

**FORT LEE BOARD OF ADJUSTMENT**  
**June 13, 2023**

**Present:** H. Liapes, D. Conway, H. Joh, J. Luppino, E. Hong, D. Sugarman

**Absent:** J. Nitti, S. Tropea, L. Pacheco

**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. 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. Conway, seconded by Mr. Liapes and passed on a vote of 5-0 by members Liapes, Conway, Joh, Luppino and Sugarman to approve the minutes of the meeting of May 23, 2023.

Chairman Sugarman stated Mr. Luppino and Ms. Hong will be voting members tonight.

**Memorializations**

**Docket #14-23, Andreas & Susan Meyer, 431 Jane Street, Block 4057, Lot 13, Addition to a Single Family Dwelling**

It was moved by Mr. Joh, seconded by Mr. Conway and approved on a vote of 4-0 by members Liapes, Conway, Joh and Sugarman to grant the applicant approval to construct an addition to a Single Family Dwelling.

**Acceptance/Completeness**

**Docket #18-23, Phil Art Studios SCI TOEF, Inc., 1605 Palisade Avenue, Block 4252, Lot 13, Amended Preliminary & Final Major Site Plan – Art Studio – Two-Story Building Over Parking**

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

**Docket #11-23. Hemant & Sangita Prajapati, 502 Brinkerhoff Avenue, Block 1051, Lot 12, Amended Building Height to Single Family Dwelling**

Frank Troia, Architect, 267 Pascack Road, Washington Township was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Troia stated we are seeking a slight increase in the building height. The roof is no longer a flat roof. There are no bright lights.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if there will be any rooftop equipment?

Mr. Troia stated no.

Chairman Sugarman asked this application was previously approved with a flat roof and we didn't know sprinklers were required. The new building now has a partially pitched roof. How much of the roof is still flat?

Mr. Troia stated 60% or more of the roof is flat.

Chairman Sugarman stated a partially pitched roof that is 60% flat. This seems to me that this is being done in order to not have the building sprinklered. I see this as a way to get around the sprinklers.

Mr. Troia stated the DCA states this is a pitched roof. It is compliant with the building code.

Mr. Joh stated the Fire Department letter dated June 13, 2023 states he has no objection.

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-aerial view of the subject property

Top right-across the street

Bottom left-the front of the building

Bottom right-up to Fourteenth Street

The bulkhead area is the only area being changed. The roof deck use is not being changed. The initial addition did not require fire protection. The increased height is about 3 feet taller. This is a minor change.

Mr. Mariniello stated the initial approval for this application was in 2015. 1 ½ years ago the Board approved the roof deck.

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Chairman Sugarman asked when did the Fire Department advise fire protection was needed?

Mr. Troia stated when we applied for the building permits.

Mr. Juzmeski asked Mr. Spatz if the homes on Fourteenth Street are higher in elevation?

Mr. Spatz stated our building is still lower.

It was moved by Mr. Liapes, seconded by Mr. Conway and approved on a vote of 5-0 by members Liapes, Conway, Joh, Luppino and Hong to grant the applicant approval to amend the building height to a Single Family Dwelling. Chairman Sugarman did not vote.

**Docket #38-22, Y&K Realty Inc. & ZYST, LLC, 2205 & 2195 Route 4 East, Block 5552, Lots 7 & 8, Bifurcated Application – Use Variance (continued from the public hearing of April 11, 2023)**

Mr. Sinisi stated that the minutes from the last meeting, prepared by Linda Garofalo were excellent.

We are aware that if we are approved we must come back for site plan approval.

Brigette Bogart, Planner, 205 Franklin Avenue, Wyckoff was sworn in and her credentials accepted by Chairman Sugarman.

Ms. Bogart stated I have been involved with this application since the beginning. This is an auto body shop and is in need of redevelopment.

**Exhibit 11 – Photos**

Page 1-taken from Apple maps and Bing maps

Page 2-site inspection photos

This property is in the C5 commercial district. This application requires use, height and FAR variances. This district permits more than what we are proposing.

The site is suited for this proposal. We are providing a low traffic generated use, This self-storage use creates income.

The top reasons for using self-storage are:

The elderly can store their belongings

Professionals use for paperwork

Divorcees looking for a place to store their stuff

People go there one time a month or one time a year. This is not a high traffic generator. There is a lack of traffic impact. The site needs redevelopment. There is no substantial detriment to the public good. We are looking to encourage something that is retail business oriented. I

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believe there is no impairment to the Master Plan.

The conditions would include:

No food or perishable goods, toxic materials, flammable substances

Signage to be submitted

Brick and stucco materials to be used on the façade

No cars or boats to be stored

Customers are not to use space for unlawful purposes

An Operating Agreement will be used

I believe this proposal is suited for this site.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if the applicant is asking for a parking variance?

Mr. Sinisi stated we don't have a parking calculation for the Board. When we get further in, we will ask for a variance, if needed.

Mr. Juzmeski asked have you received DOT approval?

Mr. Sinisi stated I believe we have received a letter from DOT.

Mr. Mariniello stated if a C variance is required for parking, we will ask for it at the time of site plan review.

Chairman Sugarman asked for questions from the public.

Chairman Sugarman asked Mr. Sinisi if the applicant would accept a restriction as a "use variance for self-storage?"

Mr. Sinisi stated yes.

Chairman Sugarman asked could you refresh my memory as to what the height and FAR is?

Mr. Sinisi stated a maximum of 60 feet tall and the FAR is 2.14.

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. Luppino, seconded by Mr. Conway and approved on a vote of 5-0 by members Conway, Joh, Luppino, Hong and Sugarman to grant the applicant approval for a Use Variance. Mr. Liapes voted no.

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

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James McNight, Architect, 169 Skyler Lane, Kearny was sworn in and his credentials accepted by Chairman Sugarman.

Mr. McNight stated the drawings are dated February 23, 2023.

**Exhibit A1 – Survey, 2 photos and aerial photo**

The lot is 112 x 50 feet.

**Exhibit A2 – colorized front elevation**

A new concrete retaining wall to be constructed, including drainage and seepage pits. There are two driveways with a stairway. On the lower floor there is a recreation room, powder room and utilities. The upstairs is an open floor plan and a deck to the SW. Z2 shows the 3 elevations and roof. There are 3 bedrooms and 2 bathrooms. Various façade elements are to be used – cultured stone, stucco and cement board hardie planks.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked on the lower level what else is being used on the side besides cultured stone?

Mr. McNight stated hardie plank and stucco.

Chairman Sugarman asked for questions from the public.

William Robertson, 2000 Hoefleys Lane Fort Lee asked Mr. McNight how long is this house?

Mr. McNight stated it is 63.4 feet long.

David Spatz, Planner, 60 Friend Terrace, Harrington Park 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 right

Bottom left-to the left, east

Bottom right-across the street, #2 school with parking

Mr. Spatz stated we are in the R2 zone, we need variances for Use, a D variance, C variance, FAR, lot area and front and rear yard variances. We are putting a residential home in a residential zone. This is a short street. We are adjacent to Route 46. I feel this fits in with the property. This is an older home. The property can support the proposal. Our Engineer will testify at the next meeting. We are providing drainage. The lot is irregularly shaped on one side. We are surrounded by all developed properties. The rear and front yard are non-conforming. The height is conforming. There is a conforming amount of parking on site.

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Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski asked if there are other two family homes in the area?

Mr. Spatz stated yes, on Hoefley's Lane there are two and three family homes.

Chairman Sugarman asked for questions from the public.

Mr. Robertson asked about the other two family homes.

Mr. Spatz stated they were approved by the Board, they are conforming.

Mr. Robertson asked how does the D4 variance make this suitable?

Mr. Spatz stated we are constrained by the shape of the property. The height and coverage are conforming. There is so significant impact of light to your property. The height is 31.75 feet, 32 feet is permitted.

Chairman Sugarman stated this application is being carried to the meeting of July 11, 2023. No further notice is necessary. Time is waived for the Board to act.

**Docket #13-23, Rock Solid Built, LLC, 410 Catherine Street, Block 4053, Lot 5, Preliminary & Final Major Site Plan – Three Unit Dwelling**

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

**Exhibit A1 – colorized plan**

Mr. Martins stated the lot is 75 x 100 feet. There is a two story brick and frame dwelling on the property. A new three unit structure is proposed. The property has a slope to the rear of 7 to 9 feet. The units are side by side. A small retaining wall is proposed in the rear of the property. Drainage improvements are proposed under the driveways.

Landscaping plan – There will be two planting aisles in front which will have zelcovas and junipers. On the sides there will be meyers yews and a row of arborvitae.

The Neglia report will be complied with.

Mr. Juzmeski asked if any additional trees will be planted?

Mr. Martins stated we could provide two flowering trees in the backyard. A contribution will be made to the Borough Tree Fund.

Chairman Sugarman asked for questions from the Board.

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

**Exhibit A2-Photo Board of Site and Surrounding Area**

Top left-subject property

Top right-to the right, West

Bottom left-to the East

Bottom right-across the street, 4 story office building

Mr. Spatz stated there are three family homes in the area. The site is well suited for the proposal. The property can support the slightly larger building. We are consistent with the neighborhood in height. There are a mixture of heights in the area. The building conforms with the front yard setback but the steps project out. Landscaping is being provided. We are providing parking on site.

Chairman Sugarman asked for questions from the Board.

Mr. Juzmeski stated this is a 4 story building.

Mr. Luppino asked what zone is this in?

Mr. Spatz stated it is in a one family zone.

Chairman Sugarman asked for questions from the public.

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

**Exhibit A3 – 9 pages, 3D model, aerial view**

Mr. Cocoros stated this is a four story structure. The fourth floor is a partial attic. Stone will be used on the exterior. It has a modern look, 2 car garages and 2 car driveways.

In the basement there will be a recreation room, utility room and bathroom. The main floor includes a living room, dining room, kitchen, family room, powder room and wet bar. The second floor has two bedrooms, bathrooms, and laundry in the hallway. There is a staircase to the attic which includes a wet bar and powder room.

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 come up, be sworn and testify on the application?

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

**ADJOURNMENT**

It was moved by Mr. Liapes, seconded by Mr. Conway to adjourn the meeting at 9:50 p.m.

Respectfully submitted,

*Linda Garofalo*

Linda Garofalo  
Recording Secretary