

FORT LEE BOARD OF ADJUSTMENT

May 9, 2023

Present: H. Liapes, J. Nitti, D. Conway, H. Joh, S. Tropea, L. Pacheco, E. Hong, D. Sugarman

Absent: J. Luppino

Also Present: J. Mariniello, Jr., Esq., D. Juzmeski, Neglia Eng.

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:

On November 29, 2022 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2023. The time, date, and location of said schedule was posted on the Bulletin Board at 309 Main Street. A copy of said schedule was mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk.

A written notice of the time, place and proposed Agenda was posted on the Bulletin Board at 309 Main Street and mailed to the RECORD, JERSEY JOURNAL, STAR LEDGER, SPECTRUM, posted on the Borough Web Site and filed with the Borough Clerk.

Copies have been mailed to all persons who have prepaid the \$35.00 fee fixed for the year 2023 to cover the cost of mailing.

Approval of Minutes

It was moved by Mr. Liapes, seconded by Mr. Tropea and passed on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to approve the minutes of the meeting of April 25, 2023.

Memorializations

Docket #1-23, Brian Swatek & Alyssa Brignola, 1164 Fifteenth Street, Block 1055, Lot 6, Addition to Single Family Dwelling

It was moved by Mr. Conway, seconded by Mr. Nitti and approved on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Pacheco, Hong and Sugarman to grant the applicant approval to construct an Addition to a Single Family Dwelling.

Docket #9-23, Golflex Fort Lee, Inc., 1642 Schlosser Street, Block 4252, Lot 5, Signage

It was moved by Mr. Liapes, seconded by Mr. Conway and approved on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to grant the applicant Signage approval.

Acceptance/Completeness

Docket #15-23, W&R Home Builders, LLC, 2049 Ellery Avenue Avenue, Block 4452, Lot 13, Two Unit Dwelling

It was moved by Mr. Pacheco, seconded by Mr. Conway and approved on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

Docket #16-23, Martha Tsarpalas, 1607 Anderson Avenue, Block 4053, Lot 8, Two Unit Dwelling

It was moved by Mr. Tropea, seconded by Mr. Nitti and approved on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to deem the application complete. Mr. Macri will call for a hearing date.

Docket #17-23, Marat Denenberg, 1090 Arcadian Way, Block 953, Lot 15, Window Well for Single Family – side yard setback variance

It was moved by Mr. Conway, seconded by Mr. Liapes and approved on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to deem the application complete. Mr. Denenberg will call for a hearing date.

Public Hearings

Docket #12-23, The Gyro Project, 2151 Lemoine Avenue, Block 5952, Lot 11, Signage

Mr. Macri stated we are here tonight seeking Signage approval.

Mr. Eric Lee, Sign World, 432 Bergen Boulevard, Ridgefield was sworn in.

Mr. Lee stated the sign is 45 inches tall and 143 inches wide. The colors are blue, white, black and grey. The sign will be mounted on an aluminum raceway. There are larger signs in the area.

Mr. Joh asked Mr. Lee about the window signs shown in the drawing.

Mr. Macri stated those are temporary signs.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked what is the dimension of the projection from the building?

Mr. Lee stated it is 2 feet.

Page 3-ZBA Minutes-May 9, 2023

Mr. Juzmeski stated this is a variance.

Mr. Lee stated we will comply with the Borough ordinance for the times that the sign is able to be illuminated.

Chairman Sugarman asked for questions from the public.

It was moved by Mr. Joh, seconded by Mr. Tropea and approved on a vote of 8-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco, Hong and Sugarman to grant the applicant Signage approval.

Docket #18-21, 2130 Center Avenue, LLC, 2130 Center Avenue, Block 5952, Lot 1, Preliminary & Final Major Site Plan – 24 Unit Residential Building Over Parking (continued from the public hearing of October 11, 2022)

Mr. Jason Tuvel, stated in October 2022 we provided Architectural testimony. The applicant complies with parking.

Jamison VanEck entered his appearance.

Matthew Seckler, Engineer, Stonefield Engineering, 92 Park Avenue, Rutherford was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Seckler stated the site is on the corner. It is a vacant lot. It has a 22 foot slope grade difference to the NE corner.

Exhibit A8-rendering site plan exhibit dated September 29, 2022 – colored plan of the subject property. The landscaping is shown in green, the access point and the building. This is a 6 story building. There are two bottom levels and the units are above. There are two access points – Center Avenue and Bridge Plaza North. We are providing 49 parking spaces, 48 are required. There is a 3,700 square foot green roof. The applicant will comply with the comments in the Neglia Engineering report.

There are two driveways, right in and right out. We meet the parking requirements. Deliveries can be handled at the two designated parking spaces outside of the garage. We are seeking a variance for the driveway width.

Mr. Tuvel stated we do not have an agreement with the Parking Authority for the loss of the two parking spaces yet. These spaces are on Bridge Plaza North.

Chairman Sugarman stated this has been going on since 2021. I feel this application is incomplete. There are other outstanding items also. How can we vote when there are factors missing?

Mr. Tuvel stated the Parking Authority is taking a while and got back to me today and gave us a value of \$9,300 per space, per year.

Page 4-ZBA Minutes-May 9, 2023

Chairman Sugarman stated I don't think it's fair to the applicant, the Board and the neighbors to ask for a vote at this time. I personally, have concerns about the Bridge Plaza North.

Mr. Seckler stated the amount of traffic generated an hour is 5-6 vehicles at the Bridge Plaza North access point. Our volume is extremely low for a right in-right out.

Mr. Mariniello asked if I am on the lower level driveway – do I have to come up Bridge Plaza North to get into that spot?

Mr. Seckler stated yes, this is correct.

Chairman Sugarman stated I've seen this with a building built at Main Street. There's a garage that is right in-right out and nobody abides by this. It's a hazard.

Mr. Tuvel stated there's only 24 units. We have addressed it professionally. This is not a high volume user. The amount of trips is very minimal. The site distance is appropriate. The parking spaces and driveway widths are appropriately sizes. We are providing EV spaces. The size of the property is undersized at 13,689 square feet. The lot is very narrow.

Mr. VanEck stated we did reach an agreement that addresses our concerns.

Chairman Sugarman asked for questions from the Board.

Mr. Conway asked about the gas, sanitary and water coming in from Center Avenue.

Mr. Seckler stated sheet C8 is the utility plan. The connections will be at Bridge Plaza North. We have not designed the utility connections yet.

Mr. Conway asked what is the plan when Center Avenue is blocked?

Mr. Seckler stated we'd have to leave half the road open. We could eliminate parking. We would work with the Borough Engineer, Police Department and utility companies.

Mr. Juzmeski asked will you comply with my October 7, 2022 letter?

Mr. Seckler stated yes.

Mr. Juzmeski asked will the trash hauler be on site?

Mr. Seckler stated yes.

Mr. Juzmeski asked if the transfer location has been coordinated with PSE&G.

Mr. Seckler stated they have not signed off yet.

Mr. Juzmeski asked if the easement for the storm water has been obtained?

Page 5-ZBA Minutes-May 9, 2023

Mr. Tuvel stated the applicant is working on this.

Mr. Juzmeski asked about left turns into the driveway. There is no island to enforce this, are there any other options?

Mr. Seckler stated we can't build anything raised in the sidewalk. Delineations could be put in.

Chairman Sugarman asked for questions from the public.

Chairman Sugarman stated I'm giving you an option, you can carry this application and complete your planning testimony, Parking Authority approval and storm water easement approvals at a later date.

Mr. Tuvel asked when can we carry this until?

Chairman Sugarman stated June 27, 2023.

Chairman Sugarman stated this application is being carried to the meeting of June 27, 2023. No further notice is necessary. Time is waived for the Board to act.

Docket #10-23, 223 Main Fort Lee, LLC, 223 Main Street, Block 4751, Lot 23, Preliminary & Final Major Site Plan – Mixed Use Building-Retail Unit & Two Residential Units

Mr. Macri called his first witness:

Steven Collazuol, Engineer, 1610 Center Avenue, Fort Lee was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Collazuol stated the cover sheet shows the project in the C1 District where the former Post Office was. The site is 18,066 square feet. This is a 3 story mixed use building. The entrance is at grade. The Neglia report dated May 3, 2023 will be complied with.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked did you get County approval?

Mr. Collazuol stated yes.

Mr. Collazuol stated there will be AC units.

Mr. Juzmeski asked will you repair the streetscape?

Mr. Collazuol stated yes, it will be repaired or replaced.

Chairman Sugarman asked for questions from the public.

Page 6-ZBA Minutes-May 9, 2023

Mark Virgona, Architect, 125 River Road, #201, Edgewater was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Virgona stated there are two residential floors above retail space. Masonry, metal and wood accents will be used for the exterior. The height is 38' 11".

Mr. Joh asked isn't the building height 39' 9"?

Mr. Collazuol stated yes.

Mr. Juzmeski stated the elevator penthouse height is excluded.

Mr. Virgona stated the plan shows the basement with mechanicals and storage. The first floor has the bathrooms, retail area and entrance to the residential units. The second floor has a landing, two units, powder room, kitchen, living room and dining room. The third floor shows two bedrooms, two baths, laundry, closets and stairway. The fourth floor has the roof decks, one for each unit and 3-4 condensing units. Unit A is 1,466 square feet. Unit B is 1,599 square feet. The total gross area is 1,427. We comply with the height limit.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked what material will be used on the East elevation?

Mr. Virgona stated stucco.

Mr. Juzmeski asked is the basement will be used for use of the mechanicals?

Mr. Virgona stated yes.

Chairman Sugarman asked for questions from the public.

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

Exhibit A1 – Photo Board of Site and Surrounding Area

Top left-subject property

Top right-to the right, East

Bottom left-to the left, West

Bottom right-across the street, bank and mixed use building

Mr. Spatz stated the property is in the C1 business district. This is not a permitted use. FAR, C variances and parking variances are required. Residential is not permitted in the building. I think the property can support this larger building. The setback is similar to what currently exists. The rear and side yard are the same as what was on the property. No parking previously existed. There is on-street parking and the municipal lot is behind us.

Chairman Sugarman asked for questions from the Board.

Page 7-ZBA Minutes-May 9, 2023

Chairman Sugarman asked for questions from the public.

Chairman Sugarman asked if any member of the public would like to come up, be sworn and testify on the application.

It was moved by Mr. Tropea, seconded by Mr. Conway and approved on a vote of 7-0 by members Liapes, Nitti, Conway, Joh, Tropea, Pacheco and Sugarman to grant the applicant Preliminary & Final Major Site Plan approval.

Docket #8-23, 1 Jasper Lane, LLC, 1 Casper Lane, Block 3561, Lot 4, Two Unit Dwelling

Chairman Sugarman stated this application is carried to the meeting of June 13, 2023. No further notice is necessary. Time is waived for the Board to act.

ADJOURNMENT

It was moved by Mr. Liapes, seconded by Mr. Pacheco to adjourn the meeting at 9:25 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary