

FORT LEE BOARD OF ADJUSTMENT

MARCH 8, 2016

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

Absent: J. Nitti, D. Porrino, D. Sugarman

Present: J. Mariniello, Jr., Esq., M. Jovishoff, Phillips, Preiss, Grygiel, D. Juzmeski, Neglia Engineering and Andy Jafolla, Dynamic Traffic

Vice-Chairman Joh called the meeting to order at 7:05 p.m.

NOTICE OF MEETING: The Vice-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 Yoon to approve the minutes of the meeting of February 23, 2016. Mr. Starace abstained from the vote.

Acceptance/Completeness

Vice Chairman Joh stated that Mr. Yoon and Mr. Starace will be sitting in as voting members this evening.

Docket #2-16 Francis & Magidalini Vonderlinden 336 Wilson Avenue Block 6051, Lot 14 Addition/Single-Family Dwelling

Marc Macri, Esq. is representing the applicant. Vice-Chairman Joh stated that completeness will be continued to the meeting of March 22, 2016.

Docket #7-16 Linda Merxhushi 2017 Jones Road Block 3562, Lot 4 Two-Family Dwelling

Marc Leibman, Esq. representing the applicant stated they will comply with the report of Michael Jovishoff dated March 7, 2016. Any revisions will be submitted ten days prior to a hearing date.

Page 2-ZBA March 8, 2016 Acceptance/Completeness continued

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 Yoon to deem the application complete. Marc Leibman will call the Board office for a date.

Docket #8-16 ZAKA, LLC 1350 15th Street Block 2252, Lot 1 Preliminary/Final Major Site Plan – Reconfiguration to 15th floor Interior Units. Increase in number of building units from 212 to 214. Signage.

Marc Leibman, Esq. representing the applicant stated they will comply with the report of Michael Jovishoff dated March 3, 2016. Any revisions will be submitted ten days prior to a hearing date.

It was moved by Mr. Silver, seconded by Mr. Liapes and passed on a vote of 5-0 by members Silver, Joh, Makroulakis, Liapes, and Yoon to deem the application complete. Marc Leibman will call the Board office for a date.

Docket #9-16 New York SMSA Limited Partnership d/b/a Verizon Wireless 2125 Center Avenue Block 5251, Lot 2 Minor Site Plan – Co-location of Roof Top Antennas.

Michael Stanzione, Esq. representing the applicant stated they will comply with the report of Michael Jovishoff dated March 4, 2016. Any revisions will be submitted ten days prior to a hearing date.

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 Yoon to deem the application complete. Michael Stanzione will call the Board office for a date.

Public Hearings

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. Vice Chairman Joh announced that this matter will be carried to the meeting of March 22, 2016. No further notice is required on the part of the applicant and the applicant has extended the time for the Board to act. **(Continued from February 9, 2016)**

Docket #4-16 Fort Lee Medical Center, LLC 1555 Center Avenue Block 3854, Lots 22 & 23

Preliminary/Final Major Site Plan, Change of Residential Lot to a Paved Parking Area
Matthew G. Capizzi, Esq. is representing the applicant.

This application is for a Medical Office building parking lot. An interior lot was purchased and the house has been taken down. They propose to repave and stripe the lot to service the medical office building. The two lots will function with cross easements. The lot will only be used for the medical office.

Mr. Capizzi called his first witness. Michael Hubschmann, 263 Washington Ave., Bergenfield, Engineer.

Mr. Hubschmann was sworn in and his credentials accepted by Vice Chairman Joh.

Mr. Hubschmann stated he prepared the site plan that has been given to the Board.

A1 – Colorized site plan

Existing conditions ó shows parking area, main entrance.

The property located on the corner of Tom Hunter Road and Center Avenue is in a R5 multi-family zone. Across the street is the R2 Residential Zone. The lot that was purchased is a 50 x 110 lot. 50 spaces are required, 18 spaces currently, adding 17 spaces. Propose one-way access through the parking lot.

Sheet 2 – Blow-up of site

Plan to provide positive drainage, adding drains and pits then connecting to drain. Sidewalks and curbing to be redone, 4ø6ø fence, buffer for neighbors, refuse pad, and a small wall. Site lighting will be far from the residential area, 12 ft. high, center of the lot, using LED lights.

Mr. Jovishoff stated that there is an ordinance that any fence over 4 ft. needs to be open. This fence is 6 ft. so this is a variance.

Mr. Hubschmann stated this is a PVC solid fence.

Mr. Jovishoff stated that the Board has the authority to increase the buffer to 10 ft. He asked how the refuse area is accessed.

Mr. Hubschmann stated they back in and pick-up.

Mr. Juzmeski asked for the details on the drainage and french drain.

