

# **FORT LEE BOARD OF ADJUSTMENT**

**June 27, 2017**

**Present: J. Silver, H. Joh, G. Makroulakis, H. Liapes, D. Starace, D. Sugarman**

**Absent: J. Nitti, D. Porrino, P. Yoon**

**Also Present: J. Mariniello, Esq., M. Jovishoff, Phillips, Preiss, Grygiel, D. Juzmeski, Neglia Engineering, B. Intindola, Neglia Traffic Engineer**

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

**NOTICE OF MEETING:** The Chairman stated: 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 Borough's 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 Silver, Joh, Makroulakis, Liapes and Sugarman to approve the minutes of the meeting of June 13, 2017.

## **Memorializations**

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

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 4-0 by members Silver, Makroulakis, Liapes and Sugarman to deny the applicant approval to construct a new two-family dwelling.

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

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

**Docket #16-17, V. Luppino, LLC, 1117 Inwood Terrace, Block 1053, Lot 8, Two-Family Dwelling**

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

**Acceptance/Completeness**

**Docket #26-17, Fair Supreme, LLC, 1019 Harvard Place, Block 257, Lot 10, Single-Family Dwelling**

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Starace and Sugarman to deem the application complete.

Revised plans are to be submitted within 10 days of the hearing date. The applicant was given a hearing date of July 25, 2017.

**Public Hearings**

**Docket #13-17, FortLee Enterprise, LLC, 1550 Bergen Boulevard, Block 3454, Lot 10, Preliminary/Final Major Site Plan – Gas Station with Convenience Store (continued public hearing from May 9, 2017)**

This application has been carried to a Special Meeting date of July 20, 2017 which the Board will notice for. Carolyn Kristal, Esq. will act as conflict council for this application because of a conflict with the Board's attorney and the Board's conflict attorney. Robert Inghlima, Jr., Esq. noted his appearance on the record as representing an objector, 1616 Bergen, LLC. He stated that he is replacing Jason Tuvel, Esq. as the objector's attorney and will send a letter into the Board stating same. No further notice is necessary on the part of the applicant. The applicant has waived the time for the Board to act.

**Docket #18-17 Steven Menegatos, 1086 Dearborn Road, Block 852, Lot 18, Single-Family Dwelling**

Marc Macri, Esq., representing the applicant, stated that the client intends to demolish the single-family dwelling that is currently located upon the property and construct a new single-family home in its place. The applicant is a current resident of Fort Lee and he is building this house to continue to live in town.

Chairman Sugarman asked if there were any other variances.

Mr. Macri stated there were none.

Chairman Sugarman stated that there were only six (6) voting members.

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Mark Martins, Engineer, 55 Walnut Street, Norwood, NJ. Mr. Martins was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Martins stated that the property is located at 1086 Dearborn Road, Block 852, Lot 18 and in a single family zone and is a little irregular. Frontage of 60 feet and rear lot dimension is 68 feet with a northerly lot line of 115.15 feet and southerly lot line of 118.83 feet with a total lot area of 7,471 square feet. There is an existing single family house upon the property and will be replaced with a new single-family home.

**Exhibit A-1 – Colorized Site Plan – Brown Area representing footprint**

Mr. Martins stated that they are conforming with all of the setbacks except for the garage door setback. There is a covered porch in the front with a patio in the back. There is a circular driveway proposed. They are working with and maintaining the existing grade. An underground retention system was proposed and the utilities will be connected underground except for electric, which will be overhead. There are eleven (11) trees to be removed and seven (7) of those trees are over 8 inches in diameter. The trees are proposed to be replaced in the front and back of the property. There are arborvitaes in sides and rear for additional screening. Planner asked for additional plantings in his report and those will be added.

Mr. Macri asked if Mr. Martins read Ed Mignone's engineering report and if it could be complied with.

Mr. Martins stated he did and it would be complied with.

Chairman Sugarman asked if there were any questions from the Board.

Mr. Silver asked how will the combined sewer system issue that Mr. Mignone raises be addressed.

Mr. Martins stated that this is a common occurrence in Fort Lee and it will connect to the sewer in the front of the property with a separate connection and there will be the underground retention system on site. He will also be working with the Board's Engineer to address any other issues.

Mr. Jovishoff asked if the caliper of the trees could be increased from 2 ½ inches to 3 ½ inches and if the existing hedges on the right will be removed and the new planting be put.

