

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
June 5, 2014**

Meeting Called to Order at 8:05PM by Chairman Barto

Call to Order: Read into the record by Board Secretary.

Roll Call: Messrs. Tarantino (absent), Cox, Forst (absent), Ms. Metzger (absent), Messrs. Deegan, Pappas (absent), Rodger, Chairman Barto

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

Chairman Barto: asked Mr. & Mrs. Moore and their attorney to come forward.

Ongoing Business

Marie and Colin Moore, 406 Braeburn Road, Block 209, Lot 4: applicants seek variances to construct a one story addition and a two story addition to an existing single family residence.

Mr. Moore: stated their architect was in attendance.

Chairman Barto: stated there was an issue this evening; one of the members of the Zoning Board needs to recuse himself because he is located within 200 ft. of the applicant's property; trying to contact other members of the Board who have not yet arrived and they could not be reached; can not go forward because there is no quorum for this application; the applicant can wait to see if someone shows up, or alternatively they can be placed on next month's agenda; promised that enough members who can vote on this application will be present next month; apologized for this issue.

Mr. Rutherford: stated four members of the Board are needed for this application.

Chairman Barto: stated messages were left for the members not present.

Mr. Franklin Cox: stated the members of the Board are very good with attending the meetings; quite often someone will show up during the meeting.

Completeness Review

Mr. Thomas Fredericks, 305 Blauvelt Avenue, Block 211, Lot 4: proposed attached garage in the easterly side of the property and a second floor addition in the rear of the dwelling; front yard and rear yard variances are sought.

Mr. Steve Honig, Honig and Honig: introduced himself and stated he was here for his applicant, Mr. Fredericks.

Mr. Rutherford: stated that the Fredericks' application was appearing before the Board for a completeness review this evening; the public hearing will not be conducted this evening.

Mr. Honig: stated he was in attendance for the purpose of a completeness review.

Mr. Rutherford: stated no testimony will be taken; this is an opportunity for the Board to make any comment on the plans; the Board can ask for additional information or some clarification of the plans, or the Board may raise an issue that the applicant needs to be ready to address at the next hearing; next meeting is July 10th; mentioned, for the record, that this property did come before the Board in August of 2006; a copy of the resolution that was adopted at that time will be sent to Mr. Honig for his files; not suggesting relevancy.

Chairman Barto: stated this is a corner property; as he understands, there are two bulk variances being sought.

Mr. Honig: stated there are setback variances; pre-existing conditions; already in the front setback and in the rear setback; anything that has to be done with this house has to come before the Zoning Board; pre-existing non-conforming use.

Chairman Barto: asked if the north property line is the rear.

Mr. Honig: stated "yes."

Chairman Barto: stated the application appeared complete to him.

Mr. David Rodger: commented on the property having two front yards.

Mr. Honig: stated the property is a corner lot; two front yards are a zoning quirk of corner properties; front of the home faces Blauvelt.

Chairman Barto: stated the applicant will be heard at next month's meeting.

Mr. Robert Males, 147 Sheridan Avenue, Block 216, Lot 14: applicant seeks a variance to install a generator in front yard. (corner lot)

Mr. Robert Males sworn in by Mr. Rutherford.

Mr. Rutherford: confirmed with the Board Secretary that Mr. Males served and published the notice and filed proof of publication.

Chairman Barto: asked the applicant what he would like the Board to consider.

Mr. Males: asked if there is anything that the Board is unclear of; believes all the information needed for this application has been submitted; distance from house and property line has been given; stated he would like to place a generator 5 ft. away from the house; it is in what he would consider a side yard but is a second front yard because he is located on a corner; it is in an area which is completely screened from view by trees all the way around; significant distance away from any neighbor's property; believes he has met all the requirements as to where it is being placed in terms of legality.

Chairman Barto: asked if the trees that Mr. Males made reference to run from Gilbert to the house.

Mr. Males: stated they run along Gilbert and then cut in; Gilbert is diagonal; the trees are in a north/south basis from the house to Gilbert; they are parallel to Sheridan.

Chairman Barto: asked if Sheridan would be completely screened.

Mr. Males: stated everything is completely screened.

Chairman Barto: asked what type of trees they were.

Mr. Males: stated they are arborvitae.

Chairman Barto: asked how big the generator was.

Mr. Males: stated the generator is 2.5 ft.wide, 4 ft. long and 2.5 ft. high; he believes this is fairly standard.

Mr. Cox: asked if it was a gas powered generator.

Mr. Males: stated it is run by natural gas.

Chairman Barto: asked how often the generator would test.

Mr. Males: stated he believed it was on a timer; thinks standard is once a week; it can be set to any time of day; would set it to when people are not asleep; they are quite quiet.

Chairman Barto: asked if Mr. Males would consent to test it just once a week.

Mr. Males: stated yes; would comply with once a month if that is the standard.

Mr. Rutherford: stated Mr. Males would need to comply with the State of NJ noise standards.

Chairman Barto: stated that based on the plot plan, the generator would be generally 25 ft. in from Gilbert Road.

Mr. Males: stated, "yes."

Chairman Barto: asked how far in the generator would be from Sheridan.

Mr. Males: stated it is past the front line of the house and the front line of the house is 44 ft. 8 inches from the sidewalk so this would be roughly 44.8 plus another 18 inches.

Mr. Cox: asked if the generator would be placed in what Mr. Males considers the side yard.

Mr. Males: stated "yes."

Chairman Barto: stated there really is no rear yard on this property.

No Public Comment

Mr. Cox: stated he has driven by the property and believes this location is the perfect spot for the generator.

Motion to Approve: Cox, Rodger

Ayes: Cox, Deegan, Rodger, Chairman Barto

Mr. Rutherford: stated the resolution will be prepared for next month's meeting.

Resolution: Chairman Barto, Rodger

Sean and Winifred O’Keefe, 660 Sherwood Road, Block 1108, Lot 7: approval for both a side yard setback variance and a front yard setback variance for a proposed addition.

Ayes: Deegan, Rodger, Chairman Barto

Mr. Rutherford: described the application in detail.

Approval of Minutes: Chairman Barto, Deegan

May 1, 2014

Ayes: Cox, Deegan, Rodger, Chairman Barto

Mr. Rutherford: instructed the Moore’s that they did not need to re-notice or re-publish; the Moore application will be heard on July 10, 2014 at Borough Hall, 333 Warren Avenue, HHK, NJ at 8:00PM.

Board members discussed receiving information from the Board office via email vs. US Mail; it was decided the agendas would be sent via email; all applications, minutes, etc. would be sent via US Mail to the Board members. One package would be sent for the upcoming meeting which would also include the agenda for that meeting.

Motion to Adjourn: Chairman Barto, Rodger

All Board members present approve Motion to Adjourn.

Meeting adjourned at 8:30PM

Respectfully submitted by:

JoAnn Carroll
Zoning Board Secretary
June 9, 2014