Mr. Hubschmann stated he will look into this.

Mr. Jafolla stated that 26 ft. is required for the drive aisle, and this has been reduced to 22 ft.

Page 4-ZBA-March 8, 2016 Public Hearings continued

Mr. Hubschmann stated that this is a minimum of 22 ft. and it is a one way.

Mr. Jovishoff stated that he would like the plans to be submitted to the Borough for approval as a condition of approval.

Mr. Makroulakis asked if the fence in the rear is in the NW corner? He also wanted to know if more trees could be added.

Mr. Hubschmann stated yes and that the 20 trees will create a wall.

Mr. Silver asked how many handicap spaces are there?

Mr. Hubschmann stated there are 2 spaces.

Ms. June Keelan 336 Tom Hunter Rd. Fort Lee, NJ

Ms. Keelan asked the Board if prior to this application there was an application for a duplex?

Mr. Mariniello advised that this is the time for questions of Mr. Hubschmann. The procedure and format needs to be followed.

Ms. Keelan will wait to ask her questions.

Donna Holmquist Burgis Associates 25 Westwood Avenue Westwood, Planner

Ms. Holmquist was sworn in and her credentials accepted by Vice Chairman Joh.

Ms. Holmquist stated that she evaluated and reviewed the site plan and she visited the neighborhood. She said the parking overflow goes to Tom Hunter Road and Center Avenue.

This is a D1 variance. The existing building has limited parking, 17 spaces, plan to expand the parking area, add 2 curb cuts, one entrance only, one way exit, maximize the amount of parking. This is improving a non-conforming situation.

Mr. Makroulakis asked to the hours of operation?

Mr. Capizzi stated Monday-Friday 8AM to 8PM and Saturday 9AM-1PM, no Sundays.

Mr. Yoon asked if the parking lot will be leased out after hours?

Mr. Capizzi stated no.

Mr. Jovishoff asked if this could be a condition of approval?

Mr. Capizzi stated yes.

Ms. June Keelan 336 Tom Hunter Rd. Fort Lee, NJ

Ms. Keelan asked if a duplex home was applied for in the past.

Page 5-ZBA-March 8, 2016 Public Hearings continued

Mr. Liapes responded, yes.

Ms. Keelan stated that she has been living in her house since July 1, 1976. She put an addition on in 2005. This parking lot will be across the street from her. She said there is no parking problem on Tom Hunter Road. She feels the value of her home will decrease with the lot across the street. This is a residential neighborhood. She doesn't feel it's fair to take away the space where a house could be built and build a parking lot.

Vice Chairman Joh asked how many Doctors are there now?

Mr. Capizzi stated 5-6 Doctors.

Mr. Joh asked to the amount of required parking spaces.

Mr. Jovishoff stated he based it on square footage.

Mr. Capizzi gave his summation and asked the board to act favorably on this application.

Mr. Mariniello asked Mr. Capizzi if he would like to proceed with the vote.

Mr. Capizzi stated yes.

Mr. Makroulakis feels that it is good to get the cars off the street and in the lot.

Mr. Yoon stated that he understands the concerns and comments Ms. Keelan made. This building has been there since 1974 when the use variance was granted. There's already spaces there, they bought the lot for additional spaces, the parking will be off the streets and he feels this is a reasonable request to add the spaces.

Mr. Starace stated he feels this will bring a better quality of safety to the corner of the street and the parking will ease.

Mr. Jovishoff stated, the following are conditions of approval:

- The applicant agreed to execute a cross-easement between Lots 22 and 23 on Block 3854, to provide access to Lot 22 for parking purposes.
- The applicant agreed to add shielding to the parking lot lights if determined necessary to prevent off-site glare and/or spillage of light.
- The applicant agreed to add one (1) additional tree on Tom Hunter Road for a total of four (4) new trees.
- The applicant agreed to revise the topography of Lot 22 to improve drainage, per the direction of the Board Engineer.
- The applicant agreed that parking use of the parking lots will be limited to hours of operation of the medical building.
- The applicant will submit revised plans showing the agreed upon conditions to the Board Engineer and Board Planner, for review and approval.

Page 6-ZBA-March 8, 2016 Public Hearing continued

It was moved by Mr. Makroulakis, seconded by Mr. Liapes and passed on a vote of 5-0 by members, Silver, Joh, Makroulakis, Liapes, Yoon and Starace to grant the applicant approval for Preliminary/Final Major Site Plan approval, Change of Residential Lot to a Paved Parking Area.

ADJOURNMENT

It was moved by Mr. Liapes, seconded by Mr. Yoon to adjourn the meeting at 8:40 p.m.

Respectfully submitted,

Linda Garofalo
Recording Secretary