving the amendment. Councilman Giancarlo made a motion to approve the resolution, seconded by Ms. Traudt. The Board unanimously approved the resolution with the exception of Dr. Lichtstein, who abstained.

COMPLETENESS REVIEW:

PZ-05-12, Merkel, Block 1306, Lot 6, 93 Lawrence Street, Front Yard Setback, Impervious Coverage and Floor Area Ratio Variances for Expansion to Single-Family Dwelling.

The application was deemed complete and scheduled for a Public Hearing on June 26, 2012.

PZ-07-12, Gold, Block 101, Lot 3.05, 43 Beverly Road, Front and Rear Yard Setback, Maximum Floor Area Ratio (F.A.R.) for Expansion to Single-Family Dwelling.

The application was deemed complete and scheduled for a Public Hearing on June 26, 2012. The applicant's architect Stephen Carrozza was present and informed the Board that he had advertised for the June 6th Public Hearing. The Board indicated that the application would be heard on June 26, 2012. Mr. Carrozza will submit a letter to the Board asking for an adjournment until the June 26th meeting.

CORRESPONDENCE: All correspondence was received and filed.

C. Statile to Mayor and Council re: Recommendation for Use of Affordable Housing Trust Fund

OPEN TO THE PUBLIC:

Donald MacLahlan, Esq. was present who represents a local flood coalition and asked the Board the status of the United Water dam project. The Board indicated they would be discussing the matter in Closed Session later in the evening, however, United Water had filed a motion for a land use jurisdictional determination with the NJ Bureau of Public Utilities (BPU).

Robert Cassidy, 132 Harding Avenue, Westwood, told the Board that hurricane season is coming and that United Water needs to show goodwill about the dam project.

PUBLIC HEARING:

PZ-06-12, 343 Broadway, LLC, Block 1007, Lot 10, 343 Broadway, Site Plan with Variances

Applicant is proposing a change of use with site plan approval to allow for take-out service.

Mr. Kohut, Esq. the applicant's attorney was present. The applicant Randy Polee testified regarding his restaurant experience and the proposed use of the former Café Capri restaurant. He testified that he is the contract purchaser of the 86-seat restaurant which had several prior Planning Board approvals, one of which approved was a parking variance. Mr. Polee has entered into a ten-year lease agreement with Shop Rite (Crossroads-Hillsdale Associates Block 1603, Lot 2) to lease 18 existing parking spaces as auxiliary parking for his employees. He also testified that pizza will not be served and "take-out" will not be advertised, but served from the front counter of the restaurant. The restaurant's hours are to be noon to 10 pm and lunch is not served on Saturdays and Sundays. The former "handshake" agreement with ETD (the neighboring property owner) for overflow parking is no longer necessary.

Robert Costa, P.E. the applicant's engineer, testified as to the site plan, a schematic parking plan, and the existing Broadway crosswalk. The Board was concerned with traffic/pedestrian safety from the Shop Rite parking lot to the restaurant. Mr. Costa testified to the traffic calming measures would be implemented at the cost of the applicant, to provide safety on Broadway. This could include pavement markings, advance warning signs, surface lighting, etc. as agreed upon by the Board Engineer.

David Leffler of 177 Hillsdale Ave. asked several questions of the applicant regarding Mr. Polee's former restaurants, site safety issues, and parking problems with prior restaurants that Mr. Leffler was familiar with.

Ms. Fuchs said she would like to review a complete revised site plan with striping and signage and a new Police Department referral on the new site plan. Several Board members agreed with Ms. Fuchs. Mr. Kohut asked if the Board would conditionally approve the application and a revised site plan would be submitted.

Mayor Arnowitz made a motion to conditionally approve the application with the requirement that a revised site plan be submitted for review by the Planning Board Engineer, seconded by Dr. Litchstein. Mr. Alter, Ms. Fuchs Mr. Franklin, Mr. Horvath and Ms. Traudt all voted in opposition of the motion. Chairwoman Calabria, Ms. Miano, Councilman Giancarlo, Mayor Arnowitz, Dr. Litchstein all voted in favor of the motion.

PZ-23-11, Oriolo, Block 2004, Lots 2 & 11, 23 Ruckman Road & 8 Meadow Drive, Minor Subdivision with Variances

Applicant is proposing a three lot subdivision with bulk variances.

Due to the late hour, Chairwoman Calabria informed Mr. Oriolo that his hearing would be re-scheduled for June 26th. Mr. Oriolo said that Mr. Looes, the co-applicant, will not be available for the next Public Hearing. The Board suggested Mr. Oriolo obtain a Power of Attorney.

INVOICES:

The Board unanimously approved three invoices for Mr. Sinisi.

CLOSED SESSION:

Discussion of on-going litigation – The Board discussed the United Water's filing with the BPU and whether the Board will respond and participate at State Commissioner hearings.

The meeting was adjourned at 12:30 AM

Respectfully submitted, Christie Wyssenski, Deputy Board Secretary