

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Zoning Board Minutes
December 3, 2015**

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 (absent), Cox (absent), Forst, Ms. Metzger (absent), Messrs. Deegan, Pappas (absent), Rodger, Chairman Barto

Also in attendance: JoAnn Carroll, Board Secretary.

Ho-Ho-Kus Crossing, Jonathan L. Mechanic, 619 N. Maple Avenue, 217 First Street, 239 First Street, Block 1016, Lots 3, 5 & 11: mixed use project consisting of new residential units and retail; amended plans submitted; letter received to carry application to the January, 2016 meeting.

Chairman Barto: stated, for the record, the Board had received an extension letter through February 2016 from Price, Meese, the attorney for the HHK Crossings application; in addition, the HHK Crossing application was being carried to the January 7, 2016 meeting of the Board; a letter had been received from Price, Meese asking for the application to be carried to this date.

Thomas & Megan Fox, 100 Ackerman Avenue, Block 104, Lot 15: applicant seeks variances to construct a one and two story addition; non-compliance with Section 85-10(G)1 building coverage and Section 85-10(K) second floor setback.

Mr. Thomas Fox, Ms. Megan Fox and Mr. Roger Schlicht sworn in by Chairman Barto; Mr. Schlicht qualified as a professional in the field of architecture.

Mr. Schlicht: handed out pictures to the Board; **Exhibit A1 marked: 2 pages of colored pictures; 4 pictures to a page; 8 pictures total; showing subject property and houses in immediate area;** seeking two variances; one for lot coverage of 22.2% and the second is for cumulative side yard setback for the second floor, 40 ft. required, requesting 27.4 ft.; applicants are a family of 6; have lived in the home since 2003; existing single family residence with an attached 2 car garage and a third car garage is also attached; additional bay in the back left corner; house was purchased this way; presently a 5 bedroom home with 2 bathrooms on the second floor; there are 3 pre-existing non-

conforming zoning conditions; 1. front yard setback to the front portico (26.8 ft., 30 ft. required) 2. left side yard setback (9.9 ft., 10 ft. required) 3. combined second floor side yard setbacks (36.3 ft., required 40 ft.); described the plan in detail; on the first floor, the main goal is to improve the back of the house; no footprint changes to the front of the house; tight, galley type kitchen exists; goal is to create a working kitchen with a breakfast and family room; application is mainly for a rear addition/alteration; want to convert the bedroom in the front left corner of the house into a bathroom; proposing an addition on top of the back left garage and over the proposed family room and bring the master suite to the back of the house; four bedrooms in the front of the house, reconfigured; the front façade has no increased habitable space.

Chairman Barto: asked if there were living quarters over the third garage at this time.

Mr. Schlicht: stated no.

Chairman Barto: confirmed that there would be an introduction of living quarters over that structure plus the addition.

Mr. Schlicht: stated yes; further stated the application falls below the requirement of bedrooms; a bedroom is allowed for every 2,000 sq. ft.; the lot is 12,000 sq. ft.; no variance needed for the 5 bedrooms proposed.

Mr. Schlicht: stated the dormer at this time is for storage; put on for aesthetic value; not functional; the dormer will not remain after the changes are made; referred to photo #4; repositioning the façade of the house; not adding on to it; discussed proposed improvements which do not require a variance; the roof on the semi-detached garage goes up and down; the ridge slopes toward the neighbor; the existing gable will be removed and replaced by a side by side gable which will lean away from the neighbor; in Mr. Schlicht's opinion, the changes proposed are volumetrically less imposing; the left side elevation is the roof sloping away; there are no windows or dormers proposed for this side.

Mr. Rodger: asked if the windows shown by use of the dotted lines are being removed.

Mr. Schlicht: stated yes.

Mr. Rodger: stated without the windows it is just a blank wall; would like to see a window introduced on this wall.

Mr. Schlicht: stated a window can be added that matches the rest of the house.

Chairman Barto: stated the avoidance of blank walls has been asked of other architects in the past.

Mr. Schlicht: stated the back of the garage with the sloping roof is seen on the back elevation; all this occurs behind the house; a cemetery is located behind the house; there is a lot of open space; not tight in the backyard; trying to tie the house together with the gabled roofs; the house will be totally reconfigured in the back; the first variance is for building coverage (22.2% vs. 20%); the streetscape will have no visible changes other than the gables; existing coverage is 19.6%); the variance sought represents 275 sq. ft. over the allowed building coverage; the uniqueness of this property is the one car garage; it represents 335 sq. ft.; if the homeowner were to have purchased a two car garage home, and these improvements were proposed, the application would be less than 20%; the garage was existing at the time of purchase; not a hardship, but an aggravating condition that is creating a variance; if the garage wasn't present they would be conforming; the other variance sought is the combined second floor side yard setback; 40 ft. required, proposed is 27.4 ft.; existing house was built prior to this code being adopted; the right side is 11.4 ft.; we are proposing 16 ft. which is to a wall that is inside the sloping roof; not to a flat wall; on the left side that 16 ft. is to that interior wall; it is larger than the right side, pre-existing condition; it is about half way in on the garage; the sloping roof away from the property line is better than the gable wall facing the property line; no longer perpendicular but angled; referred to photograph #5 which shows the condition of the property line; mature arborvitaes between the two properties which serve as a buffer.

Chairman Barto: asked what the hardship was.

Mr. Schlicht: stated it is negative impact vs. positive impact; there is basically no hardship because the lot is the proper size; only hardship for the side yard setback is the garage is existing and the right hand side is there; two pre-existing conditions they are working with.

Chairman Barto: stated he is not troubled by the right hand side; troubled by the lack of the second story setback; this is a recent addition to the code; this house has the existing garage and it does make some sense to build over it; whether you could build over it 13 ft. less doesn't make much sense; likes the plan.

Mr. Timothy Corrison, 120 Ackerman: stated he supports the application.

Chairman Barto: stated, for the record, no one else from the public came forward.

Mr. Forst: stated the plan is very good and reflects what the surrounding neighborhood looks like.

Chairman Barto: stated he lives on Ackerman and is familiar with the neighborhood; believes the proposal is a lovely improvement to the home.

Motion to approve application: Forst, Rodger

Ayes: Forst, Deegan, Rodger, Chairman Barto

Resolution:

Denial: Mr. William T. Lucca, 524 Eastgate Road, Block 1301, Lot 17: appeal of Zoning Officer's determination that the proposed renovation and addition will result in the creation of a two-family residence Section #85-9A(1); amended application and plans submitted.

Motion to approve resolution: Forst, Deegan

Ayes: Forst, Deegan

Discussion:

2016 Meeting Dates Review

Motion to approve January 7, 2016 as the Board's Reorganization Meeting date, followed by a regular meeting: Forst, Rodger

Ayes: Forst, Deegan, Rodger, Chairman Barto

Approval of Minutes:

October 1, 2015 – carried to January 7, 2016 meeting

November 5, 2015: Forst, Deegan

Ayes: Forst, Deegan

June 7, 2012 – carried to January 7, 2016 meeting

September 6, 2012 - carried to January 7, 2016 meeting

October 4, 2012 - carried to January 7, 2016 meeting

December 6, 2012 - carried to January 7, 2016 meeting

January 3, 2013 Reorganization/Regular Meeting: Chairman Barto, Forst

Ayes: Forst, Rodger, Chairman Barto

Motion to adjourn: Forst, Rodger

All in Favor

Meeting adjourned at 8:35PM

Respectfully submitted by:

JoAnn Carroll

Zoning Board Secretary

December 7, 2015

