

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
July 13, 2023
Combined Session**

Meeting Called to Order at 7:00PM 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 (absent), Madden, Thomas, Hart, Councilman Policastro, Chairman Hanlon, Mayor Randall (absent)

Also in Attendance: Gary J. Cucchiara, Esq., Board Attorney; Mr. E. Snieckus, Burgis Associates, Borough/Board Planner; Ms. JoAnn Carroll, Board Secretary

Chairman Hanlon: stated for the record, the meeting this evening is a Combined Session and the July 20, 2023 meeting has been cancelled; additionally, Ms. Willkomm has decided to step down from her position as a Board Member due to family commitments; she hopes to return to the Board in the future.

Board Discussion:

Hazard Vulnerability Assessment Study/Master Plan Element: Mr. E. Snieckus, Borough/Board Planner to provide information to the Board regarding the HVAS and review the plan schedule

Mr. Snieckus: stated he was before the Board this evening to give an overview of the HVAS; the Municipal Land Use Law (MLUL) recently required the HVAS as an element of the Master Plan; conforms with the land use plan; the overall Master Plan document guides the ordinances in the town; if a town is looking to change the land use element of their Master Plan or adjust it, the HVAS is required due to climate change; met with heads of various departments in the town; looking at infrastructure; emergency services affected; this will take several months and meetings; review analysis; outline provided to Board which included a schedule; the schedule will be updated; looks at changes of carbon in the atmosphere; seeing changes in climate relative to certain environmental issues; rain fall, smoke fire, wild fires, etc.; potential for increased flooding as well; new NJDEP rule which is looking to increase the analysis of projects within 2 ft of the FEMA flood levels; the State is ramping up; projects to be kept out of harm's way; trying to work into overall analysis; exposed infrastructure anticipated to be improved to make more resilient; study with mapping of information showing where in fact the current flood plains are identified by FEMA; looking at projected increases in those areas; relying on NJDEP information; using as a basis; can make certain decisions in goals and objectives in Master Plan; trying to keep residential areas out of the flood zone;

open space features; improvements within the community; looking at from a resiliency standpoint; trying to map out geographically where located; planning team in place which includes the Board, OEM, PD, FD, DPW, utilities, zoning/construction and any joint municipality services; public outreach and input sessions; identify what we have found; give and take with public and interested parties; compiling information in a document and preparing recommendation for the land use element and possibly other elements of the Master Plan; appropriate to do ahead of time; takes a lot of time and effort; scheduling a series of work sessions; review findings; prepare drafts to review language; then public hearings so the public will be informed.

Chairman Hanlon: stated we need to work with FEMA to make sure the town is protected.

Mr. Snieckus: stated this may impact the Construction Department as well; raising of homes in flood areas; not just a shore problem.

Chairman Hanlon: stated he checked around the town during the last storm; surprised there was no additional waters in the Ho-Ho-Kus Brook or Saddle River; no flash flood anticipated; need to protect the town as we move forward with this; asked if meeting with surrounding towns would be advisable.

Mr. Snieckus: stated it may be appropriate at some point; will provide actual mapping identifying properties impacted; going through overall study; identifying impacts due to national hazards; strategies and design standards after that; identify critical open space features.

Board Discussion:

2022 Board of Adjustment Annual Report

Mr. Snieckus: stated he had reviewed the Board of Adjustment's 2022 Annual Report; two suggestions by the Board regarding ordinance changes; graduated side yard setback and placing and screening of certain accessory equipment in corner lots in residential zones; reviewed the graduated side yard setback ordinance currently in place; related to the upper or second floors; the ordinance tries to limit homes being built to the maximum building envelope; this would mean a larger home with no articulation; with good design you can work with rooflines; challenge for builders; transferring the upper floor to the lower floor with walls; stepping in on one side, the load is being caught by a beam; creates complications for building design and construction; there is some pushback; style can look unfinished or incomplete; lot coverage is not necessarily in view from the public way; this is why the second floor setback requirement was looked at; other tools can be used such as FAR (floor area ratio); percentage of the overall lot area in relation to the building form; another technique is a second floor FAR; if interested in these tools, it is best to look at the permitted levels of coverage in each zone; can come back to the Board with diagrams; try to base ordinances on existing conditions or patterns which are appropriate; the issue is does the Board want to study this ordinance; it has been repeatedly referred to the Mayor & Council and the Planning Board; will report back to the Board.

In regards to the screening of certain accessory equipment on corner lots in residential zones, Summit, NJ has this as a standard; recommended due to lot sizes; limited areas to place condensers and generators; no other type of accessory structures should be permitted, such as sheds, pool equipment, etc.; no misinterpretation; will offer recommendations and identify the section to be amended.

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

Mr. Henry Steinitz: employee of Global Med Systems; currently storing medical equipment; repair company; mostly operating room surgical equipment; strictly for storage of equipment that cannot be repaired at the hospital; truck will be at site to pick up the equipment and return to the proper operating facility.

Councilman Policastro: explained the lock box program the Fire Department offers.

Chairman Hanlon: stated it is difficult to see the address numbers on the building; suggested the applicant reach out to the landlord to make the numbers stand out more so the business can be easily found; recommended the applicant reach out to the Chamber of Commerce.

Motion to approve application: Councilman Policastro

Seconded by: Madden

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

Nays: None

Conceptual Review:

Docket #11-2023: 235 Wearimus Road LLC, 235 Wearimus Road, Block 903, Lot 11, R1 Zone: proposed 3 lot subdivision with municipal road access.

Chairman Hanlon: stated the applicant was before the Board for a Conceptual Review only; informal discussion; not a public hearing or presentation; the public has not been notified other than viewing the agenda on the Borough website or on the bulletin board outside of the Council Chambers; the matter will not be discussed on its merits in any way; Board Members can ask limited questions; the Board Attorney will be able to provide guidelines on how to proceed if a Board Member has a question.

Louis D'Arminio, Esq., Price, Meese, Shulman & D'Arminio, applicant's attorney: stated he represents 235 Wearimus Road LLC; conceptual review; whatever is represented is not binding by the Board or the applicant; Trevor Curtis, PE of L2A Engineering is present; location of subject property is 235 Wearimus Road; intersection of Deerhill Drive; property itself has an existing house with a garage; outbuildings in rear; approximately 3.4 acres; with County dedication approximately 3.3 acres; 3 lot subdivision with cul-de-sac;

access along east side of property; at one point was a driveway that went to the bottom of the garage; proposed 24 ft. cartway with a full radius for fire and other emergency vehicles; the width will vary where it meets the County road; 60 ft.; narrowest point is 40 ft.; RSIS are 50 ft.; can be reduced if an internal street; will only serve 3 homes; first lot: the existing home is fully conforming in every way; older home; needs restoration; there is a garage; will either be relocated within the footprint or a new garage will be built; access for this home is currently along a right of way; flag lot; County will want that to be closed and access to lot 1 will be somewhere through that location; plan is to get variance relief needed for the house; whoever buys the house, want to make it easy for that person to access the lot; will require a setback variance for a piece in the back of the home if the home is to be saved in its entirety; lot 11.02: northwest corner; lot size is almost conforming; could make it conforming but wants to split the distance of the huge back lot; 1,200 ft. short of conformance ; lot 11.03: is short of conformance; access through cul-de-sac; configuration of cul-de sac reviewed; configuration of subdivision allows for 90 ft.; code requires 200 ft.; lot is a full size; 11.03 in the northeast corner; lot size is similar; off by about 1,200 ft. to be conforming; frontage along roadway is 135 ft. vs. 200 ft.; 18 inch depth variance; will try to figure out how to remove this variance; on County road; the property goes into the County road; more than half of the County road is part of the property; assume it has been used for public use all these years; County would want to have it dedicated; wanted the Board's thoughts first; 4,600 ft. dedicated; County requires a certain setback from the property line; any other configuration would go through the house; had wetlands expert at site; no wetlands or NJDEP issues; would be RSIS de minimis waiver for the RSIS requirements; de minimis waivers for no sidewalks; in sum, lots are either full size, 2 out of 3, or making the rear slightly larger; pretty much full size; can get a reasonable cul-de-sac in; right width for fire truck to turn around; variance relief can do something with the depth; the two curvatures and the setback as well and de minimis waivers; basically the plan.

Mr. Trevor Curtis, PE, L2A Design: license in good standing; professional engineer; was the engineer for the HHK Crossing project; looking for feedback on the plan.

Chairman Hanlon: asked if the road was to be at 24 ft.

Mr. D'Arminio: stated the cartway would be 24 ft.

Chairman Hanlon: asked if there were to be sidewalks.

Mr. D'Arminio: stated he did not believe sidewalks would be necessary.

Chairman Hanlon: stated Copper Beech is close to the subject property and very similar; narrow roadway; no sidewalks; stated the applicant needs to find out the full delineation from the County and what is required.

Mr. D'Arminio: stated he understands, at the very least, a dedication is required; will go to the County soon.

Chairman Hanlon: stated he did not see the stream indicated on the plans that goes by the site.

Mr. D'Arminio: stated there is not a stream there; looked at wetlands; there is a ditch.

Chairman Hanlon: stated there is a major stream there; around the corner it takes rain water and puts it into a lake; then drains to the drainage by the property; need to do the homework; previous owner complained about flooding many times.

Mr. D'Arminio: stated the water is now piped into the inlets; not coming down on property; will look at the drainage within 100' to 200' of the entire property.

Chairman Hanlon: stated the applicant needs to find out from the County what they can and cannot do; need facts from the County; definition of some of the drainage described can be found in the Master Plan under "Flood;" serious flooding on the property per previous owner.

Please note: there were no Board comments at this time.

Mr. Michael Gasparian, property owner: stated he wanted to clarify as to what is located on the property; there was a ditch and a pipe that comes into the ditch; took a close look at the set up; debris compacted in the ditch; two drainage points on opposite property to the east; saw two inlets and two grates; looked into the grates and there was running water; there is a pond and property that fronts Wearimus; the backyard has a collection system; manmade ditch with gravel; did that to collect water from the pond; then into a pipe; presume that pipe went directly to the ditch on their property and then to the culvert; suspects whoever built the house took the pipe and extended it through his property and the water gets collected underground underneath the road and then there is a catch basin; from there it goes under the road to another catch basin then into the property across the street; over the course of the last three months, after heavy downpours, he has never seen anything coming out of that pipe; it has been disconnected; rushing water can be heard in the grates; believes the water has been taken off the property and it is all going to the property across the street; the property across the street has a lot of issues.

Chairman Hanlon: stated the County will be able to tell the applicant if they have changed the piping; advised the applicant to reach out to the Borough Engineer as well to investigate further; he is familiar with the flooding in that area.

Chairman Hanlon: stated Board Members should contact the Board Secretary with the Master Plan topics they would like to work on; it would be helpful to get some early paperwork put together.

Mr. Hart: indicated he would work on the library piece.

Mr. Thomas: indicated he would work on the education piece.

Approval of June 8, 2023 Minutes: Hart

Seconded by: Thomas

Ayes: Thomas, Hart, Councilman Policastro, Chairman Hanlon

Nays: None

Motion to Adjourn: Thomas


Seconded by: Hart

All in Favor

None Opposed

Meeting adjourned at 8:03PM.

Respectfully submitted by:


JoAnn Carroll

Planning Board Secretary

APPROVED ON SEPTEMBER 14, 2023