

FORT LEE BOARD OF ADJUSTMENT

May 25, 2021

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

Absent: L. Pacheco

Also Present: J. Mariniello, Jr., Esq., M. Jovishoff, Phillips, Preiss, Grygiel, B. Intindola, Neglia Eng.

The meeting was held remotely, by means of communication equipment. The foregoing Electronic Public Meeting is recommended due to the current situation involving COVID-19 Virus and directives of State and County governments. The meeting was conducted using the Zoom operating system.

NOTICE OF MEETING:

Chairman Sugarman stated: Let the minutes reflect that adequate notice of this meeting has been provided in the following manner: On December 8, 2020 this Body, by Resolution, adopted a Schedule of Regular Public Meetings for 2021. 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's Website and was 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's Website and was filed with the Borough Clerk. On April 19, 2021, an updated notice with the Zoom Information was posted 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 2021 to cover the cost of mailing.

Approval of Minutes

It was moved by Mr. Liapes, seconded by Mr. Hong and passed on a vote of 5-0 by members Liapes, Nitti, Joh, Hong, and Sugarman to approve the minutes of the meeting of May 11, 2021.

Memorializations

Docket #8-21, HLC Development, LLC, 490 Jane Street, Block 3653, Lot 3, Two Unit Dwelling

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It was moved by Mr. Liapes, seconded by Mr. Nitti and approved on a vote of 5-0 by members Liapes, Nitti, Joh, Hong and Sugarman to grant the applicant approval to construct a Two Unit Dwelling.

Docket #9-21, HLC Development, LLC, 494 Jane Street, Block 3653, Lot 2, Two Unit Dwelling

It was moved by Mr. Liapes, seconded by Mr. Nitti and approved on a vote of 5-0 by members Liapes, Nitti, Joh, Hong and Sugarman to grant the applicant approval to Construct a Two Unit Dwelling.

Acceptance/Completeness

Docket #19-21, J & V Developers, LLC, 427 North Avenue, Block 3851, Lot 20, Two Unit Dwelling

It was moved by Mr. Liapes, seconded by Mr. Conway and approved on a vote of 7-0 by members Liapes, Nitti, Joh, Conway, Tropea, Hong and Sugarman to deem the application complete. Mr. Macri will call the Board secretary for a hearing date.

Extension of Time/Site Plan Approval

Docket #2-19, HLC Development, LLC, 1629-1635 John Street, Block 3653, Lots 4 & 5, Extension of Time – Minor Subdivision & Two (2) Two Unit Dwellings

It was moved by Mr. Liapes, seconded by Mr. Joh and approved on a vote of 5-0 by members Liapes, Nitti, Joh, Hong and Sugarman to grant the applicant approval Extension of Time approval until November 28, 2021.

Docket#8-19, M&J 730, LLC, 1629 Parker Avenue & 1624 Palisade Avenue, Block 4351, Lots 6 & 11, Extension of Time – Preliminary & Final Major Site Plan – Two Story, Mixed-Use Shopping Center

It was moved by Mr. Liapes, seconded by Mr. Hong and approved on a vote of 5-0 by members Liapes, Nitti, Conway, Hong and Sugarman to grant the applicant Extension of Time approval until January 26, 2022.

Public Hearings

**Docket #10-21, Electrify America, 154 Main Street, Block 4351, Lots 3 & 12, Minor Site Plan – Electric Vehicle Charging Station
(continued from the Public Hearing of May 11, 2021)**

Mr. Lavigne stated that because we only have six members here, we would like to carry this application to the June 8, 2021 meeting. Ms. Hong stated she will not be available on June 8, 2021.

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Chairman Sugarman stated this application is carried to the meeting of June 8, 2021, no further notice is necessary. Time is waived for the Board to act.

Docket #12-21, A&I Realty, LLC, 825 Palisade Avenue & 2 Cumbermeade Road, Blocks 553 & 552, Lots 6 & 33, Preliminary & Final Major Site Plan – Conversion of Office Space to a Residential Unit

Mr. Cereste stated we are here tonight seeking a D1 variance for Use. The following exhibits will be presented:

Exhibit A1-Mr. Martins Engineering plan, 1 sheet dated February 11, 2021

Exhibit A2-Architectural floor plan prepared by Robert Zampolin, 1 sheet

Exhibit A3-Four photos prepared by David Spatz, Planner

Exhibit A4-Two photos taken by myself prepared with a Memorandum

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

ExhibitA1-The site plan was shown on the screen prepared by Mark Martins

The applicant plans to convert an office into a studio apartment. There is an existing four-story building on the lot. Thirty-nine parking spaces are required, we are providing twenty-five spaces.

Mr. Cereste stated they reviewed the reports from Mr. Jovishoff and Neglia Engineering. They will comply with the requests.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff stated paving and restriping of the parking lot is a condition of approval. The applicant agrees.

Bob Zampolin, Architect, 187 Fairview Avenue, Westwood was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Zampolin showed the layout on the screen.

The garbage is picked up by the Superintendent two times a week and brought to the street.

Chairman Sugarman asked for questions from the Board.

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.

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Exhibit A3-Photo Board of Site and Surrounding Area

Top left-existing building from Cumbermeade Road

Top right-parking area behind the building

Bottom left-opposite of Cumbermeade Road parking lot

Bottom right-across the street, fast food restaurant

Mr. Spatz stated this is an expansion of a non-conforming use. The apartment is within the building. There is sufficient parking. There is a reduction in the demand for parking. All work is being done within the building. The off-site parking is permitted in the zone. There are no other variances required.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

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

It was moved by Mr. Nitti, seconded by Mr. Liapes and approved on a vote of 5-0 by members Liapes, Nitti, Joh, Hong and Sugarman to grant the applicant Preliminary & Final Major Site Plan approval.

Docket #15-21, JZS Developers, LLC, 1429 Anderson Avenue, Block 2252, Lot 10, Two Unit Dwelling

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

Mr. Martins stated the applicant plans to demolish the existing dwelling and construct a new three-story, two family dwelling.

The site plan was shown on the screen. The two units are vertically separated. The rear wall is being removed and replaced with a three-foot eleven-inch wall. This is a variance. There will be inlets in the back to collect the water. The applicant is proposing to install two Cultec recharger units under each driveway and two recharger units in the rear yard. The front units are proposed to be connected to roof drains at the sides of the dwelling. The rear units are proposed to be connected to roof drains at the rear corners of the dwelling and to two lawn inlets at the rear corners of the property.

The utilities will be underground – water, gas and sanitary sewer lines. Overhead electric and telecom service is proposed to the left side of the dwelling.

Mr. Martins stated he reviewed the Neglia report and will redirect as much water run-off as possible.

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The applicant is proposing to remove the existing trees in the rear yard and the tree in the public right-of-way in the front of the property.

Three azaleas are to be planted in the front and seven Holly plants. In addition, one Zelkova is proposed in each planting area at the front corners of the property. Four Azaleas are to be planted in the central planting strip.

Twelve Meyers Yew plants are proposed in each side yard. A total of twenty-three Arborvitae plants are proposed surrounding the rear yard.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff asked what will happen to the tree in the rear.

Mr. Martins stated this is the neighbor's tree.

Chairman Sugarman asked for questions from the public.

Ekaterina Katsnelson, 1431 Anderson Avenue stated the tree in the rear in mine, trimming it will destroy it.

Mr. Martins stated there's not much trimming we need to do.

Homeowner, 1390 15th Street asked if the wall will be replaced.

Mr. Martins stated the wall will be taken down and replaced.

Mr. Katsnelson asked will anything be done to alleviate the dust at the time of demolition?

Mr. Martins stated yes we will check for asbestos and comply with the regulations.

Mr. Katsnelson asked can I get a copy of the asbestos report?

Mr. Martins stated yes, you can file an OPRA request.

Vassilios Cocoros, Architect, 467 Sylvan Way, Englewood Cliffs was sworn in and his credentials accepted by Chairman Sugarman.

The applicant is proposing a total of twelve lights including two above each garage door, one in the ceiling of each covered porch, one above each sliding door in the rear yard, one above each sliding door to the deck and one above each sliding door to the roof decks.

The Architectural plans were shown on the screen.

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The basements will consist of a recreation room at the rear of the dwelling. At the center of the dwelling the applicant is proposing a room labelled home office, a full bathroom, a utility room, and four closets.

The first floor is to consist of a living room at the front of the dwelling, a dining room, powder room, and two closets at the center of the dwelling. An open plan kitchen/eating area/family room is proposed at the rear of the dwelling.

The second floor is proposed to consist of two bedrooms each with an ensuite full bathroom, laundry room, linen room, and two closets at the front of the dwelling. A master bedroom, with a master bathroom and room labelled dressing and three closets, are proposed at the rear of the dwelling.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff asked if the width of the driveways could be reduced by one foot.

Mr. Cocoros stated we can do four inches, to eighteen feet, eight inches.

Mr. Jovishoff asked if the planting strip could be reduced from twenty feet to eighteen feet.

Mr. Joishoff stated the home office is not to be made into an additional bedroom.

Mr. Cocoros stated no, this is just an office.

Mr. Jovishoff stated the rear deck setback is only fifteen feet.

Mr. Cocoros stated we can reduce it by one foot.

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, garage underneath
Top right-to the right, showing a two-family house
Bottom left-to the left, towards the Municipal Complex
Bottom right-across the street

Mr. Spatz stated there are two D variances, one for FAR and one for height. The proposal is consistent with the neighborhood. We are removing the structure and replacing with a new modern home. Two family homes are permitted in the zone. The property can support the additional FAR. The drainage improvements are a benefit. We exceed the building coverage by 636 square feet. Landscaping will be improved. We have a conforming amount of parking.

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Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

Mr. Katsnelson stated the new construction will be blocking my view.

Mr. Spatz stated we meet the side yard setbacks, only the staircase is there.

Mr. Katsnelson stated my open space is blocked.

Mr. Spatz stated I don't think we are, only the staircase goes into the side yard setback.

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

It was moved by Mr. Tropea, seconded by Mr. Nitti and approved on a vote of 6-0 by members Nitti, Joh, Conway, Tropea, Hong and Sugarman to grant the applicant approval to construct a Two Unit Dwelling.

Docket #16-21, 2239 Center Avenue, LLC, 2239 Center Avenue, Block 6053, Lot 9, Two Unit Dwelling

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

Bottom left-to the left

Bottom right-across the street

Mr. Spatz stated we are in the R3A zone which permits two family homes. We require one D variance for FAR. Our site is well suited for the proposal. We are consistent with zoning. The property can support the FAR. There will be drainage provided on site. The building meets the front yard setback. We have a conforming amount of parking on site.

Mr. Jovishoff stated the plans that are dated April 15, 2021 indicate the height is 33' 79".

Mr. Cocoros stated that is to the highest point of the roof.

Mr. Spatz stated the height is a D variance.

Chairman Sugarman asked for questions from the Board.

Chairman Sugarman asked for questions from the public.

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Mr. Spatz stated the building is 6' 5" from the side yards, the stairs protrude.

Mrs. Kyaw, 2243 Center Avenue asked where is the 6' 5"?

Mr. Spatz stated Mr. Cocoros will answer this.

Mr. Pachovski asked when were the letters sent?

Mr. Macri stated May 14, 2021.

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

Mr. Martins stated the lot area is 5,558 square feet. A new two-family structure will be constructed. The proposal was shown on the screen. All roof drains will be brought to the Cultec chambers.

The applicant is proposing to remove two trees in the front yard, one tree in the rear yard and one tree in the right-of-way. They are proposing to retain two trees located near the left corner of the property.

In the front yard, the proposal is for five Azaleas in the right planting area, eight Azaleas in the left planting area and 11 Holly plants in the central planting area.

Fifteen Meyers Yews are proposed in each side yard. A total of 18 Arborvitae plants are proposed surrounding the rear yard. Two Zelkova trees are proposed, each located at the rear corners of the rear yard.

Mr. Jovishoff stated if the trees are not replaced that are removed, a contribution is required to the Borough Tree Fund.

Mr. Martins agreed.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff asked if the spacing can be reduced where the arborvitae are planted in the rear. He would like to see these three-foot on center.

Mr. Martins stated yes, we can do that.

Mr. Jovishoff asked if the fencing in the rear will remain.

Mr. Martins stated yes, it's the neighbor's fence.

Mr. Martins stated fencing is to be installed on the sides to protect both neighbors.

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Chairman Sugarman asked for questions from the Board.

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

The applicant is proposing residential LED lights to be used. A total of 12 light fixtures, including two above each garage door, one in the ceiling of each covered porch, one above each sliding door to the rear yard and one above each sliding door to the roof decks. Cut sheets to be sent to Mr. Jovishoff.

The applicant is proposing to construct a new four-story, two-family dwelling. The basement of each unit is to consist of a recreation room at the rear of the dwelling, a den, powder room, utility room, five closets and stairs to the upper floors at the center of the dwelling.

The first floor of each unit is proposed to consist of a living room at the front of the dwelling, a dining room, powder room and two closets at the center of the dwelling. An open plan kitchen/family room is proposed at the rear of the dwelling.

The second floor will have a master bedroom, master bathroom, walk-in closet, and two standard closets at the front of the dwelling. Also, two bedrooms, a shared full bathroom, a laundry room and a linen room at the rear of the dwelling.

The third floor will consist of a full height open room labelled finished attic, containing a sink and small counter, a powder room, and a closet located at the center of the dwelling.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff stated the den in the basement will not be used as an additional bedroom.

Mr. Cocoros stated correct.

Mr. Jovishoff asked where will the trash be.

Mr. Cocoros stated the trash will be in the garage.

Chairman Sugarman asked for questions from the public.

Mr. Perchovsky asked which way will the drainage gutters point?

Mr. Cocoros stated they will be tied into the seepage pits.

Ms. Kyaw stated the side yard setback is 6.5 feet. You will now be closer to us.

Mr. Cocoros stated this is a variance, the lot is narrow.

Mr. Macri stated we only measure from our house to the property line.

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

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

ADJOURNMENT

It was moved by Mr. Tropea, seconded by Mr. Conway to adjourn the meeting at 9:35 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary