

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
December 6, 2018
Regular Meeting
8:00PM**

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, Rodger, Madden, Chairman Barto

Also in attendance: Michele Austin, Esq., Acting Board Attorney; JoAnn Carroll, Board Secretary

Ms. Austin administered the Oath of Office to Mr. Stephen Madden, Alternate Member #1, Unexpired Term Expiration, 12/31/18

Chairman Barto: announced he would be stepping down as Chairman after serving 13 years as Chairman and 26 years total on the Board; will continue as a Board member until another member can be found; thanked the Board members for making his tenure on the Board a special time in his life.

Mr. Tarantino: stated he has been on the Board for 31 years and has served with Member Barto for his entire time on the Board; Member Barto has been the best Chairman the Board has ever had.

New Business:

John A. Acunto, 140 Ackerman Avenue, Block 104, Lot 19: applicant seeks variances to add a new single car garage to the existing residence; non-compliance with Section 85-10 G (1) building coverage and 85-10 G (3) improved lot coverage.

Please note: Members Tarantino and Rodger are recused from this application due to appearing on the applicant's 200' list; both left the dais and sat in the audience.

Mr. Roger Schlicht, applicant's architect, and Mr. Acunto were both sworn in by Ms. Austin.

Mr. Roger Schlicht: gave his educational and professional background; license in good standing; accepted as an expert in the field of architecture.

Mr. Schlicht: distributed 2 items to the Board; one being a 2 page series of 8 photographs of the subject property and adjacent properties taken by Mr. Schlicht approximately 2 months earlier; the second handout showed the side elevation of the proposed addition.

Exhibit P1: 2 pages of 8 photographs taken by Mr. Schlicht of the subject property and adjacent properties; marked 12/6/18.

Exhibit P2: elevation of the proposed addition, entitled “Left Side Elevation”, prepared by Mr. Schlicht and dated 11/1/18; marked 12/6/18.

Mr. Schlicht (continued): there currently exists a single family home with an attached 1 ½ car garage; there are 2 pre-existing nonconformities; lot coverage and improved lot coverage; project consists of constructing an attached 2 car garage; there is presently a 1 ½ car garage with a side entry; a 3 pt. turn is needed to get into and out of the garage; the existing garage is only able to accommodate one car; another functional problem is not being able to access the garage when there are other cars parked in the driveway; there are 4 adults residing in the Acunto household with 4 cars; proposing a front loading 2 car garage; recycling the part of the garage that extends out from the main body of the house; extending out to the legal side yard setback; legal from left property line and legal front and rear setbacks; introducing 2 doors at the front of the building; this would allow for 2 cars to access the garage; straight in and straight out; existing driveway will allow another car to park outside and not be in the way of the cars coming in and out of the garage; the size of the garage mimics the size of the existing garage depth; extending the driveway to the right to access the right door; proposing a hip roof; roof will have a minimal impact on the left hand side; property slopes; it will match very well architecturally; garage is a one story structure at 17 ft.; will have minimal impact architecturally.

Chairman Barto: asked the width of the proposed garage.

Mr. Schlicht: stated 23 ft.

Chairman Barto: stated currently there is a long driveway in which a 3 pt. turn is required; this is not a hardship; asked why a variance was being sought.

Mr. Schlicht: stated the pre-existing non conformities will be reduced; the proposed construction is consistent with other homes in the neighborhood; very consistent with the streetscape; not a hardship but the benefits outweigh any negative impacts; other components which add to the building coverage are the shed in the rear, covered front porch, rear porch and rear steps; the solid house is at 22%; more benefit than negative impact; photos 5, 6 and 8 show houses which are near the subject property; these homes have 2 car garages that face the street; better function with proposed construction; not a big mass; only one story.

Chairman Barto: stated 17 years earlier the Board was asked to grant a variance for a 3-car garage; a 1 ½ car garage was agreed to; different circumstances at this time.

Mr. Deegan: asked if the proposed garage could be placed elsewhere on the property and also asked what the existing garage would be used for after construction.

Mr. Schlicht: stated the hill doesn't allow the garage to be anywhere else; front yard slopes up quite a bit; existing garage will be behind the raised grade level and will be used for storage; the topography of the property is dictating where the garage can go.

Mr. Forst: asked what will happen to the current entrance into the garage.

Mr. Schlicht: stated the proposed garage is in the same spot; the driveway will be ripped up; the driveway will be reduced by 661 s.f. and the addition will be 347 s.f.; will result in less impervious coverage.

Meeting opened to the public for questions/comments.

Mr. Leonard Tarantino, 153 Ackerman Avenue: appearing as a resident and not as a Board Member; lives directly across the street from the applicant; has lived at his location since April 1985; reviewed the plans; no objection to the application.

No additional members of the public came forward regarding this application.

Chairman Barto: stated this was the second time the Board dealt with this property; times have changed and driveways have changed.

Motion to approve application: Forst

Seconded by: Metzger

Ayes: Forst, Metzger, Deegan, Madden, Chairman Barto

Nays: None

Recused: Tarantino, Rodger

Mr. James Suessmann & Ms. Anna Newman, 223 Blauvelt Avenue, Block 210, Lot 18: applicants seek variances to add a one story garage and mudroom to the existing residence; non-compliance with Section 85-10 E (2) side yard setback and 85-10 G (3) improved lot coverage; (a second story addition over an existing patio is indicated on the plan, but is not part of the variance application)

Please note: Members Tarantino and Rodger returned to the dais.

Mr. Gary Irwin, applicant's architect, and Mr. Suessmann were both sworn in by Ms. Austin.

Mr. Gary Irwin: gave his educational and professional background; license in good standing; accepted as an expert in the field of architecture.

Chairman Barto: confirmed the applicant was seeking four variances.

Mr. Irwin: stated they are all pre-existing nonconformities; distributed a new cover sheet to the Board which was exactly the same as the first page which was previously submitted to the Board; only difference is color was added to make it visually easier to read.

Ms. Austin: confirmed with Mr. Irwin that the handout was exactly the same as the original plan submitted except for the addition of color.

Mr. Irwin: stated the nonconformities are changing; first page shows the zoning calculation table; the second page shows the existing improvements on the left and the proposed improvements on the right; the existing nonconformity is the lot area; smaller lot is the hardship; proposal maintains the side yard nonconformity; proposed plan eliminates rear yard nonconformity; improved lot coverage will be reduced from 39.55% to 38.5%; the distance from the driveway to the side lot line will be kept the same; it is odd the way the 2-car garage connects to the house; proposed plan is taking the garage and shifting it forward so it will no longer be in the rear yard.

Chairman Barto: stated the applicant is changing from a 2 car garage to a 1 car garage; the screened porch could be eliminated on the left side of the lot.

Mr. Irwin: stated the applicant does not want to eliminate the screened porch; currently the 2-car garage is too small to fit two cars; it is narrow; making it 6 ft. wider does not cause any nonconformities; the width of the 1-car garage would be 12 ft. 8 inches; an area map is shown on page 2; the third page is the basement plan, existing and proposed; other improvements are finishing the basement and foundation work.

Chairman Barto: confirmed the plan indicated the new addition and the garage together are 19 ft. 1 in.

Mr. Irwin: stated the staircase is currently located at the back of the house; not a good location for circulation throughout the house; trying to convert to a center hall colonial; there is a tiny bedroom and powder room in the back left corner of the first floor; this area serves no function; recreated the entry foyer; bumped out the left side of the house for a dining room; tore down the bedroom and powder room section; chose to put the mudroom behind the garage; trying to increase the size of the rear yard; the current location of the garage takes up a huge part of the rear yard; left the covered patio the way it is.

Mr. Rodger: asked why the area behind the garage had a mud room but no door.

Mr. Irwin: stated the space is so small; needed a section of the kitchen cabinetry to extend a little further.

Mr. Tarantino: stated when comparing the existing and proposed front elevations, he does not like the aesthetics; does not find the angles over the proposed garage and existing porch gradual as the roof lines are currently; the height will create a different look as well.

Mr. Irwin: stated it is the extension of the existing roof plan; same slope.

Mr. Tarantino: asked why this also wasn't done for the garage.

Mr. Irwin: stated they would have liked to but then it gets larger for the second story setback.

Mr. Tarantino: reiterated he did not like the proposed look.

Mr. Irwin: stated he designed the garage to compliment the detailing of the screened porch; proportions are different due to the width; had to be scaled down; couldn't be mimicked; could change the design to a gable facing the front like the rest of the house but not sure the Zoning Officer would approve due to the possibility of it being used as additional living space.

Chairman Barto: agreed that could be an issue.

Mr. Tarantino: stated the space was being increased slightly; the improved lot coverage was being lowered; has no problem with the numbers; doesn't like the look of the design; not good curb appeal in his opinion.

Mr. Irwin: stated what is being proposed is a better location for the garage.

Mr. Tarantino: stated he understood the location functionality.

Chairman Barto: asked about height of the building.

Mr. Irwin: stated the building code is 35 ft. and so is zoning but they are measured differently; the zoning height of the house would only be 23.64 ft.

Mr. Tarantino: stated he would like to have consistency with the neighborhood.

Mr. Irwin: stated much of the house has been enhanced; if the garage was the same width as the screened porch it would be better; understands Mr. Tarantino's opinion.

Mr. Metzger: asked if the porch was bigger would it satisfy Mr. Tarantino's concerns.

Mr. Tarantino: stated it is the slope of the roof; not the law or the code, but if he was a neighbor he wouldn't like it; has no problem with the numbers.

Chairman Barto: stated the side by side method Mr. Irwin uses is very helpful to the Board to visualize what is existing and what is proposed.

Meeting opened to the public for questions/comments.

Ms. Pamela Silverstein, 215 Blauvelt Avenue, sworn in by Ms. Austin.
Ms. Suzanne Silverstein, 215 Blauvelt Avenue, sworn in by Ms. Austin.

Ms. S. Silverstein: stated she and her mother, Pamela, live in the house to the left of the applicant; described their lot in relation to the applicant's lot; will lose a small rose garden if the garage is built where it is proposed.

Mr. Irwin: at the suggestion of Ms. Austin, referred to page 2 of 8 of the plans; the Silverstein house is to the left of the applicant's property; house is approximately 10-15 ft. from the property line on the side; between the Silverstein's house and the proposed garage there will be 15-20 ft.; no living space being added; the garage does not encroach on their property; is lower than what it could be as with a gable; no other logical solution; height difference between the two roofs is approximately 5 ft.

Ms. S. Silverstein: stated it will feel like driving through a tunnel if and when the garage is built.

Mr. Irwin: stating he is creating a greater rear yard; if the garage is moved back there will be a roof issue.

Chairman Barto: asked if there was a way to reduce the width of the garage.

Mr. Irwin: stated there is nothing that would make a significant difference; he made the garage as small as he could.

Chairman Barto: asked if the pavers could be removed and some sort of vegetation could be planted.

Mr. Irwin: stated there are existing concrete walks; applying for an area to improve; this is the greatest amount of improvement that will be done; a significant amount of walkways could be changed which could eliminate the improved lot coverage nonconformity.

Chairman Barto: stated he believed this was a problem that could not be solved for the neighbor; the house as proposed is actually an improvement of how it is currently; most of the variances are pre-existing nonconformities because it is undersized; Mr. Irwin has done a great analysis and has designed a good plan; the garage has also been reduced to a 1-car garage.

No additional members of the public came forward regarding this application.

Motion to approve application: Tarantino

Seconded by: Forst

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

Nays: None

Resolution:

Mr. & Mrs. P. Gambhir, 125 Ackerman Avenue, Block 105, Lot 7: applicants seek variances to construct a front porch to the existing residence; non-compliance with Section 85-10 G (1) building coverage and 85-10 G (3) improved lot coverage; both building and improved lot coverages are pre-existing non-conforming conditions

Chairman Barto reviewed the application and resolution.

Motion to adopt resolution: Forst

Seconded by: Tarantino

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

Nays: None

Resolution:

Mr. & Mrs. M. Fazio, 319 Ackerman Avenue, Block 209, Lot 27: applicants seek variances to construct a two story addition to the left side of the existing residence; non-compliance with Section 85-10 E (3) rear yard setback; 85-10 G (1) building (lot) coverage; 85-10 G (3) improved lot coverage; 85-10 K second story setback.

Chairman Barto reviewed the application and resolution.

Motion to adopt resolution: Tarantino

Seconded by: Forst

Ayes: Tarantino, Forst, Deegan

Nays: None

Resolution:

Ms. Janine Haspel, 250 Sheridan Avenue, Block 207, Lot 4: applicant seeks variances to construct a 2-story addition and a new 2nd addition to the right side of the existing residence; non-compliance with Section 85-10 G improved lot coverage; 85-10 K second story setback.

Chairman Barto reviewed the application and resolution.

Motion to adopt resolution: Forst

Seconded by: Tarantino

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

ays: None

Approval of Minutes:

November 1, 2018

Motion to approve minutes: Chairman Barto

Seconded by: Rodger

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

Nays: None

Board Discussion:

2019 Meeting Dates

Brief discussion held regarding meeting dates; the Reorganization Meeting will be held on January 3, 2019.

Motion to adjourn: Tarantino

Seconded by: Metzger

All in Favor

None Opposed

Meeting adjourned at 9:10PM

Respectfully submitted by:

JoAnn Carroll
Zoning Board Secretary
December 10, 2018