Mr. Martins stated yes they would increase the caliper and the existing hedges are the neighbors and they could cut back what is on their property and add the additional plantings.

Mr. Makroulakis asked about the landscaping in the front of the driveway.

Mr. Martins stated they could add low hedges to soften the "hardscape" in front.

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Chairman Sugarman asked if there were any question from the public.

Conrad Roncati, Architect, Architectura, One Executive Drive, Suite LL100, Fort Lee, NJ. Mr. Roncati was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Macri asked if the plans on the easel were the same that were submitted to the Board.

Mr. Roncati stated yes, last dated June 13, 2017.

Mr. Macri asked Mr. Roncati to explain the plans to the Board.

Mr. Roncati stated the house conforms in every way with respect to the structure alone. The setback variance they are requesting is the distance of the building's garage from the front, which is required to be 37 feet but they are proposing 26.6 feet. The other variance they are seeking is for the circular driveway in which they are proposing two (2) driveways at 12 feet each. The ordinance allows for one (1) driveway no larger than 16 feet. Although separately they comply there is not allowed to be two (2).

Chairman Sugarman asked if there were only two (2) variances.

Mr. Macri stated yes there are two variances and three (3) pre-existing, non-conformities. The two variances are the garage door set back and the two driveways for the circular driveway. They are not eliminating any on street parking because there is no on street parking allowed on that side of the block.

Chairman Sugarman asked what the other three (3) variances were.

Mr. Roncati stated that the three (3) pre-existing non-conformities were the lot area per unit, the lot width, and the lot depth. There are several other homes on the block that have circular driveways. He stated he could go over the floor plans if they Board would like.

Chairman Sugarman asked the Board if they wanted to go over the floor plans.

The Board stated no.

Mr. Mariniello asked Mr. Roncati to state what was currently on the property and if the proposal was going to be an improvement to the area.

Mr. Roncati stated that there is currently a one-family, split-level home. It is a little run down and has been unoccupied. It would be an improvement.

Mr. Jovishoff asked if the other door on the side provides separate access to the lower level bedroom and bathroom.

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Mr. Roncati stated that it does not go to the room. The door goes into the center hallway at the main part of the home.

Chairman Sugarman asked if there were any questions from the Board and then the public.

It was moved by Mr. Silver, seconded by Mr. Makroulakis and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Starace and Chairman Sugarman to grant the approval to construct a new single-family dwelling.

**Docket #19-17 Ballente Realty, 2073 Fletcher Avenue, Block 4455, Lot 2, Preliminary & Final Major Site Plan - Four-Family Dwelling**

Richard Hubschman, Esq., representing the applicant, stated he has three (3) witnesses.

Michael Kates, Esq. stated he is here on behalf of ENW Real Estate, Inc. They are located right across the street and are not here in opposition to the project. They are here to see what is going on.

Michael Hubschman, Engineer, 263 South Washington Avenue, Bergenfield, NJ. Mr. Hubschman was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Hubschman stated he prepared the plans on the easel. There are four sheets. The property is known as 2073 Fletcher Avenue and are proposing a four-family dwelling. It is a unique piece of property that fronts on four streets.

**Exhibit A-1 – Colorized Site Plan**

**Exhibit A-2 – Colorized Arial View**

Mr. Hubschman stated the property is a wooded overgrown lot. There is an existing four-family to the south and existing one and two families across the street. To the south there is a paver street as well. There is approximately a 12 foot change in grade from the garage of the proposal to the rear. The proposed dwelling was created to fit into that slope. The first floor walks out on the rear level.

Hubschman Esq. stated that there is no access to the driveways on the south side or the east side of the property.

Mr. Hubschman stated that he was correct.

Hubschman Esq. asked if they had provided for drainage.

Mr. Hubschman stated there was a proposed seepage pit along and they received a letter from Neglia Engineering that they will comply with.

Hubschman Esq. asked Mr. Hubschman to go through the other sheets.

Mr. Hubschman stated it is a simple plan, rectangular in shape with four, two-bed room units. There is parking provided for eight (8) cars. Two, two-car garages and the other four in the pads.

Hubschman, Esq. asked if the soil and conservation approval will be submitted.

Mr. Hubschman stated yes.

Mr. Hubschman stated that there are two trees to be located in the rear and a row of arborvitae to shield from the highway. There will be lights over the garage. The existing conditions plan shows all of the trees to be removed and there are currently no structures on the property.

