

MINUTES OF THE MARCH 19, 2013 PLANNING BOARD
BOROUGH HALL, BOROUGH OF HILLSDALE

MEMBERS PRESENT: E. Alter, M. Kates, E. Lichtstein, F. Franco, L. Calabria, J. Miano,
Z. Horvarth, J. Traudt

MEMBERS ABSENT: Mayor Max Arnowitz, Councilman DeGise, M. Giancarlo,

EMPLOYEES PRESENT: H. Ritvo, Esq. Board Attorney
C. Statile, P.E., Board Engineer
C. Reiter, P.P., A.I.C.P., Board Planner
C. Wyssenski, Deputy Board Secretary

Chairwoman Calabria called the meeting to order with a reading of the Open Public Meetings Statement.

MINUTES FOR APPROVAL:

The February 26 meeting minutes were approved by the Board as revised.

RESOLUTIONS

Resolution appointing Harold Ritvo, Esq. as Planning Board Attorney through December 31, 2013.

Mr. Ritvo, Esq. prepared a resolution to appoint himself as the Planning Board Attorney. Mr. Alter made a motion to approve the resolution, seconded by Mr. Horvath. The Board voted unanimously to approve the resolution with the exception of Dr. Lichtstein who abstained.

Resolution appointing Harold Ritvo, Esq. to represent the Planning Board regarding the 100 Park Ave. appeal of use variance denial, Block 1201, Lots 5 - 7.

Mr. Ritvo, Esq. prepared a resolution to represent the Board for the litigation of the above application. Mr. Alter made a motion to approve the resolution, seconded by Mr. Franco. The Board voted unanimously to approve the resolution with the exception of Dr. Lichtstein who abstained.

DISCUSSION

Status of United Water Dam Consultant Report

The professional preparing the report is awaiting additional information from the NJDEP, and the report is incomplete at this time.

Planning Board By-laws

The Board decided to carry the by-laws discussion to the April 10th meeting. Mr. Ritvo will email the Board additional revisions he has made to the by-laws.

Tree Restitution – Nagler Subdivision, Piermont Avenue

Ms. Kates and the Chairwoman had received numerous emails regarding tree restitution at this subdivision, and the developer's request to reduce the plant count. The Board Engineer had resolved the matter with the developer, and the required 14 trees will be planted on the two lots. The Board affirmed that it was the Board Engineer's duty to ensure that all subdivision and site plan conditions are met in the field, and that any issues which cannot be resolved with the developer would be returned to the Board. In all cases, the Board Engineer said that all improvements are guaranteed via the Performance Guarantee.

OPEN MEETING TO PUBLIC: As no one wished to speak, the meeting was closed to the public.

PUBLIC HEARINGS:

Adoption of 2013 Amendment to Reexamination Report.

Ms. Reiter, Board Planner, discussed the changes to Master Plan suggested by the Board at the December 5, 2012 meeting. Specifically, the encouragement of cluster zoning was removed, the Sustainable New Jersey Section was updated to indicate Hillsdale has achieved the Bronze Level, and a footnote referencing where the State Plan can found was added.

OPEN MEETING TO PUBLIC (Master Plan Only): The meeting was opened by the Chairwoman. As no one wished to speak, the meeting was closed to the public.

Ms. Traudt made a motion to adopt the 2013 Amendment to the Reexamination Report, seconded by Mr. Franco. The Board voted unanimously to approve the amendment. The amendments will be sent to the Mayor and Council for consideration of any future land use ordinances or policies.

PZ-1-13, Robert & Jeanne Conti, Block 1524, Lot 1, 176 Knickerbocker – Proposed Addition to Existing Single-Family Dwelling; Setback, F.A.R., and Impervious Coverage Variances.

William Rush, Esq., the applicant's attorney and Mr. Conti, the applicant were present.

The meeting was opened by the Chairwoman. The applicant proposes to construct a new four-car garage (880 S.F.) and open front porch (190 S.F.). The existing garage will be razed. The lot is oversized for the R-4 zone. On August 28, 2007, the Board ***previously approved*** a bulk variance application to allow the dwelling to encroach into both the primary and secondary front yard setback areas as memorialized in Resolution PZ-16-07. Later, the applicant also constructed an easterly two-story addition after the Board's approval that did not require a variance.

The applicant did not have photographs available for the public hearing albeit required for application completeness. The home fronts on Kinderkamack Road, however, it's a corner lot with driveway access on Legion Place.

