

FORT LEE BOARD OF ADJUSTMENT

June 25, 2019

Present: H. Joh, G. Makroulakis, D. Conway, H. Liapes, F. Yook, D. Starace, D. Sugarman

Absent: J. Nitti, J. Silver

Present: Nylema Nabbie, Esq., M. Jovishoff, Phillips, Preiss, Grygiel, Pat Carberry, Neglia Eng., Brian Intindolla, 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: 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 2019.

Approval of Minutes

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 7-0 by members Joh, Makroulakis, Conway, Liapes, Yook, Starace and Sugarman to approve the minutes of the meeting of June 11, 2019.

Memorializations

Docket #1-19, Ballente Realty, 2073 Fletcher Avenue & 2050 Edwin Avenue, Block 4455 & 4456, Lots 2 & 2, Amended Preliminary & Final Major Site Plan – 4 Unit Dwelling & Auxiliary Parking Lot

This memorialization is carried to the meeting of July 9, 2019.

Page 2-ZBA Minutes-June 25, 2019

Docket #4-17, Peter Wang, DDS, 1600-1602 Anderson Avenue, Block 4151, Lots 14 &15, Minor Reverse Subdivision / Preliminary & Final Major Site Plan – Lot Consolidation & Proposed New Office Building

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

Acceptance/Completeness

Docket #20-19, 1480 Fifteenth LLC, 1480 Fifteenth Street, Block 3051, Lot 19 Two-Unit Dwelling Approval

It was moved by Mr. Joh, seconded by Mr. Starace and passed on a vote of 7-0 by members Joh, Makroulakis, Conway, Liapes, Yook, Starace and Sugarman to deem the application complete.

Public Hearing

Docket #12-19, 2400 Apartment Corporation, 2400 Hudson Terrace, Block 7159, Lot 7, Preliminary & Final Major Site Plan – Amenity Addition onto the Existing Plaza

This application is carried to the meeting of August 13, 2019. No further notice is necessary, time is waived for the Board to act.

Docket #5-19, Smile Building, LLC, 1440 Bergen Boulevard, Block 2752, Lot 8, Preliminary & Final Major Site Plan – Expansion of Auto Body Repair Shop

This application is carried to the meeting of July 23, 2019. No further notice is necessary, time is waived for the Board to act.

Docket #9-19, GPC Homes, LLC, 1138 Fourteenth Street, Block 1051, Lot 9, Amendment to Two-Unit Dwelling Approval

This application is carried to the meeting of July 9, 2019. No further notice is necessary, time is waived for the Board to act.

Page 3-ZBA Minutes-June 25, 2019

Docket #10-19, GPC Homes, LLC, 1144 Fourteenth Street, Block 1051, Lot 10, Amendment to Two-Unit Dwelling Approval

This application is carried to the meeting of July 9, 2019. No further notice is necessary, time is waived for the Board to act.

Docket #14-19, Robert Place Realty, LLC, 1545 Route 46 West, Block 2651, Lot 2, Preliminary & Final Major Site Plan – 105 Unit, Assisted Living Building

Danielle Federico, Esquire, representing the applicant stated the applicant is seeking Preliminary and Final Site Plan approval for a 105 unit assisted living building. No signage is included with this application.

Richard Hubschmann, Esquire entered his appearance representing Westgate Condominium. He stated the applicant has not made proper notice for the height of the building. This is a D6 variance. This zone allows 35 feet.

Chairman Sugarman stated the height is permitted, they are going up 85 feet.

Ms. Nabbie, Esquire stated the allowable height is 100 feet. The notice exceeds the minimum required.

Conrad Roncati, Architect, 1 Executive Dr., Suite LL100, Fort Lee was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Roncati stated he prepared the Architectural plan, 5 sheets dated May 10, 2019.

Exhibit A1 – colored exhibit of the building. The building that is proposed is an assisted living facility. The rendering shows the N.E. corner. The building is elevated 14 feet for trucks and taller vehicles. The building is 7 stories. There are 21 units on each floor.

Sheet A100, ground floor, parking is underneath the building.

Sheet A102, first floor, 2 elevators are shown, a kitchen dining room, freezers, a lobby, fitness room, therapy rooms and card playing room. All the other floors are identical.

Sheet A201 shows the roof plan and front elevation.

Sheet A202 shows the elevations.

Sheet A203 shows the rear elevation.

Page 4-ZBA Minutes-June 25, 2019

Chairman Sugarman asked for questions from the Board.

Mr. Hubschmann asked how did you determine the number of floors to be constructed?

Mr. Roncati stated we configured the building to fit the site.

Mr. Hubschmann asked how many employees will there be?

Mr. Roncati stated Mr. Barile will answer this.

Mr. Hubschmann asked what type of residents will live here?

Mr. Roncati stated this is not a nursing home, Mr. Barile will answer. They will be independent, with assisted living.

Mr. Hubschmann asked will residents have their own vehicles?

Mr. Roncati stated yes, Mr. Barile will discuss.

Steven Meyer, 427 Charles Street, Leonia asked will the residents be able to walk around outside?

Drew Barile, 48 Pavillion Avenue Long Branch was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Barile operates senior housing facilities. There's a deep market in Fort Lee for this type of facility. The hours of operation are 24 hours. There will be 41 total employees. 55 parking spaces to be provided. Two deliveries per day are expected.

Chairman Sugarman asked for questions from the Board.

Mr. Jovishoff stated the RSIS requires 52 parking spaces.

Mr. Barile of the 32 employees, not all will drive a car to work.

Mr. Makroulakis, on weekends, how much of the parking lot is needed for visitors.

Mr. Barile stated the staff is decreased on the weekends to 24 employees. 30% of the residents will receive visitors.

Mr. Starace stated you mentioned you have less of a staff of the weekend, why?

Mr. Barile responded the main staff works Monday through Friday.

Page 5-ZBA Minutes-June 25, 2019

Mr. Hubschmann asked how many residents do you anticipate?

Mr. Barile stated 105 residents.

Mr. Hubschmann asked have you anticipated what the need will be from the Fort Lee Ambulance?

Mr. Barile – Approximately 6 times per month.

Chairman Sugarman stated there are four ambulances in Fort Lee.

Mr. Makroulakis stated since you have extra spaces, can you put in park benches?

Mr. Barile – I have no problem with that.

Mr. Roncati – Sheet A101 – We could add a door at the rear and create an outdoor space with walls, plants and benches.

Mr. Yook asked who are the staff?

Mr. Barile stated RN's, LPN's, nursing assistants, recreation staff, cooks, activity staff, maintenance workers, and an executive director.

Mr. Starace asked will parking be assigned for residents?

Mr. Barile – yes.

Mrs. Meyers asked what will be in the rear.

Mr. Roncati showed sheet A203 – the rear elevation.

Mr. Meyers – Where is the trash and how often will it be collected?

Mr. Roncati – responded the site engineer will discuss this.

Mr. Meyers – with 105 residents, how many emergencies do you anticipate per month?

Mr. Barile – These would be controlled emergencies, no lights or sirens.

Mr. Hubschmann – Has a study been done for shadows coming from the building?

Mr. Barile – stated no.

Page 6-ZBA Minutes-June 25, 2019

Matthew Clark, Engineer, MCB Engineering, 11 Furlow Street, Totowa was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Clark stated the first sheet is the title sheet, the second sheet is the site plan, trash will be in the building and picked up two times a week, 52 spaces are required, we are providing 55 spaces. The third page is the grading and utility plan. The fourth page is the lighting plan. The fifth page is the soil erosion plan, the sixth page is the temporary construction plan, the seventh and eighth pages show curbs and sidewalks.

Chairman Sugarman asked for questions from the Board.

Mr. Makroulakis stated page 2 of 8 shows the median going all the way back.

Mr. Clark stated the traffic consultant will handle this.

Mr. Jovishoff asked if shielding can be put on the lighting.

Mr. Clark stated yes, we will adjust.

Mr. Jovishoff stated there's no sidewalk proposed.

Mr. Clark the site engineer can respond.

Mr. Hubschmann asked are you going to require any permission from Palisades Park?

Mr. Clark stated I will look into this.

Mr. Meyer asked where will the generator be?

Mr. Clark stated on the South side of the building.

John Duda, Landscape Architect, 200 Union Avenue, Brielle was sworn in and his credentials accepted by Chairman Sugarman.

Exhibit A2 – colorized landscape plan that he prepared.

Mrs. Meyers asked what type of fence will be in the back?

Mr. Duda a white PVC vinyl fence.

At 9:05 the Board took a break. The Board returned at 9:15.

Page 7-ZBA Minutes-June 25, 2019

Louis Luglio, Traffic Engineer, 30 Montgomery Street, Jersey City was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Luglio stated we will be applying to NJDOT for a permit. This is a one way in and one way out. 55 parking spaces are being provided. This is a low generator of vehicle trips.

Chairman Sugarman asked for questions from the Board.

Mr. Hubschmann asked about 30 parking spaces being required.

Mr. Luglio stated this is for the number of employees and residents with cars. He relied on the testimony.

Chairman Sugarman asked for questions from the public.

Mr. Meyers asked if the entrance and exit are the same. How will the DOT stop people from making a left turn out to Route 46.

Mr. Luglio stated yes, the entrance and exit are the same. We would have four flexible bollards installed.

Lisa Phillips, Planner, 14 Rt. 4W, River Edge was sworn in and her credentials accepted by Chairman Sugarman.

Ms. Phillips stated we've had testimony that this will be a much lower intensity of what was there. There's adequate parking on site and there's substantial buffering and landscaping. This area is very isolated. This site is good for this use. The positives outweigh the negatives. They meet the requirements for building height and FAR. There are minor variances.

Chairman Sugarman asked for questions from the public.

Mr. Hubschmann asked is there a rule of thumb for the height?

Ms. Phillips stated we stuck with the C5 standards.

Mr. Hubschmann stated did you do a shadow test. Is this a negative.

Ms. Phillips stated I don't think this is applicable.

Mrs. Meyers – What about the height? Isn't this a con.

Ms. Phillips stated there's no height variance so I didn't look into this.

Page 8-ZBA Minutes-June 25, 2019

Robert Arnold, 437 Highwood Avenue, Leonia stated I thought height was allowed to be 35 feet.

Chairman Sugarman stated in this zone 100 feet is allowed.

Mr. Arnold submitted 6 photographs that he took from his property of the Pizza Hut property. He stated he will have no morning light. This will ruin my property and the value of it.

Mr. Clark stated Mr. Arnold's property is 130 feet away. We are looking to enhance the site with landscaping. There will be no site lighting spillage.

Mr. Meyers, 427 Charles Street, Leonia stated I concur with Mr. Arnold. I understand the building can be 100 feet tall. We see concrete, a red roof and garbage. People walk up the hill to get to Route 46. Our lives will be impacted by this facility. We will see lights 24/7.

Ms. Federico gave her closing statement.

Mr. Hubschmann stated Westgate engaged a Planner also. We would like to carry this hearing until he is available. This application makes no sense. This is a 24/7 operation. This is not a good project for this town.

It was moved by Mr. Conway, seconded by Mr. Liapes and passed on a vote of 7-0 by members Joh, Makroulakis, Conway, Liapes, Yook, Starace and Sugarman to approve Preliminary & Final Site Plan approval.

Docket #15-19, Juanita Geronimo, 1025 Palisade Avenue, Block 555, Lot 10, Preliminary & Final Major Site Plan – Conversion of Third Floor of a Single-Family Home to Office Use and Signage

This application is carried to the meeting of July 23, 2019. No further notice is necessary, time is waived for the Board to act.

Docket #16-19, Sephardic Congregation of Fort Lee Inc., 313 Tom Hunter Road, Block 3951, Lot 7, Preliminary & Final Major Site Plan – Expansion of Basement & Second Floor

This application is carried to the meeting of July 9, 2019. No further notice is necessary, time is waived for the Board to act.

ADJOURNMENT

It was moved by Mr. Joh, seconded by Mr. Liapes to adjourn the meeting at 10:00 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary