

FORT LEE BOARD OF ADJUSTMENT

MAY 23, 2017

Present: G. Makroulakis, H. Liapes, P. Yoon, D. Starace, D. Sugarman

Absent: J. Nitti, J. Silver, H. Joh, D. Porrino

Present: M. Jovishoff, Phillips, Preiss, Grygiel, B. Intindola, Neglia Traffic Engineer

Chairman Sugarman called the meeting to order at 7:35 p.m.

NOTICE OF MEETING: The Chairman states: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: All members of this Body have been advised in writing at least 48 hours prior to this meeting of the time, place, and proposed Agenda of this meeting. A written notice of the time, place, and proposed Agenda was posted on the bulletin board of Municipal Building, 309 Main Street, Fort Lee, New Jersey. On the same date, a copy of said written notice was mailed to the Record, Jersey Journal, Time Warner Cable/Spectrum and Fort Lee's Borough Website. A copy was filed with the Borough Clerk and, on the same date, copies were mailed to all persons who have requested copies of such notices and have prepaid the fee fixed for the year 2017.

Approval of Minutes

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 5-0 by members Makroulakis, Liapes, Yoon, Starace and Sugarman to approve the minutes of the meeting of May 9, 2017.

Memorializations

Docket #10-17, 3 Guys Inc., 576 Hazlitt Avenue, Block 3551, Lot 1, Preliminary/Final Site Plan – Mixed Use Building – Warehouse/Office

It was moved by Mr. Liapes, seconded by Mr. Makroulakis and passed on a vote of 4-0 by members Makroulakis, Liapes, Yoon and Starace to grant the applicant Preliminary/Final Major Site Plan approval. Mt. Starace abstained from the vote.

Acceptance/Completeness

Docket #22-17, Le-Wash Associates, LLC, 2460 Lemoine Avenue, Block 7151, Lots 3, 11 & 12, Preliminary & Final Major Site Plan – Addition & Alteration – Office Expansion

It was moved by Mr. Liapes, seconded by Mr. Starace and passed on a vote of 5-0 by members Makroulakis, Liapes, Yoon, Starace and Sugarman to deem the application complete. The applicant will call the Board office for a hearing date.

Docket #23-17, 2148 Linwood Avenue, LLC, 2148 Linwood Avenue, Block 5154, Lot 6, Two-Family Dwelling

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 5-0 by members Makroulakis, Liapes, Yoon, Starace and Sugarman to deem the application complete. The applicant will call the Board office for a hearing date.

Public Hearings

Docket #44-16 Young Israel of Fort Lee, Inc., 163 Old Palisade Road, Block 4354 Lot 11, Two-Family Dwelling

(continued from the meeting of February 28, 2017)

(this hearing will be carried to the meeting of June 13, 2017)

This application has been carried to the meeting of June 13, 2017 at the request of the applicant. No further notice is necessary on the part of the applicant. The applicant has waived the time for the Board to act.

Chairman Sugarman stated there are 5 members present tonight. Some of the applications require 5 affirmative votes. We will hear testimony and the members that are not present will listen to the tape so they are eligible to vote.

Docket #6-17, Oscar T Development, LLC, 419 Stillwell Avenue, Block 3051, Lot 13, Two-Family Dwelling

Daniele Lamake, Esquire is representing the applicant. Ms. Lamake stated the property is located in the R3 zone, one and two family residential district. The applicant has revised the plans.

Robert Zampolin, Architect, 187 Fairview Avenue, Westwood, NJ

Mr. Zampolin was sworn in and his credentials accepted by Chairman Sugarman.

A1, A2, A3 ó Architectural plans

A4 and A5 ó Elevations

Exhibit A1 ó 2 D rendering

Mr. Zampolin stated the property is irregularly shaped. The setback is 11 feet. The floor plan is similar in both units.

First floor is an open plan, which will include a living room, dining room, family room, kitchen, powder room and entry hall.

Second floor is proposed to include a master bedroom with ensuite bathroom, walk-in-closet, two additional bedrooms that share a second full bathroom and a laundry room.

Basement plan consists of a recreation/family room, a full bathroom and stairs to the upper levels.

Page 3-ZBA-May 23, 2017

Chairman Sugarman asked for questions from the Board, the public.

Mr. Makroulakis stated on the ground floor basement there are full bathrooms. Can these be half baths.

Mr. Zampolin stated there are no bedrooms proposed in the basement. There is no exterior access.

Ms. Lamake stated this is a true basement, there is no access from the outside.

Mr. Zampolin stated they can make both bathrooms to include a small shower, no tubs.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Jovishoff stated in his report dated May 16, 2017 there are 2 condensing units proposed on the north side. He would like these relocated further away from the property line and also include landscaping.

Revised plans to be submitted for the showers and HVAC.

Matt Clark, Site Engineer, MCB Engineering, 11 Furler Street, Totowa
Mr. Clark was sworn in and his credentials accepted by Chairman Sugarman.

Site Plans dated May 10, 2017, 419 Stillwell Avenue

The survey shows the existing conditions on the property.

The utilities are to be determined with the utility companies. The applicant will comply with DPW. Storm water management was discussed with Mr. Mignone, the impact is minimal. Mr. Clark and Mr. Mignone will discuss this and come up with a plan. This is a condition of approval. Evergreens and arborvitaes will also be installed.

In the triangle, the wall will be two feet high. This is a condition of approval. Thirty inches is permitted.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Intindola stated the retaining wall to be a maximum of two feet.

Mr. Clark stated they will comply.

Chairman Sugarman asked for questions from the Board, the public.

Mia Petrou, Planner, Kenneth Ochab & Associates, 12-16 Fair Lawn Avenue, Fair Lawn

Page 4-ZBA-May 23, 2017

Mr. Petrou was sworn in and her credentials accepted by Chairman Sugarman. She stated that all the variances are bulk or C variances. The lot area is consistent with lots in the surrounding area. This is a permitted use. The rear and side yard are in compliance.

Ms. Petrou stated there is no significant impact at this location. The property is unique and isolated.

Exhibit A2 6 Aerial view photo of the property

Exhibit A3 6 Photos of the site and surrounding area, 2 pages, dated March 28, 2017

A & B - shows Stillwell Avenue and the attached garage

C - is a photo of the garage and the home

D - shows the church and parking lot

E - is a photo looking from the church to the southwest

F - shows the trees on the school property

G - is the properties to the north on 15th Street

H - shows the existing 15th Street elevation and the wall to be removed

Chairman Sugarman asked for questions from the Board, the public.

Chairman Sugarman stated there are no D variances, 4 votes are required for approval, 5 members are here tonight.

Ms. Lamake gave her summation to the Board and stated she would like to take a vote.

It was moved by Mr. Liapes, seconded by Mr. Makroulakis, and passed on a vote of 5-0 by members Makroulakis, Liapes, Yoon, Starace and Sugarman to grant the applicant approval to construct a new two-family dwelling.

Docket #8-17 Ivan & Maria Buva, 305 Tom Hunter Road, Block 3951, Lot 5, Two-Family Dwelling

(continued from the meeting of March 28, 2017)

Chairman Sugarman stated this application is continued from March 28, 2017. He listened to the tape as did Mr. Starace.

Daniele Lamake, Esquire is representing the applicant.

Mark Martins, Site Engineer, 55 Walnut Street, Norwood

Mr. Martins was sworn in and his credentials were accepted by Chairman Sugarman.

A3-Revised colorized plan dated May 10, 2017.

Architectural revisions have been made. The building has been lowered, the grade is similar.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Jovishoff asked to the fence on the property.

Page 5-ZBA-May 23, 2017

Mr. Martins stated anything that is on the property will be removed and replaced. There are no plans to install a fence.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs

Mr. Cocoros was sworn in and his credentials accepted by Chairman Sugarman.

He prepared the revised Architectural plans sheets A1 and A2 dated May 11, 2017. The full set of stairs has been removed, the staircases enter on a half platform. The building has been lowered to the ground to meet the height requirement. The FAR has been reduced to 89.8.

Mr. Cocoros stated in response to Mr. Jovishoff's report dated May 16, 2017 regarding landscaping, revised plans will be submitted. Exterior lighting will be at the entry door, rear sliding glass door, basement, and kitchen back door.

Chairman Sugarman asked for questions from the Board, the public.

David Spatz, Planner, 60 Friend Terrace, Harrington Park

Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A4 ó Photos of site and surrounding area.

Top left ó subject property

Top right ó property to the right

Bottom left ó property to the left

Bottom right ó larger single family home

Mr. Spatz distributed to the Board a zoning comparison table. The original building was three stories, now it is 2 1/2 stories. The changes show a significant improvement.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Makroulakis stated this is a one family zone. Have you been in this area between 8-9:00 a.m. or 2:30-3:30 p.m.? These are the times that the children are dropped off for school and leaving school. He stated somebody is going to get hurt, this is a bad corner.

Mr. Spatz stated yes, there is one additional home proposed. He does not believe there will be any impact on the afternoon traffic. The FAR has been reduced. A conforming amount of parking is proposed.

Chairman Sugarman stated he is concerned with the 2 D variances. The FAR has been reduced from .97 to .94, this is really not a deduction.

Mr. Spatz stated he doesn't believe one additional unit will have any impact on the traffic.

Ms. Lamake stated she would like to carry the application to the meeting of June 13, 2017.

Page 6-ZBA-May 23, 2017

Chairman Sugarman stated this application will be carried to the meeting of June 13, 2017 at the request of the applicant. No further notice is necessary on the part of the applicant. The applicant has waived the time for the Board to act.

Chairman Sugarman called for a recess at 9:00 p.m. The meeting resumed at 9:10 p.m.

Docket #12-17, Anthony Buda, 1070 Anderson Avenue, Block 358, Lot 7, Two-Family Dwelling

Carmine Alampi, Esquire stated notice has been provided.

Joseph Buda, Architect, 776 Oak Avenue, Maywood

Mr. Buda was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Buda stated the house was built in approximately 1910. It has always operated as a three family.

As a result of Mr. Jovishoff's report, two sheets have been revised.

