

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
Working Session
November 14, 2013**

Call to Order: Open Public Meetings Act Statement – In compliance with the Open Public Meetings Act of the State of New Jersey, notification of this meeting has been sent to the Ridgewood News, our official newspaper in the Borough of Ho-Ho-Kus and notice has been posted on the bulletin board at Town Hall. **Read aloud by Board Secretary.**

Roll Call: Messrs. Berardo, Corriston (absent), Pierson, Reade, Cirulli (absent), Newman, Councilman Rorty, Chairman Hanlon, Mayor Randall (absent)

New Business:

Ho-Ho-Kus Bagels, Mr. Lemir Harfouch, 7 North Franklin Tpke, Block 1013, Lot 2: change of ownership application; business to continue as a bagel store.

Mr. Lemir Harfouch: introduced himself to the Board; explained that he is once again taking over the bagel store and will only be making minor changes inside of the store; he previously owned the business; sign will be the same; hours the same; 2 steady employees.

Councilman Rorty: asked a question regarding employee parking and if they would be parking at the municipal lot.

Mr. Harfouch: stated there is enough parking for employees.

Chairman Hanlon: stated that a letter was received from the landlord of the property stating that the details have been worked out for Mr. Harfouch to take over the business.

No questions from the rest of the Board members.

Chairman Hanlon: stated that the public session of the Planning Board would be held on 11/21/13 when the formal vote would be taken; no necessity for Mr. Harfouch to attend the meeting.

Janice Tinari, 23 Sheridan Avenue, Block 1007, Lot 4: awning application.

Ms. Janice Tinari: stated she would like to change the awning that is currently in place; it is a crank type; green to black in color; “23” on the awning.

Chairman Hanlon: stated that 2 “23”s would need to be on the awning.

Mr. Frank Berardo: asked if only numbers would be on the awning.

Ms. Tinari: stated yes, and that she is now the only owner of the business.

Mr. Berardo: asked how far the awning would protrude out.

Ms. Tinari: stated the proposed awning is almost identical to the Allstate office located next store.

Chairman Hanlon: asked if there is any other information needed for next week.

Mr. Berardo: stated he will send an email regarding the application to Mr. Hanlon.

Chairman Hanlon: asked Ms. Tinari to return to the meeting next week, and if all complies, the application will be voted on; reiterated 2 “23”s need to be on both ends of the awning per Borough Ordinance.

Mr. Berardo: double checked the phone number on the application to make sure he would be able to get in touch with Ms. Tinari with any questions.

Jeanne Dube, 873 East Saddle River Road, Block 810, Lot 1 and Adam & Elizabeth Willkomm, 20 Powderhorn Road, Block 810, Lot 3: applicants seek to transfer 30,642 sq. ft. from Lot 1 to Lot 3.

Mr. Adam Willkomm: introduced himself to the Board.

Chairman Hanlon: stated the application was for a minor subdivision on Powderhorn and East Saddle River Road; further stated this application would have to go to a public hearing; could not go into detail because the public has not yet been notified.

Mr. Willkomm: stated his property is located on Powderhorn; it is an odd shape; the property to be transferred is located directly behind his house; that area is landlocked; Mr. Willkomm wants to purchase that piece of property and add it to his existing property.

Chairman Hanlon: stated the applicant has met the requirements of an R-1 zone; still a non-conforming piece of property; purchasing the piece of land makes the entire property legal and will allow him to expand in the future if he so desired.

Mr. Willkomm: stated his purpose in purchasing the piece of land is to have more property behind his house.

Chairman Hanlon: stated, that by purchasing the piece of land, it will make it legal from Mr. Willkomm to expand and do work on his home; at this time, Mr. Willkomm would have to go in front of the Zoning Board if any work were to be done because the property is non-conforming.

Chairman Hanlon: asked if either Mr. Willkomm or Ms. Dube had an attorney.

Mr. Willkomm: stated his attorney is Mr. David Rutherford, who was not present, and that Mr. Rutherford could not come before the Board because he is also the Zoning Board attorney.

Chairman Hanlon: stated that one of the applicants needs to have an attorney because he is looking to schedule a public hearing and needs to find out how this application needs to be laid out because a 200' notice needs to be sent out; suggested Mr. Willkomm and Ms. Dube, and an attorney, need to coordinate to come back next week; application will not be deemed complete at this time.

Mr. Willkomm: stated that he was informed by his attorney that he did not need to be in front of the Board today and neither did his attorney.

Ms. Jeanne Dube: introduced herself to the Board.

Chairman Hanlon: asked if Ms. Dube had an attorney.

Ms. Dube: stated she did not have an attorney.

Chairman Hanlon: stated that a date needs to be set so the attorney can send out the 200' list; needs the applicants to coordinate with their attorney so the Planning Board can deem the application complete.

Ms. Dube: asked if her application needed to have a public meeting.

Chairman Hanlon: stated yes.

Ms. Dube: stated she understood that she did not have to have her engineer present at this meeting.

Chairman Hanlon: stated that the Board was in receipt of a letter from Ms. Dube's engineer; Chairman Hanlon further stated that the applicants needed to coordinate so the Board can deem their application complete at next week's meeting.

Mr. Gary Cucchiara, Board Attorney: asked if Ms. Dube was going to obtain an attorney.

Ms. Dube: stated no.

Mr. Willkomm: asked what further information did the Board need.

Chairman Hanlon: stated that the application needs to be sent to the Borough Police Department, Borough OEM and the Borough Fire Department to obtain their comments; schedule a public hearing; asked if Ms. Dube was going to represent herself in this matter.

Ms. Dube: stated yes.

Chairman Hanlon: asked when Ms. Dube would like to send out her letter to her 200' list.

Ms. Dube: stated she wants to move along as quickly as possible.

Chairman Hanlon: conferred with the Board to see who would be available for a combined meeting in December; asked the applicants to return to the Planning Board meeting on 11/21; stated the applicants could start working on the concept of holding the public hearing on 12/12.

Ms. Dube: asked what was needed of her at this time from the Board.

Chairman Hanlon: stated that she needed to draft a letter to the 200 ft. list stating what her project is; she will have to advertise in the paper.

Councilman Rorty: asked which property needed to obtain the 200 ft. notice.

Chairman Hanlon: stated the Dube property only; suggested Mr. Willkomm speak with Mr. Rutherford to help him.

Mr. Cucchiara: instructed Mr. Willkomm to have Mr. Rutherford call him if he had any questions or if he wanted to discuss.

Mr. Willkomm: asked what information was needed for next week's meeting.

Chairman Hanlon: stated that he was hoping to have the comments back from the various Borough departments and from the engineer.

Chairman Hanlon: instructed the Board Secretary to provide a copy of the application to the Borough's Police Department, OEM and DPW.

Old Business:

Miller Subdivision, 118 Blauvelt, Block 601, Lots 4 & 5: applicant seeks extension of approval.

Mr. Robert Welch, Dwyer, Dwyer, Welch: introduced himself; is attending on behalf of Mr. Miller.

Chairman Hanlon: asked for an explanation of his request.

Mr. Welch: stated he was seeking an extension to complete a minor subdivision; Mr. Rigg, applicant's engineer, has been attempting to demolish a home on lot 4; unfortunately it was infested with fleas and there was also asbestos found on the property; the asbestos companies which can remove the asbestos are tied up in South Jersey and he was having trouble receiving estimates; stated he has done the cut description and the description of the two lots and Mr. Welch has submitted them for the approval of the attorney and the engineer; stated he also needs to take the house down and the engineer did not want them to try to preserve the house on lot 4 with the non conforming setback and create a monster subdivision; asking for an extension to perfect the subdivision which was granted in March.

Chairman Hanlon: stated this was not an unusual request; further stated the Board will vote on the issue next week; Mr. Welch did not need to be in attendance at that time.

New Business:

Mr. Arthur Toufayan, Red Cedar Market, 611 N. Maple Avenue, Block 1016, Lot 4: new ownership/business application; gourmet market and catering.

Mr. Michael Jones: introduced himself to the Board and stated he was the business partner of Mr. Toufayan.

Chairman Hanlon: stated that the Red Cedar Market is moving into the space previously occupied by the bakery and asked Mr. Jones to explain his application.

Mr. Jones: stated the business would be a gourmet market with catering; they would offer salads, sandwiches, fresh baked bread; the business would be a “get in-get out” type business.

Chairman Hanlon: asked how many employees would be hired.

Mr. Jones: stated there would be 6-8 employees.

Chairman Hanlon: explained the parking availability for their employees in the back lot.

Mr. Jones: stated they would be changing their sign.

Chairman Hanlon: stated that Vice Chairman Berardo reviewed all sign applications.

Mr. Berardo: stated that Mr. Jones can receive a sign application form from the Board Secretary.

Chairman Hanlon: asked when the expected opening would be.

Mr. Jones: stated the first week of December.

Chairman Hanlon: stated the Board was in receipt of a letter from the landlord; this type of business is allowable in the Borough; Mr. Berardo can explain the signage expectations; Chairman Hanlon asked what the store hours would be.

Mr. Jones: stated the hours would be 7:30AM to 7/8PM.

Chairman Hanlon: asked if patrons could sit down to eat.

Mr. Jones: stated there would be seating for patrons.

Councilman Rorty: asked if there would be a catering truck and where would it be parked.

Mr. Jones: stated that at this time, he and Mr. Toufayan would be using their cars for the catering part of the business.

Chairman Hanlon: stated that Mr. Jones would not have to return next week; the Board will vote on the application next week; welcomed Mr. Jones to the Borough.

Bank of America, Orvil Court and Sycamore Avenue, Block 1008, Lot 4: informal review of plans submitted.

Chairman Hanlon: apologized for the delay in hearing this application; the application unfortunately had been lost.

Mr. Scott Collins, Riker Danzig: introduced himself to the Board.

Mr. James Kinosian, Stonefield Engineering and Design: stated he is the lead design engineer for Bank of America; gave a description of the project; Bank of America has been working in the Northeast region to upgrade the banking experience for its customers; discussed an accessible parking area as well as an accessible path from the parking area to the bank entrance, ATM and night drop deposit box; compliant path for handicapped access on sidewalk; reconstruction of asphalt; crosswalk across the egress driveway; concrete ramps with handrails; biggest constraint was the finished floor elevation of the bank itself is 2-2.5 ft. higher than the public sidewalk which is why there is a need for the ramps along Sycamore and Orvil; biggest concern about the asphalt was the steep slopes in the ADA parking area now.

Chairman Hanlon: asked Mr. Kinosian to explain the conflict to upgrade on Borough property.

Mr. Kinosian: stated that if someone were to park in the accessible space and go across the crosswalk, they would try to keep the improvements within Bank of America's property; if someone were to pass by the ATM, they would go down the ramp (which is bank property), exit onto the sidewalk to the newly constructed ramp into the corner of the intersection.

Chairman Hanlon: stated that he will obtain another letter from Mr. David Hals, Borough Engineer, to reinforce what was described; stated that the Planning Board can not give the complete approval of this project because part of this project is located on Borough property; stated that 95% of what was presented is on the bank's property and 5% is the Town's property; the Board next week can vote and approve what was presented, then send the recommendation to the Borough Council.

Councilman Rorty: asked why the plans couldn't go around the perimeter of the building; sounds like the plans go off the sidewalk, into the street and back again.

Mr. Kinonian: stated that wrapping around is not an option because the entrance of the bank is located almost on the property line and to get access you would have to go into Borough property and then back again; ADA needs to provide access from the public right of way.

Councilman Rorty: stated there is an ADA compliant corner; the only ramp would be to get to the ATM; on the Orvil Court side the walkway going into the bank is flat; does not have to be touched.

