

**Borough of Ho-Ho-Kus  
Bergen County, New Jersey  
Planning Board Minutes  
October 13, 2022  
Combined Session**

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

**Salute to the Flag**

**Open Public Meeting's Act Statement: Read into the record by the Board Secretary**

**Roll Call:** Messrs. Jones, Madden (absent), Ms. Willkomm, Messrs. Thomas, Hart (absent), Councilman Policastro (via phone), Chairman Hanlon, Mayor Randall (absent)

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

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**Ongoing Business:**

**CJM Properties Corp., 225 Wearimus Road, Block 502, Lot 37, R1 Zone:** Preliminary Major Subdivision application with variances; 4 lots proposed; applicant seeks relief from Section IV, Article 85-9 D (2) for proposed lots 37.01 and 37.03, lot frontage not to be less than 200 ft

**Chairman Hanlon:** stated, for the record, the 225 Wearimus Road application will be carried to the November 10, 2022 regularly scheduled meeting of the Board without further notice; the application is being carried at the request of the applicant.

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**Proposed Ordinance Amendment/New Section:**

**Ordinance No. 2022-74 An ordinance to amend and supplement Article V, Chapter 85, Zoning of the Borough of Ho-Ho-Kus to regulate municipal public information banners at the four approved Borough sites.**

**Councilman Policastro:** stated the Borough Attorney during his review of the first set of changes to the ordinance identified a few areas which could expose the Borough to law suits; additional adjustments were made to the ordinance to protect the Borough.

**Mr. Thomas:** asked for clarification of the changes.

**Chairman Hanlon:** reviewed the history of the banner signs in the Borough and the locations.

**Mr. Jones:** stated the Supreme Court case regarding flags decided what is public and government speech; the banner signs fall under this category; reviewed Boston case; tightening up the ordinance so no offensive signs could be installed; wind slits are required and the size of the banner has increased; one banner per location vs. two previously; the Borough takes precedence over any other organization.

**Motion to recommend to the Mayor & Council that proposed Ordinance No. 2022-74 be adopted and to authorize the Board Attorney, Gary J. Cucchiara, Esq., to prepare a letter to the Mayor & Council stating same:**  
Willkomm

**Seconded by:** Thomas

**Ayes:** Jones, Willkomm, Thomas, Councilman Policastro, Chairman Hanlon

**Nays:** None

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**Motion to authorize the Board Attorney, Gary J. Cucchiara, Esq., to prepare a letter to the Mayor & Council stating the Board concurs with the Zoning Board of Adjustment's 2021 Annual Report regarding repealing Ordinance No. 1024, Minimum Graduated Side Yard Setback**

**Requirements for Second Floor of Dwellings:** Jones

**Seconded by:** Willkomm

**Ayes:** Jones, Willkomm, Thomas, Councilman Policastro, Chairman Hanlon

**Nays:** None

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**Approval of the September 15, 2022 Minutes:** Jones

**Seconded by:** Thomas

**Ayes:** Jones, Thomas, Councilman Policastro, Chairman Hanlon

**Nays:** None

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**Motion to Adjourn:** Jones

**Seconded by:** Thomas

**All in Favor**

**None Opposed**

**Meeting adjourned at 7:45PM.**

Respectfully submitted by:

  
JoAnn Carroll

Planning Board Secretary

October 14, 2022

**APPROVED ON JANUARY 12, 2023**