

**BOROUGH OF HO-HO-KUS  
COMBINED MEETING OF  
THE MAYOR AND COUNCIL  
SEPTEMBER 26, 2017- 7:30 PM  
MINUTES**

Mayor Randall called the regular meeting to order at 7:30 PM. The open meeting statement was read.

The combined meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session. In accord with the provisions of Section 5 of the "Open Public Meetings Act", I wish to advise that notice of this meeting has been posted in the front lobby entrance to the Council Chambers of the Borough Hall and that a copy of the schedule of this meeting has also been filed with the Borough Clerk, and further that the required 48 hour notices have been sent to The Record and the Ridgewood News - newspapers with general circulation throughout the Borough of Ho-Ho-Kus

Roll Call: All members were present. Also present Borough administrator William Jones and Borough attorney David Bole. Mayor Randall led all in the pledge of Allegiance

**APPROVAL OF MINUTES**

1. August 15, 2017- Combined meeting

Motion: Councilmember Crossley

Second: Councilmember Troast

Abstain: Councilmembers Rorty and Fiato.

**COMMITTEE REPORTS--August 2017**

On file

**ADMINISTRATORS REPORT**

Saddle Brook Drive bridge supports are made by two companies. Tentative date for delivery is October 23, 2017. Repair work will about four (4) weeks. Waiting to hear from DOT with regards to the road closure at the Train Station

**PUBLIC DISCUSSION**

Ethan Menzel 60 Lakewood Eagle Scout troop 54 discussed his project, re-landscaping part of the Worth Pinkham Library.

Stanley Kober 919 Washington Avenue thanked the Governing Body for the National Gold Star Mother's Day proclamation.

Mary Lombardi 23 Chestnut Place asked if the Borough offers any type of services for senior citizens that are on a fixed income. Mr. Jones said that he would look to see what the other towns offer and report to the Council at the next meeting.

## CORRESPONDENCE

1. YAC- re: Halloween Window Painting  
Motion: Councilmember Rorty  
Second: Councilmember Crossley.
2. Chief Minchin- re: Officer Leif Hanisch Field Training and Evaluation Program
3. Borough of Allendale- Oppose N.J.A.C 5:30-18.1 and 18.2 Employee Compensation Disclosure
4. Board of Chosen Freeholder- September recognized as National Alcohol and Drug Recovery Month.

## INTRODUCTION OF ORDINANCES

None

## FINAL PASSAGE OF ORDINANCES

- Ord # 2017-11 Chapter 85, "Zoning Ordinance of the Borough of Ho-Ho-Kus",  
AN ORDINANCE OF THE BOROUGH OF HO-HO-KUS TO AMEND ARTICLE IV, "DISTRICT REGULATIONS" OF  
CHAPTER 85, "ZONING ORDINANCE OF THE BOROUGH OF HO-HO-KUS", TO CREATE THE MULTI-FAMILY  
AFFORDABLE HOUSING (MF-AH) DISTRICT.

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus as follows

Section I. Section 85-12.2, entitled "Multi-Family Affordable Housing" District Created. That Section 85-12.2 is hereby added to Chapter 85, Article IV, to read as follows:

- A. Purpose: To address its affordable housing obligation in compliance with Settlement Agreements entered into with Fair Share Housing Center, Chamberlain Developers, Inc., and Jonathan L. Mechanic (d.b.a. Ho-Ho-Kus Crossings) on December 21, 2016 and January 5, 2017, the Borough shall rezone the property at Block 1014, Lots 1 and 2, also known as the Borough-owned commuter parking lot, to permit a multi-family 100% affordable residential development with at least 13 units affordable to very-low, low-, and moderate-income households. Such development permitted by this ordinance must be compliant with the Settlement Agreements, the rules at N.J.A.C. 5:93-1 et seq. ("COAH's Second Round rules"), the Borough's Affordable Housing Ordinance at Chapter 2 of the Borough Code, the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-1 et seq., and the statutory requirement for the provision of very-low income housing at N.J.S.A. 52:27D-329.1 et seq.
- B. Permitted Uses in the MF-AH Zone District shall be limited to the following:
  - (1) 100% affordable multi-family residential development, provided the following:
    - i. The multi-family affordable development permitted by this District must contain no fewer than 13 dwelling units, all of which must be affordable to very-low, low-, and moderate-income households; and
    - ii. The affordable unit(s) must be created and administered in accordance with the regulating documents identified in Section 85-12.2.A, Purpose, of this District; and
    - iii. Not more than three (3) of the 13 units may be restricted to persons with special needs; and
    - iv. Of the remaining 10 units, not more than three (3) units may be one-bedroom units, at least four (4) units must be two-bedroom units, and at least three (3) units must be three-bedroom units; and
    - v. No units may be age-restricted.
- C. Accessory Uses

- (1) Private residential garage and off-street parking, in accordance with §85-36, Off-street Parking and Loading, of the Zoning chapter, except where it is superseded by the provisions in this District.
- (2) Decks, balconies and porches.
- (3) Sheds for tools and equipment for the maintenance of the grounds.
- (4) Indoor and outdoor recreation and activity uses for residents and their guests.
- (5) Fences and hedges subject to the requirements of §85-37.3, Fences.
- (6) Signs subject to the requirements of §85-37, Signs.
- (7) Satellite antenna less than one meter in diameter.
- (8) Other customary accessory uses and structures which are clearly incidental to the principal structures and uses.

D. Off-Street Parking

- (1) There shall be a minimum of 1.15 spaces per unit.
- (2) At least one (1) barrier free parking space must be provided.
- (3) Private resident parking must be accessed by a driveway separate from commuter parking. There shall be parking spaces reserved for residents.

E. Minimum Lot area and Dimensions

- (1) Minimum Lot Area: 1 acre
- (2) Minimum Frontage: 300 ft.
- (3) Minimum Depth: 100 ft.

F. Minimum Buffers

- (1) Rear Yard: 5 ft.
- (2) Front Yard: 5 ft.
- (3) Side Yard: 3 ft.

G. Minimum Yard Depths

- (1) Front Yard Depth: 10 ft.
- (2) Rear Yard Depth: 15 ft.
- (3) Side Yard Setback to Block 1014, Lot 3: 0 ft.

H. Maximum Building Height: 4 Stories

Section II. Repealer. All ordinances or Code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III. Severability. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section IV. Effective Date. This ordinance shall take effect upon its passage and publication, as required by law.

Section V. Zoning Map and Schedule. The Zoning Map of the Borough of Ho-Ho-Kus and the Schedule of Requirements

at §85-5 of the Borough Code shall be amended for consistency with this ordinance and the provisions herein.

This ordinance shall take effect upon passage and publication as required by law.

Motion: Councilmember Crossley

Second: Councilmember Rorty

- Ord # 2017-12 Amend article IV, "District Regulations" of Chapter 85, "Zoning Ordinance of the borough of Ho-Ho-Kus" (TABLED)

Motion: Councilmember Shell

Second: Councilmember Fiato

- Ord # 2017-13 (Revised) Amend article IV "District Regulations" of Chapter 85 to Implement the Borough/Chamberlain settlement agreement on block 1015, lot 9, Maple Avenue

AN ORDINANCE OF THE BOROUGH OF HO-HO-KUS TO AMEND ARTICLE IV, "DISTRICT REGULATIONS" OF CHAPTER 85, "ZONING ORDINANCE OF THE BOROUGH OF HO-HO-KUS", TO CREATE THE GENERAL BUSINESS / INCLUSIONARY RESIDENTIAL (GB-IR) DISTRICT, TO IMPLEMENT THE BOROUGH/CHAMBERLAIN SETTLEMENT AGREEMENT ON BLOCK 1015, LOT 9, MAPLE AVENUE

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus as follows:

Section I. Section 85-13.2, entitled "General Business / Inclusionary Residential", Created. That Section 85-13.2 is hereby added to Chapter 85, Article IV, to read as follows:

- I. Purpose: To address its affordable housing obligation in compliance with Settlement Agreements entered into with Fair Share Housing Center, Chamberlain Developers, Inc., and Jonathan L. Mechanic (d.b.a. Ho-Ho-Kus Crossings) on December 21, 2016 and January 5, 2017, Ho-Ho-Kus Borough shall rezone the property at Block 1015, Lot 9 to permit the construction or reconstruction of a three-story, mixed-use development having ground story commercial use and a total of four (4) dwelling units on the second and third stories of which at least one (1) unit will be affordable to low- and moderate-income households in accordance with the Chamberlain Settlement Agreement cited above, the rules at N.J.A.C. 5:93-1 et seq. ("COAH's Second Round rules"), the Borough's Affordable Housing Ordinance at Chapter 2 of the Borough's Code, and the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1 et seq.
- J. Permitted Uses in the GB-IR Zone District shall be limited to the following: All uses permitted in the GB District by §85-13.A(2) through (10), (15) and (16) are permitted as ground story uses, of a mixed-use building, provided that:
  - (1) There must be a total of three (3) stories in the same building, of which the second and third stories must have not more than four (4) housing units of which at least one (1) must be affordable to low- and moderate-income households; and
  - (2) The affordable unit(s) shall be created and administered in accordance with the regulating documents and pursuant to the Chamberlain Agreement identified in Section 85-13.2A, Purpose, of this District.
  - (3) In no event shall non-residential uses be permitted on the second or third stories within the GB-IR District; and
- K. Conditional Uses in the GB-IR Zone District shall be limited to the following: The following conditional uses in the GB District as permitted in §85-13.B(1), (3) and (7) are permitted as ground story uses.
- L. Accessory Uses in the GB-IR Zone District shall be limited to the following:
  - (1) Private residential garage and off-street parking in accordance with §85-36, Off-street Parking and Loading, of the

Zoning chapter, except where it is superseded by the provisions in §85-13.2 I, Parking, below.