Several Board members questioned the applicant as to why the garage need to be so large and if patio A and B as indicated on the architectural plans could be removed to decrease the impervious coverage. The house will also be 75 ft. wide in a 7,500 S.F. lot zone. The Board suggested the applicant to revise his plans, reduce the scale of the addition, and return to the Board with photographs also.

The application was carried to the April 23, 2013 public hearing without further notice to the public.

PZ-8-12, Jeanne Marie Gardens, Block 1212, Lots 15 & 16, Esplanade & Patterson St - Proposed Multi-Family Apartment Complex; Major Subdivision & Site Plan Application with Use and Bulk Variances Application.

The meeting was opened by the Chairwoman. Mr. Weiner, Esq., the applicant's attorney was present. Mr. Weiner indicated that although there was no court reporter at this evening's meeting, a court reporter will be provided for additional hearings.

Mr. Weiner intends to call several expert witnesses in support of the application including an architect, civil engineer, traffic engineer, and professional planner. The application is for a 57-unit apartment building with affordable apartments in compliance with COAH. The development will require only a use "d" variance as all bulk requirements for the "I" Industrial Zone will have been met.

Robert Zampolin, RA the applicant's architect testified to the architectural plans submitted to the Board. A color rendering was also provided at the hearing and marked. He stated the proposed building will have 57-units, nine units will comply with COAH requirements and be interspersed throughout the building.

The building is "L" shaped with a lobby located inside the "L". There will not be a superintendent living in the building. Each floor will have 19 units and be a similar layout, however, the 2nd and 3rd floors will have balconies. Mr. Zampolin provided the breakdown of the number of units by bedroom size: 29 one bedrooms, 26 two bedrooms and 2 three bedrooms. He further testified that to the COAH units: two - one bedrooms, five two bedrooms and two 3 bedrooms. Each unit will be sprinkled and have 1 hour fire-rated walls.

The building will be constructed from precast and maintenance-free materials. If the application is approved, the applicant is willing to stipulate to the use of those materials. The HVAC system has not been designed at this point but may either be internal or using wall units similar to a hotel room. Approximately every 20 ft. of building side elevations have been architecturally "broken" to reduce the impression of a large building. The building will contain one elevator. The elevator is oversized to accommodate emergency services equipment such as a stretcher.

There are no communal rooms. The parking lot will not have designated spaces for each unit, but comply with the "NJ Residential Site Improvement Standards" which stipulates the number of required parking spaces for residential developments. The Board asked several questions of the witness; several must be answered by the site engineer who is more suited to address.

OPEN MEETING TO PUBLIC (Questions to the architect): Mark Van Mater, 15 Lake Drive, questioned if the parking was sufficient for tenants and visitors. He also asked about outside lighting and building setbacks which Mr. Weiner indicated the engineer will testify to. Mr. Van Mater also asked the market value on the rentals.

James Mallet, 34 Lake Drive, asked about the height of the building, the possibility of underground parking versus a surface parking layout to reduce impervious surfaces, and large on-site stormwater retention. Mr. Weiner indicated these are all questions for the site engineer.

Marisa Cefali, 6 Mason Place, said the property is in the industrial zone, however, the building does not appear to be designed for the industrial. Mr. Zampolin showed her on the rendering where she will be viewing the building from her property, which is the south end. She also asked if there are any proposed recreation facilities for the building.

Tony Xavier, 38 Lake Drive, asked if the applicant can prepare a scale model of what the building will look like. The Board indicated it would consider the request if deemed necessary.

Kevin O'Brien, 61 Parkview Drive, asked if the parking is calculated by the square footage of the building, if the C-1 waters will make a buffer area necessary, and if the access to the property can be relocated. Mr. Weiner indicated these are all questions for the site engineer. Mr. O'Brien also said that although Mr. Weiner said school enrolment of students from the project are not reasons for consideration in this application, school demographic information was used on a prior application on Patterson Street and should be considered.

Kathy Mallet, 34 Lake Drive, asked when the site engineer would be testifying. Mr. Weiner said he would testify at the next meeting of the Board on the application.

CLOSED TO THE PUBLIC

The application will be carried to the May 8th meeting of the Board without further notice to the public. The meeting was adjourned at 10:30 pm.

Respectfully submitted,

Christie Wyssenski, Deputy Board Secretary