

FORT LEE BOARD OF ADJUSTMENT

July 28, 2020

Present: J. Nitti, H. Joh, G. Makroulakis, D. Conway, H. Liapes, S. Tropea, D. Sugarman

Absent: J. Silver, F. Yook

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

Chairman Sugarman called the meeting to order at 7:32 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.

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 Zoom operating system.

Approval of Minutes

It was moved by Mr. Makroulakis, seconded by Mr. Joh and passed on a vote of 5-0 by members Nitti, Joh, Makroulakis, Conway and Sugarman to approve the minutes of the meeting of July 14, 2020.

It was moved by Mr. Makroulakis, seconded by Mr. Joh and passed on a vote of 6-0 by members Joh, Makroulakis, Conway, Liapes, Tropea and Sugarman to approve the minutes of the meeting of July 20, 2020.

Memorializations

Docket #22-20, JZS Developers, LLC, 2336 Short Street, Block 6753, Lot 5, Two Unit Dwelling

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

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Docket #23-20, Philip S. Chou, 427 Westview Place, Block 6651, Lot 7, Two Unit Dwelling

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

Acceptance/Completeness

Docket #25-20, Anna Rozenblat, 211 Warwick Avenue, Block 1956, Lot 17, Addition & Renovation of a Two Family Dwelling

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

Reconsideration

Docket #12-20, Francisco & Adriana Parra, 1093 Anderson Avenue, Block 114, Lot 20, Addition to Single Family Dwelling

Mr. Cereste, representing the applicant, stated the issue that came into this case is that the Architect was not familiar with this site. Mr. Qureshi stated the water would go into the street. Mr. Cereste stated the water will go into a pumping system. There will be 14 arborvitae in the rear and 4 in the front. There is screening and privacy. The paving replaces the existing paving. The cars will be parked on site. The owners will live in the house. The porch is existing. The property is not on the MLS. The permits were received for work that was done.

Exhibit List

A1-Architectural and Site Plan prepared by Mr. Qureshi, dated January 13, 2020 and revised February 20, 2020

A2-Survey prepared by Mr. Kauffman dated January 10, 2018

A3-Two photographs prepared by Mr. Cereste, Esquire

A4-Letter of denial dated November 27, 2018 by Mr. Ribarro, CCO

A5-Six photographs of site prepared by Mr. Cereste, Esquire

A6-Four Borough Certificates of Approval

A7-Photograph of front porch enclosure by Mr. Cereste, Esquire

A8-Four photographs of subject property and neighborhood by Mr. Spatz

Mr. Parra, the applicant, 1082 Anderson Avenue, Fort Lee was sworn in. He stated that he helped with the application. The water will go to a well into a tank. The landscaping consists of arborvitae, flowers, bushes and vegetation. Paving has been redone. There is no garage. The house was purchased in 2018. It has never been advertised to be sold. There are 6 members in the family that will live in the home. A variance was received for the front porch.

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

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Mr. Cereste stated the Parras don't live in the house because the letter of denial was issued. The porch was replaced and then enclosed. Nobody is living in the house now

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

Photo Exhibit of Site and Surrounding area

Top left-subject property
Top right-down the driveway to the rear
Bottom left-property to the left
Bottom right-to the right

Mr. Spatz stated the streetscape s similar. The setback and height of the buildings are the same. There are two D variances for FAR and maximum building height required in addition to one C variance for front yard setback, due to the porch.

The property can support the increased FAR. The building coverage is below what is permitted. Drainage will remain on the property. The height is 33.2 feet, 28 feet is allowed. The home is consistent with the neighborhood. The rear yard setbacks are met. There is nothing substantially negative. There is landscaping on the property. The owners park in the rear. The positive criteria outweighs anything that could be considered negative.

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

Mr. Cereste gave his closing statement.

Christen Trentacosti stated Mr. Nitti listened to the tapes and will be voting tonight.

It was moved by Mr. Nitti, seconded by Mr. Makroulaki, and approved on a vote of 6-0 by members Nitti, Joh, Makroulakis, Conway, Liapes and Sugarman to grant the applicant approval to do an addition to a Single Family Dwelling.

Public Hearings

Docket #20-20, 1630 Center, LLC, 1630 Center Avenue, Block 4152, Lot 3, Preliminary & Final Major Site Plan – Mixed Use – Law Office with Residential

Mr. Cereste stated the applicant is on this call. Center Avenue was a two-way street. The Borough decided to convert it to a one-way going North. We are here for renovation of the first floor. The site will have three parking spaces, one D variance is required.

Exhibit List

A1-site plan
A2-Architectural plan, 5 pages dated May 30, 2020
A3-drainage report

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A4-Four pages from David Spatz

A5-Eight photos from Mr. Cereste, Esquire

Harry Tuvel, Hubschmann Engineering, 263A S. Washington Avenue, Bergenfield, was sworn in and his credentials accepted by Chairman Sugarman.

A1-Site Plan – this is an existing 2 ½ story building on the Easterly side of Center Avenue going North. The board on the screen has been colorized. The lot is 3,987 square feet. The house is in disrepair. The premises have not been occupied for some time. The property is flat, there is a difference of 10-12 inches from front to back.

The proposal is to square off a small section in the rear and put a second floor addition in the rear. The applicant is proposing to renovate the building for mixed residential and office use consisting of offices on the first floor and a two-bedroom suite on the second floor. The first floor will be utilized for a law practice, and is proposed to consist of three enclosed offices, a separate conference room at the rear of the building and a reception area at the front of the building. An employee break area and half bathroom are also proposed on the first floor.

The second floor is proposed to contain one residential suite, consisting of a living area and kitchen at the front of the building. Two bedrooms are proposed at the rear of the building as well as a full bathroom. A 400 square foot addition is proposed to the second floor at the rear of the building to accommodate the two proposed bedrooms.

There is no change in the bulk coverage except for the lot coverage. There are 8 parking spaces required and we are providing 3. There will be no drainage impact to the neighbors.

Five mulberry trees will be planted at the North rear corner of the property. Bushes and other shrubbery are in the front yard. The applicant is proposing to remove the existing tree at the left rear corner of the rear yard. A line of 5 arborvitae plants will be planted along the rear lot line.

The plan shows fixture detail. The lighting will be shielded. A small landscaping wall will be replaced. Trash will go in the rear southern corner. HVAC will be located in the rear along the northerly corner.

Chairman Sugarman asked for questions from the Board.

Michael Jovishoff stated you are removing 4 trees. Will the applicant agree to make a contribution to the Tree Fund.

Mr. Tuvel stated yes.

Michael Jovishoff asked to the fencing on top of the wall.

Mr. Tuvel stated, yes there will be fencing on top of the wall.

Mr. Cereste stated the fence is chain link but will not be on top of the wall. It is existing.

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Michael Jovishoff asked will there be a HVAC and generator enclosure for protection.

Mr. Tuvel stated yes.

Michael Jovishoff asked if the refuse area is open.

Mr. Tuvel stated there will be garbage cans.

Michael Jovishoff stated he would like to see an enclosure.

Mr. Tuvel stated we can accommodate this.

Michael Jovishoff stated there's a catch basin, but no physical barrier for run-off.

Mr. Tuvel stated the grading it to direct water to the catch basin.

Michael Jovishoff stated I don't see a wall there.

Mr. Tuvel stated the property to the south is slightly higher by 2 ½ feet.

Michael Jovishoff stated there should be a condition that no water will go on an adjacent property.

Mr. Tuvel stated this will not happen.

Michael Jovishoff stated what measures will be provided for safety in the driveway.

Mr. Tuvel stated the level of activity will be low, we can put a mirror there.

Michael Jovishoff asked if there is an ADA parking space.

Mr. Tuvel stated there is a note on the plan. There will be a space but it is not exclusive.

Brian Intindola stated parking space #3, the trash area should be moved to the north.

Mr. Tuvel stated we have a back-up area but it can be moved.

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

Jae Chung, Architect, 144 S. Barrow Place, Princeton was sworn in and his credentials accepted by Chairman Sugarman.

A2-Architectural plan-The first floor will be used for the law practice and will have 3 offices, a conference room and a reception area. The clients will park in the rear and come into the conference room. The half bath will be ADA compliant.

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The existing basement will be renovated, with an open area at the front, and a separate storage and utility room. Another half bathroom is proposed in the basement. The stair access in the basement is provided from the hallway on the first floor.

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

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

A4-Photo Board of Site and Surrounding Area

Top left-subject site

Top right-to the right, south

Bottom left-to the North, commercial and mixed use

Bottom right-across the street, mixed use and commercial

Mr. Spatz stated we are in the R5 zone and this proposal is not permitted. A Use variance is needed. There are several C variances required. All of the properties on Center Avenue are in the R5 district. The second and first floor additions will make the property more habitable. The rear and side yards are used for parking. We are consistent with the height. The rear yard is paved and will be striped. There is meter parking on Center Avenue. The law office is run by appointment. There is nothing substantially negative. There is sufficient parking in the area.

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

Diane Lee, the applicant, 1228 River Road, Edgewater was sworn in. Her office is at 158 Linwood Plaza, Fort Lee. Ms. Lee stated she is an employment attorney. The basement will be a storage area.

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

Mr. Cereste made his closing statement.

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

Docket #3-20, Redco Construction Corporation, 2038 Hoefley's Lane, Block 1154, Lot 20, Addition to Single Family Dwelling

Mr. Cereste, Esquire stated there are D1 and D4 variances.