- (2) Decks, balconies and porches.
- (3) Sheds for tools and equipment for the maintenance of the grounds.
- (4) Outdoor recreational uses for residents and their guests.
- (5) Fences and hedges subject to the requirements of §85-37.3, Fences, except where superseded by this District.
- (6) Signs subject to the requirements of §85-37, Signs.
- (7) Satellite antenna less than one meter in diameter.
- (8) Outdoor seating for residents, employees, and customers (§85-15.1.C of the Accessory Buildings and Structures section shall not prohibit these structures from being located in the front yard).
- (9) Outdoor dining/café in accordance with §85-13.1 I(10), Outdoor Dining/Cafes, in the Downtown Inclusionary Overlay District regulations.
- (10) Other customary accessory uses and structures which are clearly incidental to the principal structures and uses.
- (11) Detached accessory buildings and structures must comply with the accessory building and structures bulk standards of the GB General Business District in §85-13.I of the Borough's Code.

M. Minimum Lot Area and Dimensions

- (1) Lot Area: 5,000 square feet.
- (2) Lot Frontage: 60 feet
- (3) Lot Depth: 90 feet
- (4) Lot Width: 50 feet

N. Minimum Principal Structure Yard Depths

- (1) Front Yard Depth: 0 feet
- (2) Side Yard Depth: 5 Feet
- (3) Combined Side Yard Depth: 10 feet
- (4) Rear Yard Depth: 25 feet

O. Maximum Building Bulk

- (1) Height: 35 feet
- (2) Stories: 3
- (3) Lot Coverage: 40%

P. Minimum Accessory Structure Yard Depths

- (1) Front Yard Depth: 1 Foot
- (2) Side Yard Depth: 0.5 Feet
- (3) Rear Yard Depth: 10 Feet

Q. Off-Street Parking

- (1) Parking amount and vehicular access shall be provided in accordance with the Chamberlain Settlement Agreement and concept plan attached, as cited above.
- (2) Off-street parking must be provided in the rear yard.
- (3) Loading activity shall not occur in the parking area unless it can be demonstrated that such activity can occur without disrupting circulation on the subject property or neighboring lots.
- (4) A minimum of one (1) barrier-free parking space must be provided on-site.

R. Circulation

- (1) Vehicular access, except for emergency vehicles, shall not occur from Maple Avenue unless it can be demonstrated that driveway connections to Brookside Avenue or First Street is not feasible.

S. Design. New or reconstructed buildings shall comply with the Design Standards provided in §85-13.1.I of the Downtown Inclusionary Overlay District.

Section II. Repealer. All ordinances or Code provisions or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section III. Severability. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section IV. Effective Date. This ordinance shall take effect upon its passage and publication, as required by law.

Section V. Zoning Map and Schedule. The Zoning Map of the Borough of Ho-Ho-Kus and the Schedule of Requirements at §85-5 of the Borough Code shall be amended for consistency with this ordinance and the provisions herein.

Motion: Councilmember Rorty

Second: Councilmember Iannelli

**RESOLUTIONS**

None

**CONSENT RESOLUTION**

1. # 17-94 Appt. Junior Fireman- Edmund Iannelli Jr.
2. #17-95 Award Contract- Persistent Construction Inc.
3. #17-96 Tax Appeal: Lot 12 Block 209
4. #17-97 Oppose Senate Bills 1045 and 1046
5. #17-98 National Alcohol and Drug Recovery Month.
6. #17-99 Community Development Representative
7. #17-100 Payment of Vouchers

**OLD BUSINESS**

A. Liaison Reports:

1. Recreation

Councilmember Iannelli: Football season well on the way. The grass is growing under the mats on Lloyd Field preserving it.

2. Board of Education

None

3. Other

a. Ambulance

Councilmember Crossley: Meetings in session after summer schedule. The Stryker Cot will be installed within two weeks, training on the Stretcher to follow. The Corps has a father son team. The Corps volunteers are at standbys for all events at the Borough, they do a demonstration of the ambulance to Kindergarten class. They stand by at Northern Valley Football games, do a simulated car crash team at northern highlands in awareness of drinking and driving.

b. Fire

Councilmember Rorty: New ladder truck is scheduled to be delivered in the first quarter of 2018. Open house is October 15, 2017. Raffle tickets being sold to win the Quad. FD went on a mutual Aid call to Waldwick for a house fire.

c. Library

None

B. Shade Tree

None

C. Chamber of Commerce

Councilmember Shell: Ho-Ho-Kus florist Glen Carullo passed away from a drowning at the Jersey shore. Chamber involved with Turn the Town Teal, blue ribbons are tied around the trees in the downtown area. Preparing for Richards Run.

Borough administrator William Jones: Radio communication system switch over two weeks ago. All known dead zones have clear communication.

NEW BUSINESS

MAYOR'S REMARKS

CLOSED SESSION

WHEREAS, under the "Open Public Meetings Law", all sessions must be open to the public, and

WHEREAS, under the Public Meetings Act Law, exceptions exist for a public body to hold a Closed Session

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus hereby recess under Personnel , Contract Negotiation.

BE IT FURTHER RESOLVED, that the results of the Closed Session will be available to the public in the minutes regarding the same at the conclusion of the matter.

ADJOURNMENT

With no further discussion to come before the Council, Mayor Randall adjourned the meeting at 8:50PM

Respectfully submitted,

Laura Borchers, RMC/CMR

Borough Clerk