Chairman Sugarman asked where One Stop Cleaners was in proximity to this application.

Mr. Hubschman stated it was to the left.

Mr. Makroulakis asked about the plantings provided on the backside of the property and if there is access back there.

Mr. Hubschman states that there is a wall proposed in the rear.

Mr. Makroulakis asked how high the wall is from the street.

Mr. Hubschman stated it is below the street.

Mr. Makroulakis asked about the parking on the paver street.

Mr. Hubschman stated that along the paver street there is no parking. There is leased parking. They are not proposing to use those spots. There are eight (8) spaces.

Mr. Makroulakis asked about visitor parking.

Mr. Hubschman stated that they would then probably park in the numbered parking spaces in front.

Mr. Jovishoff stated that those numbered spaces are for the parking authorities permit lot.

Hubschman, Esq. stated that it is a transitional lot until the parking garage is finished. They had spoken with the parking authority because prior to the meeting and wanted to use spots.

Mr. Silver asked if they remove that parking lot then where are the guests going to park.

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Chairman Sugarman stated there are metered spots in front of the One Stop Cleaners. They could also park on Lewis or Fletcher at the meters.

Mr. Jovishoff stated that there is something between the driveways but it is not clear what it is. Is it a planting strip? How does someone walk into the building?

Mr. Hubschman stated that it is a raised curb for walking.

Mr. Jovishoff stated that it is only a walkway not a planting strip.

Mr. Makroulakis asked if a planting strip could be added.

Mr. Hubschman stated that there is not enough room as it is only a 4 foot strip.

Hubschman Esq. stated they could plant on the outsides of the property.

Mr. Makroulakis asked for that to be done.

Mr. Jovishoff asked if they are proposing to extend the driveways into the right of way.

Mr. Hubschman stated the drop curb is in the right of way, or extending into it, which is like a sidewalk space.

Mr. Jovishoff asked if there are any issues with cars backing out. Most importantly out of space four if a car is in space number three.

Mr. Hubschman stated there is 30 feet between the parking lot and spaces.

Mr. Jovishoff asked if there was a pinch when car four comes out.

Mr. Hubschman stated there is a little pinch.

Mr. Jovishoff asked if the landscaping could be screened entirely and extended.

Mr. Hubschman stated yes.

Mr. Jovishoff asked if any other screening could be added.

Mr. Hubschman stated they could add screening over and along the wall.

Mr. Jovishoff stated revised plans must be submitted as a condition of approval.

Chairman Sugarman asked if there were more questions from the Board/public.

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Mr. Kates stated he was questioning on behalf of ENW Real Estate. They are in Lot 1 and are a Dental Practice on Fletcher and Lewis. They are focused on the traffic and congestion.

Mr. Kates asked as to the number of spaces and if they were stacked.

Mr. Hubschman stated each unit gets two spaces, one in the garage and one in the pad behind it.

Mr. Kates asked if this application had been reviewed by the Board's traffic engineer.

Mr. Hubschman stated it had been.

Mr. Jovishoff stated that any development three (3) units and over had to comply with the conclusionary zoning ordinance of the Borough. He asked if Mr. Hubschman was going to comply with it and if he was aware of it.

Mr. Hubschman stated he was not and said maybe the Planner could address it.

John Bryjak, Architect, 135 Hiawatha Boulevard, Oakland, NJ. Mr. Bryjak was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Hubschman, Esq. asked if Mr. Bryjak had prepared these plans.

Mr. Bryjak stated he had.

Chairman Sugarman stated they were already submitted to the Board and part of the record.

Mr. Bryjak stated this was a 2 ½ story, 4 unit dwelling. The front elevation has the garage doors, front entry and siding. Over the front entry is a gable roof and the primary roof are hip roofs. The west elevation at the base rises. The south rear elevation structure is at two stories. In the basement, all of the units are identical with the exception of the sprinkler closet. There is a front entry to the stairway. The garages are at the front and the rear has storage/utility space. The first floor contains a living room, dining room, hallway, kitchen, mechanical closet, laundry room, two bathrooms and two bedrooms with closets. Both units are identical/mirror images.

Mr. Hubschman, Esq. asked how many square feet is each unit.

Mr. Bryjak stated each unit is 1,205 sq. feet.

Mr. Hubschman, Esq. asked if all of the units were identical.

