

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
December 4, 2014**

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, Cox (absent), Forst, Ms. Metzger, Messrs. Deegan (absent), Pappas (absent), Rodger, Chairman Barto

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

Application Withdrawal Letter: Mr. Thomas Fredericks, 305 Blauvelt Avenue, Block 211, Lot 4: applicants seek variances (front yard/rear yard) to construct an attached garage on the easterly side of the property and a second floor addition in the rear of the dwelling.

Mr. Rutherford stated the Fredericks' application had been formally withdrawn; letter had been received from the applicant's attorney; **Mr. Rakeesh Maholtra, 206 Sheridan Avenue**, wanted to ask questions regarding the application and previous applications; it was explained to Mr. Maholtra that the application had been withdrawn and that the Board had not come to any conclusions; all issues are mute; the application has been withdrawn.

Mr. Edward Decker, 201 Sheridan Avenue, Block 201, Lot 11: proposed driveway renovation and expansion.

Mr. Kurt Hartmann, attorney representing Mr. Decker; **Mr. Decker** sworn in by Mr. Rutherford; **Mr. Rutherford** gave an overview of the application; applicant received a permit to repave the driveway, but instead also expanded the driveway; pictures of the expansion, as well as an updated survey have been received by the Board; survey prepared by Mr. Irwin and dated 10/13/14; dimensions described; **Mr. Hartmann** stated overview was correct; portion of driveway was previously non-complying; square footage of cross hatched area discussed; width of cross hatched area discussed; width of apron entering the road discussed; no objections from neighbor; **Mr. Hartmann** stated this is a fairly de minimus change; meets all other requirements; easier for applicant to get in and out of his driveway; **No Public Comment;** Mr.

Forst missed the October 2, 2014 meeting but he has certified in writing that he has listened to the tape of that meeting.

Motion to Approve application: Chairman Barto, Metzger

Ayes: Tarantino, Forst, Metzger, Rodger, Chairman Barto

Mr. Glen Bianchi, 11 Brownstone Way, Block 306, Lot 18: applicant proposes to install a generator in the northerly side yard; proposed generator extends 0.68 ft. into the required side yard setback.

Mr. Bianchi, 11 Brownstone Way, sworn in by Mr. Rutherford; **Mr. Rutherford:** gave an overview of the application; proposed generator encroaches into the side yard by 8 inches; Board office has received appropriate proofs of service and publication; **Mr. Bianchi** agreed with Mr. Rutherford's explanation; **Mr. Bianchi** stated this was a small issue; reason asking for variance is because he has no control over how his house is situated on his property; built up to side yard setback; worked with contractor to find the most appropriate location for the generator; cannot place the generator in the back because there is a long path to the back which goes around the house; would have to be placed right in the middle of the back yard; requirements of location due to flammability discussed; **No Public Comment.**

Motion to Approve application: Rodger, Forst

Ayes: Tarantino, Forst, Metzger, Rodger, Chairman Barto

Marc and Laura Loew, 430 Braeburn Road, Block 209, Lot 8: applicants seek a variance from Section 85-10(K); second floor side yard requirement; applicant proposes a one story addition and a two story addition to their existing single family residence.

Mr. Gus Morpurgo, applicant's architect, accepted as expert; no change in licensing; **Mr. Rutherford** gave an overview of the application; new provision enacted on July 13, 2014; imposes a minimum graduated side yard setback; first time Board has heard this type of application; **Mr. Rutherford** described the ordinance in detail; Board office has received appropriate proofs of service and publication; **Mr. Morpurgo** sworn in by Mr. Rutherford; **Mr. Marc Loew and Mrs. Laura Loew, 430 Braeburn Road, Block** sworn in by Mr. Rutherford; **Mr. Morpurgo** gave an overview of the application as well as his opinion of the ordinance; exhibit marked represents 6 sheets A1-A6; Board has the plans in front of them; **Mr. Loew** explained the reason they are seeking a variance; described house and proposed construction/addition; lot width discussed; reason for ordinance briefly discussed; aesthetics discussed; **Mr. Ed Iannelli, 506 Braeburn Road,** lives directly next door to the applicants; east of project; sworn in by Mr. Rutherford; objects to lot

coverage; did renovation on his own home 5-6 years prior and did not seek a variance; construction proposed explained to Mr. Iannelli; very small encroachment; Mr. Iannelli stated less than a foot encroachment would not be objectionable to him.

Motion to Approve application: Tarantino, Metzger

Ayes: Tarantino, Forst, Metzger, Rodger, Chairman Barto

Brief discussion by Board regarding the new ordinance; Mr. Rutherford to research reasoning behind ordinance for the Board to understand the purpose and the intent of the ordinance; ordinance can be discussed in the Annual Report.

Approval of Minutes: Chairman Barto, Tarantino

September 4, 2014

October 2, 2014

Ayes: Tarantino, Metzger, Rodger, Chairman Barto

Brief discussion by Board regarding shed constructed in Borough which had an odd configuration; all building permits and authorizations were in order; Mr. Tarantino will further look into this type of construction and any ordinance that could be applied to it.

Motion to Adjourn:

All Board Members present approve motion to adjourn.

Meeting adjourned at 8:55PM.

Respectfully submitted by:

JoAnn Carroll

Zoning Board Secretary

December 9, 2014