

# **FORT LEE BOARD OF ADJUSTMENT**

**June 14, 2016**

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

**Absent: D. Porrino**

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

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 2016.

## **Approval of Minutes**

It was moved by Mr. Liapes, seconded by Mr. Silver and passed on a vote of 6-0 by members Silver, Joh, Liapes, Yoon, Starace and Sugarman to approve the minutes of the meeting of May 24, 2016. Mr. Nitti and Mr. Makroulakis abstained from the vote.

## **Memorializations**

### **Docket #11-16 JZS Developers, LLC 1046 Morningside Lane Block 162, Lot 3 Two Family Dwelling**

It was moved by Mr. Joh, seconded by Mr. Silver and passed on a vote of 5-0 by members Silver, Joh, Yoon, Starace and Sugarman to grant the applicant approval to build a new Two-Family Dwelling. Mr. Nitti, Mr. Makroulakis and Mr. Liapes abstained from the vote.

### **Docket #12-16 Strategic Group, LLC 2461 Camner Street Block 6955, Lot 2 Two-Family Dwelling**

Mr. Jovishoff stated that he has been waiting for revised plans. Chairman Sugarman stated that the memorialization will be carried to the next regular meeting on June 28, 2016.

**Docket #17-16 Aryel Fatakhov, 259 Tremont Avenue, Block 2455, Lot 12, Renovation and Expansion of a Single Family Dwelling**

Mr. Jovishoff stated that he has been waiting for revised plans. Chairman Sugarman stated that the memorialization will be carried to the next regular meeting on June 28, 2016.

**Acceptance/Completeness**

**Docket #25-16 Jae Nam Choi & Monique M. Kim, 1521 Thirteenth Street, Block 3852, Lot 7 Two-Family Dwelling**

Marc Macri, Esq. representing the applicant stated they will comply with the June 9, 2016 report of Michael Jovishoff.

It was moved by Mr. Nitti, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to deem the application complete. The applicant will contact the Board Secretary for a hearing date.

**Docket #26-16 Steven Wang, 1211 Fifteenth Street, Block 1551, Lot 8, Two-Family Dwelling**

Marc Macri, Esq. representing the applicant stated they will comply with the June 8, 2016 report of Michael Jovishoff.

It was moved by Mr. Silver, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to deem the application complete. The applicant will contact the Board Secretary for a hearing date.

**Docket #27-16 1298 Anderson Ave., LLC, 1298 Anderson Avenue, Block 1951, Lot 11, Two-Family Dwelling**

Ms. Danielle Lamake, Esq. representing the applicant stated they will comply with the report of Michael Jovishoff.

It was moved by Mr. Nitti, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to deem the application complete. The applicant will contact the Board Secretary for a hearing date.

**Docket #28-16 Vincent and Maria Sciglitano, 1613 Maple Street, Block 3551, Lot 3, Two-Family Dwelling**

Marc Macri, Esq. representing the applicant stated they will comply with the June 9, 2016 report of Michael Jovishoff.

It was moved by Mr. Joh, seconded by Mr. Liapes and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to deem the application complete. The applicant will contact the Board Secretary for a hearing date.

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**Docket #29-16 GPC Homes, LLC, 1635 Maple Street, Block 3554, Lot 4, Two-Family Dwelling**

Marc Macri, Esq. representing the applicant stated they will comply with the June 9, 2016 report of Michael Jovishoff.

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. The applicant will contact the Board Secretary for a hearing date.

**Special Meeting on June 23, 2016**

Chairman Sugarman stated that in 2014 there were 50 applications. So far this year we have 29 applications. We need to have a Special Meeting on June 23<sup>rd</sup>, 2016 and require 5-6 members present. Mr. Starace and Mr. Yoon will not be attending. We will get a transcript if needed.

It was moved by Mr. Silver, seconded by Mr. Liapes and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to approve the Special Meeting on June 23, 2016.

**Reconsideration**

**Docket #5-16 Anthony Catanzaro, 1611 Valley Street, Block 3553, Lot 8, Conversion of a Four-Family Dwelling to a Five-Family Dwelling**

Richard A. Hubschman, Esq. is representing the applicant. Chairman Sugarman stated that one member had to abstain, he didn't listen to the tape. We will vote to reconsider and then take questions. Mr. Yoon read the transcript and is a voting member.

It was moved by Mr. Silver, seconded by Mr. Makroulakis and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Liapes, Yoon and Sugarman to reconsider the application. Mr. Starace abstained from the vote.

Mr. Makroulakis stated that there is a letter from 1998 stating the basement cannot be used as a dwelling. He asked where the electrical boxes are. Mr. Hubschman responded they are in the garage.

Mr. Yoon stated he read the transcript from April 12, 2016 and there is a condition that this is a 4 family and the basement is not to be used as a dwelling.

It was moved by Mr. Nitti, seconded by Mr. Liapes and denied on a vote of 4-3 by members Silver, Makroulakis, Yoon and Sugarman to deny the application and members Nitti, Joh and Liapes to approve the application.

Public Hearings

**Docket #3-16 A& B Jared and Lawrence Geffner, 1135 Route 5 (Glen Road) & 431 Brinkerhoff Avenue, Block 1156, Lots 12 & 13 Two, Two-Family Dwellings**

Mr. Gerald R. Salerno, Esq. is representing the applicant. (Continued public hearing from May 10, 2016)

**Chairman Sugarman stated this matter is being continued to the meeting of June 28, 2016 at the request of the applicant. No further notice necessary and the applicant has agreed to waive the time for the Board to act.**

**Docket #10-16 HJN Property, LLC, 437 Central Boulevard, Block 1158, Lot 20, Two-Family Dwelling**

Marc Macri, Esq. is representing the applicant and stated that they plan to demolish the two-family and construct a new two-family duplex style dwelling.

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

**A1 – Landscape Plan** - Two additional plants will be added to the plan. Electric will be run overhead, PSE&G will not run underground.

**Sheet 7 –Existing Conditions** ó Shows dwelling with detached garage. Mr. Collazuol stated the adjacent properties are developed. The driveway will be on the left side.

**Sheet 2** ó The proposal is staggered. Left side is closer to the street. Proposal is for front garages, separate driveways, rear decks and side retaining walls.

**Sheet 3** ó Shows gas, electric and sanitary lines.

Mr. Macri called his next witness, James Chai, Architect, 188 Haase Avenue, Paramus, NJ. Mr. Chai was sworn in and his credential accepted by Chairman Sugarman. Mr. Chai stated the plan is the same as the one submitted to the Board. A brick side by side dwelling is to be built.

**Sheet 2** ó Shows a two car garage, first floor with stairs up to the living room, dining room, kitchen, eating area exiting out to a wood deck. Stairs are in the center of the building. The second floor consists of a master ensuite bedroom plus two additional bedrooms.

Mr. Jovishoff asked for testimony on the lighting.

Mr. Chai responded that there will be lighting at the porch entrance, driveway flood lights, and exterior lights to the rear deck.

Mr. Jovishoff stated he has requested elevation plans but never received them.

Mr. Chai stated he will comply.

Mr. Makroulakis stated that the PSE&G pole is outside.

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Mr. Macri responded, yes, we will be using the pole.

Mr. Macri called his next witness, Mr. David Spatz, Planner, 60 Friend Terrace, Harrington Park, NJ. Mr. Spatz was sworn in and his credentials accepted by Chairman Sugarman.

**A2 – Photo Board, Four Photographs of Site and Surrounding Area**

Top left shows the subject property. Top right shows the driveway and garage. Bottom left is the two-family home to the left. Bottom right is a two-family home under construction across the street.

Mr. Spatz stated the property is in a R4 zone, two families are permitted. One D variance is required for FAR. The use is permitted in the zone.

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 approval for construction of a Two-Family Dwelling.

**Docket #14-16 Sunny Investment Enterprise, LLC 235-239 Main Street Block 4751, Lots 25 & 26 Preliminary/Final Major Site Plan – Building Extension and Alteration**

Saverio Cereste, Esq. is representing the applicant.

**Chairman Sugarman stated this matter is being continued to the special meeting of June 23, 2016 at the request of the applicant. No further notice necessary and the applicant has agreed to waive the time for the Board to act.**

**Docket #15-16 Cedar Street Associates, LLC, 1136 Abbott Boulevard. Block 1253, Lot 7, Single Family Dwelling**

Marc Macri, Esq. is representing the applicant. Mr. Macri stated the property is in the R2 single family zone. Applicant proposes to construct a new one family home.

Mr. Macri called his first witness, Mark Martins, PE, 55 Walnut Street, Norwood, NJ.

Mr. Martins was sworn in and his credential accepted by Chairman Sugarman.

**A1 – Colored copy of plan**

Mr. Martins stated that currently this is a single family home that has two driveways ó one on the left and one on the right. A new drainage system is proposed which will handle the roof drainage.

**Sheet 2** ó No trees are to be removed. We propose to plant dogwood trees, ewes, azaleas and hedges on the left.

Will comply with Borough Engineerø report.

Mr. Macri called his next witness, Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credential accepted by Chairman Sugarman.

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**Sheet 1 – Site Plan** shows an all brick dwelling. The proposed dwelling is similar to the one a few houses away that was approved by the Board.

Mr. Jovishoff asked to the exterior lighting.

Mr. Cocoros stated that there are lights over the garage doors, 2 lanterns at the front door, and the sliding glass door at basement has motion detectors. He stated the lights will be shielded for spillage.

Mr. Silver asked if there will be a full bathroom in the basement.

Mr. Cocoros stated yes, there will be a bathroom in the basement.

Mr. Macri stated there will be no door, but a slider will be installed so this cannot be rented out.

Mr. Macri called his next witness, David Spatz, Planner, 60 Friend Terrace, Harrington Park, NJ.

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

**A2 – Photo Board, Four Photographs of Site and Surrounding Area** ó Top left shows the house on the property. Top right is the house to the right. Bottom left is the house to the left. Bottom right shows the new homes in the neighborhood.

Mr. Spatz stated there are newer homes in the neighborhood. C and D variances are required. Proposed is one curb cut, two are existing. There is no loss of parking.

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

**Docket #16-16 Mikelis&Mikelis Realty Company, 247 Hoym Street, Block 4253, Lot 16, Two-Family Dwelling**

SaverioCereste, Esq. is representing the applicant.

**Chairman Sugarman stated this matter is being continued to the special meeting of June 23, 2016 at the request of the applicant. No further notice necessary and the applicant has agreed to waive the time for the Board to act.**

**Docket #18-16 Kaufer Lane Assoc., LLC, 1636, 1640 Kaufer Lane, 55, 51, 47 & 41 Main Street, Block 4355, Lots 11, 12, 20, 21, 22 & 23 (Previously ZBA #10-14) Amendment to Site Plan**

Carmine Alampi, Esq. is representing the applicant and stated that this is an amendment to a site plan previously approved by this Board. A settlement occurred with the residents to the South. The garage has now been recessed an additional 8 feet that made it more appealing. Steps were

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created in case of a fire for the lower level that lead to the road. No changes have been made to the building.

Chairman Sugarman asked if any other Attorney would like to put their appearance on the record. No one appeared.

Mr. Alampi called his first witness, Jerry Simon, Architect, Lessard Design, 8521 Leesburg Pike, Suite 700, Vienna, Virginia . Mr. Simon was sworn in and his credentials accepted by Chairman Sugarman.

**A1-A3.3 – South elevation** shows the comparison to the 2014 approval. A portion of the garage has been enclosed. The elevation hasn't changed. The setback is 12 feet further now and has addressed the neighbor's concerns.

**A2 – Front elevation** – The canopy has been removed and there is one garage entrance as opposed to two entrances. Added is one additional parking space. The sign has been approved by the Sign Committee.

Mr. Jovishoff asked if the freestanding monument sign has 1 or 2 sides.

Mr. Simon responded it has 2 sides and faces North/South.

Mr. Jovishoff asked how the common area is utilized.

Mr. Simon stated it is a lobby, and is also used for a leasing office and mail.

Mr. Jovishoff asked to the lighting on the sign.

Mr. Simon stated it is channel letters and backlit.

Carmine Alampi stated the sign is in the island, not on the road.

Mr. Alampi called his next witness, Robert Costa, Costa Engineering, 25 S. River Street, Hackensack, NJ.

Mr. Costa was sworn in and his credentials accepted by Chairman Sugarman. He stated that he has reviewed the site plan and details.

