

FORT LEE BOARD OF ADJUSTMENT

April 26, 2016

Present: J. Nitti, J. Silver, H. Joh, G. Makroulakis, H. Liapes, P. Yoon, D. Sugarman

Absent: D. Porrino, D. Starace

Present: J. Mariniello, Esq., M. Jovishoff, Phillips, Preiss, Grygiel, D. Juzmeski, Neglia Eng.

Chairman Sugarman called the meeting to order at 7:40 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 2016.

Approval of Minutes

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 5-0 by members Silver, Joh, Makroulakis, Liapes and Sugarman to approve the minutes of the meeting of April 12, 2016. Mr. Nitti and Mr. Yoon abstained from the vote.

Memorializations

Docket #13-16 Dyker Ridge, LLC 2150 North Central Road Block 6154, Lot 1 Amendment to Site Plan – Modification in Number of Units

It was moved by Mr. Liapes, seconded by Mr. Silver and passed on a vote of 5-0 by members Silver, Joh, Makroulakis, Liapes and Sugarman to approve the Amendment to Site Plan. Mr. Nitti and Mr. Yoon abstained from the vote.

Acceptance/Completeness

Chairman Sugarman stated that Mr. Yoon is sitting in this evening as a voting member.

Docket #2-16 Francis & Magidalini Vonderlinden 363 Wilson Avenue Block 6051, Lot 14 Addition/Single-Family Dwelling

Marc Macri, Esq. is representing the applicant. Chairman Sugarman stated that the completeness will be continued to the meeting of May 10, 2016.

Docket #18-16 Kaufer Lane Associates, LLC 1163, 1640 Kaufer Lane 55, 51, 47 & 41 Main Street Block 4355, Lots 11, 12, 20, 21, 22 & 23 Amendment to Site Plan

Carmine Alampi, Esq. is representing the applicant. Mr. Alampi stated that the application was approved last year. Objections were filed and the litigation settled. Improvements are being made at the entryway and architectural improvements will be done. Mr. Jovishoff's letter has been reviewed and the changes will be presented at the hearing. Mr. Jovishoff stated he will accept the former documents and Mr. Alampi will provide a narrative. It was moved by Mr. Silver, seconded by Mr. Nitti and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to deem the application complete. A hearing date of June 14, 2016 was assigned.

Public Hearing

Docket #30-15 1550 Lemoine, LLC 1550 Lemoine Avenue Block 3957, Lot 4 Preliminary/Final Major Site Plan, Interior Alteration Massage Therapy Use/Signage
Marc Leibman, Esq. is representing the applicant. (Continued public hearing from April 12, 2016)

Hearing carried to June 28, 2016. No further notice is required on the part of the applicant and the applicant has extended the time for the Board to act.

Docket #32-15 Grace Builders, LLC 387 Lincoln Avenue Block 6053, Lot 18 Two-Family Dwelling

Marc Macri, Esq. is representing the applicant. Mr. Macri called his first witness, Mr. Collazuol, Engineer & Surveyor 1610 Center Avenue, Fort Lee. Mr. Collazuol was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Collazuol stated a brick dwelling exists. The site has landscaping and a pool in rear and a concrete driveway. 60W x 100, rear is 74 feet. Applicant proposes a 2 family, 2 story dwelling with driveways, decks and lawn in the rear.

A1- colored site plan dated 4/26/16

The site plan shows landscaping and grading. No trees are to be removed. Two retention systems are proposed.

Mr. Makroulakis asked if the rear yards are level?

Mr. Collazuol stated a terrace wall will separate the two yards, each rear yard will be graded.

Mr. Jovishoff stated he received the revised architectural plans and would like to confirm that the engineering plans were not revised.

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Mr. Collazuol stated that no significant changes have been made to the landscaping plan.

Mr. Jovishoff asked if there is any way to add more landscaping to the front?

Mr. Collazuol stated that a street tree could be added to the right front corner.