Mr. Bryjak stated yes, pretty much. The second floor units are all the same and will meet fire code requirements. The building is partially underground.

Mr. Silver asked if the garage doors were one or each was separate.

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Mr. Bryjak stated there were two doors.

Mr. Makroulakis asked if there were partitions.

Mr. Hubschman, Esq. stated there were not.

Mr. Makrolakis stated he would like to see four garage doors.

Mr. Hubschman, Esq. asked if four garage doors would fit.

Mr. Bryjak stated it would be tight. He would have to look but it can be accommodated. Each would be 17 feet wide so it will restrict the doors opening.

Mr. Starace said it would just not accommodate an oversized SUV.

Mr. Bryjak stated that was correct.

Mr. Liapes stated that they have allowed/approved shared garages in past applications.

Chairman Sugarman asked if they were equity or rental. Not that it mattered to the Board.

Mr. Hubschman, Esq. stated they were to be rentals.

Mr. Joh stated that when they pay the electricity bill they will be paying for the garage door to open all the time no matter who is using it.

Chairman Sugarman stated he agreed with Mr. Liapes.

Chairman Sugarman asked if there were more questions from the Board/public.

Roger DeNiscia, Planner, 347 Upper Mountain Avenue, Upper Montclair, NJ. Mr. DeNiscia was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Hubschman, Esq. asked if Mr. DeNiscia had examined the site.

Mr. DeNiscia stated he had. The applicant was proposing to redevelop the site with a four family housing development. He reviewed the zoning ordinances and Master Plan.

**Exhibit A-3A – 6 Photos of Site and Surrounding Area**

**Exhibit A-3B – Inset Photo of Site in 2012 and Land Use Markings on Key Map in Plans**

Mr. DeNiscia stated that the site is located at 2073 Fletcher Avenue. It is Lot 2 in Block 4455. The site is on Edwin Avenue, on the highway system, fronts on Fletcher and on the extension of

Edwin Avenue which is a paver street shown partly in photo 1 and photo 2, which is the southerly boundary, shows the edge (**photos are in Exhibit A-3A**).

Chairman Sugarman asked if the paver street on Lewis or Edwin.

Mr. DeNiscia stated he thinks it is Lewis but it is confusing and hard to say since none of the maps match. There is a severe slope at this lot. The site is underdeveloped and in its natural state but not attractive. It is not at all maintained. The placement of the site is unique and not desirable the way it is because of the unusual topography. The architect and engineer designed this project to fit into what is there. There are eight parking spots proposed to accommodate the four proposed units. There is a frontage on four streets and the topography is difficult to work with. These are small to moderate sized apartments. They will accommodate smaller households, usually with no children, which is 1/4 of the total population. A Harvard study found that demographics will drive up need/want for rentals. This housing is geared toward moderate income. In Fort Lee this target will exceed by 2020. This area has a range of contrasting land uses. The site which it is located is not in a uniform area. There is a four unit development next door, in front is a municipal lot, Fletcher Avenue side has the real estate building, there is office use and going towards 46 there is uniform one and two families. By this property there is a mixture. This property is in a one and two family zone but where we are is not one and two family. There is a cleaners, office building, real estate building and mixed uses. This area is a transitional area. Appropriate use is not a business but not a one or two family. An appropriate way to handle this is with variances. He thinks the site and area is particularly suited. It is in an R3 ó one and two family zone. A use variance is required, lot area per unit, lot width, set backs ó front, building height, FAR and density.

Chairman Sugarman asked how many ó variances there were.

Mr. DeNiscia stated there were four. The special reasons for the use are the site and area are particularly suited as stated before. For the FAR and density there is enough space, sufficient parking and the drainage is accommodated. It will not create a problem for space and parking. As for the height, there is light, air and open space. They are not close to any other building and 2/3 feet on the roof peak will not hurt the light, air or open space. The application in total advances land use.

Mr. Hubschman, Esq. asked if it would cause any substantial detriment.

Mr. DeNiscia stated it would not and that there would be a substantial positive impact.

Mr. Silver stated that the garages are going to be a problem for parking and will push people into the street. The four family next door is a very old building with no indoor parking. There are mostly two and three families in that area and most are parking on the street.

Mr. Silver asked where they would park if they don't park in the garage.

Mr. DeNiscia stated that there are a specific number of spaces needed for this project and we meet it.

Mr. Silver asked if they would change the garages.

