

**Borough of Ho-Ho-Kus  
Bergen County, New Jersey  
Zoning Board Minutes  
May 4, 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.**

**Flag Salute**

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

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

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**Chairman Tarantino:** stated, for the record, the 225 Ackerman Avenue application has been withdrawn; additionally, the 2 Orvil Court application is carried to the June 1, 2023 regularly scheduled meeting of the Board, beginning at 7:00PM, without further notice.

**APPLICATION WITHDRAWN WITHOUT PREJUDICE: Docket #: 01-2023: Ms. Vanessa Fuchs, 225 Ackerman Avenue, Block 205, Lot 7, R2 Zone**

**APPLICATION TO BE CARRIED TO THE JUNE 1, 2023 REGULARLY SCHEDULED MEETING OF THE BOARD: Mr. Mark Infante, Saratoga Lane LLC, 2 Orvil Court, Block 1008, Lot 5, GB Zone; OL-2 Zone**

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**Completeness Review:**

**Docket #04-2023: Mr. Allen Cohen, Trustee Maureen Cohen, Cohen Family Gift Trust, 11 Carlton Avenue, Block 1003, Lot 10, R3 Zone:** applicant seeks to construct 2<sup>nd</sup> story addition over the existing garage; the garage location is a pre-existing non-conformity; non-compliance with: IV 85-11 E (2) side yard width; IV 85-11 E (3) rear yard depth; IV 85-11 G (4) there shall be a minimum of 2,000 sf of lot areas for each bedroom provided

**Chairman Tarantino:** instructed the applicant the he was before the Board this evening for a Completeness Review only; no testimony will be taken, witnesses heard or any exhibits received; Chairman Tarantino asked the Board if they had any concerns or questions regarding the application's Completeness; all Board Members present felt the application was complete.

**Application deemed complete; public hearing scheduled for June 1, 2023.**

**New Business:**

**Docket # 03-2023: Mr. & Mrs. Rypkema, 45 Elmwood Avenue, Block 1010, Lot 4, R2 Zone:** applicants seek to construct a 2-story addition to the existing home; expand the existing garage; modify the driveway and expand the curb cut; install an a/c condenser in the front yard; and replace, in-kind, a porch and portico; if the additions are constructed and the improvements made, the following 7 (seven) variances are required:

- #1. A/C condenser unit to be located in the front yard facing Warren Avenue; A/C condenser units may only be located in rear and side yards; non-compliance with VI 85-35
- #2. Two story addition, if constructed will be located 20.2' from the front setback line where 30' is required, A variance for 9.8' is requested; non-compliance with IV 85-10 E (1)
- #3. Two story addition will be located 20.1' from the front setback line where 30' is required. A variance for 9.9' is requested; non-compliance with IV 85-10 E (1)
- #4: Existing porch and portico roof facing Elmwood Avenue to be removed and reconstructed in the same location; the steps/portico are located 20.3' from the front setback line where 30' is required; non-compliance with IV 85-10 E (1)
- #5. Existing garage is proposed to be enlarged; if enlarged, the garage will be located 27.25' from the front setback line where 30' is required. A variance for 2.75' is requested; non-compliance with IV 85-10 E (1)
- #6. Driveway is proposed to be 23' wide where the driveway may not be wider than 20' within 16' of the curb line. A variance for 3' is requested; non-compliance with V 85-32.3 B
- #7. Curb cut is proposed to be widened to 23' where only 20' is permitted. A variance for 3' is requested; non-compliance with V 85-32.3 C

**Ms. Xiomara Paredes, applicant's architect:** gave her educational and professional background; license in good standing; accepted as an expert in the field of architecture; referred to Exhibit A4; seeking approval for a 2<sup>nd</sup> floor addition, 2-story addition in corner and attached garage extension; side street yard width variance; also need a variance for the additional a/c unit to be located in the front yard; corner lot; widening of the driveway and a curb cut; except for the driveway and the curb cut, all other variances are set back variances; compliant with the rest of the zoning requirements for the R2 Zone; second floor addition aligns with existing house; existing house is non-conforming; existing footprint is non-conforming with the front yard; the 2-story corner addition aligns with the existing front line of the house; renovating the existing portico and replacing; included as a variance because the existing portico is non-conforming; side front is the extension of the garage; adding 2.8 ft in the front; making it closer to the street; still the setback is relating to the front line of the house; setback to the line of the neighbors to the left; the garage is setback 1.4 ft. to the front line of the house; not impacting the street in a negative way.

**Ms. Raschdorf:** confirmed with Ms. Paredes that the front face is aligned with the next-door neighbor and the garage steps back, not in front.

**Ms. Paredes:** continued: there are three hardships; the non-conforming location of the dwelling to the setbacks; corner lot; requires two front setbacks; the definition of the yards, by ordinance, does not line up with the functional use of the property; naturally, in homes, the back yard is opposite the front entry; however, the rear yard is opposite the narrowest frontage; showed the 30 ft. setback; reviewed the floor plan; front portico; proposing a new front portico; replacing existing; maintaining the same setback; proposing to add 2.8 ft. to the garage in the front; proposing a 22' x 23' sized garage; still complying with the rear yard setback; maintaining the line of the existing house; wants the driveway to align with the garage at 22 ft.; close to the property line and the street; the ordinance requires the first 16 ft. of the driveway from the curb to be no more than 20 ft. wide; per standards, need 25 ft. to be able to exit the garage and go straight out.

**Chairman Tarantino:** asked if the applicant's position was, in light of the increased width, that additional feet from the garage is needed; might strike another car.