Mr. Collazuol stated that the landing on the left could be reduced.

Chairman Sugarman stated that the Borough Engineer should be consulted and this will be a condition of approval.

Dr. Nina Levinson 1560 West Street Fort Lee asked to the number of variances.

Chairman Sugarman stated that the architect will answer this question during his testimony.

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

Mr. Cocoros stated that the applicant proposes a side x side 2 family dwelling with a townhouse look. Door entries will be on the left. Proposal is for 3 levels, 3 bedrooms, all brick dwelling.

A2 revised plan

Mr. Cocoros stated that the steps are located at the left of both units with 2 car garages. The initial submission had an additional level, this has been deleted. Property is in a R3 zone. Mr. Cocoros discussed the variances.

Mr. Makroulakis asked if the driveways are for two cars each?

Mr. Cocoros stated yes.

Mr. Jovishoff asked about the site lighting.

Mr. Cocoros stated there will be a fixture over each garage door and each of the doors.

Mr. Mariniello, Esq. stated that the variances testified to are different than the Planner's report.

Mr. Jovishoff stated that he revised his report to match the revised plan.

Mr. Mariniello, Esq. stated that D6 and D4 variances are required.

Dr. Levinson asked to the FAR at 96.15, 75 FAR is allowed.

Mr. Cocoros responded that the 96.15 FAR includes the basement.

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Mr. Macri gave his summation and asked the Board to act favorably on this application.

Mr. Makroulakis stated that there is a big difference in the new plan. He recommends we move forward with this application.

It was moved by Mr. Makroulakis, seconded by Mr. Nitti and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to grant the applicant variance approval for the construction of a new two-family dwelling.

Docket #6-16 327 Lincoln Avenue, LLC 431 Center Street 1590 West Street Block 4051, Lots 16 & 19 Minor Subdivision/Three Two-Family Dwellings – One Single Family Dwelling

Marc Macri, Esq. is representing the applicant. Mr. Macri stated that the applicant is seeking approval for a four lot subdivision from 2 large existing lots.

Mr. Macri called his first witness, Mr. Collazuol, site engineer 1610 Center Avenue Fort Lee. Mr. Collazuol was sworn in and his credentials accepted by Chairman Sugarman.

Mr. Collazuol stated that Lot 16 fronts Center Avenue. Lot 19 fronts West Street. Lots 17 and 18 front West Street. The property is $\frac{3}{4}$ acre.

A two story masonry dwelling is proposed on Lot 16. Lot 19 proposed is a two story dwelling, set back. Mr. Collazuol reviewed the report from Neglia Engineering.

Michelle Torrellas 2 Plum Court, Nanuet, NY (speaking for her parents at 421 Center St. Fort Lee) Ms. Torrellas stated that all the lots require 6.5 ft. side setback, there is 5 feet to her parents' home at 421 Center Street.

Chairman Sugarman stated that when we discuss the Subdivision, this will be answered.

Dr. Levinson 1560 West Street Fort Lee asked to Lots 19.01 and 16.01, where does the rest of lot 19 go?

Mr. Collazuol responded this is part of Lot 16.

Dr. Levinson asked why this isn't being reviewed by the Planning Board?

Chairman Sugarman stated that the Board of Adjustment can review subdivisions.

Mr. Mariniello, Esq. stated that the Planning Board cannot hear applications with D variances.

Mr. Macri, Esq. gave his summation and asked the Board to act favorably on this application.

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Mr. Makroulakis stated that there are big backyards on these lots.

It was moved by Mr. Makroulakis, seconded by Mr. Silver and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to grant the applicant minor Subdivision approval for Three Two-Family Dwellings ó One Single Family Dwelling.

Docket #6-16 327 Lincoln Avenue, LLC 431 Center Street 1590 West Street Block 4051, Lot 19.01 (D) Minor Subdivision/Three Two-Family Dwellings – One Single Family Dwelling

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

Mr. Collazuol stated that a 52 x 55 duplex is proposed. Two driveways to West Street are proposed. A new drainage system proposed.

A1- Colorized landscape plan for all 4 lots

Mr. Collazuol stated that the colorized plan reveals the site after construction. Planting strip between driveways, 3 shade trees, arborvitae, shrubs on south side, HVAC in rear, and paver driveways. Bergen County Soil is required, this will be a condition of approval.

Mr. Makroulakis asked to the frontage and depth in rear?

Mr. Collazuol stated 188 deep, 72.5 front width and 87 frontage.

Mr. Jovishoff asked if 11 trees are being removed and replaced on Lot 19.01?

Mr. Collazuol stated 2 trees existing, 3 trees proposed.

Dr. Levinson asked how far is the rear setback?

Mr. Collazuol stated rear setback is 26 ft, 29 ft. is required.

Mr. Macri asked Mr. Collazuol if he read and will comply with Mr. Jovishoff's report?

Mr. Collazuol stated yes.

Docket #6-16 327 Lincoln Avenue, LLC 431 Center Street 1590 West Street Block 4051, Lot 16.03 (C) Minor Subdivision/Three Two-Family Dwellings – One Single Family Dwelling

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Mr. Collazuol stated that a standard duplex is proposed, two driveways to Center Street. He stated that the soil has been tested and the utilities are on Center Street. A wall is proposed on the new lot line separating 16.03 and 19.01 is proposed. The water will be captured on site, no run off from one property to another.

Propose are two street trees, a planting strip between driveways, arborvitae, 2 flowering trees in rear, 1 tree on line 16.03 and 16.02 to be moved to 16.02. Remove 2 trees add 3 trees. Reviewed the March 16, 2016 memorandum from Borough Engineer and will comply with requests.

Mr. Jovishoff stated that there is no planting in the strip. He asked if the strip could be widened.

Mr. Collazuol stated the strip can be widened by taking from the sides. The proposed design is comfortable for two cars wide.

Chairman Sugarman stated that Mr. Collazuol should discuss this with the architect and applicant.

Mr. Macri, Esq. stated that the walkway will be narrower and the planting strip wider.

Dr. Levinson asked to the distance between the stairs.

Mr. Collazuol stated the architect will answer.

Docket #6-16 327 Lincoln Avenue, LLC 431 Center Street 1590 West Street Block 4051, Lot 16.02 (B) Minor Subdivision/Three Two-Family Dwellings – One Single Family Dwelling

Mr. Collazuol stated that Lot 16.02 is the center of 3 lots, 200 feet long, 50 feet wide. Similar to 16.03 in line. Entry on side, drainage system in rear with yard inlet, wall in rear, next to 19.01, water to go to rear drainage system.

Colorized landscape plan ó large rear yard, similar to 16.03. 5 trees to be removed 3 trees on 16.02. Planting strip on 16.03 increasing 8 inches to 2.8inches in width. Row of arborvitae, total overall 4 lots will have 85 arborvitaes. Will comply with March 16, 2016 memo from Borough Engineer.

Mr. Silver asked if the trees by the driveway will obstruct traffic.

Mr. Collazuol stated no, they are 2 inch caliper.

Dr. Levinson asked if there are steps in the front.

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Mr. Collazuol stated there are no steps in the front, they are on the side.

Arjam Bajollari 426 Center Street Fort Lee asked how many garages there are and if there is street parking?

Mr. Collazuol responded the architect can answer this. There are 4 spaces on the street.

Mr. Collazuol stated that Lot 16.01 is 22 wide x 66 long. One driveway, 1 garage and 1 deck proposed. No drainage in the rear. We are removing 2 trees and planting 2 azaleas. The HVAC is in rear, off of deck. Will comply with the March 16, 2016 memo from Borough Engineer.

Chairman Sugarman asked if no drainage is added to the lot because the adjacent lot will handle, is additional drainage needed?

Mr. Collazuol stated that the system is oversized that is on Lot 16.02.

Mr. Jovishoff asked to the roof runoff.

Mr. Collazuol stated there are 2 systems in the rear of Lot 16.01, 2,000 gallons of storage capacity.

Mr. Mariniello, Esq. asked if when drawing up the deeds will it state that the runoff will go onto Lot 16.02?

Mr. Collazuol stated yes.

Dr. Levinson asked if the frontage is less than 2/3rds?

Mr. Collazuol stated yes.

Vasillos Cocoras, Architect 467 Sylvan Avenue Englewood Cliffs, NJ.

A1 & A2 Lot 19.01 – 1590 West Street last revised 1/29/16

Mr. Vasillos stated that this is a mirrored image configuration. Two car driveway to a 2 car garage. Proposed is a planting strip, all brick building with bay windows.

Lot 16.03 is a 7,500 sq. foot lot 6 side x side, bay windows, oversized garage with a deck in the rear. The layout is identical to Lot 16.02 except for the bay windows.

Mr. Jovishoff stated that it is unclear if Lot 16.03 is being filled. A variance is required if it is.

Mr. Cocoras stated yes, this is a variance. Also, Lot 16.02 is being filled, this is a variance also.

Dr. Levinson asked if there is a height variance.

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Chairman Sugarman stated the planner will go over the variances.

Mr. Cocoras stated Lot 16.01 is a single family dwelling on the eastern part of the parcel. The staircase is on the right, 2 car driveway and oversize 2 car garage, 3 levels, property drops off in back, glass sliding door in back, all brick structure.

Michelle Torrellas 2 Plum Ct. Nanuet, NY (parents reside at 421 Center St.)

Ms. Torrellas stated that the required distance to the side yard line is 6.5, 5 ft. is proposed. Height required is 2 stories, 3 stories proposed. Is the height variance based on topography?

Mr. Cocoros stated the there has never been a problem in the past with 5 feet between properties.

David Spatz, Professional Planner, 60 Friend Terrace Harrington Park

Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

A2 photo board

Mr. Spatz stated that this is a series of 6 photographs, showing the surrounding properties. He stated that the 4 lots are oversized and C and D variances are required. The proposal is consistent with the neighborhood. Current homes on the property are in poor condition.

Dr. Levinson stated that there are lots of variances being granted. One lot is substandard, 32 foot frontage, encroaches on neighboring property. In the past 2 years this Board has granted all of the applications.

Chairman Sugarman stated he disagrees with her statement, the Board has not approved every application.

Dr. Levinson stated that no hardship has been proven. She asks that the single family home not be approved.

Mr. Macri, Esq. stated that the applicant proposes four designs of quality homes, trees being replaced and drainage systems proposed. Mr. Macri gave his summation and asked the Board to act favorably on this application.

Chairman Sugarman reminded the Board that there will be four separate votes.

Lot 16.01

It was moved by Mr. Makroulakis, seconded by Mr. Joh and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to grant the applicant Minor Subdivision approval for Lot 16.01 (A) to erect a new Single Family Dwelling.

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Lot 16.03

It was moved by Mr. Liapes, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to grant the applicant Minor Subdivision approval for Lot 16.03 (C) to erect a new Two-Family Dwelling.

Lot 16.02

It was moved by Mr. Liapes, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to grant the applicant Minor Subdivision approval for Lot 16.02 (B) to erect a new Two-Family Dwelling.

Lot 19.01

It was moved by Mr. Liapes, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to grant the applicant Minor Subdivision approval for Lot 19.01 (D) to erect a new Two-Family Dwelling.

ADJOURNMENT

It was moved by Mr. Makroulakis, seconded by Mr. Yoon to adjourn the meeting at 10:15 p.m.

Respectfully submitted,

Linda Garofalo
Recording Secretary