Mr. Hubschman, Esq. stated yes if it was a condition of approval.

Mr. Starace stated he thought the garage doors, as they are now, would lead to a headache.

Mr. Hubschman Esq. stated this is a common practice in Fort Lee and Palisades Park.

Mr. Starace stated he didn't know of any in Fort Lee and if they could be pointed out.

Mr. Joh asked about guest parking.

Chairman Sugarman stated there was no guest parking.

Mr. Jovishoff stated that the FAR is 0.99 and the two basements need to be included.

Mr. Jovishoff stated that there are also more than two units proposed for this project which means 10% needs to be contributed for affordable housing. He questioned if the applicant would comply.

Mr. Hubschman, Esq. requested a waiver.

Mr. Mariniello stated that this could not be waived. He questioned if Mr. DeNiscia addressed this.

Mr. DeNiscia stated the requirement is 1 per 5 units.

Mr. Mariniello stated that is not correct. There are new COAH rules. It is up to counsel to figure out if they want to proceed with this number of units and have to contribute.

Chairman Sugarman asked if there were more questions from the Board/public.

Mr. Kates stated that they are requesting more units than permitted. He questioned if they had market tested for the zoned use. Also, how long they owned the property.

Mr. DeNiscia stated he was not sure of either.

Mr. Kates asked why Fort Lee persisted in keeping this zone the way it is and not changed it.

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Mr. DeNiscia stated that the Master Plan does not find this significantly influential to change. It is too small of an area to change the zone. The site has existed for a long time.

Mr. Kates asked as to the topographical hardship. If the zone tested for land use has not been tested then why not build a three family instead of a four family.

Chairman Sugarman stated to focus on what is before us.

Mr. Kates stated he must justify four units.

Chairman Sugarman stated he was asked to deal with a four-family not a three-family.

Mr. Kates stated you have to grant these variances.

Mr. Kates questioned if Mr. DeNiscia stated this was a redevelopment area or in need of redevelopment.

Mr. DeNiscia stated this was in need of redevelopment not a redevelopment area and believe this is isolated form a one and two family zone.

Chairman Sugarman stated he disagreed with that statement. It is a pocket lot but still part of the one and two family zone.

Chairman Sugarman announced a ten minute recess.

Mr. Hubschman, Esq. stated they would like time to consult with the Board's planner about the COAH contribution and would like to carry the application to another date.

This application was carried to the meeting of July 25, 2017. No further notice is necessary on the part of the applicant and time is waived for the Board to act.

**Docket #21-17 HLC Development, LLC, 490-494 Jane Street & 1629-1635 John Street, Block 3653, Lots 2,3,4 & 5, Preliminary & Final Major Site Plan – Fourteen (14) Garden Apartment Units**  
**(This hearing will be carried to the meeting of July 11, 2017)**

**Docket #20-17 Fort Lee EP, LLC, Two Executive Drive, Block 6451, Lot 5.02, Preliminary & Final Major Site Plan – Alteration & Renovation for a Fitness Club/Health Club**

Danielle Lamake, Esq., representing the applicant, stated this application is for the renovation of 19,924 sq. feet for a fitness center/health club on the ground floor of the existing commercial building at Two Executive Drive.

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Gerald Spanola, Fact Witness for Architectural Plans, 157 Broad Street, Red Bank, NJ. Mr. Spanola was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Mariniello asked if he created these plans in conjunction with your duties in terms of the applicant.

Mr. Spanola stated they were yes.

Ms. Lamake asked if these were the Architectural Plans submitted to the Board with no changes.

Mr. Spanola stated that was correct.

Mr. Spanola stated there is a capped elevator in the parking lot area right out in the front entrance over the existing lobby where Lightbridge Academy is. The gym will be located below that. There will be an extension of the lobby and new entry area for gym members. Extension of existing area new stairway and entrance lobby at grade level. They will recess the lobby doors so they not obstruct the drive isle per Neglia's request. The elevator will lead to the check in area, locker areas, playroom for kids, storage, employee rooms, manager's office, private rooms, training rooms, different training rooms for pay as you go and food service area. The plans were designed in conjunction with meeting with the owners and corporate for their approval. The hours of operation are going to be weekdays from 4:30 am to 12 pm and weekends from 7 am to 7 pm. There will be 15-25 part time employees.

Mr. Silver asked what was meant by pay as you go.

