

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
November 8, 2018
Combined Session**

Meeting Called to Order at 7:30PM by Chairman Hanlon

Open Public Meetings Statement: Read into the record by the Board Secretary.

Roll Call: Messrs. Pierson (absent), Reade, Newman, Carrick, Policastro, Jones (absent), Councilman Rorty (absent), Chairman Hanlon, Mayor Randall (absent)

Also in Attendance: Gary J. Cucchiara, Esq., Board Attorney; JoAnn Carroll, Board Secretary

Mr. Richard Radici, Wearimus Properties, LLC, 262 Wearimus Road, Block 905, Lot 5: major subdivision application; 3 lots *(to be carried at applicant's request to December 13, 2018; letter received)*

Chairman Hanlon: stated the 262 Wearimus major subdivision application will not be heard this evening; the application is carried to the December 13, 2018 Board meeting.

Dr. Yana Garger & Mr. & Mrs. Vladimir Basis, 10 Sycamore Avenue, Block 1010, Lot 12.01: change of building ownership and new business application; medical practice.

Dr. Garger: stated her parents are purchasing unit 1 of the condo which is currently occupied by Berkshire Hathaway; Mr. Garger is an endocrinologist and will run her practice from this space; condo consists of basement and first floor; the basement will be used for storage; will have flood insurance due to building being located in the flood zone; will submit a sign application once business is established; believes the parking in the rear of the building will be adequate for her practice; second floor is owned by a different party; commercial condo; believes there are three units in the building; one deed for the basement and first floor; also has a common interest in the building which is contained in the deed; 33.3%; will be part of the condo board; there will be a formal lease between herself and her parents.

Motion to approve change of ownership application, Vladimir & Alla Basis:
Carrick

Seconded by: Policastro

Ayes: Reade, Newman, Carrick, Policastro, Chairman Hanlon
Nays: None

Motion to approve new business application, Dr. Yana Garger: Policastro
Seconded by: Reade
Ayes: Reade, Newman, Carrick, Policastro, Chairman Hanlon
Nays: None

Ms. Carolyn Goldman, Behavioral Therapy Collective, LLC, 625 N. Maple Avenue, Block 1016, Lot 2: new business.

Ms. Carolyn Goldman and Ms. Elizabeth Johnson: stated they are co-partners of the therapy practice; provides therapy for families and couples; their hours will be mainly during Monday through Friday; no additional employees except for them.

Motion to approve application: Policastro
Seconded by: Newman
Ayes: Reade, Newman, Carrick, Policastro, Chairman Hanlon
Nays: None

Mr. Hemalee Gandhi, Ho-Ho-Kus High Spirits, 626 N. Maple Avenue, Block 1013, Lot 3: change of ownership (building and business).

Anthony Bianciella, Esq., applicant's attorney: stated Mr. Gandhi is purchasing the existing liquor store; one entity purchasing the property and another entity operating the business; Mr. Ghandi is the sole shareholder; keeping existing hours; may add Sunday; competing store in town has hours on Sunday.

Mr. Carrick: informed Mr. Ghandi that the Borough does not permit the sale of alcohol on Sundays until 12 Noon.

Mr. Ghandi: stated he would amend his Sunday hours to 12 Noon to 6:00PM; the business will continue to operate the way it is now; will submit a sign application after the holidays; transfer of liquor license was approved by the Mayor & Council.

Chairman Hanlon: stated he understood there was parking for this facility on Borough property; there is a rental agreement that is required; the owner of the property needs to pay the Borough for the parking spaces; there is also a handicapped space which is not included in the four spaces.

Please note: current owner of property, Mr. Russo, stated he would review the rental agreement with the new owners.

Motion to approve application: Newman

Seconded by: Reade

Ayes: Reade, Newman, Carrick, Policastro, Chairman Hanlon

Nays: None

Ms. Arely Blanco, B. Glamorous Nails, LLC, 18 Sycamore Avenue, Block 1010, Lot 13: change of ownership.

Ms. Blanco: stated she is opening a nail salon; located on the first floor; parking in rear; will have three employees; understood the current neon sign in the window is not allowed; will be filing an application for an awning and a sign decal in the window.

Motion to approve application: Policastro

Seconded by: Newman

Ayes: Reade, Newman, Carrick, Policastro, Chairman Hanlon

Nays: None

Mr. Albert Franco, Café Amici, 4 Sycamore Avenue, Block 1010, Lot 10: awning with enclosure.

Mr. Franco: stated the enclosure would be a temporary structure and would only be used when outdoor seating was not in use; awning would be permanent over the top of the door.

Chairman Hanlon: stated he understood the concept but unfortunately there are a few issues; the structure would be sticking out onto the sidewalk which would encroach into the setback; in addition, the building is located in the flood zone and NJDEP approval would be required for any improvements; suggested the enclosure be placed on the inside instead of the outside of the restaurant; if the applicant wanted to proceed, they would have to appear before the Board of Adjustment for a variance for the setback encroachment and then NJDEP approval would still be required.

Mr. Carrick: asked if there was an awning already on the building.

Mr. Franco: stated no.

Chairman Hanlon: asked if placing the enclosure on the inside was discussed.

Mr. Franco: stated yes; there is a very bad NW wind which is prevalent in the winter time; would still be an issue if the enclosure was indoors.

Chairman Hanlon: stated he understood the applicant's dilemma; it could take up to two years for the State to reach a decision; Chairman Hanlon is involved with the OEM (Office of Emergency Management); there are flooding problems; basements are subject to flooding; the Borough is currently involved with a review by FEMA; the application could be amended for the awning only.

Mr. Policastro: stated the awning itself is compliant with the Borough's ordinance; confirmed with the applicant that the address number would be listed on both sides of the awning.

Mr. Franco: stated he would like approval of the awning without the enclosure; it will help feature the entrance.

Motion to approve the application, for the awning ONLY: Policastro

Seconded by: Newman

Ayes: Reade, Newman, Carrick, Policastro, Chairman Hanlon

Nays: None

Mr. Angelo J. Mariani, 1-7 N. Franklin Turnpike, Block 1013, Lot 2: applicant seeks approval for trash enclosure constructed on property; minor site plan application.

Mr. Mariani: stated he was seeking approval for the trash enclosure already constructed; realizes it was constructed without town approval and permits; 8' x 8' structure; located at the SW corner of the property; placed the trash area at this location due to it being the high point of the property; same elevation as the bridge; doesn't lose any parking spaces; the trash area used to be on the other side of the building; is used for the businesses and apartments.

Chairman Hanlon: stated Mr. Mariani's property is located in the floodway which is a hazardous situation; bridge is under severe stress; set to be removed for the last 30+ years; the County has spent thousands of dollars and dealt with the NJDEP; nothing is allowed to be built in the floodway; the NJDEP controls the floodway and they are the only authority that can grant permission for construction of any kind in the floodway; not under the Board's jurisdiction; asked if Mr. Mariana had done additional construction over the weekend.

Mr. Mariani: stated he had rebuilt part of the wall alongside the park.

Chairman Hanlon: stated, from his observation, the wall was extended to the sidewalk; the wall is also in the floodway; nothing can be constructed in the floodway; when Floyd hit the wall was down; it can't be rebuilt once it is gone; water will be directed to the Borough park with the construction of the wall; it also pushes water across the street towards the stores on Sheridan, Franklin Turnpike, the Ho-Ho-Kus Inn and possibly onto Sycamore; informed the

applicant he needs to contact the NJDEP for approvals; suggested Mr. Mariana speak with Mr. Berninger, the Construction Official, for guidance.

Mr. Cucchiara: reiterated the fact that NJDEP approvals were required; the Board could not grant approval for the work done on the site.

Mr. Mariana: stated he would remove the trash enclosure.

Discussion:

2019 Proposed Meeting Dates

January 10, 2019 confirmed for the Board's Reorganization Meeting.

Approval of Minutes: Newman

September 13, 2018

Seconded by: Policastro

Ayes: Reade, Newman, Policastro, Chairman Hanlon

Nays: None

Motion to adjourn: Policastro

Seconded by: Newman

All in Favor

None Opposed

Meeting adjourned at 8:30PM.

Respectfully submitted by:

JoAnn Carroll

Planning Board Secretary

November 26, 2018