Mr. Kinonian: stated the sidewalk is approximately 2 feet lower than the bank entrance.

Councilman Rorty: asked if this was still ADA compliant.

Mr. Kinonian: stated it is 5x ADA compliancy.

Councilman Rorty: asked if there was an ADA curb cut.

Mr. Kinonian: stated there was no ADA curb cut.

Mr. Michael Reade: asked if there was to be lighting for the parking area; flood light.

Mr. Kinonian: stated he believes what was shown was an up-light on the ground, not on the side of the building.

Chairman Hanlon: asked if the lighting, if changed, can be changed from orange to white.

There were no Board questions at this time.

Chairman Hanlon: stated that he wanted Mr. David Hals' letter to be in the record; the Board would have to vote on it next week recommending to the Council that this application be approved; the Council's schedule has changed but the next meeting would be in December.

Mr. Collins: asked if there was anything that he needed to do in regards to this application.

Chairman Hanlon: stated it would be wise for a representative to attend the Council meeting to explain the project.

Correspondence:

NJDEP Letter to Christine Stokes of Leggette, Brashears & Graham regarding 23 Hollywood Avenue, Blocks 602 & 603 and Lots 1 & 4

Chairman Hanlon: summarized the correspondence received; a letter from the County Principal Environmental Planner in regards to the property at 22 Hollywood Avenue which is Borough property; contaminated piece of land that needs to be worked on; the Borough is already working on it; the Planning Board was copied on the letter; this matter does not concern the Board but Chairman Hanlon wanted it on the record that it was received; Chairman Hanlon has spoken to the Superintendent of Public Works and they are on top of the situation.

Councilman Rorty: stated that the second paragraph which states where the Borough's drinking water is supplied from is entirely wrong.

Chairman Hanlon: stated that the County is doing work on Hollywood Avenue Bridge over to Saddle River and they have applied for a DEP permit to do some work; scour protection activities; approved under the DEP permit emergency authorization; Chairman Hanlon further stated that this letter was also received by OEM, but wanted it on the record that the Planning Board has received it as well.

Ongoing Business:

Master Plan Discussion

Chairman Hanlon: stated that several members of the Board have received a working copy of the Master Plan; the extra document handed out (A-H) is the correction to the Ho-Ho-Kus Inn segment located in the historic section; dates were wrong, as well as, typos; the Consultant has corrected the errors; there will be a formal presentation next week at the public hearing; notice has been made in the Bergen Record within ten days of the meeting; notice has also been made in the Ridgewood News; the Consultant has dropped off a copy to the County; the Board Secretary hand delivered a copy of the notice to Waldwick, Ridgewood, Township of Washington, Saddle River and Hillsdale; the County has now stated they can help us with a segment of the Master Plan that they originally said they would not be able to help us with; if the Master Plan is approved at next week's meeting, there will have to be an amendment after the County surveys the Borough; after those numbers are received, we can rethink a particular intersection or road problem which we can bring to the Council's attention; believes it will be 6 months to a year before the Board hears from the County on the road count; copy handed out is a work copy so it may be marked up by the Board members; formal copies will be received next week with the corrected piece

included; RuthAnne Frank, Borough Administrative Assistant, has stated that there have been a couple of residents that have stopped by to take a look at the Master Plan; they have not had any comments; there are additional paragraphs regarding Cheelcroft; at Mr. Pierson's suggestion, there is also an additional segment under the OEM segment regarding storms that have hit the area; FEMA funding acknowledged; 98% of the cover was done by Mr. Michael Reade; tells the story of the Town; three pieces not covered; will discuss at next week's meeting; photos will only be available on the website package; Chairman Hanlon gave a brief history of Cheelcroft; if the Master Plan is approved next week, it will be presented to the BOE, Council and the Zoning Board.

Motion to Adjourn: Rorty, Berardo

All Board Members present Approve Motion to Adjourn.

Respectfully Submitted by:

JoAnn Carroll
Planning Board Secretary
November 19, 2013