

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
June 8, 2023
Combined Session**

Meeting Called to Order at 7:05PM by Chairman Hanlon

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

Salute to the Flag

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

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

New Business:

Docket #08-2023: Mr. Luke Monteleone, Global Med Systems, LLC, 1 Hollywood Avenue, Block 603, Lot 1, IP1: new business application; medical equipment sales and service

Please note: Mr. Monteleone was not in attendance; application carried to the July 13, 2023 meeting of the Board.

Docket #09-2023 and #10-2023: Mr. Bayron Zabala, B&G Bagels, 187 E. Franklin Turnpike, Block 1010, Lot 10, GB Zone: new business application and sign application; bagel store

Mr. Zabala: stated he currently has businesses in Ramsey and Waldwick; taking over the location but not the type of business; will convert bakery to a bagel store; will provide a catering service; four employees; understands the parking situation in the rear of the building; there are no reserved parking spaces for the business; first come, first serve; hours reviewed; planning to open July 15th; no alterations required to store.

Councilman Policastro: stated the Borough has a lock box program; the lock box is purchased by either the landlord or the business owner; it is mounted on the store front; the Fire Department will have the only access to the lock box in case of an emergency; having the key to the business means the door can be unlocked instead of being broken trying to enter the business.

Mr. Zabala: stated he was interested in installing a lock box.

Chairman Hanlon: suggested Mr. Zabala contact the Chamber of Commerce.

Councilman Policastro: stated he has reviewed the sign application and it appears the material for the face of the sign will be aluminum; this is not allowed per the Borough's code; asked the applicant if he is aware of the material to be used.

Mr. Zabala: stated he was not sure; did discuss with the sign company that the material to be used is wood.

Councilman Policastro: stated all other aspects of the sign are conforming; the sign can be approved contingent upon the fact the materials used will be wood; not just the backing but the face of the sign as well; stated the Mayor & Council can schedule a ribbon cutting.

Motion to approve new business application: Jones

Seconded by: Hart

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

Nays: None

Motion to approve sign application subject to the condition the sign material is to be wood: Councilman Policastro

Seconded by: Thomas

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

Nays: None

Board Discussion:

2022 Board of Adjustment Annual Report: to be carried to July 13, 2023

Chairman Hanlon: stated Mr. Madden is putting together a presentation reviewing the Board of Adjustment's 2022 Annual Report; Mr. Snieckus will be in attendance on July 13, 2023 and can also educate the new Board Members regarding the review of the Annual Report by the Planning Board.

Hazard Vulnerability Assessment Study (HVAS) /Master Plan Element

Chairman Hanlon: stated a meeting was held on May 23, 2023 with Mr. Snieckus, Police Chief Lacroix, DPW Superintendent Jeff Pattman, Water Superintendent Daniel Priestner, Borough Engineer David Hals, OEM Coordinator Jay Ludwig, Construction/Zoning Official Mark Berninger, Borough Administrator William Jones, myself, and the Board Secretary; Mr. Snieckus gave a presentation regarding the HVAS; asked for input from those in attendance regarding different issues which included, current and future threats, rainfall, current and past rain events and flooding, cooling shelters, open space and green infrastructure; Mr. Snieckus will review with the Board the information received at the May 23, 2023 meeting; another discussion held regarding other issues to be included in the future Master Plan; HHK Crossing, First Street townhomes, low income building on Brookside, school project, Orvil Court and abolishment of the Shade Tree Commission; please contact the Board Secretary with the topic you would like to work on.

Correspondence:

Docket #03-2023: BOE Letter requesting amendments to the adopted Resolution dated April 13, 2023

Mr. Cucchiara: stated he received a letter from Mr. Fogarty, the attorney for the BOE regarding the Planning Board's adopted resolution of April 13, 2023; the MLUL requires the Planning Board to review proposed construction by a school; the Board is to dedicate one full meeting for a presentation and prepare a resolution and vote on it; the conclusions contained in the resolution are recommendations, not obligations; the recommendation to add the lightning detection system to the north end of the building is contained in the Master Plan; (excerpt from the Master Plan: **7.2.13 Lightning Detection** In nearby Montvale, 4 children were struck by lightning; two (2) were fatal. The Ho-Ho-Kus Office of Emergency Management (OEM) undertook a study into lightning strikes in Town. The OEM group concluded that there was a need for some form of notification. In the Fall 2009, a fund drive was conducted. Funds were developed along with matching grant. A detection system was purchased in August 2010. The notification part of the system was installed at the North Field and at the School Athletic Field. Signs were installed at all locations explaining the procedures. The police enforce the regulations at the sound of the alarm. The detection part of the system is in Police Headquarters where the events are monitored. In June 2012 the system was expanded. Additional notification systems were installed at the north side of the school (playground and parking area) with additional strobe light notifications at the school athletic field. Procedure signs were also added).

Chairman Hanlon: stated the proposed signage was reviewed by the Board at the time the presentation by the school was made; an additional sign application will not be required to be filed by the school; the Board is available to provide assistance with the sign if needed; the BOE is not responsible for fees under the MLUL; previous fees submitted will be reimbursed; encourages the BOE to comply with the Board recommendations; the recommendations were made to serve the best interest of the students, staff and community.

Mr. Cucchiara: stated the Board can authorize him to prepare and send a response letter to Mr. Fogarty; there have been situations in the past where a development occurred after the Board heard a case and the Board was asked to amend the resolution; the resolution memorializes what came before the Board; the resolution contains what was before the Board during the meeting; there were acknowledgments and agreements made by the BOE's architect during the meeting; the response letter can indicate the resolution will not be amended but can acknowledge the Planning Board are recommending certain items; the Planning Board urges the BOE to follow the recommendations given, but the Board cannot compel them to act on them.

Motion to authorize Gary J. Cucchiara, Esq., Planning Board Attorney, to prepare and transmit a letter in response to a letter received by Stephen R. Fogarty, Esq., Ho-Ho-Kus Board of Education Attorney, specifically addressing the Board's adopted resolution, stating the Planning Board will not amend the resolution and the concerns the Planning Board raised were recommendations, not obligations: Thomas

Seconded by: Hart

Ayes: Thomas, Hart, Councilman Policastro, Chairman Hanlon

Abstain: Jones

Nays: None

Approval of May 18 Minutes: Hart

Seconded by: Thomas

Ayes: Thomas, Hart, Chairman Hanlon

Nays: None

Motion to adjourn: Councilman Policastro

Seconded by: Thomas

All in Favor

None Opposed

Meeting adjourned at 7:30PM.

Respectfully submitted by:

JoAnn Carroll

Planning Board Secretary

APPROVED ON July 13, 2023