Mr. Spanola said you need to sign up for the gym and then can pay for additional services.

Mr. Jovishoff asked if the elevator is going to have access to Lightbridge Academy.

Mr. Spanola said that it is a common lobby but does not go to Lightbridge Academy.

Mr. Jovishoff asked as to the food service area.

Mr. Spanola stated it would be food, drinks and shakes related to proteins. It is like a juice bar.

Mr. Jovishoff asked as to the current use.

Mr. Spanola stated it was presently vacant and it was previously a data storage center.

Mr. Jovishoff asked as to the lighting.

Mr. Spanola stated that the site engineer would address that.

Chairman Sugarman asked if there were more questions from the Board/public.

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Matthew Clark, Engineer, PO Box 588, 11 Furler Street, Totowa, NJ. Mr. Clark was sworn in and his credentials accepted by Chairman Sugarman.

Ms. Lamake asked if these were the Site Plans submitted to the Board with no changes.

Mr. Clark stated that was correct. There was not much to the site engineering for this application. The use variance is the only thing required for the gym to operate. The exterior lighting is as exists. There is no new lighting proposed besides maybe a light over the door. Refuse is to be collected in the facility and brought to the dumpster. There is no signage proposed with this application. It will be a separate package. There is a parking requirement for the building of 1,750 spaces and we are providing 1,932 spaces. TWA will be sought.

Mr. Juzmeski asked about the ADA access to lobby the spaces. Where are they located and how do they access to the gym.

Mr. Clark stated there are spaces in proximity. Did not know where exactly but can look them up and get back to the Board.

Chairman Sugarman asked if need be can other spaces be redesignated as handicapped.

Mr. Juzmeski stated yes if need be it could be done.

Chairman Sugarman stated that this would be a condition of approval if approved and necessary.

Chairman Sugarman asked if there were more questions from the Board/public.

Charles Olivo, Traffic Engineer, 92 Park Avenue, Rutherford, NJ. Mr. Olivo was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Olivo stated he was hired to do the trip generations for this project. Generally speaking, we concur with the trip generation results that were within Neglia Engineer's report. When they looked at the scale of the project, the number of access point and extra spaces the gym could use. They have not taken credit for the prior office use of the project. With the combination of office, day care, residents at one executive drive and the proposed retro fitness there is an opportunity for mixed use/shared parking. Although he does agree with the worst case scenario of the trip generation it is most likely that people from the offices and residents will be using this gym. Trip generation expected would not rise to the level that would create a significant impact to traffic conditions on the site and as the site engineer stated there is more than adequate parking on the site by the Borough's requirement to support this fitness use.

Mr. Intindola stated they were satisfied with Mr. Olivo's testimony and that they used the trip generation by the NJDOT that came out a couple of weeks ago which is a little higher than the ITE just a point of information.

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Mr. Olivo stated yes understood and agreed.

Chairman Sugarman asked if there were more questions from the Board/public.

Mia Petrou, Planner, 12-16 Fairlawn Avenue, Fairlawn, NJ. Ms. Petrou was sworn in and her credentials accepted by Chairman Sugarman.

**Exhibit A-1 – Photo Exhibit -**

**Photos 1 & 2 – Interior of proposed fitness center**

**Photo 3 – View of proposed fitness entrance**

**Photo 4 – More detailed view of entrance**

**Exhibit B-1 – Photo Exhibit**

**Photo 1 – View of entrance to 2 Executive Drive**

**Photo 2 – View of existing signage at 2 Executive Drive**

**Photo 3 – View of parking deck from proposed entrance**

**Photo 4 – View of parking deck**

Ms. Petrou stated there is a use variance required. The site is particularly suited for this use, which is office and residential. Fitness centers are usually accessory to residential and office uses. There is sufficient parking available. It will be used by existing workers and residents in the area. There is no significant impact on the surrounding neighbors, no substantial impairment to the zone plan.

Chairman Sugarman asked if there were more questions from the Board/public.

Chairman Sugarman stated there were only six (6) voting Board members. There is not a full compliment to the Board. Asked if Ms. Lamake would like to proceed with the vote or carry to the next meeting.

Ms. Lamake stated she would like to proceed with the vote.

It was moved by Mr. Joh, seconded by Mr. Liapes and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Starace and Chairman Sugarman to grant the approval for the alteration and renovation of a new fitness club/health center.

