

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
July 6, 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, Mr. Madden, Ms. Raschdorf, Ms. Deegan, Mr. Martinez, Chairman Tarantino

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

Completeness Review:

Docket #05-2023: Mr. & Mrs. J. Zawacki, 62 Edgewood Drive, Block 1102, Lot 7, R2 Zone: an in-ground pool is currently under construction which includes a paver patio; the permit was issued with the understanding that a portion of the patio would be removed to avoid a variance for improved lot coverage; a portion of the patio was not removed; the applicants seek to construct a pergola, outdoor kitchen and a paver patio to surround the pool currently under construction; non-compliance with Iv 85-10 G improved lot coverage; VI 85-33 B patio setback; IV 85-10 I 4 interior lot side line setback for detached accessory building and structure (outdoor kitchen and pergola) please note: the outdoor kitchen is currently being constructed prior to applying for variance relief

Please note: due to the fact the applicant nor their professionals were in attendance, the Completeness Review was carried to the September 7, 2023 meeting of the Board; the August meeting is to be cancelled due to lack of a quorum; the applicant will be instructed to notice for a public hearing on September 7, 2023 so the application can be heard if it is deemed complete that same evening.

New Business:

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 2nd 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

Mr. Thomas Ashbahian, applicant's architect and Mr. Allen Cohen were sworn in by Mr. Cucchiara; the Board has no objection to Mr. Ashbahian testifying as an expert in the field of architecture.

The following exhibits were marked and read into the record by the Board Secretary:

A1 marked	Variance application
A2 marked	Letter of Denial
A3 marked	Zoning Officer Denial
A4 marked	Site Plan entitled, Proposed Addition and First Floor Modifications, Cohen Residence, prepared by T. Ashbahian, latest revision date of 3/2/2023, consisting of 1 page
A5 marked	Survey, prepared by Robert J. Weissman, original survey date 1/6/2023; revised to 2/20/2023

Mr. Ashbahian: stated the application is basically exhibit A4; revised to March 2, 2023; the exhibit depicts a site scheme reflecting the survey done; first and second floor plans; front side elevations and two photos of the existing house; zoning data on lower right hand corner; reflecting requirements of the R3 zone; key map depicts the position of the property; purpose of the application is to add a second floor bedroom and connect over an existing garage and mudroom; house currently contains four bedrooms; two of which are on the first floor and two on the second floor; abandoning the first floor bedroom and making it a study; taking off perimeter walls and closets; new master bedroom will be over the garage; three remaining bedrooms and a fourth is being added; the application does conform with a number of bulk requirements; lot coverage is currently 26.8% where 25% is maximum permitted; the improved lot coverage is currently 49.9% where 45% is the maximum permitted; addition is over an existing footprint; conforming with the overall building size; conforming with height; variance for side and rear yard; building going straight up; required to have 10 ft.; have less on south corner of property; on same corner required to have 30' rear yard, have 18.2'; noticed for the fourth bedroom; due to the size of the lot, only three bedrooms are allowed; displacing the master bedroom on the first floor with the master bedroom on the second floor; justify by way of C1 and C2 criteria; hardship is the shape and size of the lot; area developed before formal zoning; the applicant's lot is smaller than surrounding lots; all variances are pre-existing; going up over the existing garage; no bow or bay windows; completely within the footprint of the residence as it is today; C2: the Board can view the application favorably as the front elevation stays the same; streetscape not disturbed; same low key house in character with the rest of the neighborhood; split level; addition at rear of property over the garage; addition will barely be visible from the front; architecture of the garage is slightly odd; strange roof lines; will disappear with the addition; functionally obsolete; small rooms; seeking to open them up; updating home to bring into the expectation of what the public would want; believes the Board can grant the variances without detriment to the zoning plan.

Mr. Cucchiara confirmed with the Board Secretary that the notices were in order; the applicant did not originally notice the utilities within the Borough when the affidavit and white receipts were submitted; the utilities were subsequently noticed, white receipts and a separate affidavit submitted.

Chairman Tarantino: stated the non-conformities are not being expanded; the application is not a concern; concerned about the curb appeal and looking at the garage over the roof.

Mr. Ashbahian: stated due to the elevation, it seems to be apparent; the house is deep from the street; the addition will barely be seen.

Chairman Tarantino: stated his concern is with aesthetics, which is not before the Board; asked the applicant if he had discussed his plan with his neighbors.

Mr. Allen: stated he has friendly relations with his neighbors; shared what he is planning to do with them; both neighbors have upgraded their homes since this home was built; very supportive about the improvements; not sure of what level of detail he shared with them; two immediate neighbors are supportive.

Ms. Raschdorf: asked if the house was currently occupied.

Mr. Allen: stated it is his intention to move into the home; raised five children in Saddle River; living in this house is part of his future plan.

Chairman Tarantino: stated because of the distance from the curb, the impact is de minimis.

Ms. Raschdorf: stated the grade shoots up on Warren Avenue; lot 8 is the steep lot; believes it will be sheltered.

Motion to approve the application: Raschdorf

Seconded by: Madden

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

Nays: None

Resolutions:

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. (Curb cut width to comply)

Mr. Cucchiara: stated Member Raschdorf had raised issues which were reasonable and effective; the Board Secretary submitted the revised resolution to Ms. Xiomara Paredes, the applicant's architect, but never received a response.

Motion to adopt resolution: Madden

Seconded by: Raschdorf

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

Nays: None

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)

Mr. Cucchiara: stated Mr. Snieckus provided a good point with respect to the resolution; perspective of the overlay zone.

Motion to adopt resolution: Martinez

Seconded by: Deegan

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

Nays: None

Approval of June 1, 2023 Minutes: Raschdorf

Seconded by: Madden

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

Nays: None

Motion to Adjourn: Chairman Tarantino

Seconded by: Metzger

All in Favor

None Opposed

Meeting adjourned at 7:26PM.

Respectfully submitted by:


JoAnn Carroll
Zoning Board Secretary

APPROVED ON SEPTEMBER 7, 2023