A duplex is proposed. The first floor will include a living room, dining room, powder room, eat-in-kitchen, and deck. The second floor is proposed to include a master bedroom with ensuite bathroom, two bedrooms in the rear which share a bathroom and a laundry area. A total of three bedrooms is proposed in each unit. The basement will include a family room, powder room, utility room, storage room, mudroom, as well as a garage.

The whole structure is at grade. A one car detached garage is currently on the property.

Chairman Sugarman asked for questions from the Board, the public.

Ms. Gruber, 1078 Anderson Avenue, Fort Lee

Asked if the tenants park in the driveway or the street. She questioned when Mr. Buda stopped living in the home.

Chairman Sugarman stated you can make your statements about this application later.

Susan Resnick, 280 Dorincourt Road, Fort Lee

Ms. Resnick stated she lives behind this home and would like the snow to stay away from her property.

Mr. Buda stated the driveway is at grade.

Mr. Barvesh Anane, 1068 Anderson Avenue, Fort Lee

Mr. Anane asked how many on the street parking spaces are being eliminated.

Mr. Buda stated two.

Page 7-ZBA-May 23, 2017

Mark Martins, 55 Walnut Street, Norwood

Mr. Martins was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A2 ó Colorized survey and site plan, three pages

Mr. Martins stated the site is relatively level, they are trying to maintain the existing grades. Seepage pits are proposed under each driveway. They will also be providing additional drainage. The applicant will comply with Mr. Mignone's report.

Sheet 2 ó there is one existing tree in the rear to be removed. Two dogwood trees are proposed to be located at the outside corners of the front yard. In addition, the applicant is proposing a total of 27 arborvitae along the side and rear lot lines. Also, 19 yew plants and 4 azaleas are proposed. Eleven boxwoods are proposed in the planting strip between the driveways.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Jovishoff requested the existing wood fence to be removed.

Mr. Martins stated this will be replaced as a condition of approval.

Mr. Jovishoff stated it appears the roof pitch does not comply, this is a variance. He asked what the reason is for removing the large tree.

Mr. Martins stated the tree is very close to the deck and the branches need to be cut.

Mr. Buda stated the main pitch is 4 on 12 pitch.

Chairman Sugarman asked for questions from the Board, the public.

David Spatz, Planner, 60 Friend Terrace, Harrington Park

Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Spatz stated the home is a single family, they propose a two-family home.

Exhibit A1 ó Photos of site and surrounding area

Top left - Photo of the subject property

Top right ó Property to the right

Bottom left ó 2 ½ level building

Bottom right ó the old structure to be rebuilt

The property is in the R2 zone which is primarily one-family homes. Two D variances are required and several C variances. He does not believe the proposal will have a negative impact on the adjacent properties. The applicant is reducing the home from three units to two units. The building coverage is only slightly over what is there. The height of the building is being reduced and there are more positives than negatives.

Page 8-ZBA-May 23, 2017

Chairman Sugarman asked for questions from the Board, the public.

Mr. Makroulakis asked on the east side of Anderson Avenue are there any two-family homes on that side of the street.

Mr. Spatz stated yes, there are a substantial amount. These are on corner properties but not on Anderson Avenue.

Mr. Alampi stated there is a duplex three houses away.

Chairman Sugarman asked for questions from the Board, the public.

Mr. Anane stated there are missing items in the Attorney's notice.

Chairman Sugarman stated this has to be a question for this witness.

A neighbor asked what is the distinction between a legal three-family home and this home.

Mr. Spatz stated this is a pre-existing non-conforming use.

Chairman Sugarman asked for questions from the Board, the public.

Ms. Gruber, 1078 Anderson Avenue stated the driveway can be 60 feet, the tenants all park on the street. The last 10 years you can't park on the street.

Mr. Anane stated once this house is built the FAR is more than is permitted, the tree is going to be cut down, there is no privacy and he would like a fence and additional landscaping installed. The deck is also being extended.

Carmine Alampi stated they have no objection to increasing the fencing and landscaping. Chairman Sugarman stated this would be a condition of approval.

Mr. Jovishoff stated a fence over 4 feet requires a variance.

Mr. Alampi stated they would request a variance for 2 feet for the fence. He would like more of the members of the Board to participate in the vote.

Chairman Sugarman stated the members that are absent tonight can listen to the tape and then vote.

This application has been carried to the meeting of June 13, 2017 at the request of the applicant. No further notice is necessary on the part of the applicant. The applicant has waived the time for the Board to act.

Page 9-ZBA-May 23, 2017

This application has been carried to the meeting of June 13, 2017 at the request of the applicant. No further notice is necessary on the part of the applicant. The applicant has waived the time for the Board to act.

Docket #14-17 V & R Developers Inc., 1605 William Street, Block 4052, Lot 8, Two-Family Dwelling

This application has been carried to the meeting of June 13, 2017 at the request of the applicant. No further notice is necessary on the part of the applicant. The applicant has waived the time for the Board to act.

ADJOURNMENT

It was moved by Mr. Liapes, seconded by Mr. Makroulakis to adjourn the meeting at 10:15 p.m.

Respectfully submitted,

Linda Garofalo
Recording Secretary