**Ms. Paredes:** stated yes; 25 ft. in length; civil engineers have always required a car clearance distance of 25 ft.

**Chairman Tarantino:** stated Ms. Paredes took the time to state the line of the additions were in conjunction with the other neighbors; asked if all the other neighbors have the same cut out; including across the street.

**Ms. Paredes:** showed property on exhibit; neighbor's properties on the left side are narrow and long; because the properties are deep, they have detached garages far away; garages are located deep into the property; the house across the street has two driveways; nowhere else could a garage be located on the subject property; at intersection of two different depths of properties.

**Ms. Paredes:** continued with the floor plan review: because the house is narrow, proposing an addition of 5.8 ft. in the front to allow for a family room; aligning with the existing front wall of the house; complying on that side with the front yard; only the side front is triggering the variance; there is an existing a/c unit in the same location an additional unit is requested to be placed; if the lot was an interior lot, this location would be considered a side yard; will landscape around the unit to ensure it is not visible; the garage is setback about 16 inches; the 2-story addition is aligning with the front line of the house; maintaining the existing front setback; complying with all other requirements; it has been demonstrated that all of the proposed additions do not propose a detriment to the community; not impacting negatively the streetscape of either Warren Avenue or Elmwood Avenue; net affect would be minimal.

**Ms. Raschdorf:** stated she did not want the garage to look front and center; the reason the maximum curb cut is 20 ft. is so driveways do not look like parking lots; asked for the curb cut to be reduced to 20 ft.; which would eliminate a need for a variance.

**Mr. Brian Rypkema, 45 Elmwood Avenue:** sworn in by Mr. Cucchiara, for any testimony given.

**A brief discussion was had regarding reducing the curb cut to 20 ft.; the applicant agreed.**

**Meeting opened to the public at this time.**

**No members of the public came forward.**

**Public portion closed.**

**Motion to approve application with the following conditions: curb cut to be reduced to a width of 20 ft. and the proposed a/c unit is to be screened:** Raschdorf

**Seconded by:** Madden

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

**Nays:** None

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**Docket #: 02-2023: 14 Prescott Road, Block 1202, Lot 10, R2 Zone:** applicant seeks to construct a 1-story covered porch over an existing patio; non-compliance with: IV 85-10 E. (3) rear yard depth, 30' required, 20.3' proposed, variance for 9.7' requested; IV 85-10 G (1) lot coverage; 20% maximum allowed, 23.37% requested.

**Mr. Cucchiara:** read the exhibit list into the record; both the homeowner and the applicant's architect, Mr. Joseph Donato, were sworn in by Mr. Cucchiara.

**Mr. Donato:** stated there have been no revisions to the plans submitted; existing single family home; reviewed coverages; sliding glass doors off of the kitchen to an outdoor patio; ground level; space has furniture with grass; covering existing patio; columns, fireplace, roof; once the roof is proposed, it becomes part of building coverage; over 20%; the improved lot coverage is not affected; could possibly affect two neighbors; one neighbor has an existing non-conforming garage the other neighbor has a pool 75 ft. away and the house is over 150 ft. away from the property line; no negative affect to the neighbors.

**Chairman Tarantino:** asked if there was any intention of enclosing the structure in the future.

**Homeowner:** stated no.

**Chairman Tarantino:** asked where the sliding glass door led to.

**Mr. Donato:** stated it leads to the kitchen.

**Chairman Tarantino:** asked about the proposed fireplace.

**Mr. Donato:** stated it would be a wood burning fire pit with stone; the space would have a cathedral ceiling with a fan.

**Meeting opened to the public at this time.**  
**No members of the public in attendance.**  
**Public portion closed.**

**Motion to approve application:** Raschdorf

**Seconded by:** Metzger

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

**Nays:** None

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**Resolution:**

**Mr. & Mrs. P. Kosinski, 520 Braeburn Road, Block 209, Lot 11, R2 Zone:**

**AMENDED:** applicant seeks to construct two additions to the left side of the existing home, if constructed the following 4 (four) variances are required:

- #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. **Proposed Coverage is 23% (2,999 Sq. Ft.), where 20% is permitted; a variance for 3% is requested; non-compliance with IV 85-10 G (1)**
- #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. **35% ILC with amendment to plans; compliant**
- #3. Two-story addition will be located 8.5' from the side line where 10' is required. A variance for 1.5' is requested; non-compliance with 85-10 E (2)
- #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; non-compliance with 85-10 E (2)
- #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; non-compliance with iv 85-10 K
- #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. **Shed Removed from plans**
  - 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.

**Motion to adopt the resolution:** Raschdorf

**Seconded by:** Chairman Tarantino

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

**Nays:** None

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**Approval of March 16, 2023 Special Meeting Minutes:** Madden

**Seconded by:** Chairman Tarantino

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

**Nays:** None

**Approval of April 6, 2023 Minutes:**

**Carried to the June 1, 2023 meeting; transcript still to be submitted by Court Reporter**

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**Chairman Tarantino:** asked for all Members to be in attendance on June 1, 2023 for the continuation of the 2 Orvil Court application; due to the nature of the variance, 5 affirmative votes are required for an approval.

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**Motion to adjourn:** Metzger  
**Seconded by:** Chairman Tarantino  
**All in Favor**  
**None Opposed**

**Meeting adjourned at 7:54PM.**

Respectfully submitted by:

  
JoAnn Carroll  
Zoning Board Secretary  
May 9, 2023

**APPROVED ON JUNE 1, 2023**