Exhibit List

A1-site plan

A2-Architectural plan dated March 3, 2020

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A3-4 photos from David Spatz
A4-Plans prepared by Mark Martins
A5-Property card showing it is a two-family
A6-4 photos

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

Mr. Martins stated the lot is irregular. There is an existing two family on the property in order to construct a new three-story, two-family dwelling. We are proposing to remove all the structures on the property. There are a number of buildings on either side. The existing grade will remain as is. We are proposing culvert retention chambers under the driveways. Utilities will be underground.

The applicant is proposing to remove six trees including four from the front yard. They will plant three Japanese Zelkova trees in the front yard, one of which is proposed in the center planting area. Twelve Japanese holly plants in each of the planting strips will be planted in the adjoining driveways. In the side yards there will be 17 Meyers Yew plants. Three flowering Dogwoods are proposed in the rear yard. In addition, a total of 11 arborvitae plants are proposed in two groups.

We plan to install a small wall to hold up the dirt on the neighbors' property. Trash will be in the garages.

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

Michael Jovishoff asked what is between the two concrete walks.

Mark Martins stated we can add additional landscaping to this area.

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

Exhibit A2-Architectural plans-The building is 61.8 feet wide and 50 feet deep. It complies with the front yard setback. You enter on the ground floor. Exterior lighting plans can be provided if this is approved. The building is an all brick structure.

Sheet A2 shows rear and left elevations. The ground floor plan shows a two-car driveway and garage, walkways, planting strip, covered platform, door and coat closet.

The ground floor consists of each unit's entry, a garage, a recreation room, a second room labelled den, powder room and utility room.

The second floor of each unit, labeled "first floor" is proposed to consist of a dining room, home office, and a powder room, at the front of the building and an open plan kitchen, eating area and

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family room at the rear of the dwelling.

The third floor labeled “second floor” to contain four bedrooms, consisting of a master bedroom with ensuite full bathroom at the rear of the dwelling as well as three additional bedrooms, one of which contains an ensuite bathroom, another a full bathroom and laundry area.

Chairman Sugarman stated compared to the triplex that was previously proposed, what is the difference in size.

Mr. Cocoros stated it is reduced by one foot in width.

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

Michael Jovishoff stated the size of the previous application is almost the same as the proposal.

Michael Jovishoff stated the den can be turned into a bedroom.

Mr. Cocoros stated there’s no closet.

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 South

Bottom left-to the North, newer two-family next door and triplex to the North

Bottom right-across the street

Mr. Spatz stated the property is in the R2 zone, this does not permit two-family homes. One D variance and C variances are required. We have a two-family that is replacing an existing two-family home. The proposal is similar in size. There will be additional landscaping to enhance the site. The FAR can be accommodated. There’s a conforming amount of parking on the property. The drainage is being improved. We exceed the height limitation. We are similar in height to homes in the neighborhood. The bulk variances are supported. The positive criteria outweighs anything that might be considered negative.

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

Mr. Liapes asked if there is any parking in the front.

Mr. Cocoros stated there is parking in the driveway.

Mr. Liapes asked if there is a sidewalk proposed.

Mr. Martins stated yes.

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Mr. Yiwei Liu, 2020 Hoefley's Lane, Fort Lee stated the left side yard is smaller than the prior proposal. The building is closer to the left. The left yard is slanted, why isn't this building in line.

Mr. Cocoros stated the alignment is the same. The original plan had the staircase closer to your house.

Mr. Liu asked why is the left side smaller than the right.

Mr. Cocoros stated the file map line created the angle. The distance is measured to your lot line.

Mr. Cereste stated he would like to carry this application. He'd like to review the comments made tonight and discuss with the client.

Chairman Sugarman stated the Board is ready to vote.

Mr. Makroulakis stated you could delete one bedroom if you like.

Chairman Sugarman stated the Board is ready to vote.

Mr. Mariniello stated the changes would necessitate reopening the hearing. The application is complete.

Mr. Makroulakis stated Hoefleys Lane is a bad street. Now you're putting a four bedroom with a den in the basement.

Chairman Sugarman stated this application is carried to the meeting of **September 2, 2020**. No further notice is necessary, time is waived for the Board to act.

Docket #21-20, Modul21, LLC, 1119 Palisade Avenue, Block 1351, Lot 21, Preliminary & Final Major Site Plan – Mixed Use – Brokerage Compliance Office with Residential

This application is carried to the to the meeting of **August 25, 2020**. No further notice is necessary, time is waived for the Board to act.

ADJOURNMENT

It was moved by Mr. Makroulakis, seconded by Mr. Joh to adjourn the meeting at 10:04 p.m.

Respectfully submitted,

Linda Garofalo

Linda Garofalo
Recording Secretary