

**Borough of Ho-Ho-Kus  
Bergen County, New Jersey  
Zoning Board Minutes  
February 2, 2023  
Regular Meeting**

**Meeting Called to Order at 7:00PM by Chairman Tarantino**

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

**Roll Call:** Ms. Metzger (absent), Messrs. Rodger (absent), Madden, Ms. Raschdorf, Ms. Deegan, Mr. Martinez, Chairman Tarantino

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

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**Ongoing Business:**

**Mr. Mark Infante, Saratoga Lane LLC, 2 Orvil Court, Block 1008, Lot 5, GB Zone; OL-2 Zone:** applicant seeks to construct a mixed-use building (commercial first floor, residential second and third floors); non-compliance with: IV 85-13.1 G (3) Density (OL-2 Zone): Required 12 du/ac, proposed 27.08 du/ac; IV 85-13.1 H (2) (b) Parking; mixed use sites (OL-2 Zone): Required 27, proposed 16; IV 85-13 F (2) Minimum yard requirements, corner lots: Minimum Side Yard Width GB Zone: Required 10 ft., proposed 0 ft.; IV 85-13.1 G (2) Bulk Standards (OL-2 Zone): Minimum Front Yard Depth: The required front yard setback for any building complying with this chapter shall be reduced to three feet from the public ROW line or the existing average setback of neighboring buildings, required 3 ft, proposed 0 ft.

**Chairman Tarantino:** stated, for the record, the 2 Orvil Court application is carried to the March 2, 2023 meeting of the Board, without further notice.

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**Ongoing Business:**

**Mr. & Mrs. P. Kosinski, 520 Braeburn Road, Block 209, Lot 11, R2 Zone:** applicant seeks to construct two additions to the left side of the existing home and construct a storage shed in the left rear area of the property, if all are constructed will require the following 6 (six) variances:

- #1. Building Coverage: Proposed Coverage Is 26.1%, (3400 Sq. Ft.), Where 20%, (2603 Sq. Ft.) Is Permitted. A Variance For 6.1% Or 797 Sq. Ft. Is Requested.
- #2. Improved Coverage: Proposed Coverage Is 41.5%, (5406 Sq. Ft.) Where 35%, (4555 Sq. Ft.) Is Permitted. A Variance For 6.5% Or 851 Sq. Ft. Is Requested.
- #3. Two Story Addition Will Be Located 8.5' from The Side Line Where 10' is Required. A Variance For 1.5' is Requested
- #4. 2<sup>nd</sup> Story Addition Will Be Located 9.4' from The Side Line Where 10' Is Required. A Variance For .6' is Requested.

- #5. Second Story Setback Requirement Is A 10' Minimum. Second Story Will Be Located 8.5' From the Sideline Where 10' Is Required. A Variance For 1.5' Is Requested.
- #6. Accessory Structure Will Be Located 6' from the Rear and Side Property Lines. 10' is Required from Both Lines. A Variance For 4' And 4' Respectively Are Required.
  - Variance #3 Is for the 2-Story Addition with A New Foundation.
  - Variance #4 Is for The Addition Over the Existing 1<sup>st</sup> Floor Which Is Already Encroaching.

**Chairman Tarantino:** stated, for the record, the 520 Braeburn application is carried to the March 2, 2023 meeting of the Board, without further notice.

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**New Business:**

**Mr. & Mrs. Joshua Wood, 33 Jacquelin Avenue, Block 402, Lot 6.02, R1 Zone:** applicants seek to add a roof section to the existing home to connect to the existing garage; a portion of the of the proposed roof section will be located 46.9 ft. from the right-side property line where 50 ft. is required; non-compliance with Article IV, 85-9 E (2) side yard width.

**Bruce Whitaker, Esq., applicant's attorney:** placed his appearance on the record; the application before the Board is for a modest, minor variance; described lot; existing garage; garage was the subject of a prior variance; in that resolution the Board granted variance relief; the lot is irregularly shaped; location of garage was appropriate; applicant is proposing to construct a very minor passageway from the main house to the second floor of the existing garage; an outdoor stairway is the only way to reach that area at this time; want to be able to utilize the space from the house itself; reviewed previous variance granted; no soil movement; no trees being removed.

**Please note: the following exhibits were marked:**

<b>Exhibit #</b>	<b>Document</b>
A1; marked on 2/2/23	Variance application, received October 26, 2022
A2; marked on 2/2/23	Letter of Explanation, received October 26, 2022
A3; marked on 2/2/23	Zoning Officer Denial Letter, dated 7/12/2022
A4; marked on 2/2/23	Site plan, entitled "Project: 33 Jaquelin Avenue" prepared by Patrick M. Lesbirel, RA, Brick City Reconstruction, dated 8/15/2022
A5; marked on 2/2/23	Survey, prepared by Lakeland Surveying; dated 2/12/2021
A6; marked on 2/2/23	Brick City Reconstruction letter dated 10/24/2022, written by Patrick Lesbirel, RA; Letter clarifies the following: references the survey date the site plan is based upon; the zoning officer's denial was based upon plans dated 6/6/22; plans submitted to the Board were dated 8/15/2022; no change to scope has been proposed between the two plans



**Mr. Cucchiara:** stated the exhibits will be made part of the record and the resolution; if any additional exhibits are offered, they will be marked accordingly.

**Mr. Patrick Lesbirel, Brick City Reconstruction, applicant's architect:** gave his educational and professional background; license in good standing; accepted as an expert in the field of architecture.

**Mr. Lesbirel:** described the existing dwelling; prepared the site plan, marked as exhibit A4; reviewed existing conditions; finished attic space over garage; intention is to connect the house to the attic space; dashed setback line shown; 2 ft. encroachment; garage also encroaches into setback; the proposed project does exacerbate the current non-conforming condition; size of hallway is approximately 40 sf; the peak of the roof will project and intersect with the existing house per the picture on the plan; will be a connection between the house and the unusable space over the garage; siding and roofing will match what is currently there now; hallway into the attic will be built according to all building codes and the appropriate permits will be submitted; there is no change to the overall footprint; no disturbance of land.

**The meeting was opened to the public at this time for questions of the applicant's architect.**

**Please note: the only person in attendance was the applicant.**

**The meeting was closed to the public.**

**Please note: a brief discussion was held at this time regarding the application; all Board Members expressed their approval for the project.**

**Motion to approve the application:** Raschdorf

**Seconded by:** Madden

**Ayes:** Madden, Raschdorf, Deegan, Martinez, Chairman Tarantino

**Nays:** None

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### **Old Business:**

#### **2022 Annual Report Resolution**

**Chairman Tarantino:** asked if the Board had any questions regarding the 2022 Annual Report which was distributed.

**Ms. Raschdorf:** referred to page 3; Tojo Restaurant; asked if the statement in the first paragraph regarding the business hours Monday through Wednesday from 9 a.m. to 5 p.m., was a condition of the variance approval.

**Mr. Cucchiara:** stated the resolution is essentially the Board's findings and conclusions; point well taken, will review.

**Ms. Raschdorf:** stated, in regards to the recommended zoning ordinance amendment regarding corner lot exceptions for certain accessory structures,

would not want pool equipment to be allowed, only air conditioning condensers and generators.

**Mr. Cucchiara:** stated this is a recommendation for the Board; the Board may not agree with it or accept it; Ms. Carroll and I discussed it; referred to the Cottrell matter.

**Please note: a discussion was had at this time of the meeting regarding screening for air conditioning units and generators; fences can only be 4 ft. high and must be 50% open; may not completely screen the accessory structure; evergreens should be used for screening.**

**The adoption of the 2022 Annual Report was carried to the April 6, 2023 meeting of the Board.**

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**Please note: a discussion regarding attendance at the March 2, 2023 meeting was conducted; may only have 4-5 members; due to 5 affirmative votes needed for the use variance sought for the 2 Orvil Court application, the applicant may not want to go forward; polled the Board for their availability on March 16, 2023 for a Special Meeting; all were available; Board Secretary will contact Ms. Metzger and Mr. Rodger who were both absent this evening to find out their availability; will then reach out to the applicant's attorney.**

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**Chairman Tarantino:** asked for Board Member recommendations to be sent to him so he can forward to Mayor Randall; qualified candidates are needed to add value to the Board.

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**Approval of January 5, 2023 Reorganization Minutes:** Madden

**Seconded by:** Raschdorf

**Ayes:** Madden, Raschdorf, Deegan, Martinez, Chairman Tarantino

**Nays:** None

**Approval of January 5, 2023 Regular Meeting Minutes:** Madden

**Seconded by:** Raschdorf

**Ayes:** Madden, Raschdorf, Deegan, Martinez, Chairman Tarantino

**Nays:** None

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**Motion to Adjourn:** Madden

**Seconded by:** Raschdorf

**All in Favor**

**None Opposed**

**Meeting adjourned at 7:33PM**

Respectfully submitted by:

  
JoAnn Carroll  
Zoning Board Secretary

**APPROVED ON APRIL 6, 2023**