

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
June 7, 2018
Regular Meeting
8:00PM**

Meeting Called to Order at 8:00PM by Chairman Barto

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

Roll Call: Messrs. Tarantino (absent at time of roll call; arrived at 8:07PM), Cox (absent), Forst (absent), Ms. Metzger (absent), Messrs. Deegan, Rodger, Ms. Loew, Chairman Barto

Also in attendance: David L. Rutherford, Esq., Board Attorney; JoAnn Carroll, Board Secretary

Jody & Beatriz Chesnov, 461 Birch Lane, Block 902, Lot 6: revised plans submitted: applicants seek 11 variances for the construction of an in-ground pool, related patios, cabana, pool equipment, walkways, three stanchions and outdoor fireplace; non-compliance with Section 85-15.1 C no accessory structure may be located in the front yard; 85-9 G (3) improved lot coverage; 85-9 G (5) lot coverage by accessory structures/buildings; 85-37.3 G fence height in front yard not to exceed 4 ft. (**Application carried to the June 7, 2018 meeting of the Board; letter received**)

Mr. Rutherford: stated revised site plans were received by the Board with a latest revision date of April 18, 2018, prepared by Mr. Egarian, along with a landscape plan prepared by Tapestry Landscape Architecture dated 4/5/18 and elevations of an outdoor fireplace, also prepared by Tapestry Landscape Architecture, dated 4/18/18; at the Board's request, Mr. Berninger, Zoning Officer, issued an updated denial; 11 variances have been identified where there were 16 previously; 9 of the 11 are of the same category; structures in the front yard; there is a variance requested for improved lot coverage and for the proposed 5 ft. fence in the front yard, where 4 ft. is permitted.

Matthew Capizzi, Esq., applicant's attorney: stated this application was previously before the Board on 4/5/18; testimony was given by Mr. Egarian, the applicant's engineer and Mr. Matt Jones, the applicant's landscape architect; the subject property is a corner lot; seeking to install a pool, patio, cabana and some walkways; when the application was initially filed, a front yard setback variance was needed for the these structures; they have been moved to the interior of the lot so variances are needed only for their location within the front yard but they are all more than 50 ft. from Wearimus Road; the proposed garage has been removed due to questions regarding its aesthetics; variances associated with it have been eliminated; landscaping has

been installed along the left property line; the updated denial letter does indicate a variance for the location of the fireplace and the 5 ft. fence in the front yard; variance sought for the fireplace; the fence will be conforming at 4 ft.; all other aspects remain as discussed in April, 2018.

Mr. Jeff Egarian, DJ Egarian & Associates, applicant's engineer: previously sworn in at the April meeting; still under oath; stated the current plan has the latest revision date of 6/6/18; **Exhibit A5: pool location and grading plan; prepared by J. Egarian, latest revision date 6/6/18; marked 6/7/18;** the detached garage has been removed; the driveway width reduced to 35 ft.; the fence located in the front yard will be 4 ft.; the fence on the rear lot line has been relocated to be in front of the top of the bank.

Please note: Mr. Tarantino has arrived at this point of the meeting: 8:07PM.

Chairman Barto: stated removing the garage was a significant change.

Mr. Rutherford: asked Mr. Egarian to clarify which improved lot coverage calculation was the correct one.

Mr. Egarian: stated the improved lot coverage is 26.2% where 25% is permitted.

Chairman Barto: asked if Mr. Egarian agreed that the proposed plantings helped to turn what is a front yard into a side yard.

Mr. Egarian: stated yes.

Chairman Barto: stated he appreciated the substantial reduction to the plans.

Meeting opened to the public to ask questions of the applicant's engineer; no public came forward.

Mr. Matt Jones, applicant's landscape architect: previously sworn in at the April meeting; still under oath; identified his plan dated 4/5/18; revision date was not listed.

Mr. Rutherford: stated the revised plan was received by the Board office on 4/18/18.

Mr. Jones: stated 11 Norway spruce were being added; centered on the far left side of the home; 2 large existing trees are to remain; adding trees when it was confirmed by Mr. Hals that planting could be done in the initial 25 ft. buffer; re-naturalization can be done; additional screening added; added 3 10-12 ft. Norway spruces to help screen the neighbor at the far left corner of the property; a red "x" on the plan identifies shade tree removal; no living shade trees will be removed from that corner; along Wearimus, the entire area from

the corner to the rear of the property, will be covered with evergreens; will block views into the backyard; shade trees to remain for aerial coverage; no other deviations from the original submission other than adding more evergreens.

Exhibit A6: miniature version of the tree planting schedule, with key; marked 6/7/18.

Mr. Rutherford: asked if the applicant was prepared to comply with all the items in Mr. Hals' letter.

Mr. Capizzi: stated yes.

Meeting opened to the public for questions of the applicant's landscape architect.

Mr. Christopher Mauro, 8 Powderhorn Drive: asked Mr. Jones about the tree planting locations; provided a picture showing the view from his property into the subject property.

M(Mauro)1: picture taken by Mr. Mauro, 8 Powderhorn Drive, showing the view from his property into the applicant's property; marked 6/7/18

Mr. Jones: stated the trees could be field relocated.

Mr. Rutherford: asked if the applicant would be willing to field relocate the trees in conjunction with Mr. Mauro to maximize screening; this is not a suggestion or request.

Mr. Tarantino: stated without knowing the angle of M1 or the distance, a judgment could not be made.

Mr. Capizzi: stated the intention is to propose landscaping to address Mr. Mauro's concerns; plantings will hopefully achieve its purpose.

No other members of the public came forward.

Meeting opened to the public for comments.

No members of the public came forward to make a comment regarding this application.

Mr. Capizzi: stated it had been illustrated that this is a very unique property; hardship is for having 2 front yards coupled with a drainage area to the rear; limits development potential of the site; left with a small triangular area in the rear yard; the pool and patio are being moved from the northerly property line; improved lot coverage is driven by the fact the cul-de-sac is on the property; a substantial landscaping plan has been provided as a year round buffer; engineering concerns have been addressed; project complies with the RSIS requirements.

Mr. Deegan: stated the applicant had done a good job putting a plan together that addressed all concerns.

Chairman Barto and Ms. Loew: agreed with Mr. Deegan.

Mr. Tarantino: asked the distance from Wearimus to the trees; wanted the trees protected from the snow plows in the winter.

Mr. Jones: stated the trees would be located 25-30 ft. off the road.

Motion to approve the application: Tarantino

Seconded by: Deegan

Ayes: Tarantino, Deegan, Rodger, Loew, Chairman Barto

Nays: None

Approval of Minutes:

May 3, 2018

Motion to approve minutes of 5/3/18: Chairman Barto

Seconded by: Rodger

Ayes: Rodger, Deegan, Chairman Barto

Nays: None

Resolution:

Mr. Nayden Kambouchev, 130 Ross Place, Block 1003, Lot 19: applicant submitted revised plans to construct a 2-story addition; updated Zoning Official review finds all bulk variances have been eliminated; improved lot coverage remains at the existing 43.46% after reconfiguration of building and structures on property; non-compliance with Section 85-10 G (3) improved lot coverage

Mr. Rutherford: reviewed the application and the resolution.

Motion to adopt resolution: Chairman Barto

Seconded by: Rodger

Ayes: Deegan, Rodger, Chairman Barto

Nays: None

Motion to adjourn: Tarantino

Seconded by: Deegan

All in Favor

None Opposed

Meeting adjourned at 8:30PM.

Respectfully submitted by:

JoAnn Carroll
Zoning Board Secretary
June 15, 2018