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

Marc Macri, Esq., representing the applicant, stated that the client intends to demolish the existing dwelling that is currently located upon the property and construct a new side by side two-family home in its place.

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Mark Martins, Engineer, 55 Walnut Street, Norwood, NJ. Mr. Martins was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Martins stated that the property is 50x100 and located at 2148 Linwood Avenue, Block 5154, Lot 6. There is an existing two-story brick dwelling on the property. The property slopes from front to back 3 feet. The plans that are on the easel are the same plans submitted to the Board. There are two seepage pits proposed for drainage and will be piped underground to the street. They are not filling or regarding the property. The electric will be overhead. There will be 2 red roses on either side of the property. Boxwoods will be placed in the planting strips. Azaleas and yews are proposed as well as arborvitae being added for screening. There will be 2 additional trees in the rear and there are 3 existing trees to be removed.

Mr. Macri asked if Mr. Martins read Ed Mignone's engineering report and if it could be complied with.

Mr. Martins stated he did and it would be complied with.

Mr. Jovishoff asked if the caliper of the trees could be increased.

Mr. Martins stated yes they would increase the caliper.

Mr. Mariniello stated that there is a height variance needed. Is there an engineering reason for this.

Mr. Martins stated yes, that the topography of the site is causing the height and causing the hardship.

Chairman Sugarman asked if there were any other questions from the Board/public.

Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credential accepted by Chairman Sugarman.

Mr. Cocoros stated that this is a side by side, 3 level, duplex style two-family home. They are all brick designs with a balcony above the entrance. The outdoor lighting will be incandescent. There will be a fixture over each garage door, French door to balcony and front door. In the rear at the sliding glass door and the on the sliding glass door out of the kitchen to the deck will be lighting as well. There is a 2 car garage with door to recreation room, powder room, two closets, utility room and stairs up to the first floor. The first floor contains a living room, dining room, oversized kitchen, powder room, coat closet, entry to the rear deck, stairs to the second floor, stairs to the basement and the main entrance. The second floor contains a bedroom with walk in closet, ensuite master bathroom, two additional bedrooms with two closets, and a hallway with a shared bathroom, laundry room, linen closet and additional closet along with stairs to the first floor.

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Mr. Jovishoff asked since the driveways were wider than usual could the planting strip be increased.

Mr. Cocoros stated yes. They will make a 5 ft. clear planting area and two rows so each person has a line of plantings.

Chairman Sugarman asked if there were any other questions from the Board/public.

David Spatz, Planner, 60 Friend Terrace, Harrington Park, New Jersey.  
Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

**Exhibit A-1 – Four (4) photos on a board depicting the property in question along with properties in the neighborhood.**

**Photo 1 – Subject Property**

**Photo 2 - Looking towards the South –Bridge Plaza North**

**Photo 3 – Looking to the left, to the north**

**Photo 4 - Looking directly across the street**

Mr. Spatz stated that the house is located in the R4 Zone, it is a permitted use. They are proposing to replace a two family with a two family. The FAR and building height variances that are being sought could be supported. They need "C" variances for the rear yard, side yard and lot coverage. Looking at the "D" variances and the master plan, there is no increase in density. There is a mixture of one and two family homes in the area so it is consistent with the neighborhood. It meets the purpose of zoning and are providing needed housing. The proposed project is replacing a building that is closer to the property line. This property can support the proposal. A drainage system will be on the property and there is a conforming amount of parking on the property meeting both RSIS and ordinance standards. There is more landscaping provided. The height of this building is partially due to the topography of the site and the extra height will not impact the neighbors to the rear. As to the bulk variances, it is increasing the side lot to the north of the use. The building is conforming to the side yards just not the stairs in the side yards. The deck is what is causing the rear yard variance. There is no substantial negative impact because of this development. This development is consistent with the development in the neighborhood. Air, light and open space is provided. There will be more trees planted than existing. Mr. Spatz stated he believes the positive criteria outweighs anything negative.

Chairman Sugarman asked if there were more questions from the Board/public.

Chairman Sugarman stated there were only six (6) voting Board members. There is not a full compliment to the Board. Asked if Mr. Macri would like to proceed with the vote or carry to the next meeting.

Mr. Macri stated he would like to proceed with the vote.

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It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Starace and Chairman Sugarman to grant the approval for the construction of a new two-family dwelling.

**ADJOURNMENT**

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

Respectfully submitted,

Christen S. Trentacosti  
Recording Secretary