**A3 Plan dated March 21, 2014, revised June 10, 2016**

Mr. Costa stated the client met with the neighbors and there is a slight change to the plan and more shade trees have been added. There is a circular entry, one garage, 18 ft. setback from the South to the garages, easement to the property is to the South. Concrete stairs or masonry stairs are to be installed. This is a condition of approval.

The lights can be dimmed if necessary.

**A4** Shows height, zoning, parking, pool and deck. Will install drainage pipe per Neglia Engineering's recommendation and will comply with their report dated June 9, 2016.

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Mr. Jovishoff asked to the number of trees.

Mr. Costa stated that 51 trees will be removed and 49 planted. Will comply with all professionals recommendations as a condition of approval.

Mr. Makroulakis asked if the steps are for an emergency.

Mr. Alampi responded that many of the neighbors parents live with them and they are concerned.

Mr. Tran, 142 Cedar Street, Fort Lee

Mr. Tran stated that he just heard about this application now and would like to review the documents.

Chairman Sugarman responded that this application was approved in 2014. It is a 11 story building. The footprint has been reduced slightly. The entrance to the building is on Kaufer Lane. Mr. Tran can review the file in Room 200, 2<sup>nd</sup> floor.

Mr. Yang, Federspiel Street, Fort Lee

Mr. Tran asked what town this application is in and what school is nearby.

Chairman Sugarman responded that it is located in Fort Lee and the School is #1.

It was moved by Mr. Silver, seconded by Mr. Liapes and passed on a vote of 6-0 by members Nitti, Silver, Joh, Makroulakis, Liapes and Sugarman to grant the applicant approval for amendment to Site Plan. Mr. Yoon and Mr. Starace abstained from the vote.

**Docket #19-16 JZS Developers, LLC, 2475 Sixth Street, Block 7153, Lot 3, Two-Family Dwelling**

Marc Macri is representing the applicant. He stated his client proposes a new two-family dwelling.

Chairman Sugarman stated Mr. Liapes is recused from this application.

Mr. Macri called his first witness, Mark Martins, Engineer, 55 Walnut Street, Norwood, NJ.

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

Mr. Martins stated the lot is 50 x 100. A 2 ½ story dwelling exists. They propose to demolish the existing dwelling and construct a 3 story home.

Mr. Silver stated he thought he should recuse himself as he is within 200 ft. according to the key map. Mr. Macri stated he is not on the 200 ft. list.

Mr. Jovishoff stated the wrong key map is on the plan.

Mr. Silver can be a voting member.

**A2 – Revised Key Map**

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Mr. Martins stated will comply with Mr. Mignone's report dated May 10, 2016. Will add two additional trees in the rear per Mr. Jovishoff's request.

Mr. Macri called his next witness, Vassilios Cocoros, Architect, 467 Sylvan Avenue, Englewood Cliffs, NJ. Mr. Cocoros was sworn in and his credentials accepted by Chairman Sugarman. Mr. Cocoros stated the plans are the same as submitted to the Board. The proposal is for a two-family side by side dwelling. This will be a 3 level configuration, stepped up garage, basement, living room and dining room. Three bedrooms in each unit, all brick dwelling.

Mr. Makroulakis asked to the planting in the front.

Mr. Macri responded there will be flowering dogwoods, one on each side.

Mr. Jovishoff asked about the strip between the driveways and why it doesn't go to the end.

Mr. Cocoros responded that it makes it difficult to backout.

Mr. Jovishoff requested the average grade plane and heights.

Mr. Macri responded they will comply.

Mr. Macri called his next witness, Mr. David Spatz, Planner, 60 Friend Terrace, Harrington Park, NJ.

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

**A2 – Photo Board, Four Photographs of Site and Surrounding Area**

Top left photo is the subject property. Top right photo is a larger two-family home to the right. Bottom left is the home to the South. The bottom right is the home across the street.

Mr. Spatz stated two-family homes are permitted in this zone. C and D variances are required.

It was moved by Mr. Makroulakis, seconded by Mr. Nitti and passed on a vote of 7-0 by members Nitti, Silver, Joh, Makroulakis, Yoon, Starace and Sugarman to grant the applicant approval to construct a Two-Family Dwelling.

**ADJOURNMENT**

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

Respectfully submitted,

Linda Garofalo  
Recording Secretary