

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
Public Session
April 7, 2014
Special Meeting**

Meeting Called to Order at: 7:50PM

Open Public Meetings Statement: Read aloud by Board Secretary.

Roll Call: Messrs. Berardo (absent), Corriston, Pierson, Reade, Cirulli, Iannelli, Newman (absent), Councilman Rorty (absent), Chairman Hanlon, Mayor Randall (absent)

Also in Attendance: Mr. Gary Cucchiara, Board Attorney (arrived at 8:05PM); Ms. JoAnn Carroll, Board Secretary

Chairman Hanlon: stated the Annual Notice of Meetings notice was deficient; the Zoning Board had the same issue which they resolved at their meeting on April 3, 2014.

Chairman Hanlon: stated the oaths of office would not have to be retaken; oaths of office were read aloud and the following members stated they had taken their oath of office and signed the appropriate document:

Mr. Donald Cirulli, Member, Class II, New Term Ends 12/31/14
Mr. Timothy Corriston, Member, Class IV, New Term Ends 12/31/14
Mr. Michael Reade, Member, Class IV, New Term Ends, 12/31/17
Mr. Edmund Iannelli, Alternate #1, Class IV, Term Ends 12/31/15

Mr. Rorty was absent so he was not able to affirm his oath of office.

Chairman Hanlon: stated the following appointments and designations were previously made:

Mr. Gary Cucchiara, Board Attorney

Mr. Cucchiara had not arrived at the meeting at this time but he was named the Board Attorney at the reorganization meeting on January 9, 2014 and has a contract with the Board on file.

Board Engineer and Board Planner

Have been contracted by the Borough and the Planning Board has been asked to have a separate arrangement with them which has been done.

Ms. JoAnn Carroll, Board Secretary

Ms. Carroll was appointed as the Board Secretary at the reorganization meeting on January 9, 2014.

2014 Meeting Dates

Annual notice of meetings was deficient which has created the reason for the meeting this evening; the Board reviewed the meeting dates; there was a brief discussion and the Board was in total agreement with the meeting dates for 2014; normally the work sessions are the 2nd Thursday of the month and the public sessions are on the 3rd Thursday of the month; a corrected notice was published in both the Ridgewood News and the Record.

By Laws

Chairman Hanlon confirmed the Board had the By Laws document available to them this evening; they have been updated since the last time they were adopted; the Board had been supplied with the By Laws via email on an earlier date; time was given for the Board to have a final review of the By Laws.

Please Note: 7:57PM: a brief recess was taken at this time for the Board to have a final review of the By Laws.

Meeting Called to Order at: 8:03PM

Roll Call: Messrs. Berardo (absent), Corriston, Pierson, Reade, Cirulli, Iannelli, Newman (absent), Councilman Rorty (absent), Chairman Hanlon, Mayor Randall (absent)

Mr. Gary Cucchiara has not arrived at the meeting at this time.

The Board had no comments at this time regarding the By Laws.

Motion to approve the Planning Board of the Borough of Ho-Ho-Kus'

By Laws: Pierson, Reade

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: stated the Board had previously approved the following minutes:

November 14, 2013 November 21, 2013 December 12, 2013
January 9, 2014 February 20, 2014

Motion to re-approve the minutes from 11/14/13, 11/21/13, 12/12/13, 1/9/14 and 2/20/14: Cirulli, Corriston

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Approval of Minutes of March 13, 2014/HHK BOE minutes: Pierson, Iannelli

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: instructed the Board Secretary to post the minutes from March 13, 2014 on the website the following day.

Please Note: 8:07PM: Mr. Gary Cucchiara has arrived at this time; Chairman Hanlon gave Mr. Cucchiara an update on the Board business that had been taken care of prior to his arrival.

Chairman Hanlon: asked the applicant, Ms. Jennifer Chaparian, to come forward regarding her application to operate a massage therapy business in the Borough; the location of the business is 500 Barnett Place.

Ms. Jennifer Chaparian: stated her name and address and that she is a licensed massage therapist and licensed fitness trainer but was before the Board this evening regarding her massage therapy business only.

Chairman Hanlon: stated the landlord of 500 Barnett Place has submitted a letter to the Board regarding Ms. Chaparian's tenancy; the business of massage therapy is not an approved business under the Borough Code; informed Ms. Chaparian that she has the right to apply to the Zoning Board of Adjustment for approval; the Planning Board does not have the authority to grant approval because this type of business is not an approved business in the Borough; informed the applicant to contact the Board Secretary for instructions on applying to the Zoning Board; the Zoning Board next's meeting will take place on May 1st.

Mr. Corriston: informed the application that there are time constraints in terms of how much time is given before a Board meeting to make an application.

"Drinks" Wine and Spirits, 611 N. Maple Avenue, Block 1016, Lot 4: new business application; change of ownership.

Chairman Hanlon: discussed the Drinks Wine and Spirits application; applicant is taking over an existing business; continuing as a liquor store; a diagram of the front of the building has been provided; the Sign Committee Chairman has been in contact with the applicant; the only signage approved at this time is the sign on the building; the applicant is having to submit further information regarding the window signage proposed; a letter from the landlord has been received; the landlord's husband and son are the new owners of the business.

Ms. Carroll, Board Secretary: stated that she had instructed Mr. Lind, the applicant, to be in attendance this evening but did not see him in the audience.

Mr. Cirulli: asked what the signage problem could be because the landlord has been aware of the signage guidelines since the building was built.

Chairman Hanlon: stated Mr. Berardo has given the applicant some direction regarding the signage in the window; the sign on the building can be approved; the Health Officer has received a copy of this application; asked if there were any questions from the Board.

Motion to approve the Drinks Wine and Spirits application: Iannelli, Pierson

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: asked the Board Secretary to send a note to Mr. Berardo so he can continue to work with the applicant on the one sign issue.

Mr. Corriston: asked, in regards to the massage therapy application, if it was located in the general business district.

Chairman Hanlon: stated the business was located at 500 Barnett Place which is off of First Street.

Mr. Corriston: stated he reviewed the ordinance which does permit medical health and legal services; an interpretation should be made by the Zoning Officer regarding the business.

Chairman Hanlon: stated the health official did review this application; the title was split; one part was massage the other therapy; the applicant was looking for approval for the massage part of the business not the therapy part.

Chairman Hanlon: discussed the following resolution:

Ms. Jeanne Dube, 873 East Saddle River Road and 20 Powderhorn Road, Block 810, Lots 1 & 3: approval of minor subdivision application.

Ms. Dube was looking to sell a small piece of her land to her neighbor; the neighbor would have a full legal size lot; application reviewed by the Borough's Engineer and the Planning Board and the Planning Board Attorney.

Motion to re-approve the Dube Resolution: Corriston, Pierson

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: discussed the following business approval:

Ho-Ho-Kus Bakery, Mr. Mark Gentile, 187 E. Franklin Tpke., Block 1010, Lot 10: approval to open a bakery; new business application.

Mr. Gentile requested to open a bakery on Franklin Turnpike; provided credentials; Board agreed to application; signage approved.

Motion to re-approve the Ho-Ho-Kus Bakery application: Pierson, Reade

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: discussed the following subdivision approval extension:

Miller Subdivision, 118 Blauvelt, Block 601, Lots 4 & 5: approval of minor subdivision deed filing with the county recording officer extended to March 31, 2014.

Applicant came before the Board last year; the applicant agreed to tear down a non conforming home on the lot; to make it easier for future construction; applicant was to build on two lots that were approved; problems arose with fleas, asbestos and rodents; the operation was shut down because of the extreme winter weather; an extension was asked for and approved a few months ago through March 31, 2014; the winter continued on and the applicant was not able to get started; the applicant is now asking for an additional three month extension to get rid of the problems.

Motion for approval of an extension of the Miller Subdivision until June 30, 2014: Corriston, Pierson

Ayes: Corriston, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: stated the applicant's attorney will be notified of the granting of the extension.

Mr. Hanlon: discussed the completeness review of the following application:

Hollows at Ho-Ho-Kus, Chamberlain Developers, W. Saddle River Road/Van Dyke Drive, Block 802, Lots 1, 2, 3, 4 and 10: major subdivision application; the applicant proposes to construct and market single family dwelling units on each of the properties; completeness review.

This is a major subdivision application; completeness review done 45 days ago; the Board voted on the application to go forward; reaffirming

and ratifying the completeness determination based on the engineer's and planner's reports.

Mr. Cucchiara: stated the completeness determination will be ratified this evening.

Mr. Corrison: asked if the time period on this application begins tonight.

Mr. Cucchiara: stated that technically there was not a valid determination at the time; applicant may take a different position; tonight is the ratification; the determination starts now.

Corrison: stated this line of thought makes sense because the applicant has not been able to return to the Board, nor has the opposition.

Motion to affirm and ratify the prior determination of completeness of the Hollows at Ho-Ho-Kus with the understanding that the time period will be as of today: Corrison, Pierson

Ayes: Corrison, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Chairman Hanlon: stated the Planning Board met with the BOE on March 13, 2014 to deal with the proposal to upgrade the track and install artificial turf; the minutes will be posted tomorrow on the website; a final resolution from that meeting will be read at the Board's April 10, 2014 meeting.

Mr. Corrison: stated the BOE needed to come before the Board for comment; advice was given to the BOE; the resolution will be passed stating the Board has no objection to the BOE proceeding with the project.

Mr. Cucchiara: stated a review and recommendation was made by the Board.

Chairman Hanlon: stated the BOE needs the Board's resolution to take to the State.

Motion to reaffirm the Board's prior review and recommendations to the BOE: Corrison, Pierson

(Chairman Hanlon: stated the resolution would be read on March 10, 2014.)

Ayes: Corrison, Pierson, Reade, Cirulli, Iannelli, Chairman Hanlon

Motion to Adjourn: Corriston, Cirulli
All Board members approve motion to adjourn.

Meeting adjourned at 8:30PM

Respectfully submitted by:

Ms. JoAnn Carroll
Planning Board Secretary
April 16, 2014