

FORT LEE BOARD OF ADJUSTMENT

REORGANIZATION – January 9, 2020

Present: J. Silver, H. Joh, G. Makroulakis, H. Liapes, F. Yook, D. Sugarman

Absent: J. Nitti, D. Conway, D. Starace

Present: J. Mariniello, Jr., Esq., M. Jovishoff, Phillips, Preiss, Grygiel, D. Juzmeski, Neglia Eng.

Chairman Sugarman called the meeting to order at 7:33 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 and Fort Lee Online. 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 2020.

Election of the following Officers of the Board:

- Chairman
- Vice-Chairman
- Secretary of the Board

A motion was made by Mr. Makroulakis to appoint Doug Sugarman as Chairman for the year 2020. The motion was seconded by Mr. Joh and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman.

A motion was made by Mr. Makroulakis, seconded by Mr. Silver and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to elect Harry Liapes as Vice-Chairman of the Board.

A motion was made by Mr. Liapes, seconded by Mr. Silver and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to elect George Makroulakis as Secretary to the Board.

Resolution for Professional Appointments 2020

- Board Attorney Joseph Mariniello, Esq./Mariniello & Mariniello, P.C.
- Conflict Board Attorney Brian Chewcaskie, Esq., Cleary Jacobbe Jacobs, LLC
- Board Planner Phillips, Preiss, Grygiel, Leheny, Hughes LLC
- Board Engineer (Site) Neglia Engineering
- Board Engineer (Traffic) Neglia Engineering

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All members present voted to approve the resolution for the Board of Adjustment professional services and award contracts to:

Mariniello & Mariniello PC, Board Attorney; Phillips, Preiss, Grygiel, Leheny, Hughes LLC, Board Planners; Neglia Engineering, Site Engineer; Neglia Engineering, Board Traffic Engineer; and Brian Chewcaskie, Esq., Board Conflict Attorney.

Appointments to the Zoning Board

- Recording Secretaries
- Court Reporter

It was moved by Mr. Liapes, seconded by Mr. Silver and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to appoint Beth Calderone, Calderone & Assoc. as Court Reporter.

It was moved by Mr. Liapes, seconded by Mr. Silver and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to appoint Linda Garofalo, Christen Trentacosti and Barbara Klein as Recording Secretaries for the year 2020.

Liaison Representative to the Planning Board

Chairman Sugarman and Mr. Liapes will act as the liaison to the Planning Board for the year 2020. All members were in favor.

Official Publications of the Zoning Board of Adjustment – The Record, The Jersey Journal, Star Ledger and Spectrum.

All members voted in favor to designate The Record, The Jersey Journal, The Star Ledger and Spectrum as the Official Publications of the Zoning Board of Adjustment.

Approval of Minutes

It was moved by Mr. Liapes, seconded by Mr. Joh and passed on a vote of 5-0 by members Silver, Joh, Makroulakis, Liapes, and Sugarman to approve the minutes of the meeting of December 23, 2019.

Arrangement of member's seating for voting process

Following review by the Board the seating will remain the same. All members were in favor.

Rules of the Board of Adjustment. Motion to adopt.

It was moved by Mr. Liapes, seconded by Mr. Joh and affirmed by an all-in-favor vote to adopt the Rules of the Board of Adjustment for the year 2020.

2019 Annual Report of the Zoning Board of Adjustment – Review and Adoption

It was moved by Mr. Silver, seconded by Mr. Joh and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to adopt the 2019 Annual Report of the Zoning Board of Adjustment.

Memorializations

Docket #24-19, Misha Lee, Esq., 1160 Palisade Avenue, Block 1352, Lot 9, Minor Site Plan – Mixed Use – Professional Office/Residential & Signage

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 grant the applicant Minor Site Plan approval.

Docket #31-19, M & M Bergen Developers, LLC, 2466 Leighton Street, Block 6955, Lot 15, Two Unit Dwelling

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 grant the applicant approval to construct a Two Unit Dwelling.

Acceptance/Completeness

Docket #1-20, PDC LLC, 1592 John Street, Block 3754 Lot 9, Two Unit Dwelling

It was moved by Mr. Silver, seconded by Mr. Joh and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to grant the application complete. Mr. Macri will call the Board Secretary for a hearing date.

Docket #2-20, 1311 Inwood LLC, 1311 Inwood Terrace, Block 1653, Lot 7, Preliminary & Final Major Site Plan – Existing Commercial Building converting to Mixed use

It was moved by Mr. Liapes, seconded by Mr. Joh and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to grant the application complete. Mr. Macri will call the Board Secretary for a hearing date.

Docket #3-20, Redco Construction Corporation, 2038 Hoefley's Lane, Block 4951, Lot 5, Preliminary & Final Major Site Plan – Three Unit Dwelling

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

#4-20, S&G Development, LLC, 321 Slocum Way, Block 3952, Lot 10, Two Unit Dwelling

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

The Attorney, representing these two applications, Mr. Cereste, could not be here tonight. He spoke to Mr. Jovishoff and he agreed to all his recommendations.

PUBLIC HEARINGS

Docket #36-19, 2088 Lemoine Avenue, LLC, 2088 Lemoine Avenue a/k/a State Route 67, Block 5351, Lot 5 and Part of Lot 1, Preliminary & Final Major Site Plan – Carvana – Auto Sales Center with Custom Storage Tower

Mr. Macri stated we are here looking for approval to construct a 10 story Carvana facility.

Jennifer Roldan, Carvana representative stated she is the project manager and handles permitting. They sell used autos on-line. She explained the purchasing procedure. There will be about 10-12 employees total, in three shifts. The hours of operation are 9:00 AM to 7:00 PM.

Mr. Jovishoff asked if any repair work will be done on site.

Ms. Roldan stated minor detail work, no repair work. There are no cars for sale on site.

Mr. Joh asked how will the vehicles be brought to the site.

Ms. Roldan stated by a nine (9) car hauler. Two deliveries per day.

Mr. Jovishoff asked if there will be a car wash on site.

Ms. Roldan stated no.

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

Debbie Dunne, 755 Beachcrest Drive, River Vale, NJ asked why is this building nine stories.

Ms. Roldan stated this is nine stacked cars.

Daniel Sehmal, Engineer, Dynamic Engineers, 245 Main Street, Chester, NJ was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A1-Aerial view of existing site – same as sheet 2.

Mr. Sehmal stated there is access to the site by Bruce Reynolds Boulevard. There are 16 existing parking spaces.

Exhibit A2-colorized version of site plan. We plan to demolish the existing building and construct a ten story Carvana facility consisting of a one story retail and office building and nine-story automated vehicle storage structure above. There is two way circulation throughout the site. New sidewalks are proposed. Landscaping will be updated. Eleven parking spaces and one handicap space to be provided. Five employees will be on site at peak time. The hours of illumination will be dusk until dawn. The applicant will work with Borough professionals on the streetscape.

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Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff strongly recommends additional plantings on Lemoine Avenue, this is a condition of approval.

Mr. Juzmeski asked Mr. Sehmal if he reviewed his letter.

Mr. Sehmal stated they will comply with all items in his letter.

Stuart Farber, 1500 Palisade Avenue, Fort Lee asked are you complying with anything in the ordinance in this project?

Mr. Sehmal stated yes, the front yard setback.

Jim Hodges, Architect, 330 W. Tenth Street, Charlotte, NC was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Hodges stated this tower can hold 39 cars. The signage is attached to a parapet at top on all four sides. There is a LED lighted band also. The interior lighting aims at the car. There are four cars on each level. HVAC systems will be on the roof and will be screened.

Chairman Sugarman asked for questions from the Board.

Mr. Macri stated the lights to be at 60% from dusk until dawn on the top of the band.

Mr. Juzmeski asked if the tower lighting that is towards the cars able to be dimmed.

Mr. Hodges responded yes.

Mr. Farber asked what is the purpose of the tower.

Mr. Hodges responded, to display the cars.

Nick Verderese, Traffic Engineer, Dynamic Traffic, 1904 Main Street, Lake Como, NJ was sworn in and his credentials accepted by Chairman Sugarman.

The Board took a break at 9:00 PM. They returned at 9:05 PM.

Mr. Verderese prepared the traffic study. There will be a reduction in traffic. He reviewed Mr. Jovishoff's report. There was no formal count done.

The metered parking spaces will be removed. They will be used as a designated loading zone.

Chairman Sugarman asked for questions from the Board.

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

Exhibit A3-Photo Board of Site and Surrounding Area

Top left-subject property

Top right-to the opposite side

Bottom left-Citibank building

Bottom right-opposite side on Lemoine Avenue

Mr. Spatz stated we are located in the C3 zone. We need a use variance, a D variance and three C variances. Used car dealerships are not permitted in the zone. The site is large enough to accommodate the building. We are consistent with the purpose of zoning. There are many taller buildings in the area. There is a sufficient amount of parking. The landscaping will enhance the neighborhood. There is nothing substantially negative. We are consistent with the height.

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

Mr. Farber, 1500 Palisade Avenue, Fort Lee, NJ, stated he is the owner of the Citibank building. He asked Mr. Spatz if he stated the height of the tower is consistent with the neighborhood.

Mr. Spatz stated yes

Mr. Farber stated I feel this is an ugly building, the building is a marketing stunt. If the Board decides to approve this, it is beyond irresponsible.

It was moved by Mr. Silver, seconded by Mr. Liapes and passed on a vote of 6-0 by members Silver, Joh, Makroulakis, Liapes, Yook and Sugarman to grant the applicant Preliminary & Final Major Site Plan approval.

ADJOURNMENT

It was moved by Mr. Silver, seconded by Mr. Joh to adjourn the meeting at 9:30 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary